

Case Number:	BOA-23-10300241
Applicant:	QT South, LLC
Owner:	QT South, LLC
Council District:	2
Location:	13130 East IH 10
Legal Description:	P-26A CB 5193 P-26A A-5, NCB 18229
Zoning:	“C-3 AHOD” General Commercial Airport Hazard Overlay District
Case Manager:	Joseph Leos, Planner

Request

A request for 1) a 25’ variance from the maximum 50’ sign height allowance, as described in Section 28-45, to allow a 75’ tall single-tenant sign, and 2) a 224 square feet variance from the maximum 375 square feet allowance, as described in Section 28-45, to allow a single-tenant sign to be 599 square feet.

Executive Summary

The subject property is located along Interstate Highway 10, at the edge of the City of San Antonio city limits. Upon review by Development Services, it was noted that the applicant would need to obtain a variance from the maximum sign height and square footage allowance. While the maximum height permitted is 50’, the applicant is proposing a 75’ tall single-tenant sign. The applicant is also requesting a square footage increase from the maximum single tenant sign. The proposed sign will 599 square feet, while the maximum is 375 square feet. Upon site visits, staff observed that this property is elevated higher than the expressway, does not qualify for adjacent grade allowance.

Code Enforcement History

There is no relevant code enforcement history for the subject property.

Permit History

The issuance of a building permit is pending the outcome of the Board of Adjustment.

Zoning History

The property was annexed into the City of San Antonio by Ordinance 62545, dated May 11, 1986 and zoned Temporary “R-1” Single Family Residence District. The property was then rezoned by Ordinance 70527, dated November 2, 1989 from Temporary “R-1” Single Family Residence District 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 the current “C-3” General Commercial District.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“C-3 AHOD” General Commercial Airport Hazard Overlay District	Vacant Commercial

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
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North	UZROW	Interstate 10
South	OCL	Outside City Limits
East	OCL	Outside City Limits
West	“C-2 AHOD” Commercial Airport Hazard Overlay District & NP-10 AHOD” Neighborhood Preservation Airport Hazard Overlay District	Tractor Trailer Storage & Mechanic

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the I-10 East Corridor Perimeter Plan and is designated “Community Commercial” in the future land use component of the plan. The subject property is not located within the boundaries of a registered neighborhood association.

Street Classification

Interstate 10 is classified as an Interstate.

FM 1518 is classified as a Secondary Arterial Type A.

Criteria for Review – Sign Variance

Pursuant to Section 28-5 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 currently qualifies for a sign 50’ in height/375 square feet for a single-tenant sign. The current allowable height and size 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 there are no other signs of this height or square footage in the surrounding 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 there are no signs of this height or square footage and will appear to be exceeding the sign regulation standards for Universal Development Code. This property is elevated higher than the expressway and does not qualify for adjacent grade allowance.

- 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 /375 square feet will not follow the sign regulations set forth in the UDC

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the Sign Height Requirements per Section 28-45 in the UDC Code.

Staff Recommendation – Sign Height and Square Footage Maximum Variance

Staff recommends Denial in BOA-23-10300241 based on the following findings of fact:

1. The new proposed sign height and square footage are exceeding the UDC; and
2. The current allowable height and size will not cause a cessation of legitimate, longstanding active commercial use of the property.