



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 24, 2025

**In Control:** Board of Adjustment Meeting

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon, Director

**CASE NUMBER:** BOA-25-10300030

**APPLICANT:** Raul Franco

**OWNER:** Mis Tesoros Investments LLC

**COUNCIL DISTRICT IMPACTED:** District 8

**LOCATION:** 5431 North 1604 West

**LEGAL DESCRIPTION:** Lot 14, Block 6, NCB 14747

**ZONING:** “MPCD GC-1 UC-1 ERZD AHOD” Master Planned Community District Hill Country Gateway Corridor Overlay IH-10/FM 1604 Urban Corridor Edwards Recharge Zone Airport Hazard Overlay District

**CASE MANAGER:** Colton Unden, Planner

**A request for**

A 163 square foot variance from the 75 square foot digital sign maximum to allow a 238 square foot digital sign.

Section 28-64(b)(1)

**Executive Summary**

The subject property is located along North 1604 West, East of IH-10, not located within any Neighborhood Association. The applicant is requesting sign relief from the Board of Adjustment due to highway expansion rendering visibility issues. The applicant will be within sign corridor square footage guidelines, however, since they are requesting a digital sign, digital signs are limited to 25% of the total square footage allowed.

**Code Enforcement History**

No relevant code enforcement history.

**Permit History**

SIG-PMT-APP23-20801548  
SIG-OPS-PMT23-21500765  
SIG-PMT-APP23-20800978  
SIG-PMT-APP23-20800671

**Zoning History**

The subject property was annexed into the City of San Antonio by Ordinance 41428, dated December 25, 1972, and originally zoned Temporary “R-1” Single-Family Residence District. The property was rezoned by Ordinance 51518, dated November 21, 1979, to “B-3” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-3” Business District converted to “C-3” General Commercial District. The property was rezoned by Ordinance 2007-06-28-0810, dated June 28, 2007, to “MPCD” Master Plan Community District. The property was rezoned by Ordinance 2023-12-07-0948, dated December 7, 2023 to “MPCD” Master Plan Community District.

**Subject Property Zoning/Land Use**

**Existing Zoning**

“MPCD GC-1 UC-1 ERZD AHOD” Master Planned Community District Hill Country Gateway Corridor Overlay IH-10/FM 1604 Urban Corridor Edwards Recharge Zone Airport Hazard Overlay District

**Existing Use**

Medical Clinic

**Surrounding Property Zoning/ Land Use**

**North**

**Existing Zoning**

“MPCD GC-1 UC-1 ERZD AHOD” Master Planned Community District Hill Country Gateway Corridor Overlay IH-10/FM 1604 Urban Corridor Edwards Recharge Zone Airport Hazard Overlay District

**Existing Use**

Hotel

**South**

**Existing Zoning**

UZROW

**Existing Use**

Loop 1604

**East**

**Existing Zoning**

“MPCD GC-1 UC-1 ERZD AHOD” Master Planned Community District Hill Country Gateway Corridor Overlay IH-10/FM 1604 Urban Corridor Edwards Recharge Zone Airport Hazard Overlay District

**Existing Use**

Vacant Land

**West**

**Existing Zoning**

“MPCD GC-1 UC-1 ERZD AHOD” Master Planned Community District Hill Country Gateway Corridor Overlay IH-10/FM 1604 Urban Corridor Edwards Recharge Zone Airport Hazard Overlay District

**Existing Use**

Motor Vehicle Sales

**Comprehensive Plan Consistency/Neighborhood Association**

The subject property is in the UTSA Area Regional Center Plan and is designated as “Regional Mixed Use” in the future land use component of the plan. The subject property is located within the Riot Commons Community Organization, and they have been notified of the request.

**Street Classification**

North 1604 West is classified as a State Highway.

**Criteria for Review – Digital Sign 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.*

The property is currently permitted a 75 square foot digital sign. 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 complying 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 digital square footage 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 75 square foot in digital square footage 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 Digital Sign Requirements of Section 28-64(b)(1) of the Unified Development Code.

**Staff Recommendation – Digital Sign Square Footage Variance**

Staff recommends Denial in BOA-25-10300030 based on the following findings of fact:

1. The variance will alter the essential character of the commercial area.
2. The sign could achieve the requested square footage by being non-digital.