

## Legislation Details (With Text)

**File #:** 17-829 **Name:**

**Type:** Report **Status:** Individual Item Ready

**File created:** 12/13/2017 **In control:** City Council

**On agenda:** 1/8/2018 **Final action:**

**Title:** Discuss and consider a request for a Conditional Sign Permit for a pole sign at Amish Oaks of Texas, addressed at 1145 Loop 337.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Aerial Map, 2. Application, 3. Proposed Site Plan, 4. Proposed Sign Elevation Plan, 5. Comparison Table Showing Allowable Signs Vs. Requested Sign, 6. Maps of Existing Signs in Vicinity, 7. Excerpt from the Sign Ordinance, 8. Zoning Map, 9. CS-17-039 Photo 2

Date	Ver.	Action By	Action	Result
1/8/2018	1	City Council		

Presenter

*Stacy Snell, Assistant Planning and Community Development Director*  
*ssnell@nbtexas.org*

**SUBJECT:**

Discuss and consider a request for a Conditional Sign Permit for a pole sign at Amish Oaks of Texas, addressed at 1145 Loop 337.

**BACKGROUND / RATIONALE:**

**Case No.:** CS-17-039

**Council District:** 4

**Owner:** Blackmon and Blackmon, LP (Ernie Blackmon)  
2141 NW Loop 410  
San Antonio, TX 78213

**Applicant:** U.S. Signs (Lydell Toye)  
258 Trade Center Drive  
New Braunfels, TX 78130  
(830) 629-4411

**Staff Contact:** Matt Greene, Planner  
(830) 221-4053  
mgreene@nbtexas.org

**Location and Current Code Requirements**

The subject property is the location of Amish Oaks of Texas and The Jumpy Place and is zoned "C-

1", the "pre-1987" Local Business zoning district. The subject property is a 1.98-acre parcel with approximately 221 feet of street frontage on the southwest side of Loop 337 (*inside the loop*). Access to the site is from Loop 337 between Hanz Drive and Rivercrest Drive.

Sign types and sizes are allowed based on zoning and specific street frontage:

- The C-1 zoning district is allowed one free standing monument sign or one low-profile pole sign per lot. Monument signs are limited to 8 feet in height and 32 square feet. Low-profile pole signs are limited to 6 feet in height and 20 square feet. Both sign types require a minimum 10-foot setback.
- Properties with frontage on Loop 337 are allowed one *high profile* monument sign per 300 feet of frontage with a maximum height of 28 feet and maximum area of 225 square feet. Properties with frontage on Loop 337 are also permitted to have a 28-foot tall, 200 square-foot (maximum of 100 square-foot sign face) electronic message sign in the form of a monument type sign. Street frontage does not limit this type of sign, but no other free-standing signs would be allowed on the property if it has an electronic message sign.
- Multi-tenant properties are required to share a sign structure and multi-tenant signs may be any sign type allowed. Additionally, multi-tenant properties are also allowed one 32 square-foot monument sign at a maximum height of 5 feet at each driveway to direct traffic to various areas and businesses within the development.

The subject property currently has no free-standing signs; only wall signs, which are not regulated by the City's Sign Ordinance. It is allowed to have a free-standing monument sign, a low-profile pole sign, or an electronic message sign.

### **Proposal:**

The applicant is proposing to construct a multi-tenant pole sign at the front of the property, adjacent to the driveway approach (see Attachment 3). The proposed pole sign would:

- be 28 feet tall,
- have a 10-foot by 10-foot sign face (100 square feet),
- include a 5-foot wide by 4-foot tall masonry base (20 square feet), and
- have a 3-foot wide by 14-foot tall aluminum pole cover (42 square feet).

Per the Sign Ordinance, the sign base and pole cover are included in the sign area calculation; therefore, the total area of the proposed sign would be 162 square feet.

The applicant's proposal would exceed the maximum height and area of pole signs in the C-1 District (but, would not exceed the maximum height or area allowed if it were an electronic message sign on the Loop). The proposed sign would be internally illuminated with a white background. Such signs are brighter at night than are signs with dark/opaque backgrounds where only the lettering or logo is illuminated.

The conditional sign permit process is intended to offer applicants opportunities to request alternative sign sizes and/or heights in lieu of multiple signs they would otherwise be allowed by right, due to unusual constraints associated with the property or the applicant's desire to create a distinctive sign or sign plan. Under those circumstances the applicant typically offers some form of a reduction in the overall number or size of signage on the property in exchange for the allowance.

The subject application does not propose a reduction in the number of signs allowed on the

property, but does propose a maximum sign area that would be less than what would be permitted if it were an electronic message sign. The applicant has indicated that the landscaping required by the Zoning Ordinance has grown and is blocking the wall signage, necessitating the proposed sign, which the applicant would like to be visible to passing motorists from both directions.

***Existing Signs in the Vicinity:***

Sign Location	Sign Type	Approximate Height
El Napalito	Pole	15 ft.
Cooper's	Pole	38 ft.
Natural Bridge Caverns	Off-premises Billboard	27 ft.
AA Aarons Mini Storage	Pole	13 ft.
Billy's Ice	Pole	20 ft.
Harley-Davidson	Pole	40 ft.
*D & D	Electronic Message Pole	28 ft.
Cube Smart Storage Facility	Pole	24 ft.
Crisis Pregnancy Center of New Braunfels	Monument	10 ft.

*\*City Council Approved Conditional Sign Permit - 2014*

*Lot Size:*  
1.98 acres

***Surrounding Zoning and Land Use:***

North - C-1 / AA Aarons Mini Storage  
 South - C-1 & C-1Br65 / Cooper's  
 East - Across Loop 337, C-1 / Cube Smart storage facility  
 West - C-1B / AA Aarons Mini Storage

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

City Plan/Council Priority:	<b>Goal 12:</b> Protect and enhance the visual environment of the City. <b>Objective A:</b> Maintain fair and reasonable regulations for signs so that signs harmonize with the special qualities and appearance of New Braunfels (specifying size, height, locations).
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**FISCAL IMPACT:**

N/A

**COMMITTEE RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

As noted above, the conditional sign permit process is intended to allow an applicant flexibility to create alternative signage designs to complement a development's unique characteristics, and for City Council to consider such designs in the context of a specific location. While there do not appear

to be significant topographic features or hardships associated with the subject property, staff does recognize the applicant's proposed sign would be 38 square feet less than the 200 square-foot electronic message center sign that is otherwise allowed at this location. Staff also notes the proposed sign is in keeping with the characteristics of the conditional sign permit approved across Loop 337 in the same C-1 zoning district in 2014.

If approved, staff recommends the following conditions in accordance with the Comprehensive Plan Goal 12, Objective A:

1. No other free-standing sign would be allowed without the approval of a new conditional sign permit by City Council; and
2. Provide an opaque background for the sign face or a background in a non-white color to reduce brightness of the sign at night.

**Attachments:**

1. Aerial Map
2. Application
3. Proposed Site Plan
4. Proposed Sign Elevation Plan
5. Comparison Table Showing Allowable Signs vs. Requested Sign
6. Map and photos of Existing Signs in the vicinity
7. Excerpt from Sign Ordinance
8. Zoning Map
9. Photographs of the subject property and signs in the vicinity