

## Legislation Details (With Text)

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<b>File created:</b>	5/31/2022	<b>In control:</b>	City Council
<b>On agenda:</b>	6/27/2022	<b>Final action:</b>	6/27/2022
<b>Title:</b>	Discuss and consider a request for a conditional sign permit to allow a proposed multi-tenant sign to exceed the maximum allowed height and area standards in the 'C-1B' General Business District, addressed at 1913 Post Road.		

**Sponsors:****Indexes:****Code sections:****Attachments:** 1. Aerial Map, 2. Zoning Map, 3. Elevation, 4. Site Plan, 5. Site Photos, 6. Applicant Letter, 7. Comparison Chart

Date	Ver.	Action By	Action	Result
6/27/2022	1	City Council	approved	

**PRESENTER:**

Christopher J. Looney, AICP, Planning and Development Services Director

**SUBJECT:**

Discuss and consider a request for a conditional sign permit to allow a proposed multi-tenant sign to exceed the maximum allowed height and area standards in the 'C-1B' General Business District, addressed at 1913 Post Road.

**DEPARTMENT:** Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** 5**BACKGROUND INFORMATION:**

Case #: CS21-0444

Sign Contractor: Paul Vidal  
162 Appleton Dr  
San Antonio, TX 78227  
(210) 675-7446  
[CustomSigns410@att.net](mailto:CustomSigns410@att.net) <<mailto:CustomSigns410@att.net>>

**Applicant/Property Owner:**Kobrinisky Samuel & Marguerite D Trust & Douglas C Lee C Trust  
235 Monterey St, Suite A  
Salinas, CA 93901

Staff Contact: Kaitlyn Buck  
(830) 221-4087

kbuck@nbtexas.org

The 5.7-acre subject property has approximately 355 feet of frontage along Post Road. A multi-tenant office warehouse consisting of 6 buildings is currently under construction on site. New Braunfels' Sign Ordinance allows sign types and sizes based upon the zoning district and specific street frontage. Based upon the property's current zoning and length of street frontage along Post Road, the subject property is allowed the following signage:

- One monument sign up to 10 feet in height and 48 square feet in area, with a 10-foot minimum setback; **or**
- One low profile pole sign up to 10 feet in height and 20 square feet in area, with a 10-foot minimum setback; **or**
- One electronic message monument or pole sign up to 10 feet in height and 48 or 20 square feet in area respectively, with a 15-foot minimum setback. One electronic message sign is allowed in lieu of all other free-standing signage; **or**
- One multi-tenant monument sign up to 10 feet in height and 64 square feet in area, with a 10-foot minimum setback.

*Surrounding Zoning and Land Use:*

North - Neighborhood drainage/detention pond

South - Across Post Rd, C-3 (Vacant) & M-1Ar31/ Swimming Pool Supply Store & Plumbing Supply Store

East - C-3 SUP/ Office Warehouse Buildings (Kayden Park 2)

West - Neighborhood drainage/detention pond

**PROPOSAL:**

There are currently no signs on the subject property, Kayden Park 3. The applicant is requesting a conditional sign permit to allow the construction of a new sign to match the existing sign on the adjacent property to the East (1965 Post Rd). The existing monument sign on that adjacent property, Kayden Park 2, was approved as part of a Special Use Permit (SUP) on January 25, 2017. The applicant states in their application it is their wish to create uniformity between the two developments with the signs.

The 2017 SUP was requested to address the expansion of a legal non-conforming use in a holistic approach in lieu of the applicant requesting individual appeals and variances. The SUP approved:

1. the addition of buildings to the site,
2. deviations from the then-adopted building materials requirements,
3. residential tree buffer requirements, and
4. alternative sign ordinance standards.

The Kayden Park 2 sign was approved at a height of 19 feet 4-inches and a sign area of approximately 383 square feet. Much like the proposed sign, the existing sign is mostly black with white text and is not illuminated at night.

The proposed Kayden Park 3 sign:

- A proposed overall sign face measuring approximately 338.5 square feet in area, exceeding the maximum sign area of 64 square feet for a multitenant monument sign by 290.5 square feet (705%); and
- An overall sign height of 22 feet 7 inches tall, exceeding the maximum allowed height of 10 feet for a monument sign by 12 feet 7 inches (225.83%). It would also exceed the building height by 2 feet, 5 inches.

The Conditional Sign Permit 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 they would otherwise be allowed; and/or
3. allow additional signage due to unusual constraints associated with the property.

Through this process, City Council can consider such requests within the context of a specific location.

**FISCAL IMPACT:**

N/A

**ANALYSIS:**

The applicant's request is to achieve signage consistency with the first phase of their project. The first sign required approvals to vary from the adopted ordinance. Rather than seeking a variance at that time, the applicants proceeded through special City Council consideration and approval within a holistic SUP for the whole property as detailed above; the current requested sign, in turn, requires similar consideration for the same reasons (its proposed height and size).

There are several unique aspects to the subject property that might justify deviations from the adopted ordinance via a sign variance or a conditional sign permit. Most notably is the nature of Post Road itself. It intersects the Interstate Highway frontage road and leads off at an angle away from the highway, transitioning into a residential area. Its specific location and configuration near the intersection of such a major roadway suggests an opportunity for more visible signage (to catch frontage road motorists' attention) countered with assurances of limited impact to nearby residences.

Another unique aspect is that while the property is zoned to allow the use, the tract's shape does not lend itself well to the use, leading the property owner to arrange the buildings to be perpendicular to the street frontage. This impacts the visibility of business wall signs, speaking to the desire for larger than typically allowed pole/monument signage. And the alternative for utilization of internal directional signage is hampered by the ordinance's requirement that the wording on such signage not be legible from the roadway, defeating the intent of the proposed sign.

In terms of nearby signage, the aforementioned Kayden Park 2 multitenant monument sign is the only other monument or pole sign currently along Post Road. The non-residential properties across Post Road from the subject site face IH-35, with rear access onto Post Road. Their signage is along IH 35 which has larger sign allowances, hence the tall and large signs for businesses in close proximity.

Finally, commercial signs along roadways are intended to provide information for motorists while balancing traffic safety. When considering variances or conditional sign permit requests, standards published by the United States Sign Council (USSC) regarding how roadway speed correlates to sign visibility can be a useful tool. However, while the speeds on Post Road can go from 30 to 35 mph, the closeness of the location to the intersection leads to reduced speeds in reality which can skew the USSC standards, making this tool less reliable as a guide for sign size at this location.

**RESOURCE LINKS:**

- Chapter 106 Sign Ordinance, Sec 106-8(d) Conditional Sign Permit:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=COO_CH106_106-8(d)_COND_SIGN_PERMIT)
- 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?nodeId=COO_CH106_106-14(a)_SIGN_DIMENSIONAL_STANDARDS)
  - Chapter 106 Sign Ordinance, Sec 106-7(2) Nonconforming sign standards

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