



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 18, 2024

**In Control:** Board of Adjustment Meeting

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Department Head

**CASE NUMBER:** BOA-24-10300210

**APPLICANT:** Cathy Garland

**OWNER:** QT South, LLC

**COUNCIL DISTRICT IMPACTED:** District 9

**LOCATION:** 26642 Bulverde Road

**LEGAL DESCRIPTION:** P-14 ABS 266, CB 4864

**ZONING:** "C-3 GC-3 MLOD-1 MLR-2" General Commercial US 281 North Gateway Corridor  
Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

**CASE MANAGER:** Colton Unden, Planner

**A request for**

1) A 5' variance from the maximum 45' sign height (to include 10' for adjacent grade) to allow a 50' sign height.

Section 28-45

2) A 93 square foot variance from the maximum 200 sign square footage to allow a 293-sign square footage.

Section 28-45

**Executive Summary**

The subject property is located along Bulverde Road, west of US Hwy 281. The applicant is requesting a sign height and square footage variance for a QuikTrip. The sign is not currently

constructed. The sign code prescribes a maximum 45' height (to include 10' additional grade) and up to 200 square feet. The applicant is requesting a 50' height at 293 square feet.

**Code Enforcement History**

No relevant code enforcement history.

**Permit History**

Building permit is pending Board of Adjustment outcome.

**Zoning History**

The subject property was annexed into the City of San Antonio by Ordinance 2016-12-01-0899, dated December 1, 2016, and was zoned "C-3" General Commercial by Ordinance 2016-12-01-0902, dated December 1, 2016.

**Subject Property Zoning/Land Use**

**Existing Zoning**

"C-3 GC-3 MLOD-1 MLR-2" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

**Existing Use**

Vacant

**Surrounding Property Zoning/ Land Use**

**North**

**Existing Zoning**

"C-3 GC-3 MLOD-1 MLR-2" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

**Existing Use**

Warehousing

**South**

**Existing Zoning**

"C-3 GC-3 MLOD-1 MLR-2" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

**Existing Use**

Vacant

**East**

**Existing Zoning**

ROW

**Existing Use**

US Hwy 281

**West**

**Existing Zoning**

"C-2 GC-3 MLOD-1 MLR-2" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

## **Existing Use**

Vacant

## **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is in the North Sector Plan and is designated as “Regional Center” in the future land use component of the plan. The subject property is not located within the boundary of any Neighborhood Association.

## **Street Classification**

Bulverde Road is classified as a Secondary Arterial Type A.

## **Criteria for Review – Sign Height and Square Footage Variances**

Pursuant to Section 28-45 of Chapter 28: Signs and Billboards of the City Code, in order for a variance to be granted, the applicant must demonstrate:

1. *The variance is necessary because strict enforcement of this article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscaping, or topography; or*
2. *A denial of the variance would probably cause a cessation of legitimate, longstanding active commercial use of the property.*

The property is currently permitted a 45’ sign height (to include 10’ additional grade) at 200 square feet. The permitted dimensions will not cause a cessation of legitimate, longstanding active commercial use of the property.

3. *After seeking one or more of the findings set forth in subparagraphs (1) and (2), the Board finds that:*

- A. Granting the variance does not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

The proposed sign appears to provide a special privilege as new signs erected along these standards are in compliance in the area.

- B. Granting the variance will not have a substantially adverse impact on neighboring properties.

The proposed variance may have an adverse impact on neighboring properties as the sign height will be exceeding the maximum height for what the city is attempting to provide as a standard.

- C. Granting the variance will not substantially conflict with the stated purposes of this article.

The requested variance appears to substantially conflict with the stated purpose of the Chapter. A sign exceeding the 45’ in height and 200 square feet size will not follow the sign regulations set forth in the Unified Development Code.

**Alternative to Applicant's Request**

The alternative to the applicant's request is to conform to the Sign Height and Square Footage Regulations of Section 28-45 of the Unified Development Code.

**Staff Recommendation – Sign Height and Square Footage Variances**

Staff recommends Denial in BOA-24-10300210 based on the following findings of fact:

1. The variance will alter the essential character of the district.
2. A sign constructed in compliance within the UDC standards will not cause a cessation of legitimate, longstanding active commercial use of the property.