
City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony McIlwain, Director Development Services

MEETING: September 5, 2023

SUBJECT:

QuikTrip at 5917 W FM 917 (Case 23-034): Consider approval of a resolution for variances to Chapter 63, Sign Regulations, relating to sign setbacks, number of signs, and allowance for a pole sign. *(Staff Presenter: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item.)(First and Final Reading)*

SUMMARY:

On March 20, 2023, an application was submitted by Bryan Clark representing QuikTrip South LLC,) for sign variances to allow a pole sign in lieu of a pylon sign, to allow two monument signs in addition to a pole sign, and to reduce the required sign setback for the site.

Pole Sign: The City's sign regulations do not allow pole signs to be erected outside of the North Wilshire Sign Corridor, or on properties that do not have frontage on IH35. The applicant is requesting a pole sign of 75 ft. in height and up to 292 sq. ft. in sign area.

Additional Signs: The City's sign regulations do not allow for more than one of the requested freestanding signs at this location. The applicant is requesting a monument sign along FM 917, as well as a monument sign along FM 1902, in addition to the requested pole sign (if approved) or pylon sign if the variance for the pole sign is not approved.

Sign setback: The City's sign regulations require a ten foot setback from all property lines. The applicant is requesting to reduce the setback to zero feet for all three requested signs.

The applicant's justification for approval in granting the variances has been attached as Exhibit 3.

Planning Analysis

Section 63-50 (Generally) of the Sign Ordinance contains the following requirements:

(a) All freestanding signs shall be setback a minimum ten feet from the property line.

(b) Combination of freestanding sign types allowed on a premises at any given time is as follows:

(1) A premises may either have a pole sign, or a pylon sign or a monument sign if permitted by this chapter;

Section 63-56 (Pole Signs) of the Sign Ordinance contains the following requirements:

(a) Location.

- (1) Signs must be premises signs.
- (2) Signs shall not be allowed in residentially zoned districts.
- (3) Signs shall maintain a 100-foot separation from an adjacent pole sign on each premises and minimum of 50 feet on adjacent premises on the same side of the street.
- (4) Signs shall be allowed to locate on premises with frontage onto IH 35 and within the North Wilshire Sign Corridor only.**

(b) Area. Maximum 200 square feet.

(c) Height.

- (1) Maximum 30 feet within the North Wilshire Sign Corridor.
- (2) Maximum 50 feet on premises adjacent to IH 35.
- (3) Signs must maintain a ten-foot clearance from ground to sign.

(d) Number of signs. One per premises.

Approval Standards in Granting a Variance.

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

Consideration
<i>Special conditions</i> exist that are <i>peculiar to the land, structure or building</i> 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 <i>strict interpretation</i> of the chapter would <i>deprive the applicant of rights commonly enjoyed by other properties</i> in the vicinity under the terms of this chapter.
Special conditions and circumstances do not <i>result from the actions of the applicant(s)</i> 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.

OPTIONS:

- 1) Approve the resolution for all requested sign variance with or without conditions; or
- 2) Approve a resolution for one or more of the requested sign variances with or without conditions; or
- 3) Deny the resolution for the sign variances.

RECOMMENDATION:

Staff is opposed to the excessive height (75 ft.) of the requested pole based on the adjacent residential to the north and the potential fall zone of a pole sign that high across FM 917. Staff is not opposed to the other variance requests or a pole sign limited to 30 ft. and 200 sq. ft. in sign area.

Approve a resolution with conditions that the pole sign not exceed 30 feet in height and 200 square feet in sign area.

FISCAL IMPACT:

None.

STAFF CONTACT:

Tony McIlwain
Director of Development Services
tmcilwain@burlesontx.com
817-426-9684