

SIGN REVIEW BOARD MEMORANDUM

FROM: The Office of the City Manager **DATE:** September 13, 2021
SUBJECT: SRB21-0001 Public hearing and consideration of a request from RaceTrac for a variance to Chapter 106 (Signs) of the North Richland Hills Code of Ordinances at 5640 Rufe Snow Drive, being 2.5 acres described as Lot 3, Block 35, Holiday West Addition.
PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of RaceTrac Petroleum Inc., Andrew Malzer is requesting a variance to Chapter 106 (Signs) of the North Richland Hills Code of Ordinances. The applicant is requesting a variance to allow a nonconforming pole sign to be converted into an LED pole sign for fuel pricing.

GENERAL DESCRIPTION:

The property is located at the southeast corner of Rufe Snow Drive and Trinidad Drive. The site is developed as a RaceTrac convenience store with fuel sales. The convenience store and pole sign were originally constructed in 1996.

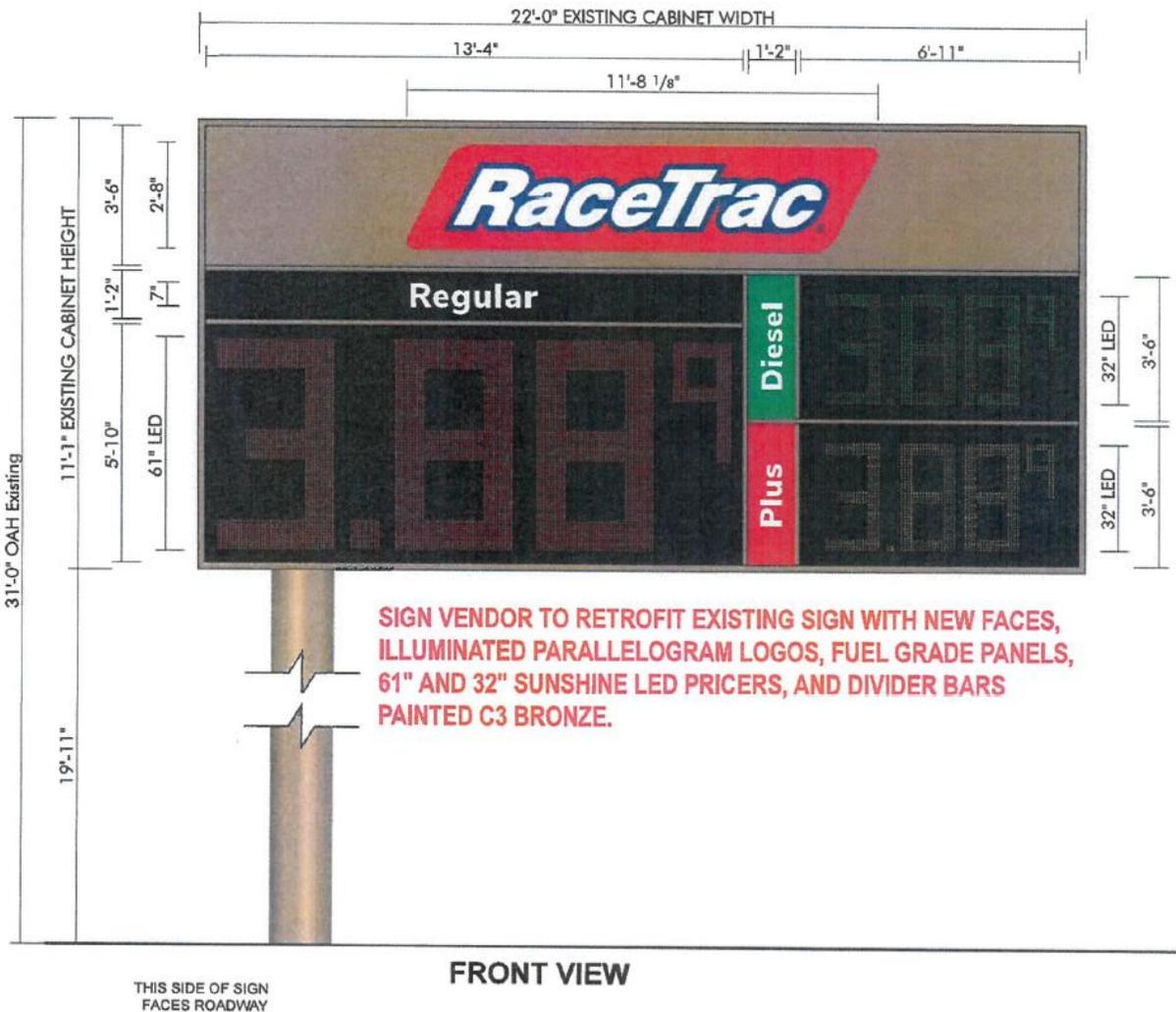
The variance request is related to the existing pole sign adjacent to Rufe Snow Drive. The sign is 242-square-foot in area and 31 feet in overall height. The sign is used to advertise fuel pricing with manual changeable numbers. The owner proposes to convert the sign to a fuel pricing sign that uses LED panels in place of changeable numbers.



EXISTING SIGN



PROPOSED SIGN



PROPOSED SIGN DETAILS

When the building and sign were constructed, the sign regulations were part of the zoning ordinance rather than a stand-alone chapter of the Code of Ordinances. At that time, pole signs were permitted on all commercial properties. The maximum allowed size of the sign was one square foot of signage for each linear foot of street frontage, up to 300 square feet for any one sign.

In 1999, the sign regulations were removed from the zoning ordinance and added as stand-alone Chapter 106 (Signs) in the Code of Ordinances (Ordinance 2374). In July 2002, the sign regulations were amended by Ordinance 2640 to restrict pole signs to the Freeway Corridor Overlay District. As a result of this amendment, the pole sign at RaceTrac became a nonconforming sign.

The attached “Signage Exhibit” includes plans for signage related to the variance request. The table below summarizes the applicable standards for this project and applicant’s proposal.

STANDARD	REQUIRED	PROPOSED
<p><u>Sec. 106-9</u> A. Ground Signs</p>	<ul style="list-style-type: none"> ○ Pole signs only permitted in commercial zoning districts within the freeway corridor overlay district ○ Pole signs located outside the freeway corridor overlay district are prohibited unless part of a major development 	<ul style="list-style-type: none"> ○ Allow pole sign to remain on property outside of freeway corridor overlay district ○ Remove catwalk and ladder from existing sign structure
<p><u>Sec. 106-12</u> Electronic message boards and digital billboards</p>	<ul style="list-style-type: none"> ○ An LED electronic message board for fuel pricing is permitted outside freeway corridor overlay district ○ Sign must be constructed as monument sign ○ An LED electronic message board must not exceed 67% of the sign message area ○ An LED display must be low intensity amber lighting with black background 	<ul style="list-style-type: none"> ○ Allow LED fuel pricing as part of nonconforming pole sign outside of freeway corridor overlay district ○ LED portion of sign is approximately 64% of sign message area ○ LED display includes red and green lighting with black background

The request is being processed as a variance application, which would waive certain standards for the proposed sign. The Board may include appropriate conditions as part of the approval of a variance request. The affirmative vote of four Board members is required to approve a variance.

A public hearing is required for consideration of a request for variance. Notice of the public hearing was published in the newspaper and mailed to all property owners within 200 feet of the site.

ALTERNATIVE TO LED: The sign company commonly used by RaceTrac for digital price readers and referenced on application exhibits is Sunshine Electronic Display Corporation, whose [website \(see link\)](#) has many examples of LED fuel pricing signs for reference. The company also has a mechanical alternative to LED digits. Their “TallDigit” product is an option for billboards when LEDs are prohibited. They feature white or yellow analog digits on a black background that are remotely and wirelessly updated using the same systems and controls as LEDs.



SIGN REMOVAL PROGRAM: City Council has funded a program administered by the Economic Development Department to pay for the cost of removing nonconforming signs. The program has helped remove about 20 pole signs across North Richland Hills.

A similar program available to NRH businesses will pay for half the cost of a replacement monument sign that conforms to the sign ordinance standards, up to \$5,000. These sign program details have been provided to RaceTrac as an alternative to reinvesting in the current nonconforming pole sign. A conforming monument sign similar to their Davis Boulevard location pictured at right could then be constructed in its place.



OPTIONS FOR BOARD CONSIDERATION

The Sign Review Board has the following options on this application.

1. Approve the variance as presented. This action would approve variances to the sign ordinance that would allow for the effective reconstruction of the existing 242 square foot pole sign 31 feet in height and reuse as an LED gas price sign with 5-foot and 2.5-foot LED price digits.
2. Approve the variance with conditions. This action would approve variances to the sign ordinance, subject to RaceTrac making modifications to the sign size, location, or design as directed by the Board. Approval may also be limited to a single permit only or an expiration, requiring that future changes to the sign come back to the Sign Review Board.
3. Deny the variance. This action would deny the proposed changes to the existing sign, possibly resulting in the existing sign to remain.

RECOMMENDATION:

Conduct a public hearing and consider SRB21-0001.