



City of San Antonio

Agenda Memorandum

Agenda Date: March 18, 2024

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

CASE NUMBER: BOA-24-10300019

APPLICANT: SSC Signs & Lighting

OWNER: SWCBE LTD

COUNCIL DISTRICT IMPACTED: District 9

LOCATION: 22143 Bulverde Road

LEGAL DESCRIPTION: The west irregular 607.94 feet of Lot 1, Block 6, NCB 19116

ZONING: "C-3 PC-1 ERZD" General Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District and "C-2 PC-1 ERZD" Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District.

CASE MANAGER: Alfonso Camacho, Senior Planner

A request for

1) An 80' variance from the PC-1 Corridor required 200' distance from other freestanding commercial signs to allow a 120' distance between freestanding commercial signs. (UDC Section 35-339.01)

Executive Summary

The subject property is located on the intersection of Bulverde Road and East Evan Road, on the far north side of San Antonio. Currently the plot of land is undeveloped. The applicant is requesting a variance for a shorter distance separation between freestanding signs pursuant to the Bulverde Road Preservation Corridor, which requires 200 feet in separation. The closest sign is located at an established commercial business approximately 120' south of the proposed sign location.

Code Enforcement History

No Relevant Code Enforcement history found.

Permit History

SIG-PMT-APP23-20802604 - Salad and Go - On Premise Sign 10/23/2023.

COO-APP23-37601909 - HTeaO- San Antonio 9/20/2023

Zoning History

The property was annexed into the City of San Antonio by Ordinance 61608, dated December 29, 1985, and zoned Temporary "R-1" Single Family Residence District. Ordinance 63215 dated July 10, 1986, rezoned the property to "B-2" Business District and "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District and "B-3" Business District converted to the current "C-2" Commercial District and "C-3" General Commercial District.

Subject Property Zoning/Land Use**Existing Zoning**

"C-3 PC-1 ERZD" General Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District and "C-2 PC-1 ERZD" Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District.

Existing Use

Vacant Land/Shopping Center

Surrounding Property Zoning/ Land Use**North****Existing Zoning**

"C-3 ERZD" General Commercial Edwards Recharge Zone District and "C-2 ERZD" Commercial Edwards Recharge Zone District.

Existing Use

Bank/Vacant Land

South**Existing Zoning**

"R-6 ERZD" Residential Single Family Edwards Recharge Zone District.

Existing Use

Single Family Residences

East**Existing Zoning**

OCL

Existing Use

Bulverde Road

West

Existing Zoning

"R-6 ERZD" Residential Single Family Edwards Recharge Zone District.

Existing Use

Single Family Residencies

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the North Sector Plan and is designated as "Suburban Tier" in the future land use component of the plan. The subject property is not located within the boundary of a registered neighborhood association.

Street Classification

Bulverde Road is classified as a Primary Arterial Type A.

East Evans Road is classified as a Primary Arterial Type A.

Criteria for Review – Sign Distance Variance

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest.*

The public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by the current standard of 200' minimum distance set by the Bulverde Road Preservation Corridor. Separation from the corridor standards is contrary to the public's interest as the Bulverde Road Preservation Corridor was implemented to uphold a design standard.

2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

Staff finds that a literal enforcement of the ordinance will cause no unnecessary hardship as the applicant is able redesign or relocate the proposed sign to a new location.

3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*

Granting the variance may cause a new design precedence that separates from the Bulverde Road Preservation Corridor which goes against the spirit of the ordinance.

4. *The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.*

No uses other than those allowed within the district will be allowed with this variance.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

Granting of the variance will alter the essential character of the district. The Bulverde Road Preservation Corridor was implemented to preserve the design in the area.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

No unique circumstances were found on the property that would warrant the need of a variance. The property is currently undeveloped and there is reasonable amount of space on the property to meet the minimum distance required by the Bulverde Road Preservation Corridor.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the Minimum Sign Distance of the UDC Section 35-339.01

Staff Recommendation – Minimum Sign Distance Variance

Staff recommends Denial in BOA-24-10300019 based on the following findings of fact:

1. Separation from the Bulverde Road Preservation Corridor standards will alter the character of the district; and
2. No other similar separation distances for signage were observed in the area.