

# Memo

**Meeting Date:** July 21, 2014

**To:** Planning Commission members

**From:** Jeff Fisher, Planner

**Subject:** SV 14-02: Bill Teel, Chandler Signs, a request for approval from Section 12.604(b)(1)(A) of the Sign Ordinance which requires an aggregate area of all freestanding signs not to exceed one-and-a-half (1.50) square feet for each one (1.00) linear foot of land on the lot's frontage abutting the primary street, being 177.13 square feet for this property, to allow one (1) freestanding sign with a total sign area of 400 square feet, on the following property:

**Location:** 4514 Sherwood Way, located approximately 885 feet east of the intersection of Sunset Drive and Sherwood Way; more specifically occupying the Red Arroyo Hills Addition, Section 9-B, Lot 11C, in West San Angelo.

**Purpose:** Approval of this request will allow a freestanding sign with a sign area of 400 square feet.

**Contacts:** Bill Teel (Chandler Signs), Applicant 972-739-6516  
Jeff Fisher, Planner 325-657-4210

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**Summary:** The Planning Commission may:

- (1) **Approve** the request for a variance as submitted; or
- (2) **Approve** the request for a variance **with conditions** deemed necessary; or
- (3) **Deny** the request for a variance.

**Recommendation:** Planning staff recommends **approving, with conditions** the requested variance from the Sign Ordinance, Section 12.604(b)(1)(A).

## History and Background:

In June 2014, the applicant submitted an application for a Sign Variance to allow one (1) freestanding sign on the subject property at 4514 Sherwood Avenue, located on the north side of Sherwood Avenue between Sunset Boulevard and Southwest Boulevard.

The sign will be used to direct traffic to two future Hilton Hotels on the subject property; the Hilton Garden Inn and the Hilton Homewood Suites.

The property is presently vacant but a building permit has been submitted for a 4-storey, 162 unit building that will house the 2 hotels.

## General Information

Existing Zoning: General Commercial (CG)

Existing Land Use: Vacant Land

Surrounding Zoning/Land Use:

|        |                         |   |
|--------|-------------------------|---|
| North: | General Commercial (CG) | Vacant Commercial Land  |
| West:  | General Commercial (CG) | Retail Commercial Building  |
| South: | General Commercial (CG) | Outback Steakhouse, Cinemark Movie Theatre, Kool Smiles Dentistry |
| East:  | General Commercial (CG) | The Heights Baptist Church, Lin's Restaurant, Logan's Restaurant  |

Thoroughfares/Streets: Sherwood Way is defined as an "arterial street," which is designed to connect collector streets to freeways and carry large volumes of traffic at high speeds. Access is secondary and mobility is the prime function of this street.

Zoning History: The property was annexed within the city in 1975.

Applicable Regulations: Sign Ordinance 12.600

Section 12.601.a.

*"[that] regulation of visual clutter can help preserve ....and promote the steady growth that is vital to the continued economic health and prosperity of [the] city."*

Section 12.601.e.

*“city council finds that the **visual clutter...is detrimental to the economic and commercial welfare** of the community and detracts from the quality of life in the city.”*

Section 12.601.e.

*“the provisions of this article establish minimum standards for signs that directly relate to the **use of the property, traffic patterns and safety.**”*

Section 12.604(b)

*(1) Freestanding Signs. Freestanding on-site signs shall be governed by the following regulations:*

*(A) Area. The aggregate area of all freestanding signs shall not exceed an amount equal to one-and-a-half (1.50) square feet for each one (1.00) linear foot of land on the lot's frontage abutting the primary street, except that a minimum forty-eight (48) square feet of sign area is allowed regardless of lot frontage. In no case shall the sign area of any one freestanding sign exceed 250 square feet. Only one street frontage shall be considered the primary street frontage on a lot.*

*The maximum number of freestanding signs allowed on a lot shall be five (5). Only one street frontage shall be considered the primary street frontage on a lot.*

*(C) Setback. A maximum height of 20 feet shall be authorized at the property line. One (1) foot of additional setback is required for each two (2) feet of height. A five (5) foot minimum setback from the side property line shall be required.*

*(D) Height. Maximum sign height of 50 feet in a CG Zone.*

Vision Plan Map: Commercial

Notification Required: No

### **Analysis:**

In order to approve this request, the Planning Commission members are first required to find that:

- (1) There are special circumstances or conditions applying to the land, buildings, topography, vegetation, sign structures or other matters on adjacent lots or within the adjacent right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions are unique to the particular business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises;
- (2) Such special circumstances were not created by the applicant;
- (3) The granting of the variance will be in general harmony with the purpose of this article and will not be materially detrimental to adjacent property, to the adjacent neighborhood, to the persons residing or working in the vicinity or to the public welfare in general;
- (4) The variance applied for represents the minimum variance necessary in order to afford relief from the hardship;
- (5) The variance applied for does not depart from the provisions of this article any more than is required to identify the applicant's business or use.

The staff recommendation is based upon the statements listed below.

Although staff recommends an increase in sign area to 350 square feet, staff feels that 400 feet is excessive. If approved, this variance would allow a freestanding sign with a sign area in excess of that permitted for commercial freestanding signs in the Sign Ordinance. The proposed sign would have a total sign area of 400 square feet whereas the Sign Ordinance allows the aggregate area of all freestanding signs not to exceed an amount equal to one-and-a-half (1.50) square feet for each one (1.00) linear foot of land on the lot's frontage abutting the primary street to a maximum of 250 square feet. The subject property has a lot frontage of 118.09 feet allowing a total sign area of 177.13 square feet. Since the lot frontage is less than 200 feet, only one (1) freestanding sign is permitted on this property. The proposed sign will be 50 feet in height, with each hotel having a double face sign area of 20' long by 10' wide attached to the freestanding pole (see attached). The colors and materials used will be consistent with the Urban Design approval (UDR14-02) for the property. The required front yard setback is 35 feet for this sign (20 feet at the property line plus 15 feet for the remaining 30 feet of height of the 50 foot sign).

Although the proposed sign meets the front yard setback and is approximately 125 feet from the front property line, it does not appear to meet the 5 foot required side yard setback from the east property line. Given the tight space on the property, a reduced side yard setback to 2 feet, staff believes, would be acceptable in this location, with no further reductions.

There are special circumstances that apply to this property. This situation is unique because there are two hotels on a single property and also because of the shape of the lot. Similar to the HEB sign variance approved in December 2012, (SV 12-04), this

property also has a narrow lot frontage, and the first 120 feet is covered by an internal driveway and access easement. The narrow lot frontage limits the placement of the sign further back than what other properties enjoy along Sherwood Way, including the Heights Baptist Church, Lin's Restaurant, the large Billboard sign immediately to the west at 4516 Sherwood Way, The Outback Steakhouse and the Kool Smiles Dentistry building. The narrow frontage and width of the property southwards towards Sherwood Way requires the hotel also to be built further back, meaning a larger sign would be appropriate so that vehicles would be able to better identify the hotel from a greater distance. The proposed sign as shown on the site plan would be approximately 125 feet back from the front property line, and over 180 feet from Sherwood Way. This is much more substantial than the other signs mentioned which benefit from longer lot frontages close to Sherwood Way. Therefore, Criteria 1 is met.

The subject property's shape was created as part of the Red Arroyo Subdivision plat, and was not a result of the applicant. Of all the possible locations the sign could be erected that are still visible to the public, this appears to be the only spot given the driveway and the short lot frontage access so Criteria 2 is met.

Granting the sign variance would meet the general purpose of the Sign Ordinance and not affect adjacent land in a detrimental way. As mentioned, there are several freestanding signs in the area including for the Heights Baptist Church and Lin's Restaurant, as well as the large billboard sign immediately to the west. Given the long lot frontages for the adjacent properties along Sherwood Way, one more freestanding sign in this area, set back at a substantial distance from Sherwood Way would still be in general harmony with the purpose of the Sign Ordinance, including the general objectives of Section 12.601 which state that "*visual clutter...is detrimental to the economic and commercial welfare of the community*" and that "*the provisions...establish minimum standards for signs that directly relate to the use of the property, traffic patterns and safety*". Whereas the proposed sign would be set further back than most of the signs in this area, and given the long lot frontages of adjacent lots, it would meet the minimum standards related to traffic and avoid visual clutter. Criteria 3 is therefore met.

The proposed sign area is over double that amount permitted area under the Sign Ordinance. Planning Staff reviewed the signage on adjacent properties that received sign permits, and a similar request for a freestanding sign at the HEB site at 3301 Sherwood Way (SV 12-04). The large billboard sign immediately to the west was approved for 300 square feet, whereas the Heights Baptist Church and Lin's Restaurant both to the east were approved for 104 square feet and 300 square feet respectfully. The existing HEB sign was granted a sign variance for an expansion of 96.95 square feet, for a total of 348.95 square feet, whereas the maximum allowable freestanding sign in that case was 250 square feet. Traffic and numerous access points on the second frontage street, West Avenue N, were cited as reasons in that case to expand the existing sign area along Sherwood Way, but the limit the expansion to 348.95. Numerous access points and traffic at various intersections are not a concern in this case, as there is only one entry. To be consistent with these other sign permits and variance approval, Staff recommends limiting the total sign area on this property to 350 square feet, as the 400 square feet appears to be unnecessary and an over doubling

that the permitted sign area in the Sign Ordinance. Limiting the sign area to 350 square feet would meet Criteria 4 and 5.

**Proposed Conditions**

1. That the proposed freestanding sign be reduced to a maximum of 350 square feet, to be consistent with other signs in the area;
2. That the applicant be granted a second variance for a reduced side yard setback of 2 feet for the sign, provided they erect the sign in the proposed location on the site plan;
3. That no further sign variances be granted for this property.

**Attachments:**

Excerpt from site location map, showing the general location within the City of San Angelo;

Aerial photo, highlighting subject property;

Excerpt from zoning map, highlighting subject property;

Excerpt from vision plan map, highlighting subject property;

Proposed renderings of signs;

Site plan, including placement of proposed signs;

Photos of property and surrounding properties; and

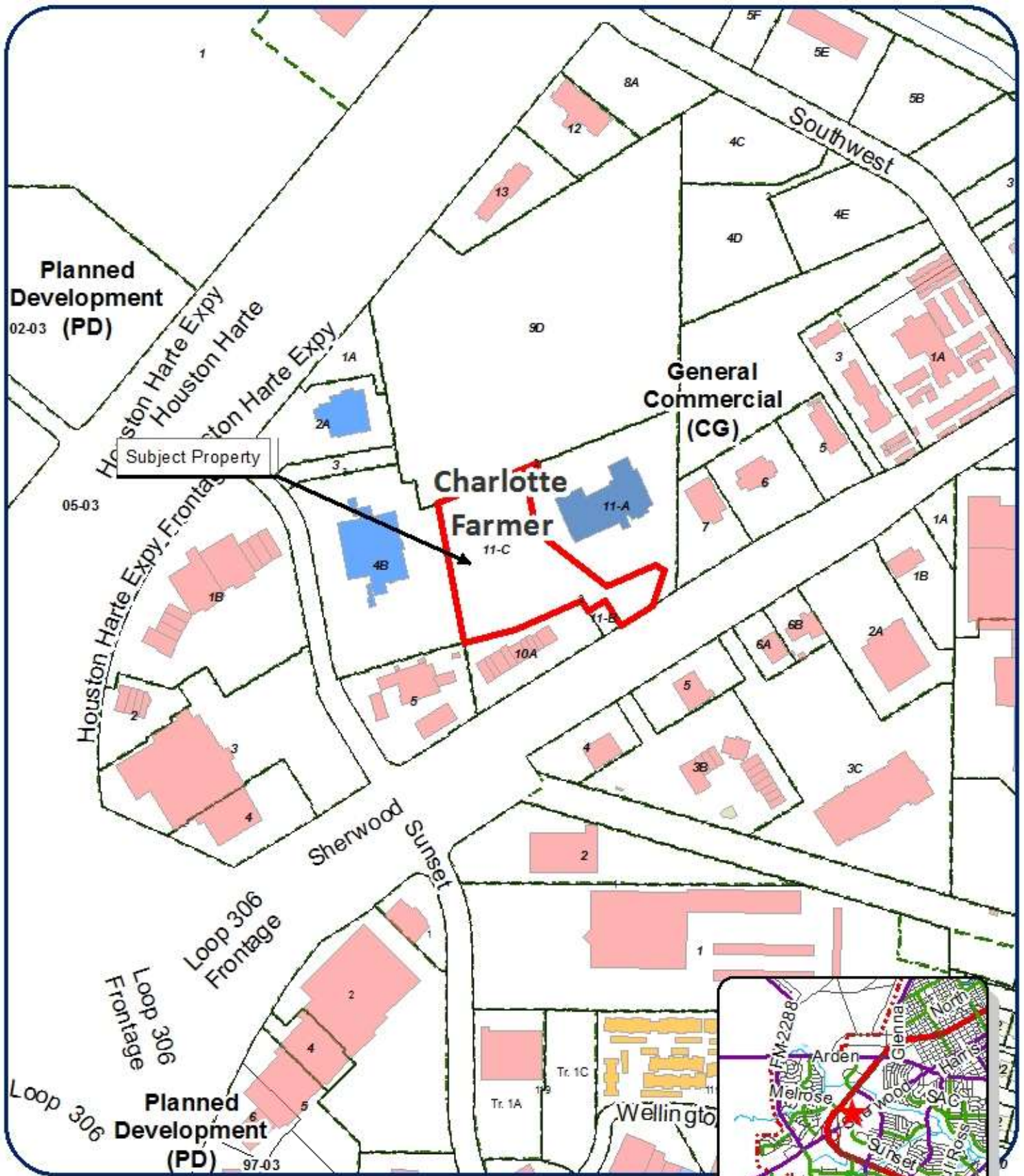
Applicant's responses from application.

**Presentation:**

Jeff Fisher, Planner

**Reviewed by:**

Roxanne Johnston, Planner



**Zoning Case File**

**Case SV14-02 Chandler Signs**

Council District: Charlotte Farmer  
 Neighborhood: Bluffs  
 Scale: 1" approx. = 400 ft  
 Subject Property: 4514 Sherwood Way

**Legend**

- Subject Properties: —
- Current Zoning: CG
- Requested Zoning Change: N/A
- Vision: Commercial





**Zoning Case File**

**Case SV14-02 Chandler Signs**

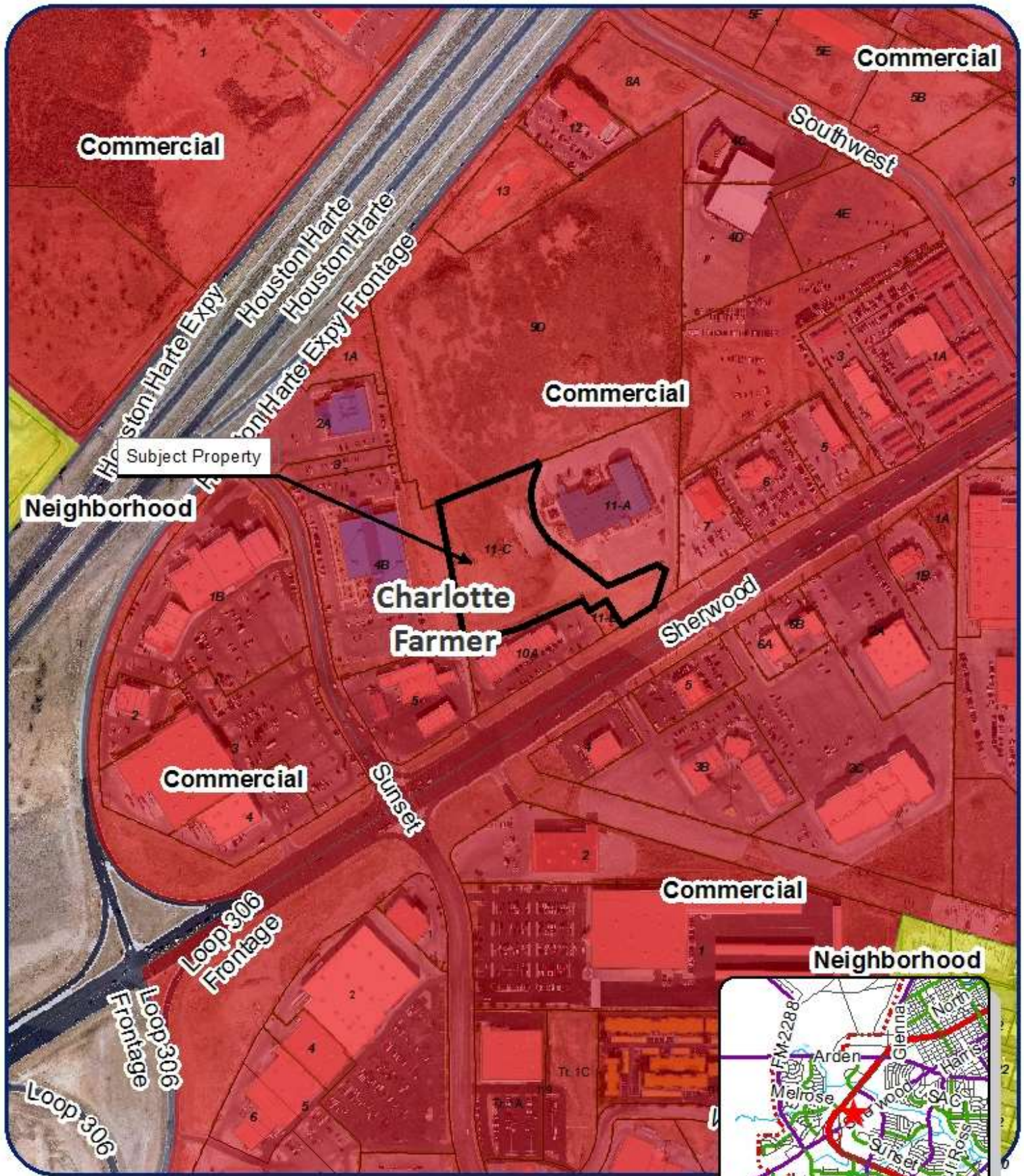
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 Neighborhood: Bluffs  
 Scale: 1" approx. = 400 ft  
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**Legend**

- Subject Properties: —
- Current Zoning: CG
- Requested Zoning Change: N/A
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 Subject Property: 4514 Sherwood Way

**Legend**

Subject Properties:   
 Current Zoning: **CG**  
 Requested Zoning Change: **N/A**  
 Vision: **Commercial**



**Hilton Garden Inn**  
HOMELWOOD SUITES

Design # 14-013583  
Sheet 8 of 12  
Client HILTON

Address  
T.B.D.  
SAN ANGELO, TX

Account  
B.I.

Designer REF

Date 01-24-14

Approval / Date

Client  
Sales  
Scheduling  
Art  
Production  
Project #

Revision / Date  
R1: 02/12/14  
R2: 02/16/14  
R4: 02/16/14

**Chandler Signs**  
www.chandler-signs.com  
1200 W. 10th St., Suite 101, Dallas, TX 75208  
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**FINAL ELECTRICAL CONNECTION BY CUSTOMER**

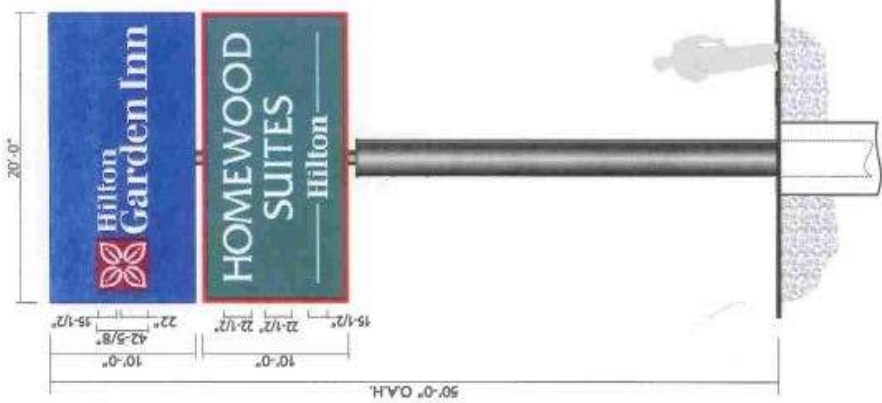


**HILTON GARDEN INN SIGN CABINET**  
FABRICATED DOUBLE FACE ALUMINUM SIGN CABINET CONSTRUCTED FOR FLEXIBLE VINYL "BLEED" FACES - FILLERS & ANY EXPOSED CABINET PRIMED & PAINTED TO MATCH PMS 2758c BLUE SATIN FINISH - INTERIOR OF CABINET PAINTED WHITE  
WHITE 3M (OR APPROVED EQUIV.) 945 PRIMA FLEX FLEXIBLE VINYL BLEED TYPE FACES WITH 3M (OR APPROVED EQUIV.) 3630-07 ROYAL BLUE TRANSPARENT VINYL APPLIED TO THE SURFACE - "HILTON GARDEN INN" LETTERS AND SQUARE FOR "FLORET" LOGO REVERSE NEEDED FROM BACKGROUND TO LET WHITE SHOW THRU.  
3M (OR APPROVED EQUIV.) 3630-71 RED FLORET IS THE SURFACE 3M (OR APPROVED EQUIV.) TRANSLUCENT VINYL SQUARE OVERLAY REVERSE NEEDED TO LET WHITE DESIGN SHOW THRU.  
SIGNS INTERNALLY ILLUMINATED WITH 400ma HI-OUTPUT DAYLIGHT FLUORESCENT LAMPS

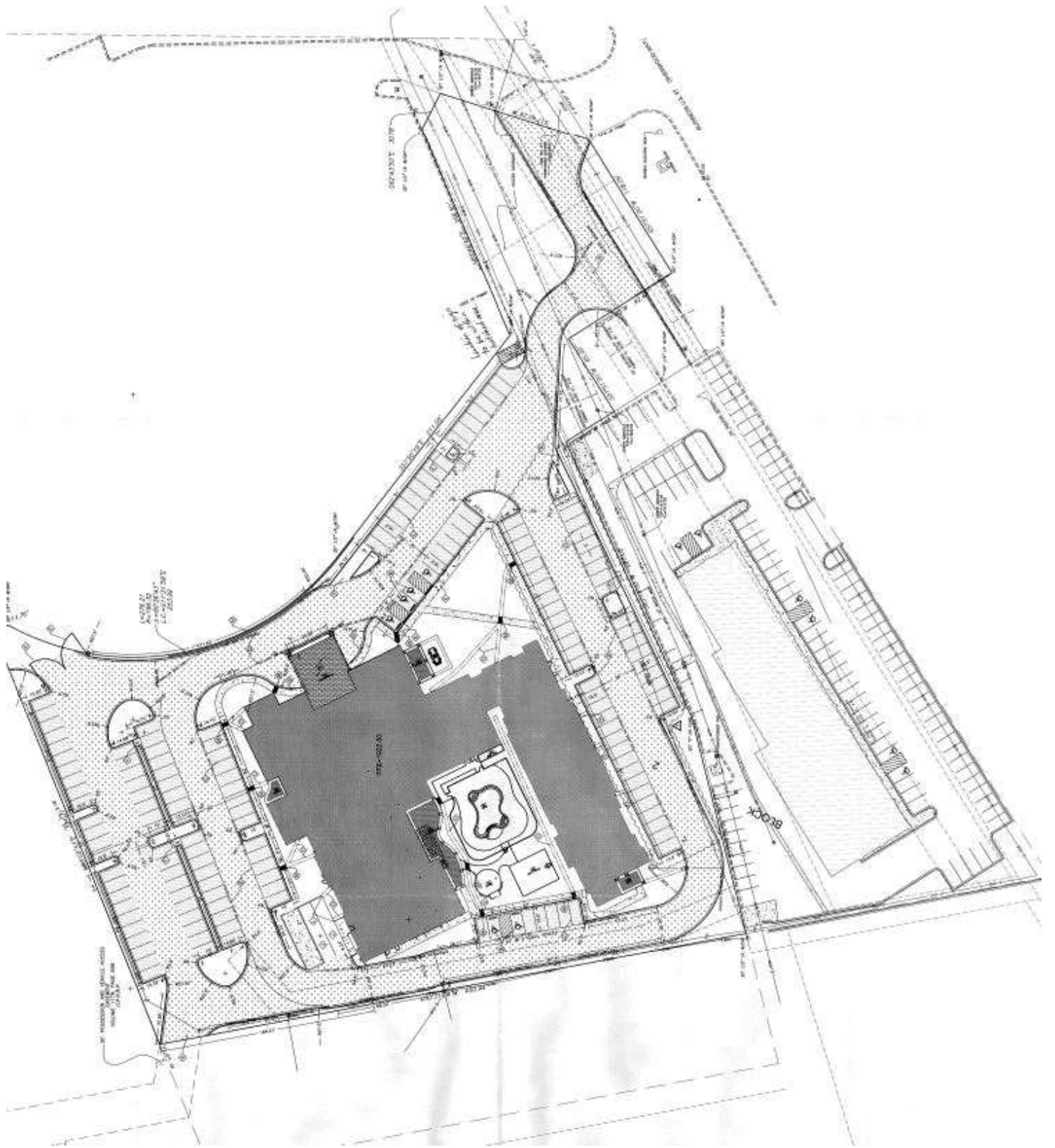
**HOMELWOOD SUITES HILTON SIGN CABINET**  
FABRICATED .063" (1.6mm) THK. ALUM. FILLER. PAINT PMS 323C.  
2 1/2" x 7 1/2" (63.5mm x 107.6mm) FABRICATED BORDER CHANNEL PTM PMS WARM RED (SATIN FINISH).  
SINGLE ROW OF TETRA CONTOUR U.S. LED TUBE AROUND PERIMETER OF CABINET.

3M (OR APPROVED EQUIV.) 945 WHITE FLEXIBLE BLEED FACE WITH 1st SURFACE VINYL GRAPHICS AS FOLLOWS  
3M (OR APPROVED EQUIV.) 3630-6949 TEAL GREEN BACKGROUND COMPUTER CUT OUT & REVERSE NEEDED TO LET WHITE LETTERS & RULE LINES SHOW THRU.  
ILLUMINATE CABINET WITH 400w METAL HALIDE LAMPS.

**STEEL PIPE SUPPORT**  
PAINTED TO MATCH PMS 419 DK. GRAY (SATIN FINISH) DIAMETER AND FOUNDATION TO BE DETERMINED BY ENGINEERING  
ELECTRICAL SERVICE TO SIGN BY OTHERS  
SIGN CONTRACTOR TO MAKE FINAL CONNECTION AS DETERMINED BY LOCAL SIGN ORDINANCES.



**G D/F POLE SIGN**  
SCALE: 1/8" = 1'-0"  
(1) REQUIRED - MANUFACTURE & INSTALL



Looking North at Proposed Sign Location



West

East



North



South



City of San Angelo, Texas - Planning Division  
**Application for Variance from Sign Regulations**

Name of Applicant(s): Bill Teel, Chandler Signs

Owner     Tenant     Representative (Affidavit required)

Mailing Address: 3201 Manor Way    Telephone: 972-898-7709

City/State/Zip: Dallas, TX 75235    Fax/other: 214-902-2044

Contact Email Address: bteel@chandlersigns.com

Please include the following with this application:

Application for a sign permit     A fully-dimensioned site plan

Subject Property Address and/or Location\*:

9514 Sherwood Way

Legal Description\*:

8.804 acres, being all of Lot 11, Block 2, section Nine-B, Red Arroyo Addition to City of San Angelo, Tom Green County, Texas. According to Map or Plat recorded in Cabinet G, Slide 91, Plat Records of Tom Green County, Texas  
Zoning: C-6 General Commercial

Specific Description of Request\*:

Approval of a variance to section 12.604 (6) A of the municipal code which restricts the size of a freestanding sign to the lesser of 250 sq. Ft. or 1.5 sq. per ft. of street frontage. Request is to allow 410 sq Ft.

\* use attachment, if necessary

I/We the undersigned acknowledge that the information provided above is true and correct, and have read the statements below.

Bill Teel  
Signature

June 10, 2014  
Date

- I understand that the Planning Commission is bound by criteria established by state law; I further understand that my request is not guaranteed to be approved and that it constitutes an exception from regulations of the City of San Angelo;

- I/We the undersigned acknowledge that the information provided above is true and correct. I/We understand that any variation(s) authorized by the Planning Commission will require me/us to obtain a building permit for that stated variation within twelve (12) months of the approval date by the Board, unless the Board has specifically granted a longer period;
- I understand that all drawings, pictures, documents or other information used during your testimony to the Board must be kept in the permanent files of the Planning Division; and
- I understand that any petition of a decision made by the Planning Commission must be appealed to the City Council within thirty (30) days after receipt of the results notification of such action. The petition must state that the decision of the Planning Commission is illegal in whole or in part and specifying the grounds of the illegality.

I assert that my request for variance meets all of the required criteria based on my explanation(s) below:

- That special circumstances or conditions would substantially restrict the effectiveness of the sign in question;

Explanation: The two hotels are set back a long way from Sherwood, approximately 270 feet.

- That such special circumstances were not created by the applicant;

Explanation: The property is a large oddly configured lot with a narrow front on Sherwood Way. 8.8 acres & 118.09' front

- That the granting of the variance will be in general harmony with the purpose of the sign ordinance and will not be materially detrimental to the adjacent property or neighborhood or to the general public;

Explanation: Two signs on the same structure will keep the proliferation of signs to a minimum.

- That the variance applied for represents the minimum variance necessary to afford relief from the hardship;

Explanation: Our experience has shown that the sign sizes requested are necessary to be effective for the motoring public on Sherwood Way.

- That the variance applied for does not depart from the provisions of the sign ordinance any more than is required.

Explanation: The size of the Hilton Garden Inn sign could be reduced somewhat; but would be peculiar. Also, it might give the impression that the Hilton Garden Inn is secondary to the Homewood Suites.

OFFICE USE ONLY

Case no.: SV 14 - 02

Date of application: 6/10/14

Fully-dimensioned site plan:

Nonrefundable fee: \$ 168.<sup>75</sup>

Date paid: 6/10/14

Date to be heard by PC: 7/21/14

Received by: Jeff Fisher

Receipt Number: 234615

Ordinance section(s) from which variance(s) is/are requested: