



# City of San Antonio

## Agenda Memorandum

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**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.