

Bastrop Zoning Board of Adjustments Agenda

Bastrop City Hall City Council Chambers

1311 Chestnut Street

Bastrop, TX 78602

(512) 332-8800



August 03, 2022

Agenda - Zoning Board of Adjustments at 6:00 PM

Bastrop Zoning Board of Adjustments meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

1. CALL TO ORDER

2. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Board/Commission, please submit a fully completed request card to the Board/Commission Secretary prior to the meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, the Board/Commission cannot discuss issues raised or make any decision at this time. Issues may be referred to City Staff for research and possible future action.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Board to allow a member of the public to slur the performance, honesty and/or integrity of the Board, as a body or any member or members of the Board, individually or collectively, nor any members of the City's staff. Accordingly, profane, insulting, or threatening language directed toward the Board and/or any person in the Board's presence will not be tolerated.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

3A. Consider action to approve the meeting minutes from June 1, 2022 Zoning Board of Adjustment meeting.

3B. Public Hearing and consider action to deny a variance from the Bastrop Building Block (B³) Code, Chapter 8 – Signs, Article 8.3 (b) Band Signs for the number of signs allowed per building, on Main and Spring Subdivision, Lot 2, Acres 0.588, located at 712 Spring Street, within the City Limits of the City of Bastrop, Texas.

3C. Public Hearing and consider action to deny variances from the Bastrop Building Block (B³) Code, Chapter 8 – Sign, Signs, Section 8.1009 (3) Large Freestanding Sign types

and Article 8.3 (L) Pole Signs to allow digital price numbers on an existing sign, on Nancy Blakey Survey, Abstract 98, Acres 0.380, located at 521 W SH 71, within the City Limits of the City of Bastrop, Texas.

4. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Friday, July 29, 2022 at 2:00 p.m. and remained posted for at least two hours after said meeting was convened.

 \ Nicole Peterson
Nicole Peterson, Planning Technician



STAFF REPORT

MEETING DATE: August 3, 2022

TITLE:

Consider action to approve meeting minutes from the June 1, 2022 Zoning Board of Adjustment Meeting.

STAFF REPRESENTATIVE:

Nicole Peterson, Planning Technician

ATTACHMENTS:

Meeting Minutes



Zoning Board of Adjustment

June 1, 2022 Meeting Minutes

The City of Bastrop Zoning Board of Adjustment met Wednesday, June 1, 2022 at 6:00 p.m. in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

Scot Robichaud called the meeting to order at 6:00 p.m.

Scot Robichaud	Present
Gary Moss	Present
Jeffery Hala-dyna	Present
Richard Smarzik	Present
Scott Long	Present

2. CITIZEN COMMENTS

There were no comments from citizens.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Consider action to approve meeting minutes from the March 23, 2022 Zoning Board of Adjustment Meeting.

Richard Smarzik made a motion to approve the March 23, 2022 Zoning Board of Adjustment Meeting. Gary Moss seconded the motion and the motion carried unanimously.

- 3B. Hold public hearing and consider action pursuant to B3 Code, Chapter 2, Zoning, Section 2.4.003 (c), to continue the non-conforming site, that previous received variances to Chapter 14, Zoning Ordinance, Exhibit B Downtown Bastrop Form-Based Code, Section 7.3 Façade Composition, Section 7.6 Exterior Building Materials, Section 8.0 Streetscape and Landscape Standards, which end in 2022, to allow the continued use of a temporary modular building for 0.194 acres of Building Block 8 West of Water Street, located at 1006 Alley A, in the city limits of Bastrop, Texas.

Jennifer Bills presented the Bastrop Building Block (B³) Code, Chapter 2, Zoning, Section 2.4.003 (c), to continue the non-conforming site, that previous received variances to Chapter 14, Zoning Ordinance, Exhibit B Downtown Bastrop Form-Based Code, Section 7.3 Façade Composition, Section 7.6 Exterior Building Materials, Section 8.0 Streetscape and Landscape Standards, which end in 2022, to allow the continued use of a temporary modular building for 0.194 acres of Building Block 8 West of Water Street, located at 1006 Alley A, in the city limits of Bastrop, Texas to the Board Members.

Discussion commenced between the Board Members and Staff over the following topics:

1. When was the structure placed on this site? It was placed in 2013.
2. What would it entail to bring the current structure into compliance? The structure would need a new façade, meet the standards for street and landscape and a full drainage plan.
3. Does the current structure meet all codes? No, it currently meets building and occupancy codes, but it was not in the zoning codes.

Zoning Board of Adjustment

June 1, 2022 Meeting Minutes

4. When we are discussing compliance, is this just about the visual aspect of the building? No, it is about the site plan not the building codes.
5. Since it is June 1, will the permitting process cause any delays? It depends, they will need to go through the processes that they did not follow the first time. In 2013 we did not allow portable buildings, but the current code does now.
6. Will parking affect the process? No, we do not regulate parking.
7. What is the issue with the drainage? They did not follow the storm water drainage plan.

Discussion commenced between the Chase McDonald and Board members over the following topics:

1. Do you have any plans with bringing the current structure into compliance? Yes, the school has been given property that they plan on building a new structure on and if the church is allowed to keep the structure, we are more than happy to bring the building into compliance.
2. Why would you spend the money on bringing the structure into compliance if the plan is to build a new school? The current structure meets the school requirements, splitting the grades in two different locations would cause more issues than bringing the current building into compliance.
3. Do you know what it would cost to get the structure into compliance? It would cost between 30-40 thousand.
4. If the structure were compliant, would it be considered a permanent building? The church does not want it to be a permanent structure.
5. Does the school and church have issues with having children in a non-compliance building? I wouldn't say that we do but there are several buildings around Bastrop that are not in compliance.
6. Is there a budget set aside for bringing the structure into compliance? They do have certain budgets but there is nothing specific for this request.
7. The work entailed to bring this building into compliance is all exterior work? Yes, except for adding in the windows.
8. Why has bringing this building into compliance not been considered till now? We were not aware that we could update the structure or if we had brought it into compliance that we would be able to keep the structure.
9. Is there anywhere else the children could go during this time? No, we would lose the children which would result in us losing commission.
10. Were you able to prepare beforehand to see what all would be needed to bring the structure into compliance? No, but windows are accessible right now. It would just depend on the type of masonry they would allow.
11. How long are you wanting to leave the structure in this location? Till December 2025 at the end of the semester.
12. Are you confident that the church is ok with all of these changes happening? Yes, we currently share this building and I believe they would utilize it till their plans change.

Discussion commenced between Evan Moilan, a Member of Bastrop Community and Board Members over the following topics:

1. You are overseeing the plan and design to generate funds for the new structure? Yes, that is correct.

Zoning Board of Adjustment

June 1, 2022 Meeting Minutes

- 2. If the current structure is brought up to code with no other extensions but deadlines are missed, are there going to be actions put into place, so the children have a place to continue at the new facility? Yes, there will be several phases of the new structure. We currently have signs up about the new structure happening.

Scot Robichaud opened the public hearing at 6:42 p.m.

There were no comments or questions from citizens.

Scot Robichaud closed the public hearing at 6:43 p.m.

Gary Moss made a motion to approve the temporary structure as presented in the attached staff report under the condition that the site and building is brought into compliance with the currently adopted zoning standards January 31, 2023 or the building is to be removed. Richard Smarzik seconded the motion and the motion carried unanimously.

4. UPDATES

4A. Picture of the Zoning Board of Adjustment

Jennifer Bills asked the Board Members to meet after being adjourned to take a picture in front of the dais.

5. ADJOURNMENT

Gary Moss made a motion to adjourn the meeting at 6:47 pm. Richard Smarzik seconded the motion and the motion carried unanimously.

Chair

Vice-Chair



STAFF REPORT

MEETING DATE: August 3, 2022

TITLE:

Public Hearing and consider action to deny a variance from the Bastrop Building Block (B³) Code, Chapter 8 – Signs, Article 8.3 (b) Band Signs for the number of signs allowed per building, on Main and Spring Subdivision, Lot 2, Acres 0.588, located at 712 Spring Street, within the City Limits of the City of Bastrop, Texas.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Director of Planning & Development

ITEM DETAILS:

Site Address:	712 Spring Street (Attachment 1)
Total Acreage:	2.67 acres
Legal Description:	Beck, NHP, & Prokop Subdivision, Section Two, Lot 1
Property Owner:	First National Bank
Agent Contact:	David Lapp/Level5 LLC
Existing Use:	Bank with Drive Through
Existing Place Type Zoning:	P-5 Core
Character District:	Old Town
Future Land Use:	Downtown Bastrop

BACKGROUND/HISTORY:

The applicant is requesting a variance to install a second sign on the side of the building, facing the interior lot line (Attachment 2). Article 8.3 (b) states that a building is allowed to have **one** sign per street façade (up to two for a corner building). The Bank is requesting a second sign on a building that is not a corner building. In this instance, the First National Bank building is on a corner lot but is interior to the lot. The Cash Station, also owned by First National, faces both Spring Street and Water Street, and has multiple Band Signs, facing both streets.

The applicant included renderings of the sign during the Certificate of Appropriateness review and the Site Development Plan. During the COA review, the applicant was told that two signs were not permitted (Attachment 4). A note was also required on the Site Development Plan that “Signage will require separate sign permit.” The applicant applied for two Band Sign Permits on March 21, 2022 and the applicant was informed that they are only allowed one Band Sign on the front façade. The applicant has submitted a Sign Variance request letter (Attachment 2) with their findings for the requirements of Section 8.2.003 Variances that must be provided based on evidence. They have attached renderings of the building showing the proposed sign, the Site Development Plan layout and a picture of the building location (Attachment 3).

Staff has provided findings of fact for Section 8.2.003 below in the Policy Explanation below. In addition to this, pictures of the building from Main Street and Spring Street are provided. The sign on the west side of building is only visible if you are directly in front of the area of the sign

(Attachment 5). Otherwise, the sign is obscured by street trees. The driveway onto Spring Street is an exit only, so drivers would not be able to turn into the site after seeing the sign.

PUBLIC NOTIFICATION:

Notifications were mailed to 19 adjacent property owners on July 23, 2022. At the time of this report, one response in favor has been received (Attachment 6).

POLICY EXPLANATION:

The Bastrop Building Block (B³) Code was adopted on November 12, 2019 and include Chapter 8 Signs. The applicant is asking for a variance to the two following standards:

Article 8.3 On-Premise Sign Type & Standards (Attachment 7)

Table b) Band Signs

Specification

a. Quantity: 1 max. (2 for corner buildings)

The applicant is requesting 2 Band Signs, two on the front façade, one on the west façade. The building is not a corner building. The Cash Station building on the same site at 714 Spring Street is a corner building and it has multiple (non-conforming) band signs that face Spring Street and Water Street.

Section 8.2.003 Variances

(d) The ZBA may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Code will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter.

The Sign Administrator and ZBA shall consider:

- (1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads.
There is no unique situation with the property that does not apply to other properties in the downtown for buildings that have an exposed side façade.
- (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located.
The site does not have any exceptional conditions. Many buildings downtown have side facades that do not face a street and do not contain band signs.
- (3) Proposed Sign location, configuration, design, materials and colors are harmonious.
The location of the sign on the building, along with the proposed design meet the intent of the code. The size does not comply and conflicts with the intent of the code to create building signage that is compatible to the area and visible to pedestrian traffic.
- (4) The Sign and its supporting structure is in architectural harmony with the surrounding Structures.
Buildings downtown do not typically have additional band signs on facades that do not face a public street.

- (5) Mitigation measures related to the Sign in question or other Signs on the same Premises.

The applicant has proposed a second band sign at on the interior side of the building. The applicant has proposed no mitigation measures for the additional signage.

- (6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.

Granting a variance does not provide any additional protection to public health or safety.

- (7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.

This is a single business site. A Master Sign Plan would not be appropriate in this instance.

- (8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced.

This request is for new signage. A band sign and banner sign have been permitted on the front of the building.

A blank findings form has been included if the Board would like to make their own findings for approval Attachment 8).

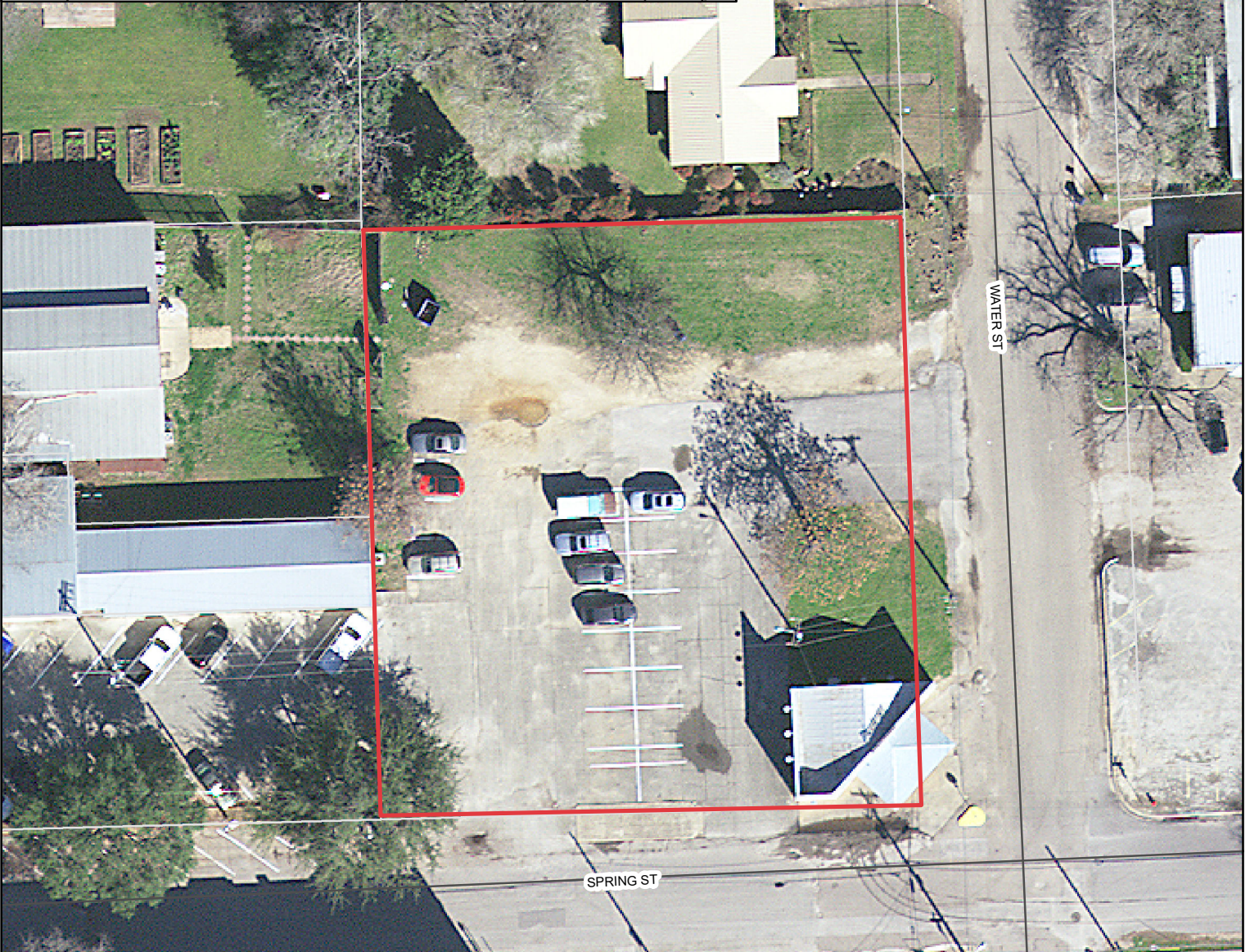
RECOMMENDATION:

Public Hearing and consider action to **deny** a variance from the Bastrop Building Block (B³) Code, Chapter 8 – Signs, Article 8.3 (B) Band Signs for the number of signs allowed per building, on Main and Spring Subdivision, Lot 2, Acres 0.588, located at 712 Spring Street, within the City Limits of the City of Bastrop, Texas.

ATTACHMENTS:

- Attachment 1: Location Map
- Attachment 2: Applicant Sign Variance Memo
- Attachment 3: Applicant Submittal
- Attachment 4: City Comments during COA
- Attachment 5: View of Property from Main & Spring Street
- Attachment 6: Property Owner Responses
- Attachment 7: Bastrop Building Block (B³) Code Article 8.3 b) Band Sign Requirements
- Attachment 8: Blank Findings of Fact for Sec 8.2.003

Attachment **Item 3B.**
Location Map



Sign Variance
712 Spring St

1 inch = 45 feet

Date: 3/12/2021

The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of information, nor does it represent that its use will not infringe upon privately owned rights.



Memorandum

To: City of Bastrop Zoning Board of Adjustments
CC: Reid Sharp
From: David Lapp Senior Project Manager
Date: 6/16/2022
Re: First National Bank of Bastrop Requested Sign Variance

To whom it may concern:

LEVEL5, LLC, as the Design Builder and Agent for the First National Bank of Bastrop is requesting a Sign Variance to add an additional wall mounted sign on the West Elevation of the newly constructed branch at 712 Spring Street.

Considerations for the Variance:

1. The B3 Code does not have a provision for a wall mounted sign as we are requesting. We have been directed to apply as a “Band” type sign which is not the condition that we are installing. For a Band sign we are in compliance with the overall sizing of the sign in respect to size and allowed square footage of the sign per the linear feet of the façade. The Band size specifications also state that 1 max sign is allowed with 2 signs allowed for corner buildings. We have frontage of the property on both Spring and Water Streets and have a wall sign installed on the Spring Street Frontage. We are requesting the additional sign to be approved for the West elevation of the building. At the time of plan approval, we were aware that a separate sign permit was required but we misinterpreted the comments from the Planning Department that only 1 sign would be allowed on the property, even though both signs were shown on the plans at all reviews.
2. Property Configuration Hardships:
 - a. The configuration of the property precludes the sign being installed on the East elevation facing Water Street as the existing Cash Station building would block views of that sign.
 - b. FNB has granted an access easement to the City from the City Owned parking lot to the West allowing egress of the parking lot across the FNB property. The requested sign on the West Elevation would provide signage to be visible to the traffic exiting that parking lot.
3. The proposed sign on the West elevation is identical in size, configuration, design, materials, and colors as the sign installed on the Spring Street elevation. The additional sign on the West elevation would be externally illuminated with decorative gooseneck light fixtures mounted on the wall of the structure, identical to the Spring Street sign.

June 17, 2022

4. We believe the supporting structure of the sign (FNB Branch building) is in architectural harmony with the surrounding structures, as is evidenced by the approval of the architectural design of the building by the Historical Commission. Note, the signage was shown on the architectural elevations when approved by the Historical Commission. The external lighting for the signage is also in harmony with surrounding lighting fixtures, including street lighting.
5. There are not any mitigation measures to be taken to approve this sign. We did not request any monument signage or directional signage for this project.
6. We do not believe there are any concerns about public health or safety, traffic or pedestrian safety by approving the additional sign.
7. A Master Sign Plan was not pursued for this project as it is a stand-alone branch and does not meet the criteria for a Master Sign Plan as detailed in the B3 Code, Article 8.2 as this is not a Planned Development District, a Master Planned Development or a multi-unit complex and we are only seeking the one variance for an additional sign. We are not requesting a sign variance to change the height or the overall size of the signage from the specifications in the ordinance.

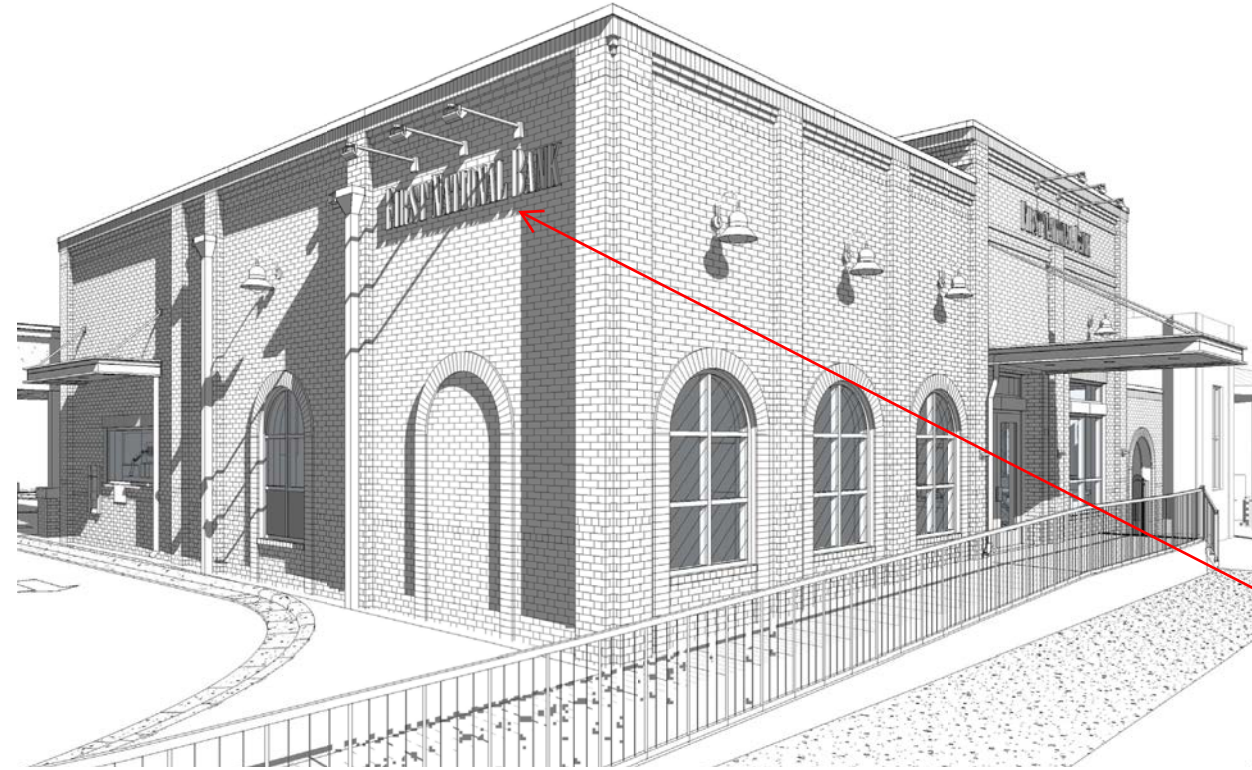
Thank you for your consideration of the Signage Variance request. We believe that the additional sign will enhance the look of the building, not detract from it, and not cause any traffic or pedestrian conflicts or hazards and would better serve to highlight the new building in the Downtown Historical District. We are looking forward to discussing the merits of this signage at your earliest planned meeting.

Sincerely,

 SPM

David N Lapp
Senior Project Manager
LEVEL5, LLC
313-949-9542
dlapp@level5.com

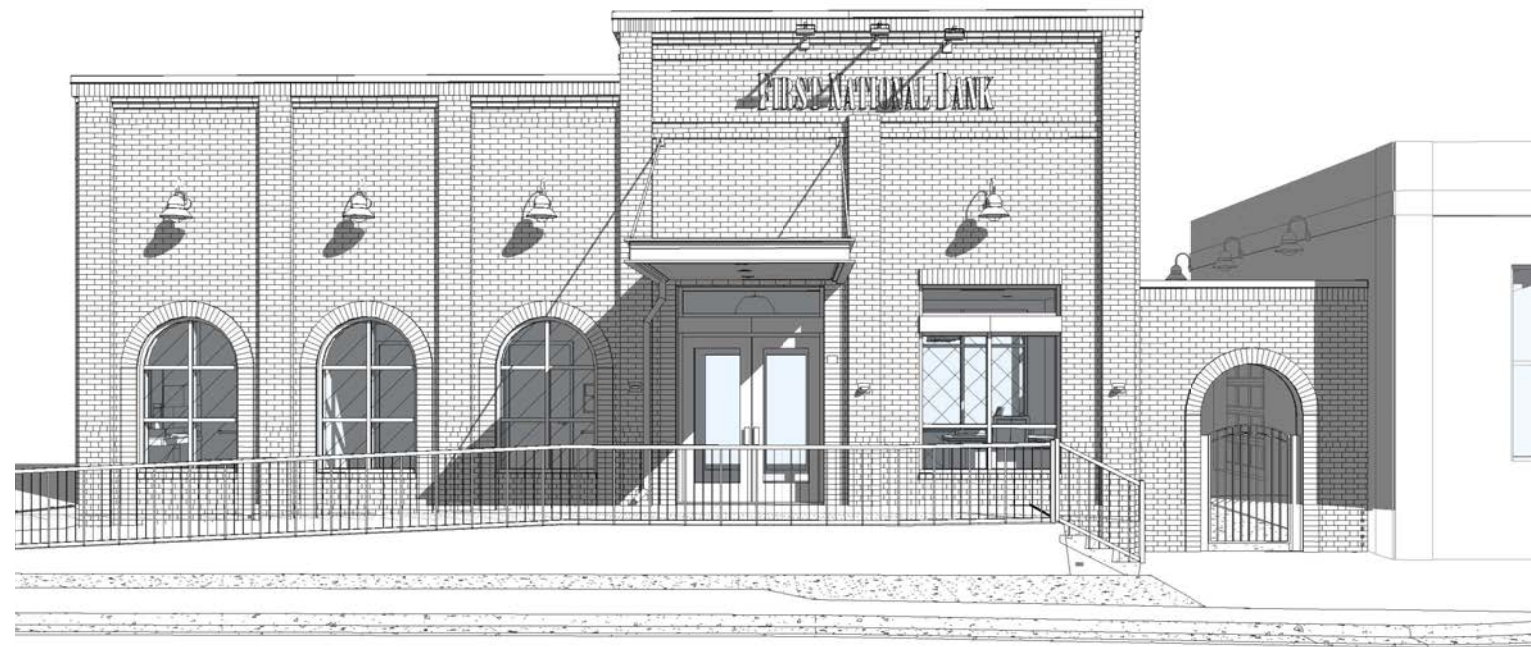
Spring Street View
*Looking Northeast from the City Sidewalk
on the North side of Spring Street*



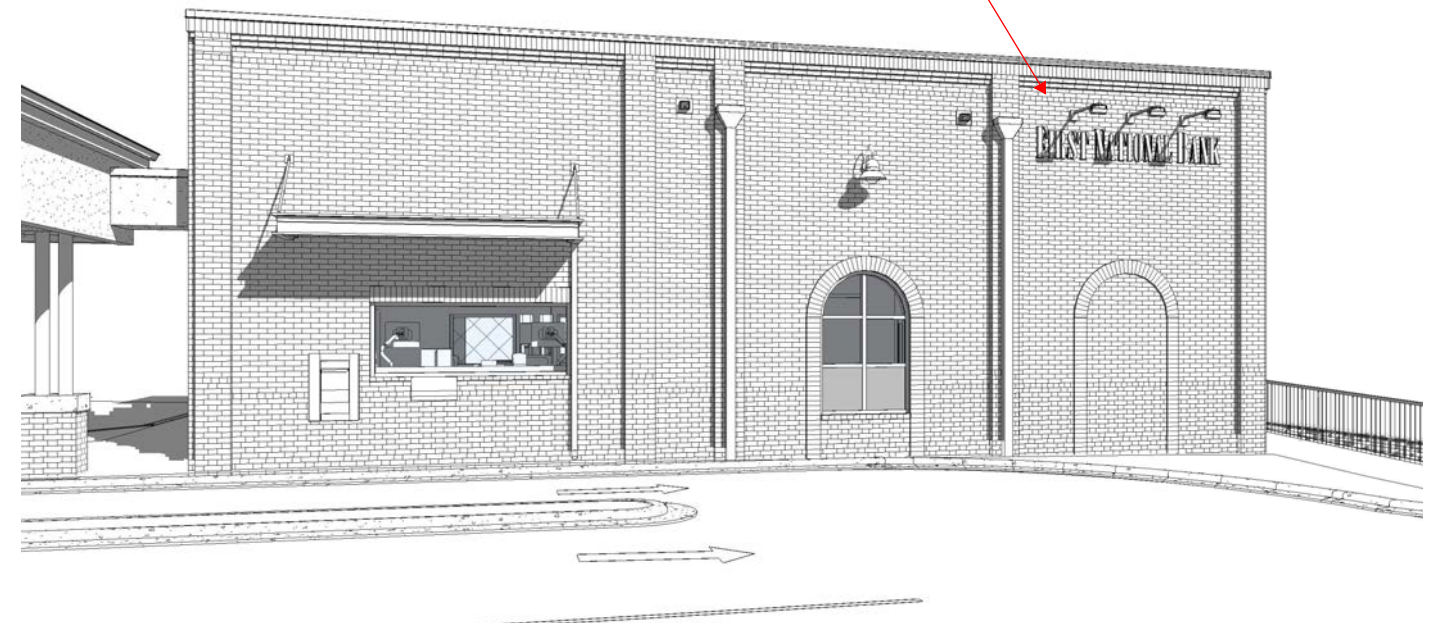
**First National Bank of Bastrop
Sign Variance Request**

Requested Additional Sign

Front View
Looking North from directly across Spring Street



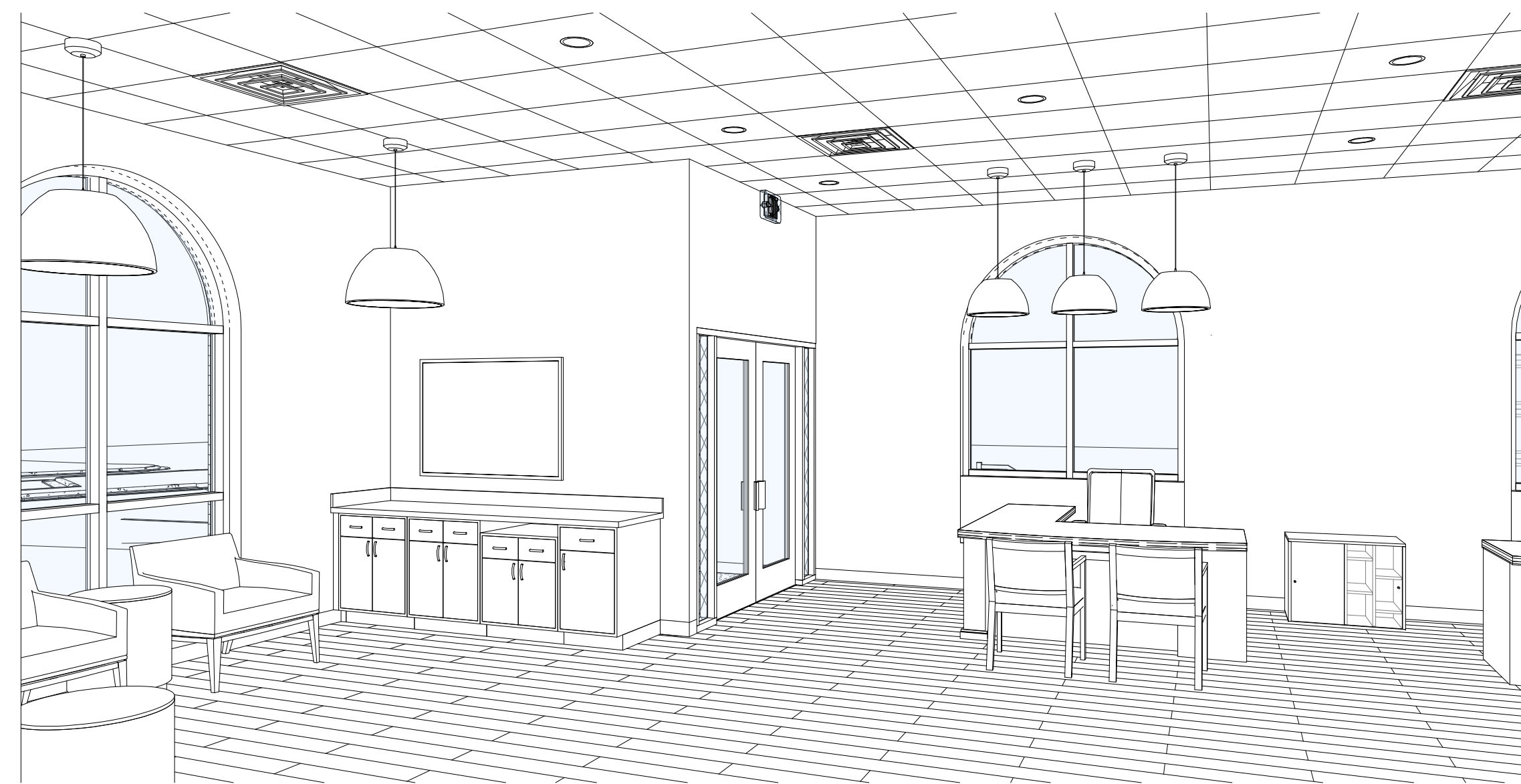
View from the West
*Looking east from the City owned
parking lot exit driveway. This is
entering the easement across the
FNB property.*



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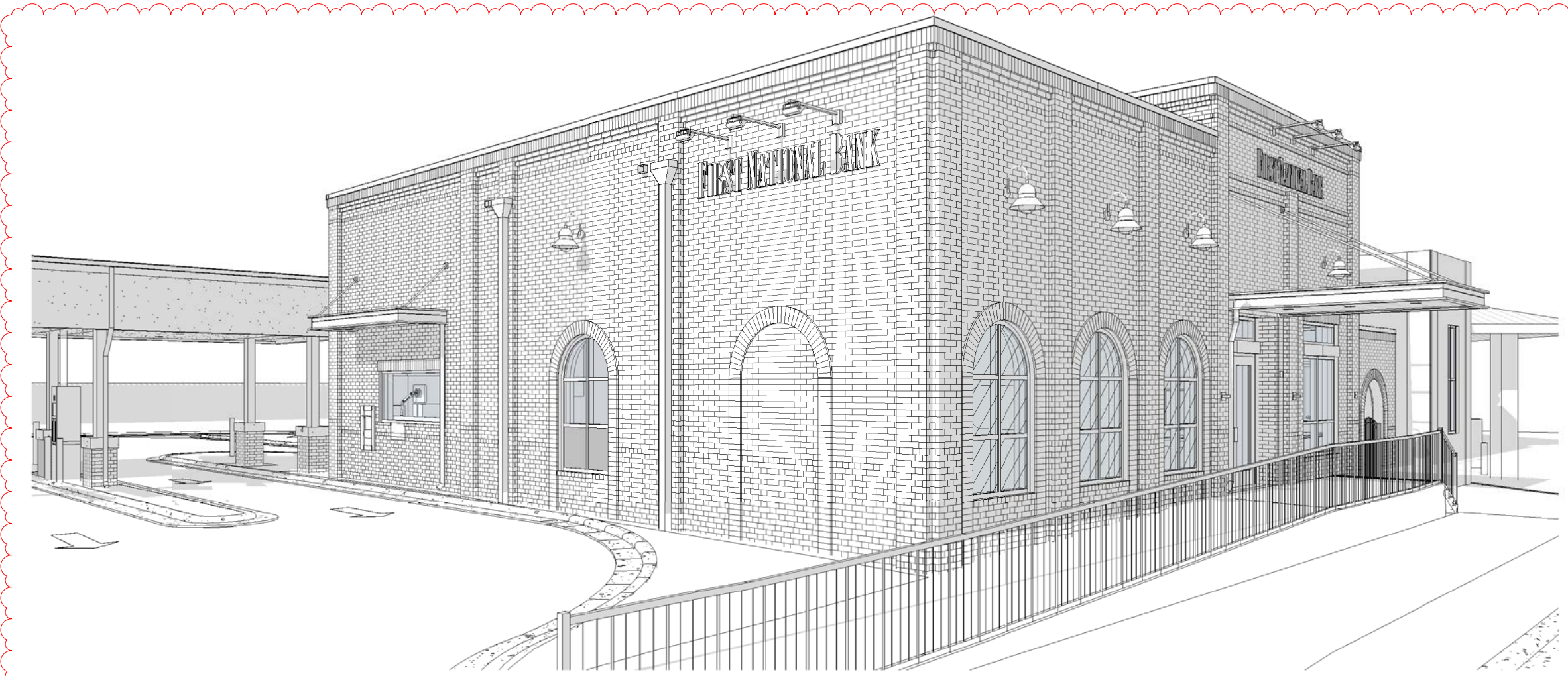
F2 VIEW FROM FRONT VESTIBULE
A901



C2 VIEW FROM DIALOGUE TOWER
A901



A2 VIEW OF ARTIFACT DISPLAY
A901



F6 SPRING ST VIEW WEST
A901



C6 SPRING ST VIEW EAST
A901

3
ADDED DOUBLE WYTHE WALL



A6 PARKING LOT VIEW
A901

NOVUS
always new
ASHEVILLE
ATLANTA
CHARLESTON
CHARLOTTE
JACKSONVILLE
NOVUSARCHITECTS.COM

LEVEL
Think strategically. Build creatively.

2018 POWERS FERRY ROAD, SE
SUITE 750
ATLANTA, GA 30339-7208
(404) 781-0908
FAX (678) 539-2850



**FNB BASTROP - DOWNTOWN
BRANCH**
712 SPRING STREET BASTROP TX 78602

PERSPECTIVES

REVISIONS:

No.	Description	Date
3	CR #3	6/22/21

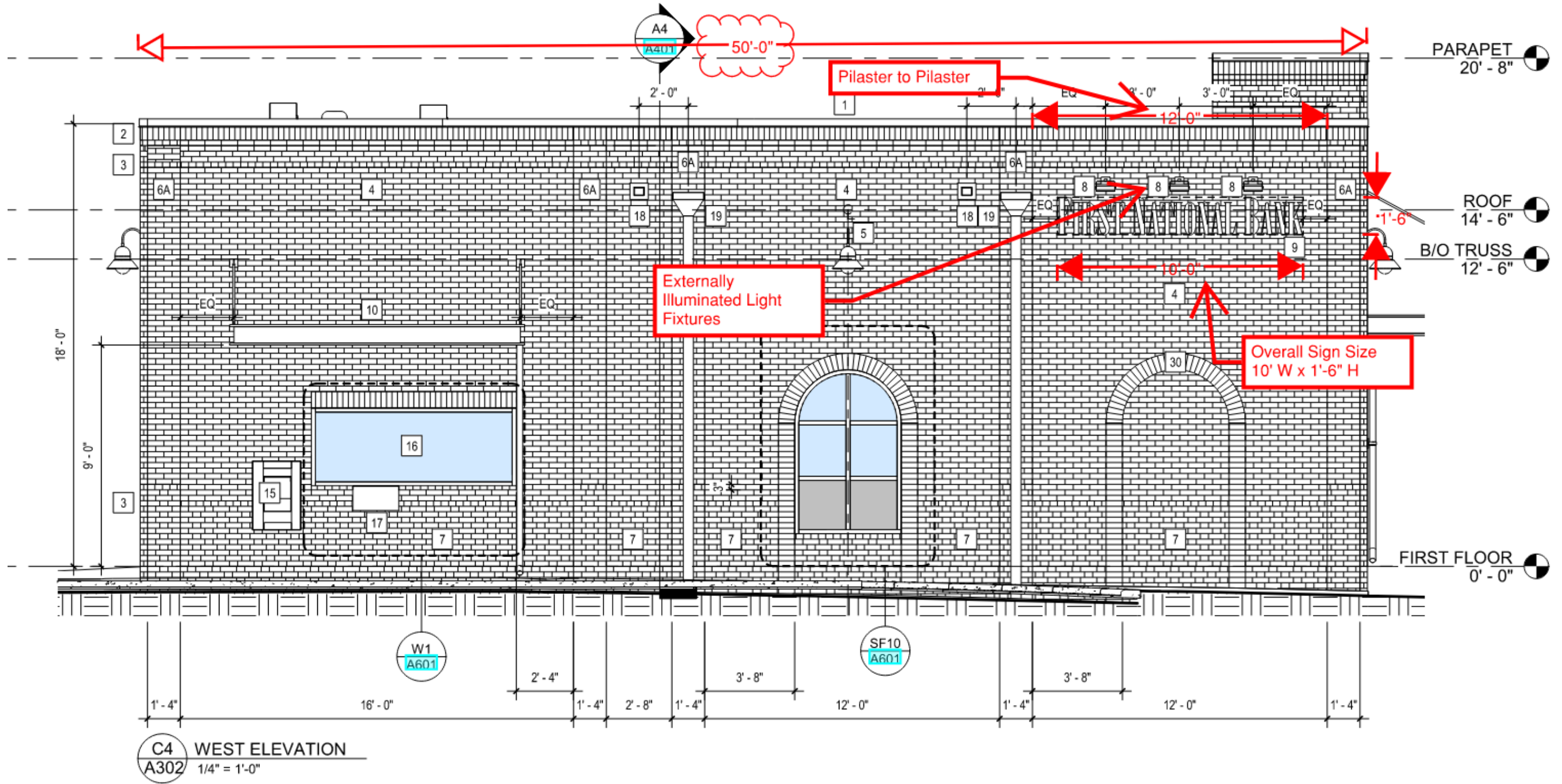
DRAWN BY: VBB
CHECKED BY: MDM
DATE: 12/1/20

NOVUS JOB NUMBER
2016-5100.41

SHEET NUMBER
A901

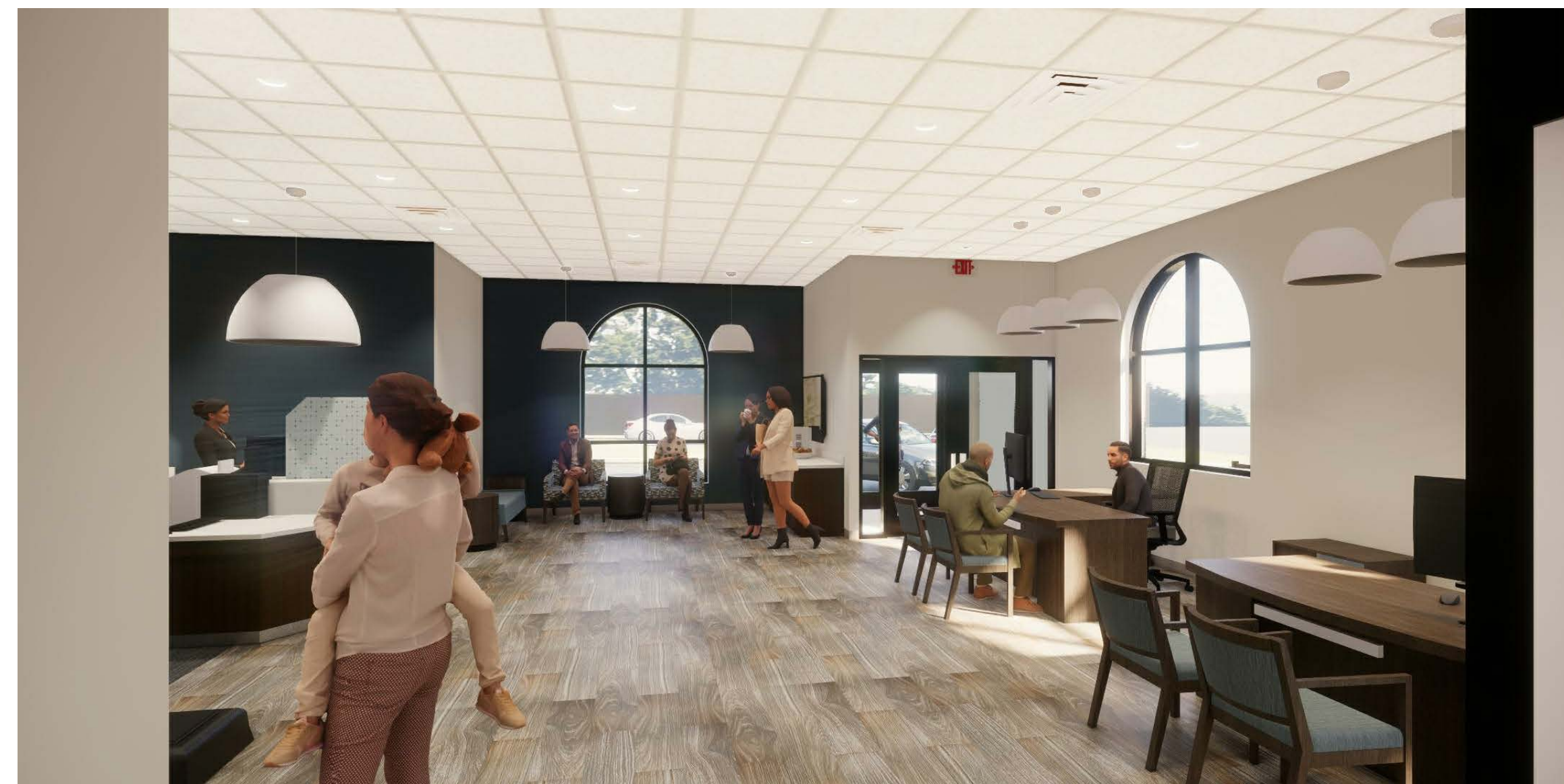
CONSTRUCTION DRAWINGS

First National Bank of Bastrop
712 Spring Street
Sign Variance Request

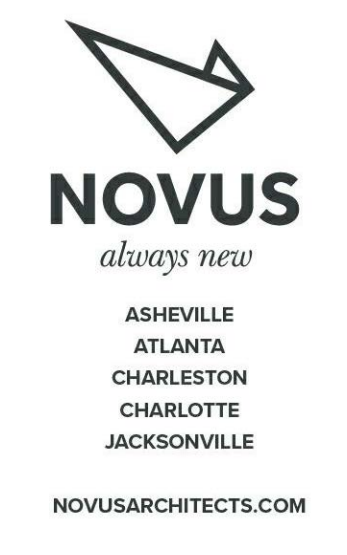


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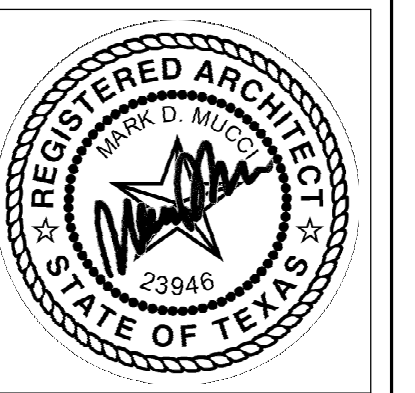
Item 3B.



3
ADDED DOUBLE WYTHE WALL



LEVEL
Think strategically. Build creatively.
2018 POWERS FERRY ROAD, SE
SUITE 750
ATLANTA, GA 30339-7208
(404) 781-0908
FAX (678) 539-2850



**FNB BASTROP - DOWNTOWN
BRANCH**
712 SPRING STREET BASTROP TX 78602

RENDERINGS

REVISIONS:

No.	Description	Date
2	CR #2	11/29/21
3	CR #3	6/22/21

DRAWN BY: VBB
CHECKED BY: MDM
DATE: 12/1/20

NOVUS JOB NUMBER
2016-5100.41

SHEET NUMBER
A902

CONSTRUCTION DRAWINGS



Lighting

S. 9th



CORRECTIONS LIST

Project Type: Administrative Certificate of Appropriateness | **Project Title:** Administrative Certificate of Appropriateness

ID # 21-000024 | **Started:** 01/29/2021 at 2:37 PM

Address	Legal	Property Info
712 Spring St, Bastrop, TX USA 78602	No legal information	No property information

CORRECTION / ADDED ON	DESCRIPTION	PRIORITY
Notification 1 By: Allison Land 10/20/2021 at 2:53 PM CORRECTED	Created.	Normal
Item Forwarded to HLC for Review By: Allison Land 10/20/2021 at 2:48 PM CORRECTED	Heard at March 17, 2021 meeting. Approved a reduction in the window glazing requirement from 60% to 13% on the front facade of the new building.	Normal
Signage Permit required [B³ Code Chapter 8 Article 8.3 c)] By: Jennifer Bills 02/24/2021 at 7:29 PM CORRECTED	As this is not in the Bastrop Commercial District, signage is not reviewed by HLC. For sign review, please submit a Band Permit application in MyGov. Please review the attached sign regulations. A building with only a street-facing facade is only allowed one band sign on the front of the building. Additionally, letter height on the band sign cannot exceed 18 inches and total sign height cannot exceed 3 feet. Any variance from the sign code would require a variance approved by the Zoning Board of Adjustments.	Normal
Revise or Forward to the Historic Landmark Commission By: Jennifer Bills 02/24/2021 at 7:25 PM CORRECTED	The applicant can revise the COA request to meet the window requirements and have the application reconsidered for administrative approval. Otherwise, the COA request will be forwarded to the Historic Landmark Commission for consideration at the March 17, 2021 meeting. Please let me know which option you would like to pursue.	Normal

Does not meet qualifications for Administrative Approval [Section. 9.3.004

Administrative Approval of a Certificate of Appropriateness]

By: Jennifer Bills

02/24/2021 at 7:15 PM

CORRECTED

Section. 9.3.004 Administrative Approval of a Certificate of Appropriateness

Normal

(a) Certificate of Appropriateness may qualify for Administrative Approval by the Historic Preservation Officer if the proposed Project meets all of the following conditions:

(1) The property is not located in a national Historic District;

(2) All of the material Standards identified in the Pattern Book are met;

This does not meet the minimum with 60% of the ground floor walls having transparent storefront windows.

(3) The proposed Structure or Site is not designated as a local, state, or national Historic Landmark.









Received 7/27/2022

Item 3B.



Notice of Public Hearing
City of Bastrop
Zoning Board of Adjustment

Dear Property Owner:

The Zoning Board of Adjustment will conduct a public hearing on **Wednesday, August 3, 2022 at 6:00 p.m.** in the **City Hall Council Chambers** located at **1311 Chestnut Street, Bastrop, Texas** on the following request:

Public Hearing and consider action on a variance from the Bastrop Building Block (B³) Code, Chapter 8 – Signs, Article 8.3 (B) Band Signs for the number of signs allowed per building, on Main and Spring Subdivision, Lot 2, Acres 0.588, located at 712 Spring Street, within the City Limits of the City of Bastrop, Texas.

Applicant: David Lapp
Owner: First National Bank
Address: 712 Spring Street
Legal Description: Main & Spring Subdivision, Lot 2, Acres 0.588

The site location map is attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances. For more information or to provide comments on this project, you may contact the Planning & Development Department at (512) 332-8840, plan@cityofbastrop.org, visit the office or mail the response card below to 1311 Chestnut Street, Bastrop, Texas, 78602.

The agenda will be posted 72 hours in advance at: https://www.cityofbastrop.org/page/cs.board_agendas.

PROPERTY OWNER'S RESPONSE

As a property owner within 200 feet: (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

Property Owner Name: Clara Maynard + James Kerstow

Property Address: 806 Spring St, Bastrop, TX 78602

Mailing Address (if different than property address): _____

Phone (optional): _____ Email (optional): _____

Property Owner's Signature: Clara Maynard


Additional Comments (Optional):

Re: 22-000935 Sign Variance – First National Bank of Bastrop

PLANNING DEPARTMENT

1311 Chestnut Street • Bastrop, Texas 78602 • 512.332.8840 • www.cityofbastrop.org

b)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
BAND SIGNS				P	P	<ul style="list-style-type: none"> a. Quantity: 1 max. (1 per street facade for corner buildings) b. Area: 1.5 sf per linear ft Facade c. Width: 90% max. width of Facade d. Height: 3 ft max. e. Depth / Projection: 7 in max. f. Clearance: 8 ft min. g. Apex: n/a h. Letter Height: 18 in max.
DESCRIPTION	1 Band Sign limited to 90% of the width of the Building Facade shall be permitted for each Building with a Commercial Use. Information shall consist only of the name and/or Logo of the Business.					
SIGN DETAILS	<ul style="list-style-type: none"> i. All businesses are permitted 1 Band Sign on each first Story Facade. ii. Band Signs shall include only letters, background, Lighting, and an optional Logo. Information shall consist only of the name and/or Logo of the Business. Band Signs shall not list products, sales, or other promotional messages, or contact information. iii. The following Band Sign Construction types are permitted: Cut-out Letters. Letters shall be individually attached to the wall or on a separate background panel, and shall be externally illuminated. <ul style="list-style-type: none"> (1) Flat Panel. Letters shall be printed or etched on same surface as the background, that is then affixed to the wall and externally illuminated. (2) Channel Letters by Warrant. Each letter shall have its own internal Lighting element, individually attached to the wall or onto a separate background panel. 					

Section 8.2.003 Variances

(d) The ZBA may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Code will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter.

The Sign Administrator and ZBA shall consider:

- (1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads.
- (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located.
- (3) Proposed Sign location, configuration, design, materials and colors are harmonious.
- (4) The Sign and its supporting structure is in architectural harmony with the surrounding Structures.
- (5) Mitigation measures related to the Sign in question or other Signs on the same Premises.
- (6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.
- (7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have

been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.

- (8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced.



STAFF REPORT

MEETING DATE: August 3, 2022

TITLE:

Public Hearing and consider action to deny variances from the Bastrop Building Block (B³) Code, Chapter 8 – Sign, Signs, Section 8.1009 (3) Large Freestanding Sign types and Article 8.3 (L) Pole Signs to allow digital price numbers on an existing sign, on Nancy Blakey Survey, Abstract 98, Acres 0.380, located at 521 W SH 71, within the City Limits of the City of Bastrop, Texas.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Director of Planning & Development

ITEM DETAILS:

Site Address:	521 State Highway 71 (Attachment 1)
Total Acreage:	0.38 acres
Legal Description:	Nancy Blakey Survey, Abstract 98
Property Owner:	Startex First Equipment LP
Agent Contact:	Lee Simmons/Husch Blackwell
Existing Use:	Gas Station/Convenience Store
Existing Place Type Zoning:	P-5 Core
Character District:	District 71
Future Land Use:	General Commercial

BACKGROUND/HISTORY:

The applicant is requesting a variance to allow a sign type that is not permitted under the adopted Chapter 8 – Signs.

The Bastrop Building Block (B³) Code was adopted on November 12, 2019. Under the prior code, digital signage was allowed as a sign type with specific standards. Nine months after the adoption, the property owner applied for a new pylon sign with static price signage that conforms to the adopted Code. The property owner is now requesting a digital sign. The property owners failed to file for a permit to obtain a digital sign before the code was revised to disallow digital signs, which is not an eligible criterion for requesting a variance. The applicant has stated that competitors such as HEB and Buc-ee's have digital signs that put them at a disadvantage. While HEB does have legal non-conforming digital signs, Buc-ee's does not have any digital signs or any signs advertising gas prices. The other primary reason for the variance stated by the applicant is that an off-site tree obscures the sign but changing the sign type does not remedy that situation. Similarly, the Shell station east of this property at 513 W SH 71, is also obscured by a tree, which has not provided better visibility (Attachment 5).

The sign in which the variance is being applied for is the same pylon sign that the property owners submitted and received a permit for a sign that met the code in 2020 (Attachment 4).

Per Section 2.4.003 Zoning Board of Adjustments (ZBA) (d) Limitations of Authority of the ZBA:
 (1) The ZBA cannot grant a variance authorizing a use or a building type other than those permitted in the Place Type Zoning district, unless it is a nonconforming use or structure. In this case, the sign is not a nonconforming structure, and a digital sign is not a sign type allowed in the P5 Core Place Type Zoning District.

PUBLIC NOTIFICATION:

Notifications were mailed to 5 adjacent property owners on July 20, 2022. At the time of this report, no comments have been received (Attachment 7).

POLICY EXPLANATION:

The Bastrop Building Block (B³) Code was adopted on November 12, 2019 and include Chapter 8 Signs. The applicant is asking for a variance to allow a sign face type which is not allowed in the two following standards:

Section 8.1.009 Signs Requiring a Permit (b) Freestanding Signs

(3) Large Freestanding Sign Types:

- A. Monument Sign
- B. Pylon/Pole Sign

(4) General Requirements:

- A. Size: Cannot have a ratio of less than 4:1 sign width to narrowest width of support structure. Must follow standards in Article 8.3.
- B. Number. One Sign per street frontage of a lot.
- C. Illumination: Large Freestanding Signs may only be externally illuminated unless approved by Warrant or located within the SH 71/SH 95/Loop 150 Corridors.
 - i. External lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of- way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the City's Code.
 - ii. Internal illumination shall not operate at brightness levels of more than 0.2 foot-candles above ambient light conditions at the property line, as measured using a foot-candle meter. The total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.

Article 8.3 L) Pylon/Pole Sign

- d. Quantity: 1 max per Frontage
- e. Height: 35 ft max in P5 on SH71
- f. Max Height to width ratio: 4:1

Description: A Sign permanently affixed to the ground at its base by a single- or double-poles, that are enclosed by a base of natural stone, stucco, brick, or wood and not mounted to a part of a Building. Only allowed in State Highway 71 & SH 95

i. How to Measure:

(1) Maximum total Height is measured from the finished grade at the center of the Sign. If the finished grade at the center of the Sign is higher than the finished grade of the closest paved surface, then the Height shall be measured from the finished grade of the closest paved surface.

(2) The pylon/pole base shall be a maximum of 2 feet in Height and shall be included in the calculation of total Height.

ii. The max Height allowed along SH 71 is 35 feet.

iii. The max Height allowed along Loop 150 and SH 95 is 20 feet.

iv. Signs along SH 71, SH 95 and Loop 150 can be internally illuminated.

v. Only allowed in a Sign Corridor and not allowed if Band Sign exceeds 4 feet in height.

vi. Cannot be located within a Sight Triangle.

Section 8.2.003 Variances

(d) The ZBA may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Code will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter.

The Sign Administrator and ZBA shall consider:

(1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads. *Other sites along SH 71 have trees that obscure signage at points along the frontage road.*

(2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located. *The applicant is claiming a hardship from an offsite tree that is obscuring the view of the sign for west bound traffic on the frontage road. Changing the sign face type would not change this condition.*

(3) Proposed Sign location, configuration, design, materials and colors are harmonious. *The sign code does not allow digital signage of any kind and the Outdoor Lighting code requires shielding of all outdoor lighting so that there is no exposed light elements. Digital signs increase unshielded lighting.*

(4) The Sign and its supporting structure are in architectural harmony with the surrounding Structures. *The existing sign is conforming and in architectural harmony with the existing building.*

- (5) Mitigation measures related to the Sign in question or other Signs on the same Premises.
The applicant has proposed removing the existing digital sign on the west side of the canopy, but the installation of digital signs on both sides of the pole sign would double the amount of not allowed digital signs.
- (6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.
Granting a variance does not provide any additional protection to public health or safety.
- (7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.
This is a single business site. A Master Sign Plan would not be appropriate in this instance.
- (8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced.
The existing pole sign is currently conforming and was permitted under the currently adopted sign code.

Per Texas Local Government Section 211.009 the board may consider the following grounds as a hardship:

- (1) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;
The applicant has not provided any data that meets this criterion. The applicant has provided data since 2016 that show varying sales. In this time frame, additional gas stations (Buc-ee's and Quiktrip) have been constructed (neither of which have digital signs).
- (2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
Not applicable.
- (3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
Not applicable.
- (4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
Not applicable.
- (5) the municipality considers the structure to be a nonconforming structure.
The current pole sign is conforming structure that was permitted after the B³ Code adoption.

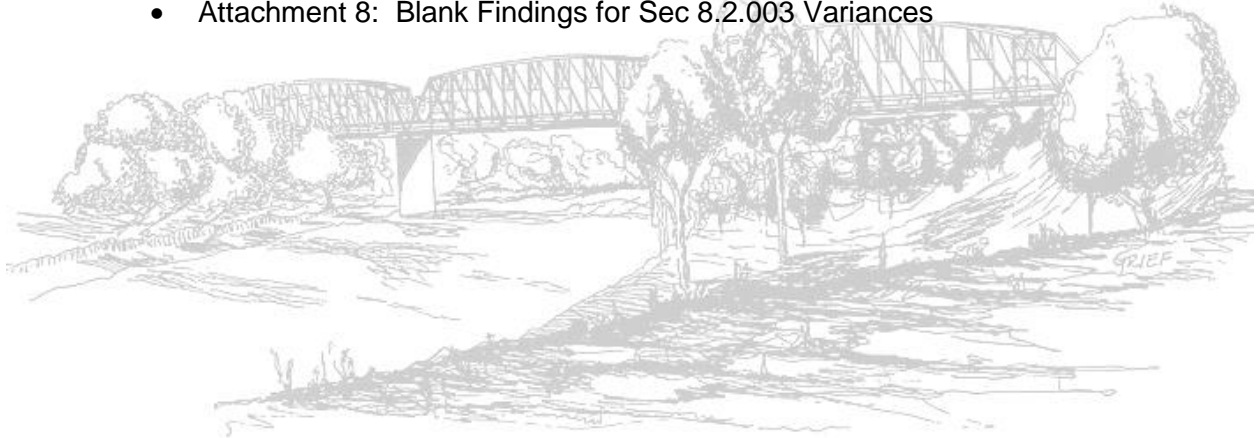
A blank findings form has been included if the Board would like to make their own findings for approval (Attachment 8).

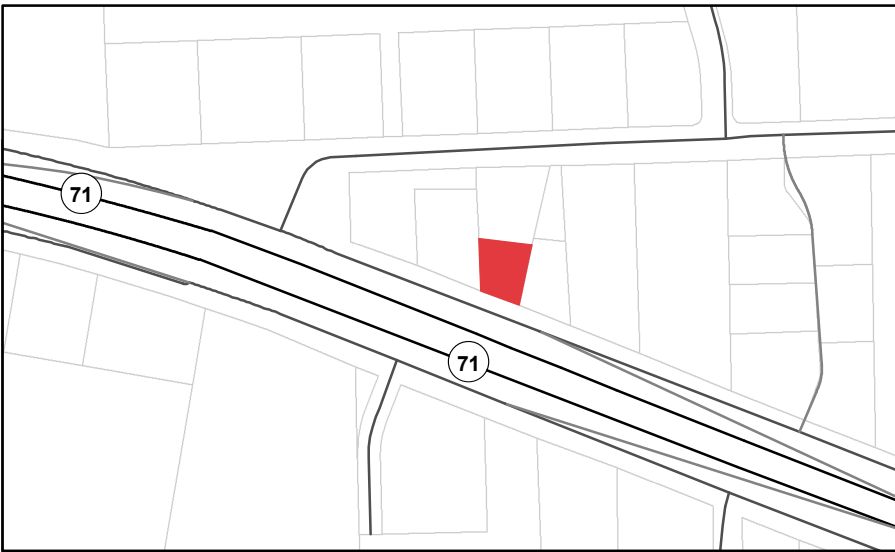
RECOMMENDATION:

Public Hearing and consider action to deny variances from the Bastrop Building Block (B³) Code, Chapter 8 – Sign, Signs, Section 8.1009 (3) Large Freestanding Sign types and Article 8.3 (L) Pole Signs to allow digital price numbers on an existing sign, on Nancy Blakey Survey, Abstract 98, Acres 0.380, located at 521 W SH 71, within the City Limits of the City of Bastrop, Texas.

ATTACHMENTS:

- Attachment 1: Location Map
- Attachment 2: Letter from Applicant
- Attachment 3: Applicant Submittal
- Attachment 4: Permitted Pylon Sign 2020
- Attachment 5: 513 W SH 71 – Shell Station Sign
- Attachment 6: Notice to Property Owners
- Attachment 7: Bastrop Building Block (B³) Code Band Sign Requirement
- Attachment 8: Blank Findings for Sec 8.2.003 Variances





521 W. State Highway 71 Sign Variance



1 inch = 125 feet

Date: 7/22/2022

The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of information, nor does it represent that its use will not infringe upon privately owned rights.



HUSCH BLACKWELL

Lee Simmons
Associate

111 Congress Avenue, Suite 1400
Austin, Texas 78701
Direct: 512.479.1166
Fax: 512.479.1101
lee.simmons@huschblackwell.com

April 26, 2022

VIA MyGOV

Bastrop Board of Adjustment
1311 Chestnut Street
Bastrop, TX 78602

Re: Sign Variance Application

Dear Chair and Board Members:

I write on behalf of the applicant, V&S Enterprises, to inform you of a new sign variance application for 521 West SH 71 we intend to submit for consideration by the Board of Adjustment.

We request a variance allowing digital signage on an existing sign for the following reasons:

- (1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads.

The visibility of the sign is impaired by its close proximity to nearby competitors that have digital signs, including HEB and Buc-ee's.

- (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located.

The sign is partially blocked to oncoming traffic by an existing tree. While the applicant does not wish to relocate the sign, they believe digital price numbers would help alleviate this challenge.

- (3) Proposed Sign location, configuration, design, materials and colors are harmonious.

The applicant proposes only to add digital pricing to the sign, and has no intention of relocating or reconfiguring the sign (see Exhibit 1).

- (4) The Sign and its supporting structure is in architectural harmony with the surrounding Structures.

The sign and supporting structure remain architecturally harmonious with surrounding structures. Adding digital pricing would not render the sign out of harmony with surrounding structures, since the gas station's canopy includes digital price numbers and surrounding competitors include digital price numbers.

- (5) Mitigation measures related to the Sign in question or other Signs on the same Premises.

The applicant is willing to remove the digital price numbers from the gas station's canopy in return for a variance allowing digital price numbers on the sign.

- (6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.

An approved variance would cause no risk to public health and safety since the sign would not be relocated or enlarged.

- (7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.

The sign is the only sign on the gas station site and therefore is not part of a master sign plan.

- (8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced having an interest in the property.

The applicant proposes to restore the sign to pre-2019 code change compliance that would have allowed for digital price numbers. The alteration would furthermore bring the sign to better architectural harmony with surrounding competition, many of which have existing digital signs.


Bastrop's new sign code impairs the applicant's ability to market the gas station at a commercially reasonable level, due to the nature of the adjacent roadways impairing the view of the station's signage. We believe this variance request is reasonable because nearby gas stations have similar digital signs, and granting the variance would not alter the area character since this is a highly commercial area next to a major divided roadway.

Finally, recent changes to state law allow the Board of Adjustment to consider economic loss as a hardship. I believe such a consideration would be appropriate in this case, as the applicant can demonstrate year-over-year fuel volume sales declines and resulting rental deferrals (see Exhibit 2). The previous code would have allowed the sign permit the applicant

seeks; however, the contractor unfortunately failed to apply for the permit before the code was changed. Thank you for your consideration.

Very truly yours,

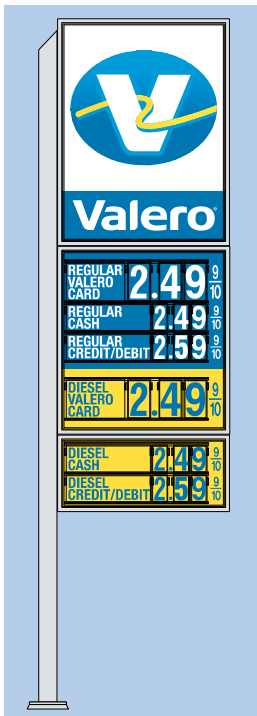
HUSCH BLACKWELL LLP

A handwritten signature in black ink, appearing to read "Lee Simmons", is written over a light gray rectangular background.

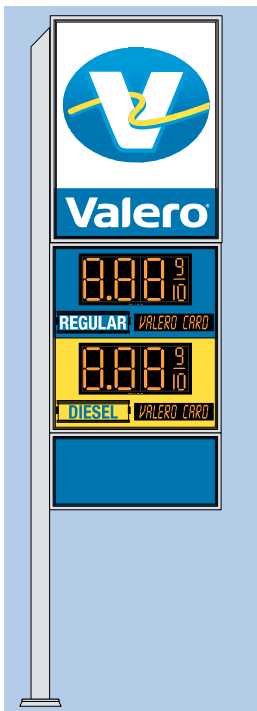
By: _____

Lee Simmons
Associate

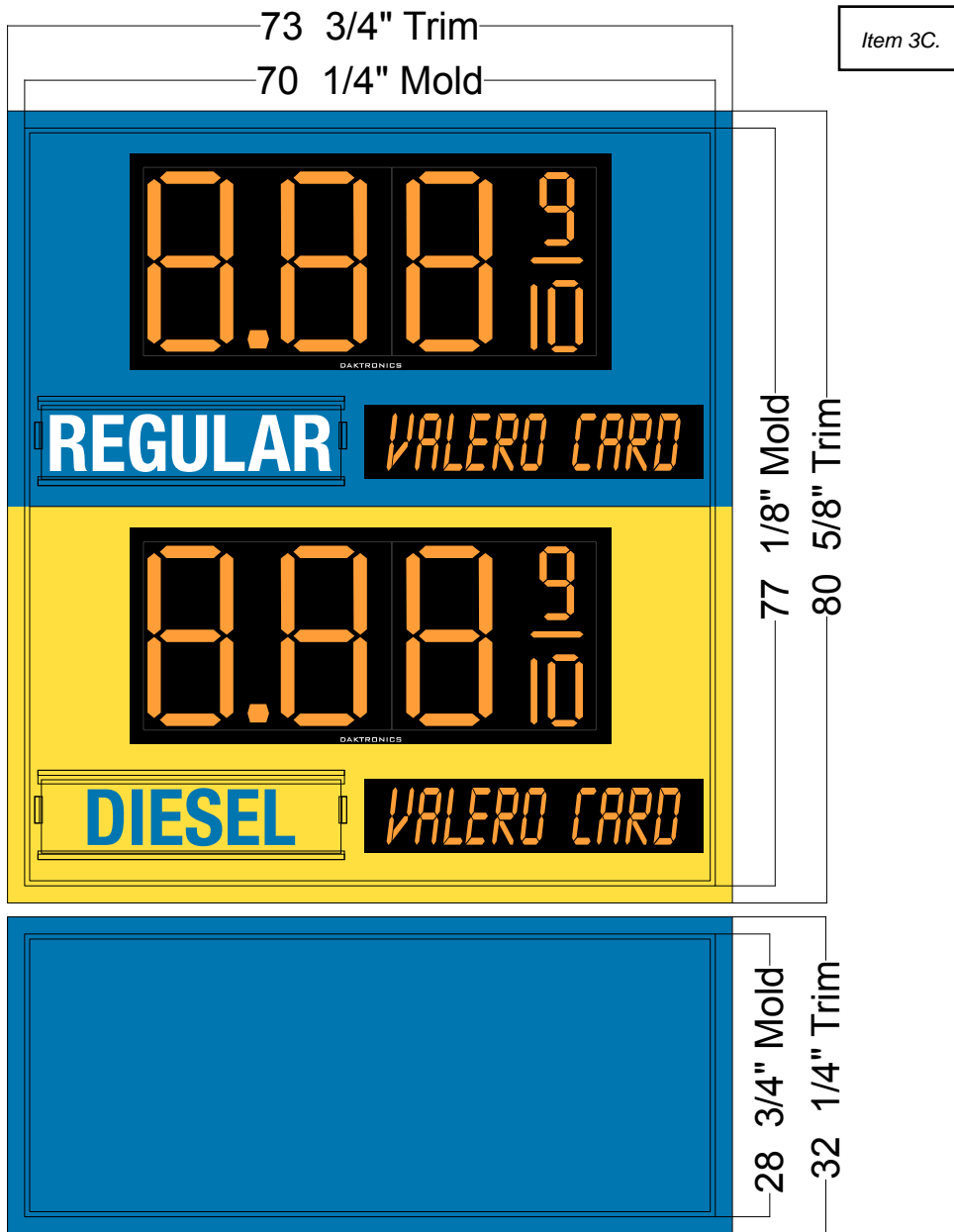
Exhibit 1



Scope of Work - Before

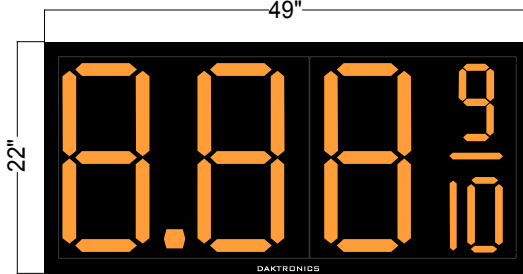
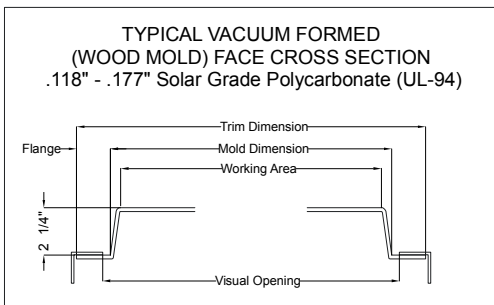


Scope of Work - After



Per Valero standards, all 3 options for Cash/Credit/Debit must be programmed and initiated in the price sign postings.

Daktronics Model #:
FL-3000-18-A-DI



Site - Drawing - #:

28554 Dwg 78609

Date: Project:

8/13/20 Valero

Requested By: Drawing By:

Jason J.GENET



ALVEYSIGNS.COM
13100 Hwy 57 N., Evansville, IN
1(888) 425-8397
(812) 867-2567 ph.
(812) 867-1465 fax

Notes - Scope of Work

Replacement Faces: 2P LED Pricer w/ Flasher
AUX (Blank)

THIS DESIGN IS THE ORIGINAL AND UNPUBLISHED WORK OF ALVEY'S SIGN COMPANY AND MAY NOT BE REPRODUCED OR EXHIBITED IN ANY FASHION WITHOUT WRITTEN CONSENT FROM AN AUTHORIZED OFFICER OF THE COMPANY.

Exhibit 2

521 Hwy 71, Bastrop Texas		
Year	Fuel Volume (gallons)	YOY Change
2016	860,514	
2017	746,676	-13.23%
2018	771,203	3.28%
2019	572,372	-25.78%
2020	611,333	6.81%
2021	512,732	-16.13%

Frontage Rd
Bastrop, Texas

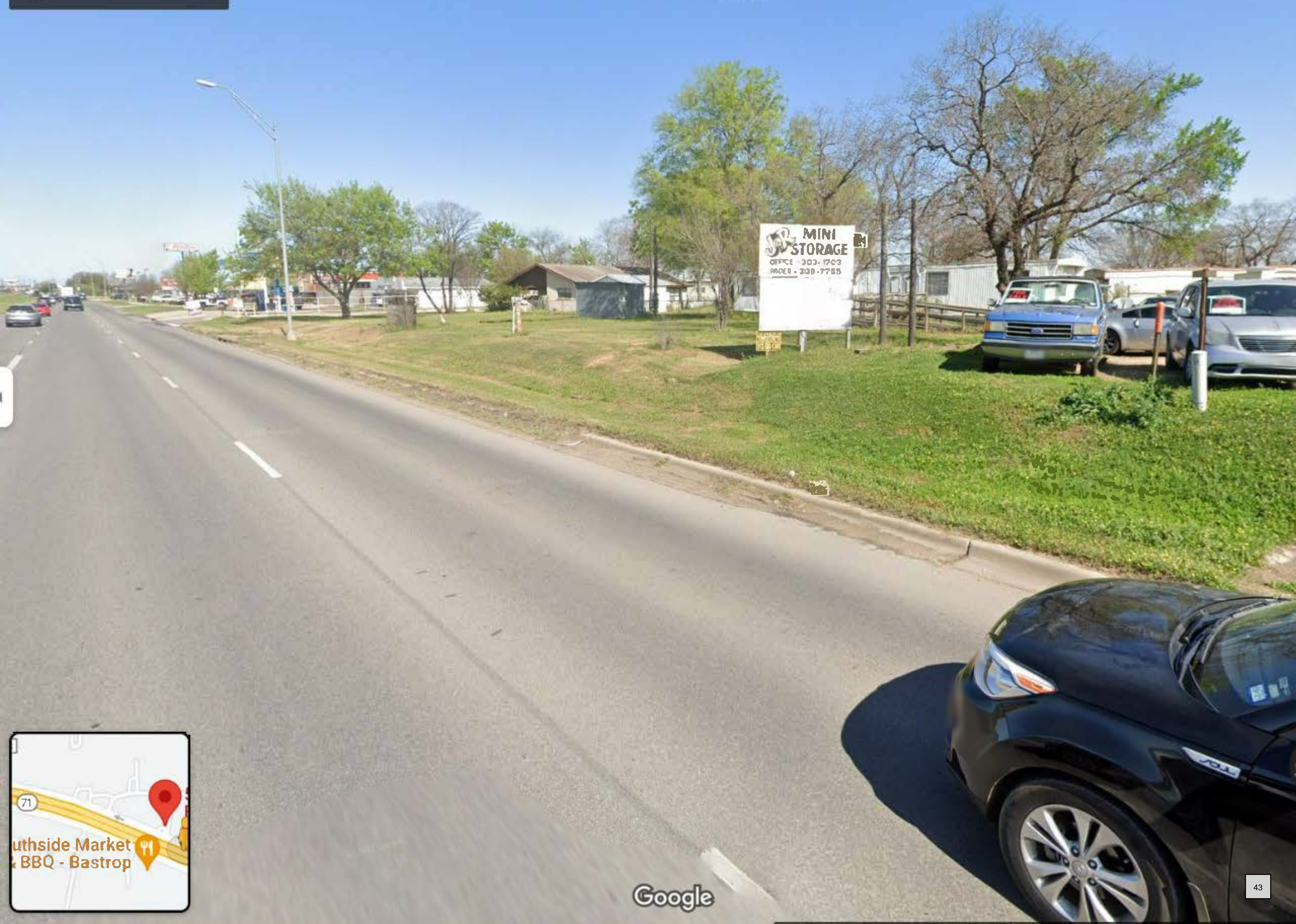


Google

Street View - Mar 2021

Item 3C.

Attachment 3



MINI STORAGE
OFFICE - 303-1703
RACER - 308-7755



Southside Market
& BBQ - Bastrop

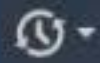
Google

Frontage Rd

Bastrop, Texas



Google



Street View - Mar 2021

Item 3C.



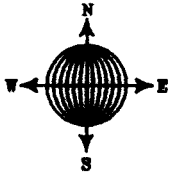




EXHIBIT 'B'

**OLD HIGHWAY 71
(100' ROW)**

Item 3C.



SCALE 1" = 40'

REFERENCE: V & S ENGINEERS, INC.
A TEXAS CORPORATION

ADDRESS: 521 STATE HIGHWAY 71 WEST
BASTROP, TEXAS 78602

JOE ANN SULLIVENT
VOL. 751, PG. 578
O.R.B.C.
(0.783 ACRES)

JOE WILHELM AND WIFE
ROBERTA WILHELM
VOL. 178, PG. 70
O.R.B.C.
(2.00 ACRES)

WILLIAM M. EGLESON
AND WIFE,
RUBY V. EGLESON
VOL. 456, PG. 799
O.R.B.C.
0.384 ACRES

P.O.C.

P.O.B.
1/2" FF

NANCY BLAKEY SURVEY
ABSTRACT NO. 98

**STATE HIGHWAY 71
(RIGHT-OF-WAY VARIES)**

LEGEND

- 1/2" IRON ROD FOUND AS LABELED ○
- TYPE I CONCRETE MONUMENT FOUND □
- DEED RECORDS BASTROP COUNTY, TEXAS DR.B.C.T.
- OFFICIAL RECORDS BASTROP COUNTY, TEXAS OR.B.C.T.
- MANHOLE ○ M.H.
- IRON ROD FOUND ○ IRF
- LINE BREAK ————
- CHAINLINK FENCE ———— X
- OVERHEAD ELECTRIC ———— OE
- POWER POLE ○

GENERAL NOTES:

1. THE PROPERTY SHOWN HEREON IS IN FLOOD ZONE "X". AS IDENTIFIED BY THE FEDERAL FLOOD INSURANCE RATE MAP # 46021C0114 C, DATED AUGUST 1, 1991.
2. EASEMENTS AND BUILDING LINES, AS PER PRELIMINARY TITLE REPORT G.F. NO. 00012361 AS SUPPLIED BY HERITAGE TITLE COMPANY OF AUSTIN, INC.

TITLE COMMITMENT NOTES:

- 9a. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO THE LOWER COLORADO RIVER AUTHORITY, BY INSTRUMENT DATED JUNE 23, 1940, RECORDED IN VOLUME 104, PAGE 64 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS. (MAY AFFECTS THIS TRACT)
- 9c. ELECTRIC EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY, BY INSTRUMENT DATED DECEMBER 15, 1978, RECORDED IN VOLUME 270, PAGE 268 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS. (MAY AFFECTS THIS TRACT)

BEARING BASIS:

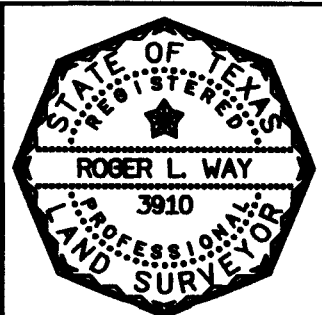
BEARINGS AND DISTANCES ARE STATE PLANE COORDINATES CENTRAL ZONE - NAD 83 - RAISED TO SURFACE BY BASTROP COUNTY SURFACE FACTOR 1.00004

SURVEYORS CERTIFICATION:

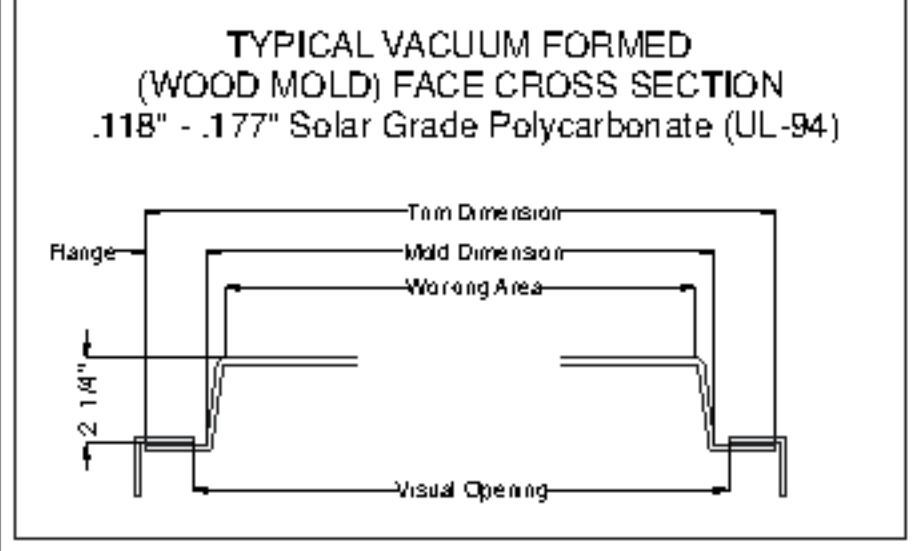
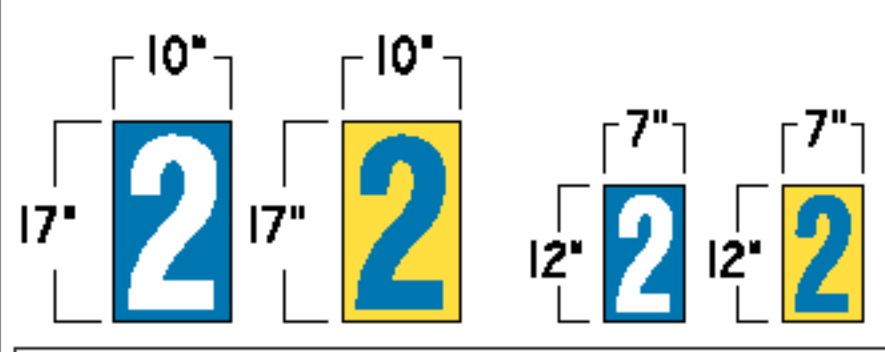
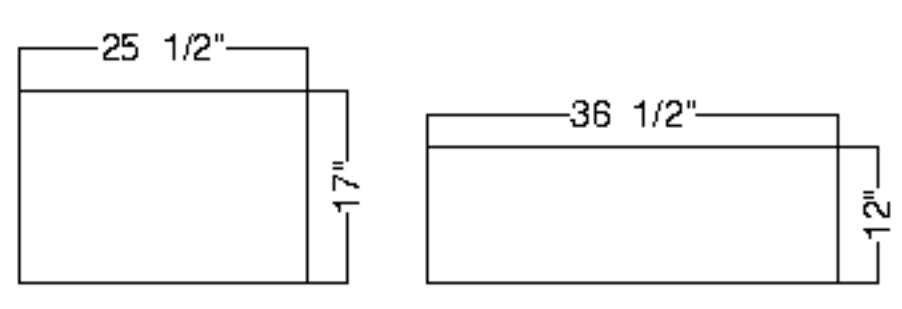
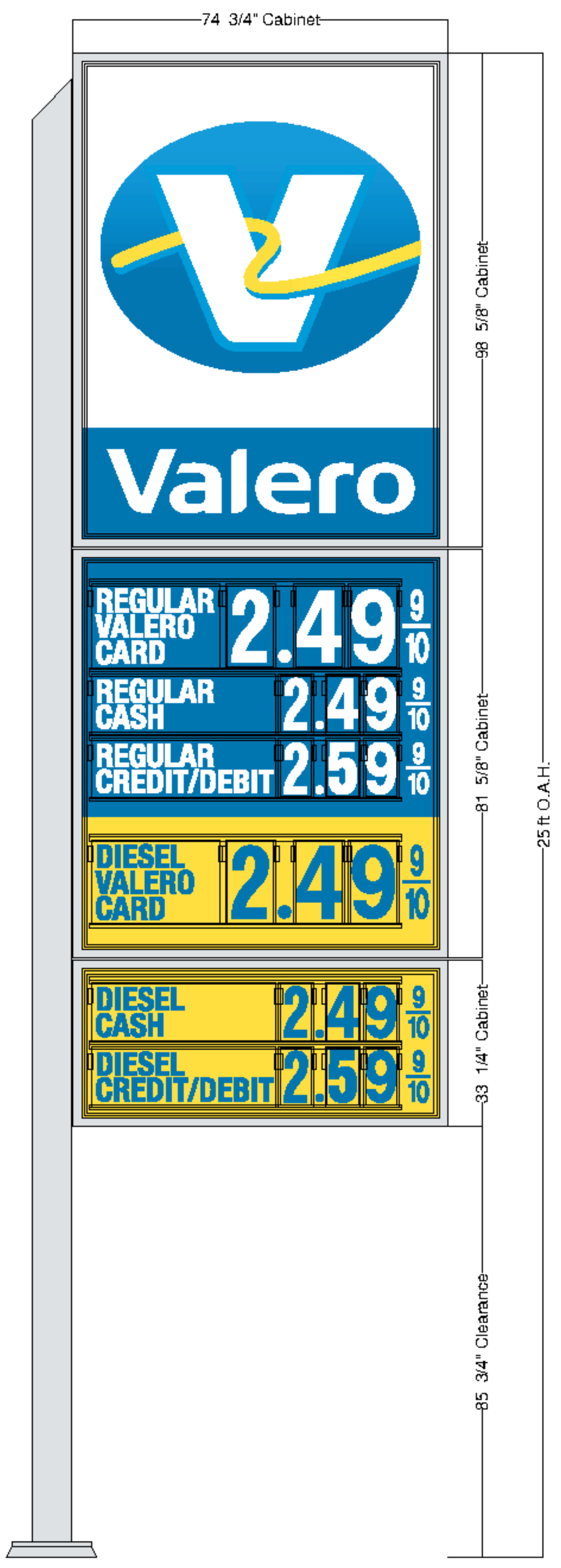
TO THE OWNER AND/OR LIENHOLDER, HERITAGE TITLE COMPANY OF AUSTIN, INC., AND FIRST AMERICAN TITLE INSURANCE COMPANY, THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON AND IS CORRECT AND THERE ARE NO DISCREPANCIES, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE EXCEPT AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY AS SHOWN HEREON.

WAY SURVEYING COMPANY
PROFESSIONAL LAND SURVEYING
ROGER L. WAY - OWNER
RT. 1 BOX 9A2
BASTROP, TEXAS 78602
PH# (512) 303-1773
FAX (512) 303-3469

SURVEY PLAT of a 0.384 acre tract of land out of the Nancy Blakey Survey, Abstract No. 98 in Bastrop County, Texas, and being all of that certain called 0.384 acre tract of land described by deed to William M. Egleson and wife, Ruby V. Egleson as recorded in Volume 456, Page 799 of the Official Records of Bastrop County, Texas.



Roger L. Way
ROGER L. WAY
7/29/02
DATE



Site - Drawing - #:
 28554 Dwg 72527
 Date: 5/13/20 Project: Valero
 Requested By: Jason Drawing By: DEYSS



ALVEYSIGNS.COM
 13100 Hwy 57 N., Evansville, IN
 1(888) 425-8397
 (812) 867-2567 ph.
 (812) 867-1465 fax

Notes - Scope of Work
 6ft Flag System: Valero ID, 4P FONT Pricer, 2P Font Pricer
 THIS DESIGN IS THE ORIGINAL AND UNPUBLISHED WORK OF ALVEYS SIGNS COMPANY AND MAY NOT BE REPRODUCED, COPIED OR EXHIBITED IN ANY MANNER WITHOUT WRITTEN CONSENT FROM AN AUTHORIZED OFFICER OF THE COMPANY.





**Notice of Public Hearing
City of Bastrop
Zoning Board of Adjustment**

Dear Property Owner:

The **Zoning Board of Adjustment** will conduct a public hearing on **Wednesday, August 3, 2022 at 6:00 p.m.** in the **City Hall Council Chambers** located at **1311 Chestnut Street, Bastrop, Texas** on the following request:

Public Hearing and consider action on a variance from the Bastrop Building Block (B³) Code, Chapter 8 – Signs, Section 8.1009 (3) Large Freestanding Sign types and Article 8.3 (L) Pole Signs to allow digital price numbers on an existing sign, on Nancy Blakey Survey, Abstract 98, Acres 0.380, located at 521 W SH 71, within the City Limits of the City of Bastrop, Texas.

Applicant: Lee Simmons
Owner: Startex First Equipment LP
Address: 521 W SH 71
Legal Description: Nancy Blakey Survey, Abstract 98, 0.380 acres

The site location map is attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances. For more information or to provide comments on this project, you may contact the Planning & Development Department at (512) 332-8840, plan@cityofbastrop.org, visit the office or mail the response card below to 1311 Chestnut Street, Bastrop, Texas, 78602.

The agenda will be posted 72 hours in advance at: https://www.cityofbastrop.org/page/cs.board_agendas.

⌘< -----

PROPERTY OWNER'S RESPONSE

As a property owner within 200 feet: (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

Property Owner Name: _____

Property Address: _____

Mailing Address (if different than property address): _____

Phone (optional): _____ Email (optional): _____

Property Owner's Signature: _____

Additional Comments (Optional):

Re: 22-000691 Sign Variance

motorists or people passing by. All Standards must meet the City's Code.

D. Sight Triangle. Signs cannot be located within the Sight Triangle, as defined in the B³ Technical Manual Section 2.0.011.

(3) Large Freestanding Sign Types:

A. Monument Sign

B. Pylon/Pole Sign

(4) General Requirements:

A. Size: Cannot have a ratio of less than 4:1 sign width to narrowest width of support structure. Must follow standards in Article 8.3.

B. Number. One Sign per street frontage of a lot.

C. Illumination: Large Freestanding Signs may only be externally illuminated unless approved by Warrant or located within the SH 71/SH 95/Loop 150 Corridors.

- i. External lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the City's Code.

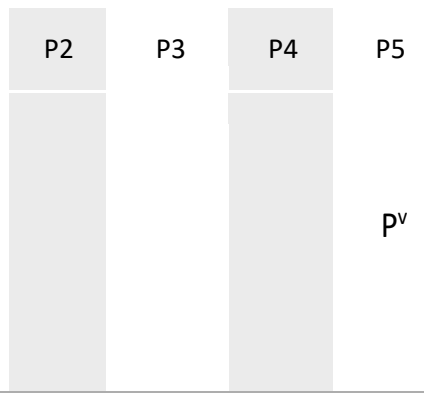
- ii. Internal illumination shall not operate at brightness levels of more than 0.2 foot-candles above ambient light conditions at the property line, as measured using a foot-candle meter. The total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.

D. Locations for Sign Corridors:

- i. SH 71 Corridor. The area located 720 feet from the centerline of the adjacent main lane of State Highway 71.
 - ii. SH 95 Corridor. The area located 330 feet from the centerline of the lane of State Highway 95.
 - iii. Loop 150 Corridor. The area located 330 feet from the centerline of Loop 150, south of the Colorado River.
 - iv. All Signs must be located within 25 feet of the property line.
- E. Sight Triangle. Signs cannot be located within the Sight Triangle, as defined in the B³ Technical Manual Section 2.0.011.

L)

PLACE TYPES ▶



SPECIFICATIONS ▼

PYLON/POLE SIGN

- d. **Quantity:** 1 max per Frontage
- e. **Height:** 35 ft max. in P5 on SH 71
20 ft max in P5 on SH 95 & Loop 150
- f. **Max Height to width ratio:** 4:1

PV

DESCRIPTION

A Sign permanently affixed to the ground at its base by a single- or double-poles, that are enclosed by a base of natural stone, stucco, brick, or wood and not mounted to a part of a Building. Only allowed in State Highway 71 & SH 95

SIGN DETAILS

- i. How to Measure:
 - (1) Maximum total Height is measured from the finished grade at the center of the Sign. If the finished grade at the center of the Sign is higher than the finished grade of the closest paved surface, then the Height shall be measured from the finished grade of the closest paved surface.
 - (2) The pylon/pole base shall be a maximum of 2 feet in Height and shall be included in the calculation of total Height.
- ii. The max Height allowed along SH 71 is 35 feet.
- iii. The max Height allowed along Loop 150 and SH 95 is 20 feet.
- iv. Signs along SH 71, SH 95 and Loop 150 can be internally illuminated.
- v. Only allowed in a Sign Corridor and not allowed if Band Sign exceeds 4 feet in height.
- vi. Cannot be located within a Sight Triangle.

Section 8.2.003 Variances

(d) The ZBA may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Code will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter.

The Sign Administrator and ZBA shall consider:

- (1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads.
- (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located.
- (3) Proposed Sign location, configuration, design, materials and colors are harmonious.
- (4) The Sign and its supporting structure is in architectural harmony with the surrounding Structures.
- (5) Mitigation measures related to the Sign in question or other Signs on the same Premises.
- (6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.
- (7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have

been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.

- (8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced.