

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL CORRESPONDENCE  
DEVELOPMENT SERVICES DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Florencio Peña, Director Development Services

**THROUGH:** Terry M. Brechtel, City Manager

**COPY:** Christopher J. Brady, Assistant City Manager, File

**SUBJECT:** Goodwill Industries - Board of Adjustment Case No. A-04-060

**DATE:** June 10, 2004

**SUMMARY & RECOMMENDATION**

Mr. Larry Gottsman representing Goodwill Industries is requesting an appeal of the decision of the Board of Adjustment regarding a sign permit application for 2514 S.W. Military Dr.

Staff recommends upholding the Board of Adjustment findings and to deny the requested appeal.

**BACKGROUND INFORMATION**

Mr. Larry Gottsman, representing Goodwill Industries, submitted an appeal for a variance to the Board of Adjustment at their May 17, 2004 meeting. The request was to allow an additional 82 square foot sign cabinet to be installed on an existing nonconforming freestanding single tenant sign structure. The existing nonconforming pole sign is currently 50 feet in overall height with 240 square feet of advertising area. The City Sign Code, for this street classification, allows for the first freestanding single tenant sign to be constructed a maximum of 40 foot in overall height with 240 square feet of advertising area at this location. This additional sign cabinet would give this sign structure a total of 320 square feet of advertising area. The applicant also proposed an overall height of 37 feet for this sign cabinet. The City Code allows 30 feet in height and 180 foot of advertising area for a second freestanding sign structure. The applicant's proposal would have given him an additional 7-foot of height than what would normally be allowed.

Staff as well as the Board of Adjustment felt that Aetna Sign Group was unable to provide reasonable justification to warrant a variance according to the provisions that are set out in the City's sign code section 28-247, *Variance and appeals procedures*. The parameters that should be met to approve a variance include a restricted reasonable opportunity for any adequate signage on the property (considering dimensions, landscaping or topography) or that a denial would cause a cessation of any longstanding active commercial use of the property.

The motion required nine affirmative votes from the members present for approval of the variance. The motion failed on a vote of seven in the affirmative and three against.

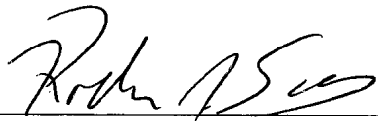
## **POLICY ANALYSIS**

City Council, by adoption of Article IX of Chapter 28 in December 1994, established regulations regarding size, height, spacing, and number of on-premise signs. The installation of a new sign cabinet was one of the catalysts that were intended to trigger compliance with these new sign regulations. The regulations were intended to limit the height, size, and spacing of on-premise signs and still allow businesses reasonable advertising. The regulations in question are consistent to that effort. An additional provision of these regulations allows for an appeal of the decision of the Board of Adjustment to City Council of which they are exercising this right.

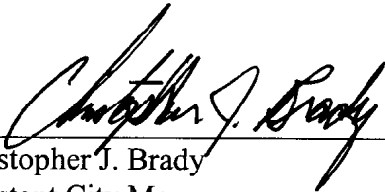
## **FISCAL IMPACT**

The sign permit fee as requested by the applicant is \$87.68.

## **SIGNATURES**

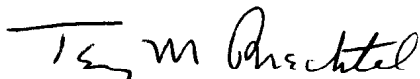


Florencio Peña, Director  
Development Services Department



Christopher J. Brady  
Assistant City Manager

Approved:



Terry M. Brechtel  
City Manager



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May 21, 2004

Yolanda L. Ledesma  
Office of the City Clerks  
City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78283

**RE: Goodwill Industries – Board of Adjustment Case No. A-04-060**

Dear Ms. Ledesma:

Case No. A-04-060 was heard by the Board of Adjustment on Monday, May 17. The vote on this issue was seven in favor and three against, leaving us two vote short of the nine votes needed for passage. This letter is a formal request to City Council to overturn this decision for the following reasons.

1. The concessions that we were asking for will result in a situation that is far better for the City of San Antonio. If you look along SW Military Drive, you will see a preponderance of pole signs that are each fighting for readability.
2. Most groups in the City of San Antonio including those in our industry and others who are sign users agree that sign clutter is a problem that needs to be dealt with. Both Conn's and Goodwill realize this and in that realization have requested a single pole display rather than two single pole displays.
3. There is a lot of conversation among City Council and City Staff regarding the effectiveness of our current sign code. It is a rare situation when a retailer consistently attempts to deal with visual pollution by consolidating signage when they open a new retail facility. As you read the attached letter from Goodwill it should be clear that Goodwill Industries is a good corporate citizen in that regard.

I hope that as you review this information, you will clearly see that our proposal is a better solution for this location than the solution which would be available to us through the existing sign code. In that regard, I ask that you approve Goodwill's application for an 80 square foot sign installed below the Conn's sign as shown on our Drawing #4884.7. Thank you for your consideration.

Sincerely,

Charles L. Gottsman, President  
Aetna Sign Group, Ltd.

CLG/cr

888-609-SIGN (7446)

300 AUSTIN HWY., SUITE 100

SAN ANTONIO, TX 78209

(210) 826-2800

FAX (210) 477-2323

**GOODWILL**  
**2514 S.W. Military Drive**

ALLOWED BY CODE:

- One (1) 40' tall sign with 240 square feet.
- One (1) 30' tall sign with 180 square feet.
- Total Signs Allowed – 420 square feet.

REQUEST:

- One (1) single pole sign with 320 square feet.

VARIANCE REQUEST:

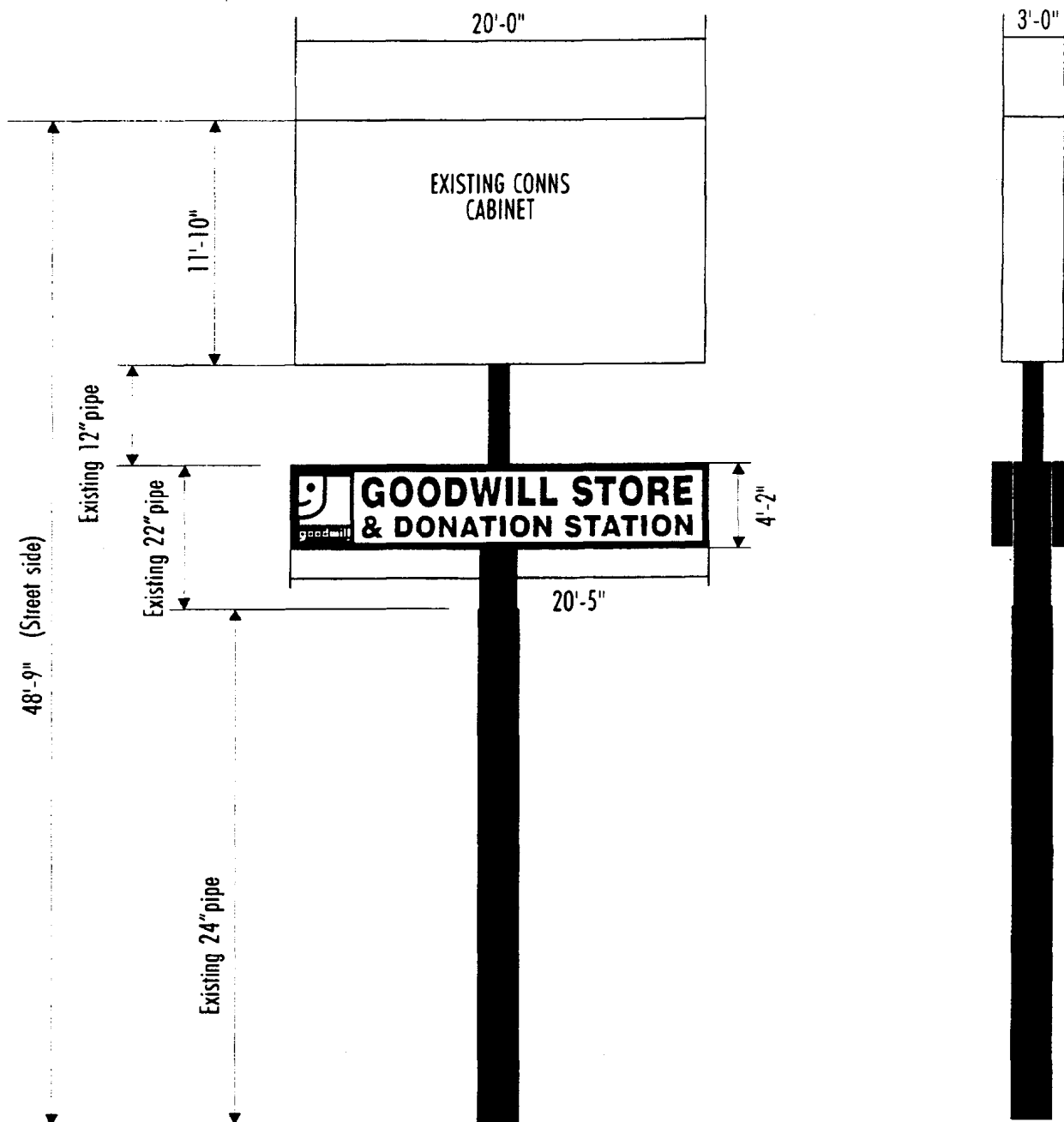
- 80 square feet, 8' of height.

GOODWILL GIVES UP:

- One (1) single pole structure or other structure to support sign 30'.
- 100 square feet of size.

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CONN'S SQ. FT. 236.66  
GOODWILL SQ. FT. 85.86  
TOTAL SQ. FT. PROPOSED 321.72



**FRONT VIEW**  $1/8" = 1'-0"$

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**SPECIFICATIONS:**

- ▲ Manufacture and install two (2) S/F "Goodwill" cabinets.
- ▲ .063 alum. cabinet painted black.
- ▲ 4" retainers painted black.
- ▲ White flex face with applied vinyl graphics.
- ▲ Logo - 3630-337 process blue and black.
- ▲ Copy - 3630-73 dark red.
- ▲ Support poles painted black.
- ▲ Internally illuminated by H.O. lamps.

**aetna**  
SIGN GROUP

CLIENT	GOODWILL STORE
ADDRESS	SW MILITARY & ZARZAMORA
CITY	SAN ANTONIO, TEXAS
SALESPERSON	SYLVIA BAILIFF
DATE	2-26-04
DESIGNER	ARNULFO VILLELA
DRWG #	4884.7

File: GoodwillStore/4884 swmilitary& zarzamora  
Revision History:3-9-04,3-25-04,4-2-04,4-14-04

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Violation of any of the above shall subject the violator(s) to all statutory and common law damages available to Aetna Sign Group, LTD., including, but not limited to, the value of man hours incurred in the production of this design, attorney's fees, and any and all other costs incurred by Aetna Sign Group, LTD. in the enforcement of it's copyrights.

All signs will be manufactured to accommodate 120 volt current unless otherwise instructed by customer.

Note: Aetna will supply transformers, boxes, disconnects, switches & letters. Installers are to provide all other necessary hardware to accomplish installation.



**Photo Survey - N.T.S.**

(Initial) \_\_\_\_\_



# Goodwill Industries of San Antonio

406 W. Commerce, San Antonio, TX 78207-3182 • Tel: (210) 924-8581 • Fax: (210) 924-3011 • Internet: <http://www.goodwillisa.org>

May 19, 2004

Mr. Florencio Pena III  
Director Development Services  
City of San Antonio  
1901 S. Alamo  
San Antonio, Texas 78204

RE: Board of Adjustment Case #A-04-060

Dear Mr. Pena:

This letter is a formal request that you consider overturning the decision of the Board of Adjustment, in particular, that decision regarding Case #A-04-060. As I understand it the vote on this issue was seven in favor and three against. I would like to offer the following for your consideration of our request.

1. Goodwill will not seek any additional pylon signage at this site during the term of our initial 5-year lease.
2. Goodwill will not request any increase in the size of the signs installed on the Conn's sign during the term of our initial 5-year lease.

We have always tried to be good corporate citizens at each of our retail locations. You may recall that at our Bitters and 281 location, we would have been allowed three signs but instead chose a single pole installation resulting in far less sign clutter at this property.

At our I-10 and DeZavala location, we chose to locate our pylon sign on an existing pole therein combining our sign with the bowling alley sign. Again, we would have been allowed a separate pole sign but we chose to enhance the visual environment rather than adding another visual obstruction.

When we signed the lease for our new location at SW Military Drive, we noticed that Conn's already had a pylon sign on this property. Rather than asking for an additional pole sign 150 feet away which would have been allowed under code, we instead requested that we be included on the Conn's pole sign. We also asked for a much smaller sign than we would have been allowed on a separate pole. In fact, the sign we requested is 100 square feet less than what would have been allowed by code.

I hope that the information contained herein is ample evidence to show that Goodwill has always been interested in preserving the visual environment and fully understands that too many pole signs can certainly take away from the ability of retailers to do business. Thank you for your consideration.

Sincerely,

  
Bob Dugas  
Goodwill Industries

Goodwill Helps Change Lives Through the Power of Work.  
Goodwill Ayuda a Cambiar Vidas a Través del Poder del Trabajo.

Board of Directors: Amber Alonso, Stanley Cohen, Richard Gambetta, Ana Maria Garza Cortez, Rob Glenn, Derrick Howard, John Jernigan, Kent Kreuss, Ray Leal, Jim Matson, Cristina Polka Wells, Sybel Pici, Allen Pullen, Sylvia Romo, Robert Shaw, Katherine Shields, Allan Smith, Steve Varga, Arlene Wooshe.  
Advisory Board of Governors: Randy Curtis, Mary Donnan, David Jacobson, Charles Kilpatrick, Annelle McCleskey, Yolanda Rios Rangel, Vernon Shade, William Simkin.



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