



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 23, 2024

**In Control:** Board of Adjustment Meeting

**DEPARTMENT:** Development Services Department

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

**CASE NUMBER:** BOA-24-10300149

**APPLICANT:** Apex Sign Group

**OWNER:** Security Service Federal Credit Union

**COUNCIL DISTRICT IMPACTED:** District 8

**LOCATION:** 15000 IH-10

**LEGAL DESCRIPTION:** Lot 18, Block 2, NCB 14746

**ZONING:** "C-2 GC-1 UC-1 MLOD-1 MLR-2" Commercial Hill Country Gateway Corridor IH-10/FM 1604 Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

**CASE MANAGER:** Colton Unden, Planner

**A request for**

1) A 10' variance from the maximum 50' height (to include 10' additional grade) to allow a 60' height multiple tenant sign.

Section 28-45

2) A 350 square feet variance from the maximum 300 square feet to allow a 650 square feet sign.

Section 28-45

**Executive Summary**

The subject property is located along IH-10, north of UTSA Boulevard. 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 IH-10. The sign code prescribes a maximum 50' height (to include

10' additional grade) and up to 300 square feet. The applicant is requesting a 60' height at 650 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 by Ordinance 39197, dated February 24, 1971, and was originally zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 44991 dated March 6, 1975, to "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the zoning converted to the current "C-2" Commercial District, established by Ordinance 93881 dated May 3, 2001.

### **Subject Property Zoning/Land Use**

#### **Existing Zoning**

"C-2 GC-1 UC-1 MLOD-1 MLR-2" Commercial Hill Country Gateway Corridor IH-10/FM 1604 Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

#### **Existing Use**

Office

### **Surrounding Property Zoning/ Land Use**

#### **North**

#### **Existing Zoning**

"C-2 GC-1 UC-1 MLOD-1 MLR-2 ERZD" Commercial Hill Country Gateway Corridor IH-10/FM 1604 Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District

#### **Existing Use**

Vacant

#### **South**

#### **Existing Zoning**

"C-3 GC-1 UC-1 MLOD-1 MLR-2" Commercial Hill Country Gateway Corridor IH-10/FM 1604 Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

#### **Existing Use**

Motor Vehicle Sales

#### **East**

#### **Existing Zoning**

ROW

#### **Existing Use**

IH-10 West

#### **West**

**Existing Zoning**

“C-2 MLOD-1 MLR-2” Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

**Existing Use**

Apartments (Student)

**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 not located within the boundary of any Neighborhood Association.

**Street Classification**

IH-10 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 50’ sign height (to include 10’ additional grade) at 300 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 50' in height and 300 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-24-10300149 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.