



City of San Antonio

Agenda Memorandum

Agenda Date: December 16th, 2024

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Department Head

CASE NUMBER: BOA-24-10300229

APPLICANT: Cathy Song

OWNER: VP Northwood LLC

COUNCIL DISTRICT IMPACTED: District 10

LOCATION: 1638 Northeast Loop 410

LEGAL DESCRIPTION: Lot 14, Block 37, NCB 11837

ZONING: "C-2 CD MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District with Conditional Use for Veterinary Hospital to include outdoor paddock and runs

CASE MANAGER: Vincent Trevino, Senior Planner

A request for

1) A 15' variance from "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor District's maximum 35' sign height (to include 10' for adjacent grade) to allow a 50' sign height.
Section 28-45

2) A 101 square foot variance from "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor District's maximum 65 sign square footage to allow a 166-sign square footage.
Section 28-45

Executive Summary

The subject property is located along Northeast Loop 410 access road. The applicant is requesting a sign height and square footage variance. The sign is not currently constructed and will be placed

along the lot frontage along Northeast Loop 410 access road. The Austin Highway/Harry Wurzbach Metropolitan Corridor prescribes a maximum 25' height (to include 10' additional grade) and up to 65 square feet. The applicant is requesting a 50' height at 166 square feet multiple tenant sign.

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 and zoned "F" Local Retail District by Ordinance 18115, dated September 25, 1952. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "F" Local Retail District converted to "C-2" Commercial District. The property was rezoned by Ordinance 2012-02-02-0083, dated February 2, 2012, to "C-2 CD" Commercial District with the Conditional Use for Motor Vehicle Sales. The property was rezoned by Ordinance 2017-08-17-0597, dated August 17, 2017, to "C-2 CD" Commercial District with Conditional Use for Veterinary Hospital to include outdoor paddock and runs.

Subject Property Zoning/Land Use

Existing Zoning

"C-2 CD MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District with Conditional Use for Veterinary Hospital to include outdoor paddock and runs.

Existing Use

Vacant Commercial

Surrounding Property Zoning/ Land Use

North

Existing Zoning

ROW

Existing Use

Northeast Loop 410

South

Existing Zoning

"NP-10 MC-3 AHOD" Neighborhood Preservation Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District

Existing Use

Single-Family Dwelling

East

Existing Zoning

"C-3 MC-3 AHOD" General Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District and "O-2 MC-3 AHOD" High-Rise Office Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District

Existing Use

Dentist/Drainage Easement

West

Existing Zoning

"C-3 MC-3 AHOD" General Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District

Existing Use

Vacant Commercial

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Northeast Inner Loop Plan and is designated as "Regional Commercial" in the future land use component of the plan. The subject property is located within the notification area of Oak Park Northwood Neighborhood Association, and they have been notified of the request.

Street Classification

Northeast Loop 410 is classified as an Interstate Highway.

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 35' sign height (to include 10' additional grade) at 65 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 existing 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 Code. A sign exceeding the 50' in height and 166 square feet size will not follow the sign regulations set forth in the Austin Highway/Harry Wurzbach Metropolitan Corridor.

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-24-10300229 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 Austin Highway/Harry Wurzbach Metropolitan Corridor standards will not cause a cessation of legitimate, longstanding active commercial use of the property.