



## AGENDA ITEM SUMMARY

**Agenda Date**

April 9, 2026

**Requested Action**

Consider a request for variances to Unified Development Code Sections 9-7(C)(3)(b) and 9-7(C)(4)(a) to allow a second freestanding sign on the property and to allow two freestanding signs to be located approximately 100 feet apart, where a minimum separation of 200 feet is required, on the property located at 36 Old San Antonio Road.

**Contact Person**

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**Background Information**

**BACKGROUND:**

The property is located at 36 Old San Antonio Road and is owned by Carlos Garcia and Gabe Garcia; the applicant is Patrick Smiley of El Chaparral Cocina y Cantina.

The property is located within the city limits, zoned C2 – Transitional Commercial and is within the Heritage Corridor Overlay.

The current use is a restaurant. The property has an existing monument sign that stands 8 feet tall, with a double-sided, internally illuminated sign face measuring approximately 4 feet in height and 9 feet in width (Attachment 6). The existing monument sign is setback approximately 54 feet from the front property line.

The site has an irregular configuration and frontage constraints along Old San Antonio Road, including a 22-foot right-of-way dedication and a 25-foot landscape area identified on the recorded plat (Attachment 6), as well as drainage and detention features that influence the configuration of the site. The property is also subject to applicable Heritage Corridor Overlay standards, including the requirement that parking areas be screened from view from the designated roadway and from the public right-of-way of all cross streets within thirty-five (35) feet of the designated roadway.

The applicant is proposing a new 8-foot-tall post-and-panel sign with a 6-foot by 4-foot sign face, totaling 24 square feet, to be located in the grass area between the sidewalk and the landscaped embankment of the retention pond, setback 10 feet from the adjacent property line and 8 feet from the front property line.

**REQUEST:**

1. The applicant is requesting variances to the Unified Development Code 9-7(C)(3)(b) and 9-7(C)(4)(a) to allow a second freestanding sign on the property and to allow the two freestanding signs to be located approximately 100 feet apart, where a minimum separation of 200 feet is required.
2. The proposed sign is an 8-foot tall by 4 foot wide post-and-panel sign. The panel will be attached to the mounting posts with six lag bolts, with washers placed beneath the bolt heads.
3. The proposed sign face will measure 6 feet by 4 feet, for a total sign area of 24 square feet.
4. The vertical clearance from grade to the bottom of the sign will be 4 feet.
5. The proposed sign will be located near the driveway entrance off Old San Antonio Road, within the grassed frontage area between the sidewalk and the landscaped embankment of the retention pond, approximately 10 feet from the adjacent property line and at least 8 feet from the front property line.

**ANALYSIS:**

The Design Review Committee must determine whether the proposed variance meets the requirements of Section 2-10.E.4.c of the UDC prior to granting a variance. The applicant bears the responsibility of demonstrating compliance. Below is a summary of staff analysis:

*Literal enforcement of the regulations in this chapter will create an unnecessary hardship or practical difficulty.*

The request involves relief from the freestanding sign standards to allow a second freestanding sign on the property and to allow the two freestanding signs to be located approximately 100 feet apart, where a minimum separation of 200 feet is required. Although the site has frontage constraints, the application materials do not demonstrate that compliance with the UDC is infeasible. Staff is not aware of a site condition that would prevent the applicant from relocating the existing monument sign closer to the front of the property, or from removing the existing sign and installing the proposed sign in compliance with the UDC, rather than seeking variances to allow a second sign and reduced separation. Accordingly, staff does not find that literal enforcement of

the sign standards creates an unnecessary hardship or practical difficulty.

*The situation causing the hardship or difficulty is unique to the affected property.*

The property's frontage along Old San Antonio Road is affected by the site configuration, driveway access, right-of-way dedication, platted landscape area, and drainage and detention features near the frontage. The existing monument sign is also located farther into the property rather than near the driveway entrance. While these conditions distinguish the site from a more typical commercial lot, staff does not find that they create a unique circumstance that necessitates a second freestanding sign. Staff is not aware of a reason the existing monument sign could not be relocated closer to the frontage or removed and replaced with a compliant sign in a different location.

*The situation or hardship is not self-imposed.*

The request relates to the existing development pattern of the site, including the location of the building, driveway access, frontage conditions, and the placement of the existing monument sign. However, the current owners developed the site, and the existing monument sign appears to have been established as part of that development. As a result, the circumstances underlying the request are self-imposed.

*The relief sought will not injure the existing or permitted use of any adjacent conforming property.*

The proposed variances would allow an additional freestanding sign for an existing restaurant use in a commercially zoned area. The proposed second sign would remain on the subject property and would serve the same on-site business. The request does not appear to interfere with the existing or permitted use of adjacent conforming property. The proposed location near the driveway entrance may also improve site identification and visibility for traffic entering the property.

*The granting of a variance will be in harmony with the purpose and intent of this chapter.*

The purpose of the signage regulations is to provide uniform sign standards, improve pedestrian and traffic visual safety, ensure the safe location and maintenance of signs, minimize visual clutter, and promote a positive city image reflecting order, harmony, and pride. The request seeks relief from both the number of freestanding signs allowed and

	<p>the required separation between freestanding signs. Because the applicant has not demonstrated why the existing monument sign cannot be relocated to better serve the site, staff finds that the requested variances are not consistent with the chapter’s intent to maintain uniform sign standards and minimize visual clutter.</p> <p><b>STAFF RECOMMENDATION:</b></p> <p>Based on the requirements of UDC Section 2-10.E.4.c, staff recommends that the Design Review Committee determine if the request meets the criteria for a variance and approve or deny the variance request</p> <p><b>MOTIONS FOR CONSIDERATION:</b></p> <p>The following motions are provided to assist the Commission’s decision and motion.</p> <p>I move that the Design Review Committee accept the findings and <b>APPROVE</b> the sign variance requests.</p> <p>OR</p> <p>I move that the Design Review Committee <b>DENY</b> the variance requests. (The Commission will need to state the reasons for the denial. These reasons should reference specific regulations in the UDC.).</p>
<b>Strategic Alignment</b>	
<b>Financial Considerations</b>	
<b>Citizen Input/Board Review</b>	
<b>Legal Review</b>	
<b>Alternative Options</b>	<p>The Commission may consider the variance request:</p> <ul style="list-style-type: none"> <li>• Approved; or</li> <li>• Approved with conditions; or</li> <li>• Denied; or</li> <li>• Denied in part.</li> </ul>
<b>Supporting Documents</b>	<p>Attachment 1 – Aerial Map  Attachment 2 – Zoning Map  Attachment 3 – Recorded Plat  Attachment 4 – Site Plan</p>

	Attachment 5 – Proposed Sign Details Attachment 6 – Existing Freestanding Sign Attachment 7 – Street View
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