



SIGN REVIEW BOARD MEMORANDUM

FROM: The Office of the City Manager **DATE:** January 23, 2023

SUBJECT: SRB22-0006 Public hearing and consideration of a request from Signs Manufacturing and Maintenance Corp for a variance to Chapter 106 (Signs) of the North Richland Hills Code of Ordinances at 8360-8380 Davis Boulevard, being 11.59 acres described as Lots 2R3R1 and 2R4R-2R8R, Block 1, Davis North Tarrant Parkway Addition.

PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of Remember the Alamo NRH LLC (owner) and B&B Theatres (tenant), Signs Manufacturing and Maintenance Corp is requesting a variance to Chapter 106 (Signs) of the North Richland Hills Code of Ordinances. The site is located at 8360-8380 Davis Boulevard. The applicant is requesting a variance from the size and location standards for a monument sign.

GENERAL DESCRIPTION:

The site is located on the east side of Davis Boulevard and just south of North Tarrant Parkway. The subject property includes the B&B Theatres site and five pad sites fronting Davis Boulevard. The theater site does not have street frontage but has access to a driveway through a 25-foot access easement near the southwest corner of the site.

In October 2022, the sign contractor for B&B Theatres owner applied for a sign permit to construct a new monument sign adjacent to the driveway at the southwest corner of the site. As part of the plan review, it was noted that the sign structure and message area were larger than permitted by the sign regulations and that the sign would be located off-premises of the theater property. The owner considered modifications to the sign to comply with the standards. However, the owner ultimately decided to seek a variance to allow the sign as proposed. An analysis of the request and relevant codes is below.

ANALYSIS

The variance request is related to standards for non-residential monument signs, which are contained in [Section 106-13\(2\)\(c\)](#) of the sign regulations.



Above: The sign is proposed to be constructed on the south side of the driveway at the southwest corner of the site. The message area includes signage for B&B Theatres and five tenant panels, one for each outparcel. The sign would be located off-premises of the theater lot as well as four of the pad sites.

Left: The proposed sign structure measures 10 feet wide and 12 feet tall, or 120 square feet in size. The sign message area measures 7.5 feet wide and 9.5 feet tall, or 73 square feet.

There are five different types of non-residential monument signs, each with their own criteria and standards for location and dimensions. These include:

- (1) on-premises single-tenant;
- (2) on-premises multi-tenant;
- (3) off-premises shared;
- (4) major development; and
- (5) major retail mall.

Staff reviewed the proposed sign against all five sign types and concluded that one or more variances would be required in all cases. For the purposes of the Sign Review Board, the standards for review are for the ***shared off-premises monument sign***. The table below compares these sign standards with the compliance status of the proposed sign.

SIGN STANDARD	PROPOSED STRUCTURE
(2) A shared off-premises sign may not be located on a vacant lot or parcel.	DOES NOT COMPLY Lot 2R7R is currently a vacant lot.
(3) The owner(s) of all properties desiring to install a shared off-premises monument sign must provide a copy of a notarized "unity" agreement which has been filed of record with Tarrant County Deed Records that notifies the building official that the subject properties are to be considered a single parcel.	DOES NOT COMPLY While the owners of all properties have executed a Sign Easement Agreement (attached), that agreement does not acknowledge that the subject properties are to be considered a single parcel.
(4) A parcel or lot that contains an existing monument sign shall not be granted an additional off-premises monument sign.	DOES NOT COMPLY As part of this request, only the future tenant of Lot 2R7R would relinquish their allowance for a separate single-tenant monument sign. All other lots within the subdivision would have the ability to advertise on the proposed shared off-premises multi-tenant sign AND maintain their one monument sign allowance. This would result in a maximum of five (5) monument signs along this 985 feet of Davis Boulevard frontage.
(5) A shared off-premises monument sign shall not be considered a bonus sign.	DOES NOT COMPLY A "major development sign" is a separate sign type that does not qualify for this subdivision and is considered a bonus sign. A bonus sign may be allowed in addition to any other sign, provided that all spacing requirements are satisfied. The request is to consider the proposed sign a bonus sign.
(6) A shared off-premises monument sign shall adhere to the same requirements of other nonresidential monument signs, however, they may not exceed a maximum height of seven feet or exceed a maximum area of 75 square feet.	DOES NOT COMPLY See below summary

SIGN STANDARD	PROPOSED STRUCTURE
(2) <u>Maximum area</u> : 50 square feet for message area and 75 square feet for sign structure area	DOES NOT COMPLY The sign message area is 73 square feet. The sign structure area is 120 square feet.
(3) <u>Maximum height</u> : Seven (7) feet	DOES NOT COMPLY The sign structure is 12 feet in overall height.
(4) <u>Spacing</u> : At least 100 feet from another nonresidential sign	COMPLIES There are no nonresidential signs within 100 feet of the proposed location.
(5) <u>Lighting</u> : Internal lighting or ground lighting	COMPLIES The sign would include ground and/or internal lighting.

The request is being processed as a variance application, which would waive certain sign standards for the property. 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 owners of real property within 200 feet of the site.

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 standards for monument signs and allow the sign to be constructed as presented.
2. Approve the variance with conditions. This action would approve variances to the sign standards for monument signs, subject to the owner making modifications to the sign size, location, or design as directed by the Board.
3. Deny the variance. This action would require the sign to be built in compliance with monument sign standards.

RECOMMENDATION:

Approve SRB22-0006, which would include not allowing an additional monument sign for Lot 2R7R.