



City of San Antonio

Agenda Memorandum

Agenda Date: March 4, 2024

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

CASE NUMBER: BOA-24-10300017

APPLICANT: Erica Marlowe

OWNER: Leslie Alfred Beckmann Etal

COUNCIL DISTRICT IMPACTED: District 3

LOCATION: 9425 South Presa Street

LEGAL DESCRIPTION: P-100B, NCB 10915

ZONING: "C-2 CD MC-2 AHOD" Commercial South Presa Metropolitan Corridor Airport Hazard Overlay District with a Conditional Use for a Truck Stop or Laundry - Full Service

CASE MANAGER: Richard Bautista-Vazquez, Planner

A request for

1) a 25' height variance from the 50' sign height maximum to allow a sign to be 75' in height. (Section 28-45)

2) a 594'-6" square feet variance from the 375 square feet maximum to allow a sign to be 969'-6" square feet. (Section 28-45)

Executive Summary

The subject property is located along South Presa Street, near the interchange of highway 410. The applicant is requesting a variance to exceed the sign size allowance and to allow to exceed the height limit. Currently the property is undeveloped. If approved the sign will be 75' in height and

a size of 969'.5 square feet. A portion of the property is located within the South Presa Metropolitan Corridor, however the location of the proposed sign is outside those boundaries.

Code Enforcement History

No Code Enforcement history on file.

Permit History

COM-STR-PMT24-41300002 - Site Work - 01/04/2024

COM-PRJ-APP23-39802642 – Commercial Project Application - 10/16/2023

The issuance of a sign permit is pending the outcome of the Board of Adjustment

Zoning History

The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and Ordinance 25568, dated September 18, 1957 and originally zoned "B" Residence District. The property was rezoned by Ordinance 41393, dated October 26, 1972, to the "I-1" Light Industry District and "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District and "B-3" Business District converted to the "I-1" General Industrial District and "C-3" General Commercial District. The property was rezoned by Ordinance 2011-08-18-0695, dated August 18, 2011, to "C-3" General Commercial District. Ordinance 2022-05-19-0372 dated May 19, 2022, rezoned the property to "C-2 CD" Commercial District with a Conditional Use for a Truck Stop or Laundry - Full Service.

Subject Property Zoning/Land Use

Existing Zoning

"C-2 CD MC-2 AHOD" Commercial South Presa Metropolitan Corridor Airport Hazard Overlay District with a Conditional Use for a Truck Stop or Laundry - Full Service

Existing Use

Vacant Land

Surrounding Zoning/Land Use

North

Existing Zoning District(s)

"C-2 MC-2 AHOD" Commercial South Presa Metropolitan Corridor Airport Hazard Overlay District and "R-4 MC-2 AHOD" Residential Single-Family South Presa Metropolitan Corridor Airport Hazard Overlay District

Existing Use

Residential and Commercial

South

Existing Zoning District(s)

UZROW

Existing Use

SE Loop 410

East

Existing Zoning District(s)

UZROW

Existing Use

SE Loop 410

West

Existing Zoning District(s)

"C-2 MC-2 AHOD" Commercial South Presa Metropolitan Corridor Airport Hazard Overlay District

Existing Use

Commercial

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Brooks Area Regional Center and is designated as "Business/Innovation Mixed Use" in the future land use component of the plan. The subject property is located near the boundaries of Villa Coronado Neighborhood Association and was notified of the case.

Street Classification

South Presa Street and Southton Road are classified as a Secondary Arterial Type A. Southeast Loop-410 is classified as an Expressway.

Criteria for Review – Sign Square Footage Maximum 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 square footage of 375 square feet and a height of 50'. The current allowable square footage 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 square footage and sign height 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 square footage and height and will appear to be exceeding the sign regulation standards for Universal Development Code.

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 allowable 375 square feet and 50' height limit 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 Allowance Limitation per Section 28-45 in the UDC Code.

Staff Recommendation – Sign Square Footage Maximum Variance and Sign Height Variance

Staff recommends Denial in BOA-24-10300017 based on the following findings of fact:

1. The sign square footage size and height will be exceeding the UDC standards; and
2. The current allowable square footage and height will not cause a cessation of commercial use of the property.