
City Council Regular Meeting

DEPARTMENT: Development Services
FROM: Tony McIlwain, Development Services Director
MEETING: August 19, 2024

SUBJECT:

Cowboy Express Carwash at 236 Loy St. (Case 24-134): Consider approval of a resolution for variances to Chapter 63, Sign Regulations, relating to height of a monument sign without masonry wrapping, allowing for the installation of a monument sign that is approximately eighteen (18) feet in height with metal wrapping. (*Staff Presenter: Tony McIlwain, Development Services Director*) (*No Planning and Zoning Commission action was required for this item.*)

SUMMARY:

On April 1, 2024, an application was submitted by Jimmy Purselley (owner) of Cowboy Express Carwash for sign variances allowing for a monument sign that is taller than allowed and without adequate masonry wrapping. Per the sign code, monument signs for a single tenant can be no taller than nine feet (9') in height and must be wrapped in masonry material to match or compliment the main building. The applicant is requesting a monument sign that is approximately eighteen (18) feet in height and wrapped in a metal material that is similar to the main building.

A commercial site plan and building permits were submitted and approved for the carwash but a monument sign was not contemplated at that time. Once the site was developed and the business opened, the owner decided to pursue a sign permit for a new monument sign. The applicant was informed that the sign would need two variances as proposed. The applicant's justification for approval in granting the variances has been attached as Exhibit 4.

Planning Analysis

Section 63-54(c) (5) & f) (Monument sign) of the Sign Ordinance contains the following standard:

- Maximum nine feet for single tenant sign constructed along all other roadways. Where the average grade of the lot on which a sign is placed is at or above the adjacent street grade, the sign shall be measured from the grade level adjacent to the sign. Where the average grade of the lot is below the adjacent street grade, the sign height shall be measured from the adjacent street grade.
- Monument signs must be wrapped in masonry material to match or compliment building, exposed sign cabinets or poles are prohibited. The masonry material wrapping the

advertising area shall not exceed 100 percent nor fall below 30 percent of the commercial advertising area.

Approval Standards in Granting a Variance.

(Chapter 63-Sign Regulations, Section 63-12(b) - Variances):

Consideration
Special conditions exist that are peculiar to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same vicinity. The City may attach such conditions to granting all or a portion of any variance necessary to achieve the purpose of this chapter.
The strict interpretation of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of this chapter.
Special conditions and circumstances do not result from the actions of the applicant(s) and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences.
Granting the variance will meet the objectives of the ordinance and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare
The request will be the minimum variance necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of this chapter; and
Granting the variance will be in harmony with the spirit and purpose of this chapter.

RECOMMENDATION:

Staff is not able to support a variance request for double the allowed height but does not object to the variance for the wrapping material of the sign as it complements the existing building.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

August 19, 2019: The SP, Site Plan Zoning District was approved by City Council.

May 25, 2021: The Planning and Zoning Commission recommended unanimous approval of the requested SP, Site Plan Zoning District amendment.

June 25, 2021: City Council approved a SP Zoning Change.

December 13, 2021: City Council approved a Commercial Site Plan with waivers

REFERENCE:

<https://ecode360.com/39934165#39934213>

FISCAL IMPACT:

None

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