

## Legislation Details (With Text)

<b>File #:</b>	24-534	<b>Name:</b>	
<b>Type:</b>	Report	<b>Status:</b>	Passed
<b>File created:</b>	4/11/2024	<b>In control:</b>	Board of Adjustment
<b>On agenda:</b>	4/25/2024	<b>Final action:</b>	4/25/2024
<b>Title:</b>	CS24-0118 Hold a public hearing and consider a request for an alternative sign plan to allow a proposed freestanding multi-tenant pole sign to exceed the adopted height and area standards for properties with street frontage along IH-35 N and in the C-3 Commercial District, currently addressed 744 IH-35 N.		

**Sponsors:****Indexes:****Code sections:****Attachments:** 1. Aerial, 2. Applicant Attachments, 3. Comparison Table

Date	Ver.	Action By	Action	Result
4/25/2024	1	Board of Adjustment	approved	

**PRESENTER:**

Applicant: Humble Sign Company, Alex Rodriguez

Owner: SCF RC Funding I LLLC

**SUBJECT:**

**CS24-0118** Hold a public hearing and consider a request for an alternative sign plan to allow a proposed freestanding multi-tenant pole sign to exceed the adopted height and area standards for properties with street frontage along IH-35 N and in the C-3 Commercial District, currently addressed 744 IH-35 N.

**BACKGROUND RATIONAL:****Case #:** CS24-0118

**Applicant:** Humble Sign Company  
Alex Rodriguez  
20702 Townsen Blvd E  
Humble, TX 77338  
(281) 812 - 2100 ✉ alex.rodriguez@humblesignco.com

**Staff Contact:** Colton Barker  
(830) 221 - 4274 ✉ CBarker@newbraunfels.gov

The subject property is 7.248 acre development comprised of three platted lots located southeast of IH-35 North near Seville Drive (See attached aerial map). The three-lot development collectively shares approximately 570-feet of street frontage along IH-35. Approximately the front half of the subject property is zoned "C-3" Commercial District with the balance being zoned "C-4" Resort Commercial District. There is currently no other freestanding signage being proposed with development of the property.

The applicant, Humble Sign Company is seeking the approval of a proposed alternative sign plan to allow a

freestanding multi-tenant pole sign to exceed the adopted height and area standards for properties with street frontage along IH-35 N and in the C-3 Commercial District.

New Braunfels' Sign Ordinance allows sign types and sizes based upon the zoning district and specific street frontage. The property's existing C-3 zoning at the front of the property and frontage along IH-35 allow for alternatives to the proposed freestanding multi-tenant pole sign - listed below and in the attached comparison chart. Each lot of the three-lot development by right has the following signage options available.

The existing C-3 zoning of the subject property allows the following freestanding signage options:

- 1 Freestanding Monument Sign per 300-feet of frontage
  - Max area 48-square-feet, max height 10-feet, min setback 5-feet **OR;**
- 1 Low Profile Pole Sign per 300-feet of frontage
  - Max area 20-square-feet, max height 10-feet, min setback 5-feet **OR;**
- 1 Electronic Message Monument Sign in lieu of any other signage
  - Max area 48-square-feet, max height 10-feet, min setback 15-feet **OR;**
- 1 Electronic Message Pole Sign in lieu of any other signage
  - Max area 20-square-feet, max height 10-feet, min setback 15-feet

Since the subject property has street frontage along IH-35 the following additional freestanding signage options are available:

- 1 Pole Sign per 400ft of frontage
  - Max area 400-square-feet, max height 40-feet, min setback 5-feet **OR;**
- 1 Electronic Message Monument Sign in lieu of any other signage
  - Max area 200-square-feet (maximum 100-square-feet per sign face), max height 40-feet, min setback 15-feet **OR;**
- 1 Electronic Message Pole Sign in lieu of any other signage
  - Max area 200-square-feet (maximum 100-square-feet per sign face), max height 40-feet, min setback 15-feet

The alternative sign plan process is intended to:

1. allow an applicant flexibility in creating alternative signage designs to complement a development's unique characteristics;
2. increase sign area and/or height in lieu of multiple signs that would otherwise be allowed; and/or
3. allow additional signage due to unusual constraints associated with the property.

Through this process, the Board of Adjustment can consider such requests within the context of a specific location and approval may be granted by the Board without identification of a hardship.

## **PROPOSAL:**

The proposed freestanding multi-tenant pole sign along IH-35 North between Seville Drive and Lakefront

Avenue will reduce the total maximum allowable overall height, area, and quantity of freestanding signage for the development. The development is comprised of three lots and is being developed to include a Saltgrass Steakhouse restaurant. The applicant's request for a multi-tenant sign to be located on lot 1R-2 includes four tenant cabinets available for use from businesses that will occupy the development alongside the Saltgrass Steakhouse restaurant. As part of this request no other freestanding signage is proposed for lot 1R-1 or 1R-3. The New Braunfels Sign Ordinance allows properties with street frontage along IH-35 to construct 1 pole sign per 400-feet of frontage, however each of these signs must be spaced a minimum of 300-feet apart. The unique lot configuration and platted easements of the development likely establishes the need for a multi-tenant style of sign.

There are several nearby conditional sign permits that have been approved along IH-35 North. The Lowe's multi-tenant signs are of a similar height, but also have a total sign area of ~685-square-feet for each of the four signs included in the development. Additionally, there is a high-profile monument sign located across IH-35 North at the Hyundai dealership that measures approximately 429-square-feet in size.

The proposed freestanding multi-tenant pole sign:

- Overall sign area is approximately 857 square-feet in area (234 square-feet per larger tenant and 156 square-feet per smaller tenant), and
- Overall sign height of approximately 60 feet, and
- Set back of approximately 33 feet and 8 inches from external property line, approximately 5ft from internal property line, and not within any easements, and
- Approximately 320-feet away from neighboring Courtyard by Marriott pole sign on adjacent property.

#### **NEARBY SIGN HEIGHTS:**

<b>Sign Location</b>	<b>Sign Type</b>	<b>Approx. Height</b>
Courtyard by Marriott	Monument	22 feet
Kohl's	Pole	40 feet
Shell	Pole	54 feet
Office Depot	Multi-tenant	60 feet
Golden Corral	Pole	56 feet
RBFCU	Electronic Message Pole	34 feet
Pizza Hut	Pole	50 feet
IHOP	Pole	62 feet
Taco Cabana	Pole	70 feet
Market Place	High-Profile Multi-tenant	45 feet

#### **GENERAL INFORMATION:**

##### **Size:**

Development Area:

Lot 1R-1: 1.288 acres

Lot 1R-2: 1.556 acres

Lot 1R-3: 4.404 acres

Development Total: 7.248 acres

Development Depth:

~ 900-feet

**IH-35 Frontage:**

Lot 1R-1: ~ 172-feet

Lot 1R-2: ~ 111-feet

Lot 1R-3: ~ 294-feet

Development Total: ~ 577-feet

**Surrounding Zoning and Land Use:**

North - Across IH-35, M-2 and C-3 / Commercial

South - R-2 and R-3L / Residential low-density

East - C-3 and C-4 / Commercial Hotel

West - C-3 and R-2/ Residential high-density and Residential low-density

**STAFF RECCOMENDATION:**

The total area of the proposed sign is approximately 857-square-feet, exceeding the allowable sign area of 400-square-feet by 457-square-feet (114% increase) for pole signs along IH-35. Additionally, the height of the proposed sign is 60-feet, exceeding the allowable height of 40-feet by 12-feet (33% increase). For these reasons, staff supports the allowance of a multi-tenant sign for the development but does not recommend approval of the proposed sign at the requested sign area and height.

Staff acknowledges that the nature of the development facilitates the utilization of a multi-tenant sign and is preferred to multiple large signs in close proximity. The proposed sign would reduce the total overall height, sign area, and quantity of freestanding signage allowed at the development and consolidate into a single multi-tenant sign that will serve the entire development. However, the proposed sign significantly exceeds the allowable square-footage and height requirements for pole signs on properties along IH-35. Staff believes an alternative sign plan is the most appropriate avenue to pursue the requested sign, however staff believes the proposed sign should be revised with more modest dimensions to be appropriate for the location.

**RESOURCE LINKS:**

- Chapter 106 Sign Ordinance, Sec 106-8 Variance and Appeal:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
- Chapter 106 Sign Ordinance, Sec 106-14(a) Sign Dimensional Standards:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
  - Chapter 106 Sign Ordinance, Sec 106-14(b) Design Requirements:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
  - Chapter 106 Sign Ordinance, Sec 106-15 Principals of Sign Area Computation:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)