



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 5, 2025

**In Control:** Board of Adjustment Meeting

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon, Director

**CASE NUMBER:** BOA-25-10300040

**APPLICANT:** Image Solutions Sign Company

**OWNER:** Refuel Operating Company LLC

**COUNCIL DISTRICT IMPACTED:** District 4

**LOCATION:** 11235 Fischer Road

**LEGAL DESCRIPTION:** Lot 1, Block 7, NCB 14494

**ZONING:** "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay  
Military Lighting Region 2 Airport Hazard Overlay District

**CASE MANAGER:** Manuel Mottu, Planner

**A request for:**

1) A 559 square foot variance from the maximum 375 sign square foot to allow a 934 square foot sign.

Section 28-45

2) A 20' sign height variance from the maximum 50' sign height to allow a 70' sign height.

Section 25-45

**Executive Summary**

The subject property is located along Fischer Road, along I-35. The applicant is a Refuel Gas Station requesting additional sign height and square footage. The applicant stated the purpose of additional sign height and square footage was to align itself with other signage in the area. The location will have one Certificate of Occupancy and as a single-tenant sign is permitted 50' in

height at 375 square feet per expressway standards. The applicant is requesting 70' height at 934 square feet.

**Code Enforcement History**

No Code Enforcement history found.

**Permit History**

SIG-PMT-APP25-20800642 – March 12, 2025 – Sign Permit

**Zoning History**

A portion of the subject property was annexed into the City of San Antonio by Ordinance 2014-01-09-0001, dated January 8, 2014, and zoned as the current “C-3” General Commercial District. The remaining portion of the subject property was annexed into the City of San Antonio by Ordinance 2016-11-10-0881, dated November 9, 2016, and was zoned as the current “RD” Rural Development District. The property was rezoned by Ordinance 2023-06-01-0384, dated June 1, 2023, and zoned "I-1" General Industrial District.

**Subject Property Zoning/Land Use**

**Existing Zoning**

“I-1 MLOD-2 MLR-2 AHOD” General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Existing Use**

Developing Gas Station

**Surrounding Property Zoning/ Land Use**

**North**

**Existing Zoning**

“I-1 MLOD-2 MLR-1 AHOD” General Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Existing Use**

Business Park

**South**

**Existing Zoning**

UZROW

**Existing Use**

IH-35

**East**

**Existing Zoning**

“C-3 MLOD-2 MLR-2 AHOD” General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Existing Use**

Farm

## **West**

### **Existing Zoning**

“I-1 MLOD-2 MLR-2 AHOD” General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

### **Existing Use**

Truck Stop and Vacant Commercial Lot

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

The subject property is in the United Southwest Communities Plan and is designated as “Regional Commercial” in the future land use component of the plan. The subject property is not located within the boundary of the any Neighborhood Association or Community Organization.

### **Street Classification**

Fischer Road is classified as a Secondary Arterial Type A.

I.H. 35 South is classified as an Expressway.

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

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.*

Per UDC sign regulations the property is permitted a sign height of 50’ and a sign size of 375 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.

New signs located in the area will have to follow the UDC sign regulations which means the proposed sign will enjoy a special privilege not shared by others in potentially similar situations.

- 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 proposed sign square footage and height will be exceeding the maximum 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 maximum 50' height and 375sq.ft. in 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 size regulations of the UDC Section 28-45.

**Staff Recommendation – Sign Height and Size Variance**

Staff recommends Denial in BOA-25-10300040 based on the following findings of fact:

1. The requested sign variance could alter the essential character of the proposed location.
2. The sign could achieve a similar result by adhering to the sign regulations specified by the UDC.