



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Zoning Board of Adjustment

Monday, July 22, 2024

5:30 PM

Council Work Session Room

REGISTRATION GUIDELINES FOR ADDRESSING THE ZONING BOARD OF ADJUSTMENT

Citizens will also be able to participate in the following way (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- eComment – On Friday, July 19, 2024, the agenda was posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Within eComment, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. Similar to when a citizen submits a white card to indicate their position on an item, the eComments will be sent directly to members of the Zoning Board of Adjustment and recorded by the Secretary.

Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Chair will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

After determining that a quorum is present, the Zoning Board of Adjustment of the City of Denton, Texas will convene in a Regular Meeting on Monday, July 22, 2024, at 5:30 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

2. ITEMS FOR CONSIDERATION

- A. [ZBA24-008](#) Elect an acting Chair for the Zoning Board of Adjustment's July 22, 2024 meeting.
- B. [ZBA24-007](#) Consider the approval of the June 24, 2024 minutes.

Attachments: [Exhibit 1 - June 24, 2024 ZBA Meeting Minutes](#)

3. PUBLIC HEARINGS

- A. [V24-0037](#) Hold a public hearing and consider a variance request from Chapter 33 Signs and

Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(b)(1) as it relates to the maximum effective area and maximum height of a ground sign permitted along I-35 E located on an approximately 0.7-acre property 555 feet from the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0037, DME Old West Café, Matt Bodine)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Applicant Project Narrative](#)
[Exhibit 5 - Relocated Old West Cafe Sign Design Details](#)

- B. [V24-0038](#) Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(d)(2) as it relates to the maximum number of on-premise ground signs permitted based on street frontage on a freeway, located on an approximately 10.78 acre premise 725 feet southeast of the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0038, DME Southridge Village, Matt Bodine)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Applicant Project Narrative](#)
[Exhibit 5 - Relocated Goodwill Sign Design Details](#)
[Exhibit 6 - Relocated Planet Fitness Sign Design Details](#)
[Exhibit 7 - Relocated Southridge Back and Pain Sign Design Details](#)

4. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Zoning Board of Adjustment or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Zoning Board of Adjustment reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on July 19, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



City of Denton

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215 E. McKinney St.
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Legislation Text

File #: ZBA24-008, **Version:** 1

AGENDA CAPTION

Elect an acting Chair for the Zoning Board of Adjustment's July 22, 2024 meeting.



City of Denton

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Denton, Texas 76201
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Legislation Text

File #: ZBA24-007, Version: 1

AGENDA CAPTION

Consider the approval of the June 24, 2024 minutes.

MINUTES
ZONING BOARD OF ADJUSTMENT
June 24, 2024

After determining that a quorum is present, the Zoning Board of Adjustment of the City of Denton, Texas will convene in a Regular Meeting on Monday, June 24, 2024, at 5:34 p.m. in Training Rooms 3, 4, and 5, at the Development Service Center, 401 N. Elm Street, Denton, Texas, at which the following item will be considered:

PRESENT: Members: Kristine Bray, Angela Green, Connor Hall, Kate Lynass, Michael Redwine, and Byron Woods

ABSENT: Chair Jennifer Lane

REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

2. ITEMS FOR INDIVIDUAL CONSIDERATION

A. ZBA24-002: Elect an acting Chair for the Zoning Board of Adjustment's June 24, 2024 meeting.

Member Wood motioned to nominate Connor Hall to be acting chair for June 24, 2024 meetings. Member Hall accepted the nomination and Member Lynass seconds the motion.

AYES (6): Kristine Bray, Angela Green, Connor Hall, Kate Lynass, Michael Redwine, and Byron Woods

NAYS (0): None

B. ZBA24-003: Consider the approval of the December 18, 2023 minutes.

Member Bray moved to approve the December 18, 2023 minutes as presented. Motion seconded by Member Redwine. Motion carried.

AYES (6): Kristine Bray, Angela Green, Connor Hall, Kate Lynass, Michael Redwine, and Byron Woods

NAYS (0): None

3. Work Session

A. ZBA24-006 Receive a training and hold a discussion regarding the City of Denton Code of Ordinances Chapter 33 Signs and Advertising Devices.

Hayley Zagurski, Assistant Planning Director, gave a training on City of Denton Code of Ordinances Chapter 33 Signs and Advertising Devices.

4. Public Hearings

V24-0032: Hold a public hearing and consider approval of a variance from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(e) as it relates to the setback for internally illuminated attached signs, to allow an internally illuminated wall sign to be installed less than 200 feet from a residential district boundary line, on an existing building, located on an approximately 0.75-acre property on the southwest corner of the intersection of Oak Street and Carroll Boulevard. (V24-0032, Plains Capital Bank Sign, Sean Jacobson)

Acting-Chair Hall opened the public hearing.

Sean Jacobson, Associate Planner, presented the item.

The applicant presented their request. Discussion between the board and applicant occurred.

Acting-Chair Hall closed the public hearing.

Member Bray made a motion to approve the variance. Motion seconded by Member Redwine. Motion denied.

AYES (0): None

NAYS (6): Kristine Bray, Angela Green, Connor Hall, Kate Lynass, Michael Redwine, and Byron Woods

4. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 6:21 p.m.

X

Jennifer Lane
Zoning Board of Adjustments Chair

X

Lacy Brummett
Administrative Assistant

Minutes approved on: _____



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Legislation Text

File #: V24-0037, Version: 1

AGENDA CAPTION

Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(b)(1) as it relates to the maximum effective area and maximum height of a ground sign permitted along I-35 E located on an approximately 0.7-acre property 555 feet from the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0037, DME Old West Café, Matt Bodine)



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: July 22, 2024

SUBJECT

Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(b)(1) as it relates to the maximum effective area and maximum height of a ground sign permitted along I-35 E located on an approximately 0.7-acre property 555 feet from the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0037, DME Old West Café, Matt Bodine)

BACKGROUND

The applicant, Denton Municipal Electric, is requesting two variances from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(b)(1) as it relates to both the maximum effective area and maximum effective height of a ground sign permitted along I-35 E.

The subject property is a single premise along S I-35 E service road approximately 555 feet south of Lillian B Miller Parkway (refer to Exhibit 3 for site location). There is one (1) on-premise ground sign that is legally nonconforming, meaning it was legal when it was approved at installation but is no longer in compliance with the City's current sign standards. Specifically, the sign for the Old West Café has a maximum effective area of 304 sq ft, or 54 sq ft greater than what the current regulations permit. The sign also has a maximum height of 42 ft when measured from the elevation of the principal lane of S I-35 E. The sign is considered legally nonconforming today, meaning the sign was legal when it was approved and installed, but is no longer in compliance with the City's current sign standards.

The Texas Department of Transportation (TxDOT) added the property as a late revision to a current I-35 E widening project, which is explained in greater detail in Exhibit 4. As a result, Denton Municipal Electric (DME) is required to install overhead power lines at the edge of the new TxDOT right-of-way that conflict with the existing sign for Old West as well as three other signs on adjacent parcels (see case V24-0038) due to required separation distances between structures and overhead electric lines. DME began the process of relocating the signs by hiring a sign contractor to apply for the necessary permits; however, the permits were denied due to conflicts with Section 33.14.2(b)(1) of the Code of Ordinances. The City's sign regulations do not contemplate or provide standards for the relocation of existing, nonconforming signs, so a permit had to be sought and reviewed for the installation of the sign at the new locations as though it is new sign. Thus, the applicant is seeking variances from the maximum effective area and maximum height to relocate the existing sign to a new location.

The overhead power lines are a unique condition of the premise, as it is DME's common practice to relocate utilities underground, which would not require relocating the sign. However, due to site conditions and TxDOT's timeline for this project, the lines are being reinstalled overhead. Relocating the sign would not

change the aesthetic along I-35 E since the sign has been in existence on the property since before 2001 and literal compliance would cause the property owner to lose their existing sign. The actions causing the need for the variances were made by TxDOT and the City of Denton via DME and are not those of the property owner.

	Current Regulations	Proposed	Difference
Maximum Effective Area of Ground Signs Permitted along I-35 E	250 sq. ft.	304 sq. ft.	+54 sq. ft.
Maximum Height of Ground Signs Permitted along I-35 E	40 ft.	42 ft.	+2 ft.

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny.

RECOMMENDATION

Staff recommends approval of the request for two variances to allow for the relocation of an existing sign that is 54 feet over the maximum allowed effective area and 2 feet over the maximum height because it meets all of the criteria for approval in Section 33.6 of the Code of Ordinances.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Applicant Project Narrative
5. Relocated Old West Cafe Sign Design Details

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Matt Bodine
Assistant Planner

Staff Analysis

V24-0037 / Old West Café Sign

Zoning Board of Adjustment

REQUEST:

Consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(b)(1) as it relates to the maximum effective area and maximum height of a ground sign permitted along I-35 E

APPLICANT:

Aaron Bennion of Denton Municipal Electric

BACKGROUND:

The subject property is a single premise along the S I-35 E service road approximately 560 feet south of Lillian B Miller Parkway (see Exhibit 3 for location map). A restaurant (Old West Café) is existing on site. There is one (1) existing, on-premises ground sign that has a maximum effective area of 304 sq ft and a maximum height of 48 ft when measured from the ground. Sign details are provided in Exhibit 5.

Per Chapter 33.14.2(b)(1), any premise with street frontage along I-35 E may have ground signs with a maximum effective area of 250 sq ft. The existing sign on the premise has a maximum effective of 304 sq ft which is 54 sq. ft. greater than what is permitted. Chapter 3.14.2(b)(1) also allows ground signs to have a maximum height of 40 ft. Along I-35 E, the height may be measured from either the principal lanes, the frontage road, or the ground, whichever allows the greater height (Chapter 33-12.1(b)(2)). The existing sign on the premise has a maximum height of 42 ft when measured from the elevation of the principal lane, which is 2 ft greater than what is permitted.

The existing sign is legally nonconforming because it was approved upon original installation, but no longer complies with the City's current sign regulations. The sign has existed onsite since 2001, and the City's current sign regulations were approved by City Council in 2014. Chapter 33 does not contemplate relocating signs in its regulations for nonconforming signs; therefore, staff had to analyze the relocated sign application as a new sign application. The elements of nonconformity that were previously legal and could have stayed in perpetuity at the originally approved location are viewed as new signs due to the changing location and now necessitate variances as summarized below:

	Current Regulations	Proposed	Difference
Maximum Effective Area of Ground Signs Permitted along I-35 E	250 sq. ft.	304 sq. ft.	+54 sq. ft.

Maximum Height of Ground Signs Permitted along I-35 E	40 ft.	42 ft.	+2 ft.
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The sign is being relocated due to Texas Department of Transportation's (TxDOT) widening of S I-35 E project and the subsequent relocating of City of Denton utilities by Denton Municipal Electric (DME). TxDOT expanded the scope of their S I-35 E Mayhill Project to include the subject premise in a late revision and directed DME to relocate utilities on a short timeline to keep on track with TxDOT's project schedule. DME is installing overhead power lines along the edge of the S I-35 E's right-of-way that require a separation distance of at least 10 ft to the side for non-electrically qualified workers according to the National Electric Safety Code and the Occupational Safety and Health Administration. DME identified a location for the relocated sign that is acceptable to the owner and so that no part of the sign is within 15 feet of the S I-35 E's right-of-way, meeting the 10-foot separation requirement. See Exhibit 4 for additional information.

CONSIDERATIONS:

1. The applicant is proposing for the relocated sign to be in compliance with all the requirements of Chapter 33 except for the effective area and maximum height, which are the subject of this variance request.
2. Section 33.6 of the Code of Ordinances states the that the Board of Adjustment can grant a variance from a requirement of Chapter 33 if it finds that all of the following criteria are met:
 - a. *Due to some unique condition or feature of the property, which is not generally common to other properties, literal compliance with the sign regulation would cause unnecessary hardship.*

Due to TxDOT's project timing, DME must relocate utilities on the premises using overhead power lines that conflict with the existing signs. DME's normal process would have been to acquire easements and relocate the lines underground had TxDOT not placed these time constraints on DME. This process would have not required the sign to be relocated, and the unique conditions attributed to the installation of the overhead power lines on the premises are not common practice.

Literal compliance places an unnecessary hardship on the property owner by requiring the removal of their existing, legally non-conforming sign that, under the standard DME practices, would not have needed to be removed. Literal compliance with the maximum 250-ft effective area and the maximum 40-ft height would require the property owner, who is not responsible for the sign needing to be relocated, to have to purchase an entirely new, smaller, and shorter sign in order to maintain proper spacing from DME's relocated overhead utility lines.

- b. *The granting of the variance will not violate the spirit or the intent of the ordinance.*

The intent of Chapter 33 is to balance several important and competing interests, including the constitutional right to free speech and the public interests in safety

and aesthetics, including controlling visual clutter. The variance would not increase visual clutter along S I-35 E, but rather maintain the interstate's aesthetics since only the location of the existing sign is changing so that it will not interfere with vital, city infrastructure. No new signs are being requested.

- c. *The condition or feature, which creates the need for the variance, did not result from the property owners' acts.*

The condition creating the need for the variance did not result from the property owners' actions. TxDOT is widening S I-35 E, and the City of Denton via DME is relocating overhead power lines as a part of that project. The sign will have to be removed from its current location regardless of the Board's decision. These actions by state and local governmental entities (not the property owner's actions) are requiring the existing sign to be relocated and thus creating the need for the variance request since the sign is no longer in compliance with the City's sign regulations for effective area and height.

- d. *The Board shall not grant a variance to any applicant solely for personal convenience, financial hardship, or other reasons unrelated to the property. If the Board grants a variance, the variance shall be granted only to the extent that is reasonably necessary to remedy the hardship. The Board may impose conditions relating to the use of the sign for which a variance is granted.*

The variance request is for reasons related to the property and improvements being made to the adjacent interstate highway and not solely for personal convenience, financial hardship, or reasons unrelated to the property. The applicant is requesting to have an increase in the maximum effective area and maximum height for their ground sign allowed by Chapter 33 in order to maintain the same sign that has existed on the property since prior to 2001.

RECOMMENDATION:

Staff recommends approval of the variances for an increase in effective area of 54 feet and increase in height of 2 feet since it meets all the criteria for approval in Chapter 33.6 of Chapter 33 of the Code of Ordinances.

V24-0037 Site Location



- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

Development Services • GIS
Date: 6/18/2024

Background information:

Texas Department of Transportation (TXDOT) is currently executing the I35E Mayhill project which includes expanding the frontage roads and right-of-ways (ROWs) between Pockrus Page Rd on the South to Loop 288 on the North. TXDOT is requiring the relocation of utilities to the new edge of the ROW. Utilities have had to adopt a variety of strategies to meet space and timeline constraints for the relocations.

The location in question is the frontage along I35E South bound at 2440 I35E Frontage Rd (from Old West Café on the North to the old Goodwill Store on the South). This section of the I35E Mayhill project was a late revision to the TXDOT plan as it was added to the project scope after 100% Adequate plans had been released. During planning stages for utility relocations, the TXDOT Utility Coordinator directed that the electric, water/wastewater, gas, and telecoms with buried and aerial facilities in the area relocate without seeking easement as “there was not time” to do so and meet TXDOT project schedules. In order to accomplish the relocations in the limited space available in the ROW, Denton Municipal Electric (DME) and at least 2 other telecoms are required to install overhead (OH) lines on new poles at the new edge of ROW (still within TXDOT property). To meet TXDOT timelines, the signs must be relocated within the next 4-6 months.

DME OH utility poles are installed 18” off the edge of the ROW, on center. The poles rise generally 28 – 42 feet above the ground and the uninsulated high voltage (13,200V) wires extend from the pole 4 to 5 feet on crossarms. National Electric Safety Code (NESC) and the Occupational Safety and Health Administration (OSHA) require separation of structures and personnel from these wires. The most restrictive of these separations is 10ft to the side for non-electrically qualified workers. During the relocation design process, DME identified 4 commercial signs that are too close to the proposed wire lines to meet the required separation distances. DME is requesting the signs be relocated so that no part of the sign is within 15 feet of the TXDOT ROW in order to meet the 10 foot clearance requirement between to closest OH wire and the signs with some small buffer.

DME and the City of Denton Real Estate division (R.E.) contracted with 7Arrows and Mellow Signs to coordinate with the sign owners and relocate the 4 signs identified in the attached Exhibit 1 such that the signs were placed outside of the 15 clearance zone, and located acceptably for the customer. 7Arrows and Mellow signs were able to work with the sign owners to identify mutually acceptable locations, however when submitting the relocations permits to the City of Denton, the permits were denied.

The permit for relocation of the sign at 2420 S Interstate 35 E, Old West Café was denied. The sign is a legal, non-conforming sign with a larger surface area than is currently authorized in the City of Denton (the City or CoD). Under the current Sign Ordinance, a sign being relocated must follow all current codes and thus the Old West Café sign is no longer compliant with the current Sign Ordinance. The existing sign has a surface area of approximately 300 square feet (8 ft tall x 38 ft wide at the widest point). The sign ordinance limits all new signs along I-35E to 250 square feet of surface area (Section 33.14.2.B.1). The difference between the existing sign and the Sign Ordinance is 50ft or a 20% increase.

DME is seeking a variance to the Sign Ordinance square footage limitation so that the Old West Café sign may be permitted to be relocated. This request meets the requirements of the Sign Ordinance variance request section (section 33.6B.2) in that

- a) the sign is a legal non-conforming sign, approved at the time of installation, that must be removed/relocated on a short timeline (within the next 4-6 months);
- b) granting of the variance will not adversely affect the aesthetics of the highway frontage area but rather will maintain the status quo, and allow the City and State to continue vital infrastructure work; and
- c) the condition requiring the variance is due to actions of the City of Denton (relocating electric power lines) and the State of Texas (widening of Interstate 35E) and not the property owners actions.

OLDWEST CAFÉ

2420 S INTERSTATE 35 E, DENTON, TX 76210



UL E479782 TDLR 18785

990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com

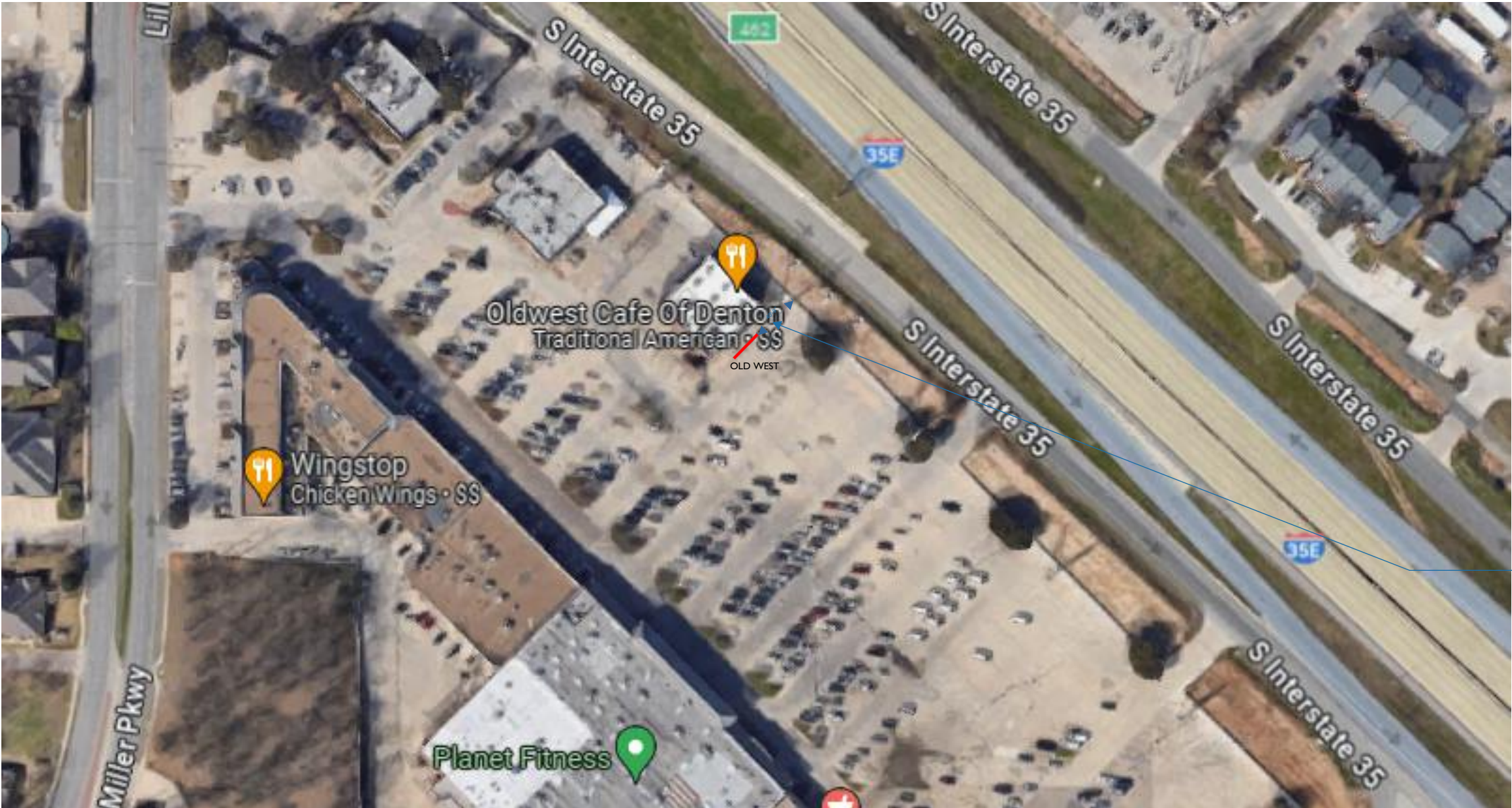
FINAL APPROVAL

CLIENT SIGNATURE _____

PRINTED NAME _____

DATE: _____ SALESMAN: _____ JOB #: PRELIMINARY ART

- ☒ CONCEPT ART
- ☐ PERMIT / ENGINEERING ART (IF APPLICABLE)
- ☐ PRODUCTION READY ART





ZOOMED IN

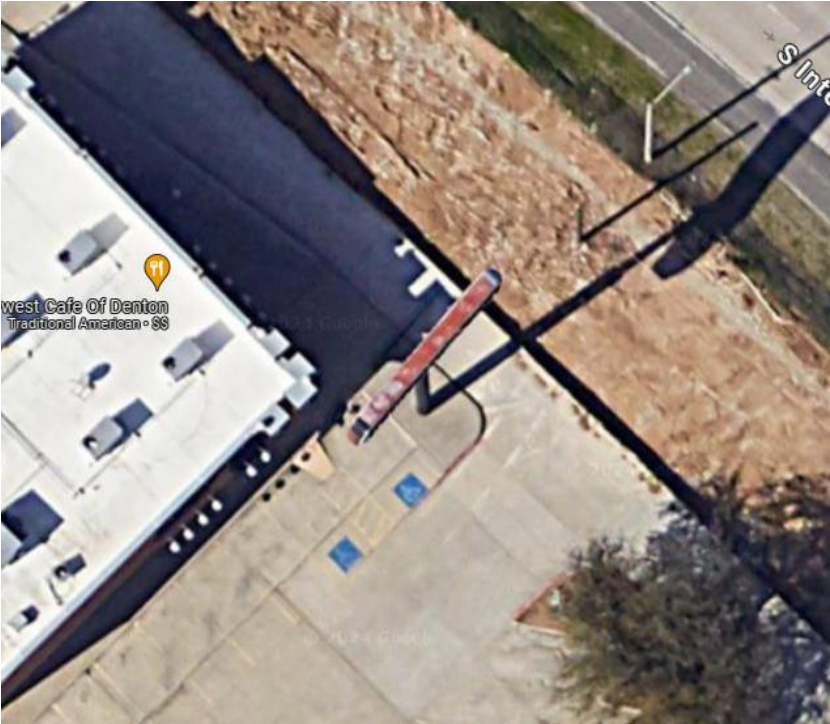
SCALE: 1/32"=1'-0"

1 SIGN 1

SITE PLAN

SCALE: 1/128"=1'-0"

<div><p>990 HALTOM RD. FORT WORTH, TX 76117 682-312-5338 — www.mello-signs.com</p></div>	<div> E479782 TDLR18785</div>	<p>GENERAL DISCLAIMERS: All signs to be manufactured and installed in accordance with local and state regulations. This drawing is the property of MELLO SIGNS. It shall not be produced, copied or distributed without authorization of MELLO SIGNS.</p> <p>RENDERING APPROVAL: Please carefully review all drawings and material specifications. Color samples can be provided upon request. All PDF files are approximate representations.</p> <p>PLEASE READ CAREFULLY BEFORE FINAL APPROVAL: Review all files and check for all errors. Please review all spelling, material and color specifications, and installation notes. Changes after approval and the start of manufacturing may incur additional charges. By signing this proof you are acknowledging that you have read and fully reviewed all drawings, proposals, and Mello Signs Terms and Conditions.</p>	CLIENT NAME	OLD WEST CAFÉ	DATE	BY	REV #
	ST. ADDRESS		2420 S INTERSTATE 35 E	03-01-2024	AM		
	CITY/STATE		DENTON, TX 76205	03-22-2024	AM	R1	
	PHONE			04-15-2024	DE	R2	
	EMAIL			07-17-2024	AB	R3	
	SALESMAN		AARON				
DESIGNER	AARON						
FILE NAME	OLD WEST CAFE-DENTON-TX-SIGN RELOCATION						
CLIENT SIGNATURE _____							
PRINTED NAME _____							
DATE: _____ SALESMAN INITIALS: _____							



EXISTING LOCATION

SIGN 1 - PYLON SIGN SIGN RELOCATION

SCALE: 3/32"=1'-0"

SITE NOTES:

CODE ALLOWANCE:

MELLO

SIGNS

990 HALTOM RD. FORT WORTH, TX 76117

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E479782

TDLR 18785

CLIENT SIGNATURE

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DATE:SALESMAN INITIALS:

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RENDERING APPROVAL:

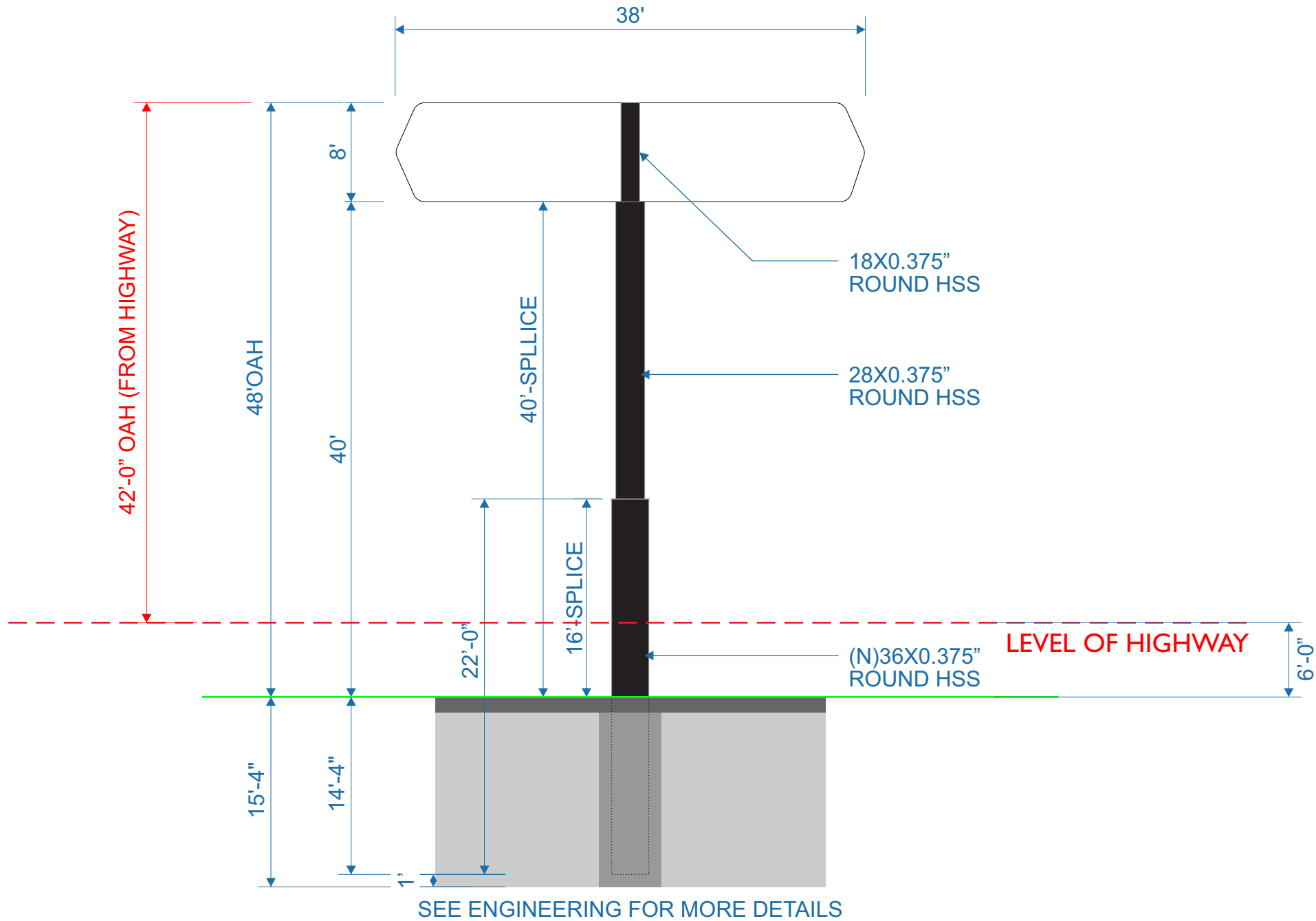
Please carefully review all drawings and material specifications. Color samples can be provided upon request. All PDF files are approximate representations.

PLEASE READ CAREFULLY BEFORE FINAL APPROVAL:

Review all files and check for all errors. Please review all spelling, material and color specifications, and installation notes. Changes after approval and the start of manufacturing may incur additional charges. By signing this proof you are acknowledging that you have read and fully reviewed all drawings, proposals, and Mello Signs Terms and Conditions.

CLIENT NAME	OLD WEST CAFÉ	DATE	BY	REV #
ST. ADDRESS	2420 S INTERSTATE 35 E	03-01-2024	AM	
CITY/STATE	DENTON, TX 76205	03-22-2024	AM	R1
PHONE		04-15-2024	DE	R2
EMAIL		07-17-2024	AB	R3
SALESMAN	AARON			
DESIGNER	AARON			
FILE NAME	OLD WEST CAFE-DENTON-TX-SIGN RELOCATION			

TOTAL SQ FT: 304 SQ FT



FINISHES COLOR CHART

■ MATHEWS BLACK SATIN

STUB PIPE DETAIL - NOT TO SCALE

DETAILS FOR ENGINEERING:
- RING WELD
- SET PIPE, BUILD RINGS TO SET
SEE ENGINEERING FOR DETAILS

28" PIPE

36" PIPE

SIGN 1 - PYLON SIGN SIGN RELOCATION

SCALE: 3/32"=1'-0"

QUANTITY: (1) REQUIRED

DESCRIPTION OF WORK:

RELOCATE SIGN TO MINIMUM OF 15' FROM NEW SETBACK. STUB INTO NEW PYLON. PAINT ALL SIGN COMPONENT WHITE

*ALL PENETRATIONS SEALED WITH EXTERIOR GRADE SILICONE

990 HALTOM RD. FORT WORTH, TX 76117

682-312-5338 — www.mello-signs.com

E479782

TDLR18785

CLIENT SIGNATURE

PRINTED NAME

DATE:SALESMAN INITIALS:

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RENDERING APPROVAL:

Please carefully review all drawings and material specifications. Color samples can be provided upon request. All PDF files are approximate representations.

PLEASE READ CAREFULLY BEFORE FINAL APPROVAL:

Review all files and check for all errors. Please review all spelling, material and color specifications, and installation notes. Changes after approval and the start of manufacturing may incur additional charges. By signing this proof you are acknowledging that you have read and fully reviewed all drawings, proposals, and Mello Signs Terms and Conditions.

CLIENT NAME	OLD WEST CAFÉ	DATE	BY	REV #
ST. ADDRESS	2420 S INTERSTATE 35 E	03-01-2024	AM	
CITY/STATE	DENTON, TX 76205	03-22-2024	AM	R1
PHONE		04-15-2024	DE	R2
EMAIL		07-17-2024	AB	R3
SALESMAN	AARON			
DESIGNER	AARON			
FILE NAME	OLD WEST CAFE-DENTON-TX-SIGN RELOCATION			



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: V24-0038, Version: 1

AGENDA CAPTION

Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(d)(2) as it relates to the maximum number of on-premise ground signs permitted based on street frontage on a freeway, located on an approximately 10.78 acre premise 725 feet southeast of the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0038, DME Southridge Village, Matt Bodine)



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: July 22, 2024

SUBJECT

Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(d)(2) as it relates to the maximum number of on-premise ground signs permitted based on street frontage on a freeway, located on an approximately 10.78 acre premise 725 feet southeast of the intersection of Lillian B Miller Parkway and S I-35 E. (V24-0038, DME Southridge Village, Matt Bodine)

BACKGROUND

The applicant, Denton Municipal Electric, is requesting a variance from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(d)(2) as it relates to the maximum number of on-premise ground signs permitted based on street frontage on a freeway.

The Southridge Village Center is a single premise consisting of three (3) lots with approximately 760 feet of street frontage on S I-35E service road (refer to Exhibit 3 for site location). There are three (3) existing on-premise, ground signs, with one sign on each lot. The lots are owned by three different owners but share the parking lot and driveways in common use. The sign code defines a premise as “the lot or contiguous area of real property which encompasses all the buildings, structures, appurtenances and land devoted to a common use, such as a shopping center or a business occupying and using multiple contiguous lots,” so despite the subject property being three lots under distinct ownership, sign regulations are based on the frontage of the entire premise.

Sign applications for the three signs on the premise date to 2012 at the latest (further history provided in Exhibit 2; sign application materials provided in Exhibits 5-7), and the City’s current sign regulations were passed by City Council in 2014. The signs are considered legally nonconforming today, meaning the signs were legal when they were approved and installed, but are no longer in compliance with the City’s current sign standards as it relates to the number of on-premise signs allowed based on the length of property frontage. The City’s sign regulations do not contemplate or provide standards for the relocation of existing, nonconforming signs, so permits had to be sought and reviewed for the installation of the signs at their new locations as though they are entirely new signs.

The Texas Department of Transportation (TxDOT) added the premises as a late revision to a current I-35 E widening project, which is explained in greater detail in Exhibit 4. As a result, Denton Municipal Electric (DME) is required to install overhead power lines on the premise that conflict with the existing signs. DME began the process of relocating the signs by hiring a sign contractor to apply for the necessary permits; however, the permits for the three subject signs were denied due to conflict with Section 33.14.2(d)(2) of the Code of Ordinances, which would limit the premise to two signs based on the length of its frontage.

The overhead power lines are a unique condition of the premise, as it is DME's common practice to relocate utilities underground, which would not require relocating the signs. However, due to site conditions and TxDOT's timeline for this project, the lines are being reinstalled overhead. Relocating the signs would not change the visual clutter along I-35 E since the signs exist on premise today and have since 2001, and literal compliance would require one of the lot owners to lose their sign. The actions causing the need for a variance were made by TxDOT and the City of Denton via DME and are not those of the lot owners.

	Current Regulations	Proposed	Difference
Number of On-Premises Ground Signs Permitted on One Premise	1 sign permitted, plus one sign for each additional 500 feet of frontage or fraction thereof. 760 feet of frontage = 2 signs	3	+1

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny.

RECOMMENDATION

Staff recommends approval of the request for a variance to install a third on-premises ground sign, because it meets all of the criteria for approval in Section 33.6 of the Code of Ordinances.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Applicant Project Narrative
5. Relocated Goodwill Sign Design Details
6. Relocated Planet Fitness Sign Design Details
7. Relocated Southridge Back & Pain Sign Design Details

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Matt Bodine
Assistant Planner

Staff Analysis

V24-0038 / DME Southridge Village

Zoning Board of Adjustment

REQUEST:

Hold a public hearing and consider a variance request from Chapter 33 Signs and Advertising Devices of the Code of Ordinances, specifically Section 33.14.2(d)(2) as it relates to the maximum number of on-premise ground signs permitted based on street frontage on a freeway, located on an approximately 10.78 acre premise 725 feet southeast of the intersection of Lillian B Miller Parkway and S I-35 E.

APPLICANT:

Aaron Bennion of Denton Municipal Electric

BACKGROUND:

The Southridge Village Center is a single premise consisting of three (3) lots with approximately 760 feet of street frontage on S I-35E service road. Currently, there are three (3) existing on-premise, ground signs on the premise.

A single premise is defined by Chapter 33 as “the lot or contiguous area of real property which encompasses all the buildings, structures, appurtenances and land devoted to a common use, such as a shopping center or a business occupying and using multiple contiguous lots” for any developed property (33-2). The Southridge Village Center consists of three lots owned by different owners that share a parking lot in common use. Currently, there is one on-premise ground sign on each lot.

The existing signs are legally nonconforming because they were approved upon original installation, but no longer comply with the City’s current sign regulations. The oldest sign was approved in 2001, a sign refacing application was approved for a second sign in 2004, and a third sign was approved in 2012. The City’s current sign regulations were approved by City Council in 2014. Chapter 33 does not contemplate relocating signs in its regulations for nonconforming signs; therefore, staff had to analyze the relocated sign application as a new sign application. Therefore, the elements of nonconformity that were previously legal and could have stayed in perpetuity at the originally approved locations, are viewed as new signs due to the changing location and now necessitate a variance.

Per Chapter 33.14.2(d)(2), any premise may have one ground sign, and premises with more than five hundred (500) feet of street frontage on a freeway may have one (1) additional on-premise ground sign for each additional five hundred feet of frontage, or fraction thereof. The subject premise has approximately 760 feet of street frontage; and therefore, it is allowed two (2) on-premise ground signs according to the current regulations. An additional 241 feet or more of street frontage would be required to allow all three existing signs to be relocated per current regulations.

The signs are being relocated due to Texas Department of Transportation's (TxDOT) widening of S I-35 E and the subsequent required relocation of City of Denton utilities by Denton Municipal Electric (DME). TxDOT expanded the scope of their S I-35 E Mayhill Project to include the subject premise in a late revision and directed DME to relocate utilities on a short timeline to keep on time with TxDOT's project schedule. DME is installing overhead power lines along the edge of the S I-35 E right-of-way that require a separation distance of 10 ft to the side for non-electrically qualified workers according to the National Electric Safety Code and the Occupational Safety and Health Administration. DME identified locations for the relocated signs that are acceptable to the owners and so that no part of the sign is within 15 feet of the S I-35 E's right-of-way, meeting the 10-foot separation requirement. See Exhibit 4 for additional information.

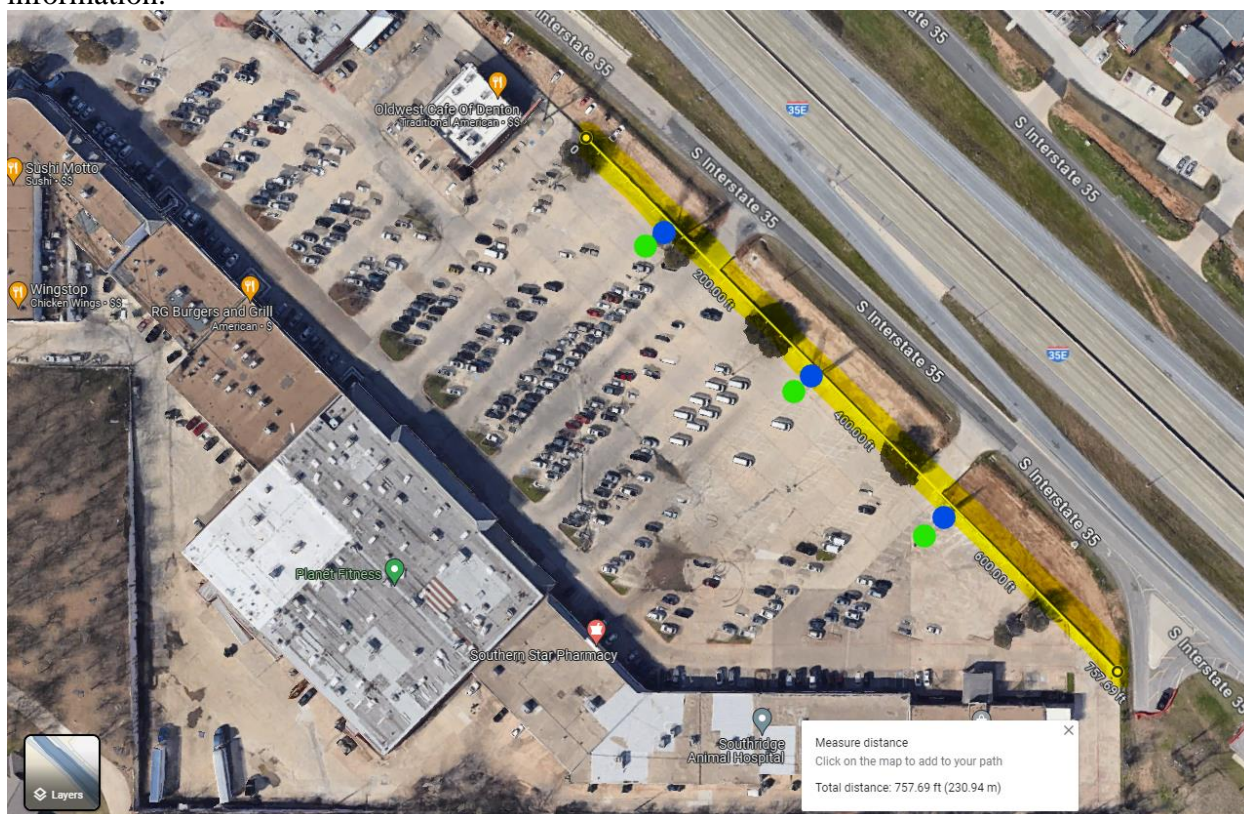


Figure 1 – Highway frontage of Southridge Village shopping center with existing sign locations (blue dots), proposed sign locations (green dots), and highway frontage distance (yellow line) shown.

	Current Regulations	Proposed	Difference
Number of On-Premises Ground Signs Permitted on the Premise	1 sign permitted, plus one sign for each additional 500 feet of frontage or fraction thereof. 760 feet of frontage = 2 signs	3	+1

CONSIDERATIONS:

1. The applicant is proposing for the relocated signs to be in compliance with all the requirements of Chapter 33 outside of this variance request related to the number of on-premise signs.

The maximum height allowed for signs is 40 feet; since the sign details for the Planet Fitness sign (Exhibit 6) reflect the sign height at more than 40 feet it is important to clarify how this is allowed without an additional variance being required. The Code of Ordinances allows for the height to be measured from either the ground level, I-35 principal lane, or I-35 frontage road, whichever allows for the greater height. Two of the signs (Exhibit 5 and 7) are less than 40 feet tall when measured from the ground. The third sign is 40 feet tall when measured from the principal lane of I-35, which is 5 feet higher than the ground level of the third sign (Exhibit 6).

2. Section 33.6 of the Code of Ordinances states that the Board of Adjustment can grant a variance from a requirement of Chapter 33 if it finds that all of the following criteria are met:

- a. *Due to some unique condition or feature of the property, which is not generally common to other properties, literal compliance with the sign regulation would cause unnecessary hardship.*

TxDOT is requiring DME to relocate utilities on the premises using overhead power lines that conflict with the existing signs. DME's normal process would have been to acquire easements and relocate the lines underground had TxDOT not placed these conditions on them. This process would have not required the signs to be relocated, and the unique conditions attributed to the installation of the overhead power lines on the premises are not common practice. Literal compliance places an unnecessary hardship on the lot owners by requiring the removal of one their existing, legally nonconforming signs that under the normal process would not have needed to be removed.

- b. *The granting of the variance will not violate the spirit or the intent of the ordinance.*

The intent of the sign regulations in Chapter 33 of the Code of Ordinances is to balance several important and competing interests, including the constitutional right to free speech and the public interests in safety and esthetics, including controlling visual clutter. The variance would not increase visual clutter along S I-35 E, but rather maintain the interstate's aesthetics since the variance would allow for the existing signs to continue to exist, just in a slightly different location than they are today to not interfere with vital, city infrastructure. Unlike similar premises that are typically on one lot and would advertise multiple tenants on one sign, this premises is made of multiple lots with different property owners each with a sign to advertise their respective business. No new signs to what exist are being requested.

- c. *The condition or feature, which creates the need for the variance, did not result from the property owners' acts.*

The condition creating the need for the variance did not result from the property owners' actions. TxDOT is widening S I-35 E, and the City of Denton via DME is relocating overhead power lines. The signs will have to be relocated regardless of the Board's decision. These actions by state and local governmental entities (not the property owner's actions) are requiring the existing signs to be relocated and thus creating the need for the variance request in order to allow all three signs to be reinstalled on their respective lots.

- d. *The Board shall not grant a variance to any applicant solely for personal convenience, financial hardship, or other reasons unrelated to the property. If the Board grants a variance, the variance shall be granted only to the extent that is reasonably necessary to remedy the hardship. The Board may impose conditions relating to the use of the sign for which a variance is granted.*

The variance request is for reasons related to the property and adjacent public infrastructure improvements and not solely for personal convenience, financial hardship, or reasons unrelated to the property. The applicant is requesting to place one additional sign on the premises than what is allowed by Chapter 33 to maintain the total number of signs that is on the premise today.

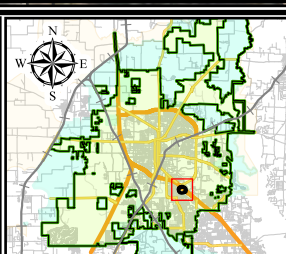
RECOMMENDATION:


Staff recommends approval of the request for a variance to install a third on-premises ground sign, because it meets all of the criteria for approval in Section 33.6 of the Code of Ordinances.

V24-0038 Site Location



- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40





CITY OF DENTON
Development Services • GIS
Date: 6/18/2024

0 262.5 525 1,050
Feet

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data."

Background information:

Texas Department of Transportation (TXDOT) is currently executing the I35E Mayhill project which includes expanding the frontage roads and right-of-ways (ROWs) between Pockrus Page Rd on the South to Loop 288 on the North. TXDOT is requiring the relocation of utilities to the new edge of the ROW. Utilities have had to adopt a variety of strategies to meet space and timeline constraints for the relocations.

The location in question is the frontage along I35E South bound from 2434 S I35E on the North to 2440 S I35E on the South (edge of Old West Café to the Old Goodwill store). This section of the I35E Mayhill project was a late revision to the TXDOT plan as it was added to the project scope after 100% Adequate plans had been released. During planning stages for utility relocations, the TXDOT Utility Coordinator directed that the electric, water/wastewater, gas, and telecoms with buried and aerial facilities in the area relocate without seeking easement as “there was not time” to do so and meet TXDOT project schedules. In order to accomplish the relocations in the limited space available in the ROW, Denton Municipal Electric (DME) and at least 2 other telecoms are required to install overhead (OH) lines on new poles at the new edge of ROW (still within TXDOT property). To meet TXDOT timelines, the signs must be relocated within the next 4-6 months.

DME OH utility poles are installed 18” off the edge of the ROW, on center. The poles rise generally 28 – 42 feet above the ground and the uninsulated high voltage (13,200V) wires extend from the pole 4 to 5 feet on crossarms. National Electric Safety Code (NESC) and the Occupational Safety and Health Administration (OSHA) require separation of structures and personnel from these wires. The most restrictive of these separations is 10ft to the side for non-electrically qualified workers. During the relocation design process, DME identified 4 commercial signs that are too close to the proposed wire lines to meet the required separation distances. DME is requesting the signs be relocated so that no part of the sign is within 15 feet of the TXDOT ROW in order to meet the 10 foot clearance requirement between to closest OH wire and the signs with some small buffer.

DME and the City of Denton Real Estate division (R.E.) contracted with 7Arrows and Mellow Signs to coordinate with the sign owners and relocate the 4 signs identified in the attached Exhibit 1 such that the signs were placed outside of the 15 clearance zone, and located acceptably for the customer. 7Arrows and Mellow signs were able to work with the sign owners to identify mutually acceptable locations, however when submitting the relocations permits to the City of Denton, the permits were denied.

The permits for relocation of the 3 signs located at 2434 S I35E, 2436 S I35E, and 2440 S I35E were denied as a group because the current code only allows 1 sign per 500 linear feet of highway frontage per premises. The three addresses listed above are all part of the Southridge Village shopping center which are considered the “premises”, however each address is owned by a separate owner. The existing premises include approximately 760 feet of highway frontage (see Figure 1 below) and therefore may only have 2 commercial signs on it per the Sign Ordinance section 33.14.D.2. One of the 3 existing signs could not be reinstalled unless there was at least 241 more feet of highway frontage at this site (>1000 feet total). There is also a question as to which of the 3 signs could fairly and legally remain as the 3

signs belong to 3 different property owners. DME is concerned that the delays will impact project schedules.

DME is seeking a variance to the Sign Ordinance highway frontage distance limitation so that the 3 signs at Southridge Village shopping center may be permitted to be relocated. This request meets the requirements of the Sign Ordinance variance request section (section 33.6B.2) in that

- a) the signs are legal non-conforming signs, approved at the time of installation, that must be removed/relocated on a short timeline (within the next 4-6 months);
- b) granting of the variance will not adversely affect the aesthetics of the highway frontage area but rather will maintain the status quo, and allow the City and State to continue vital infrastructure work; and
- c) the condition requiring the variance is due to actions of the City of Denton (relocating electric power lines) and the State of Texas (widening of Interstate 35E) and not the property owners actions.

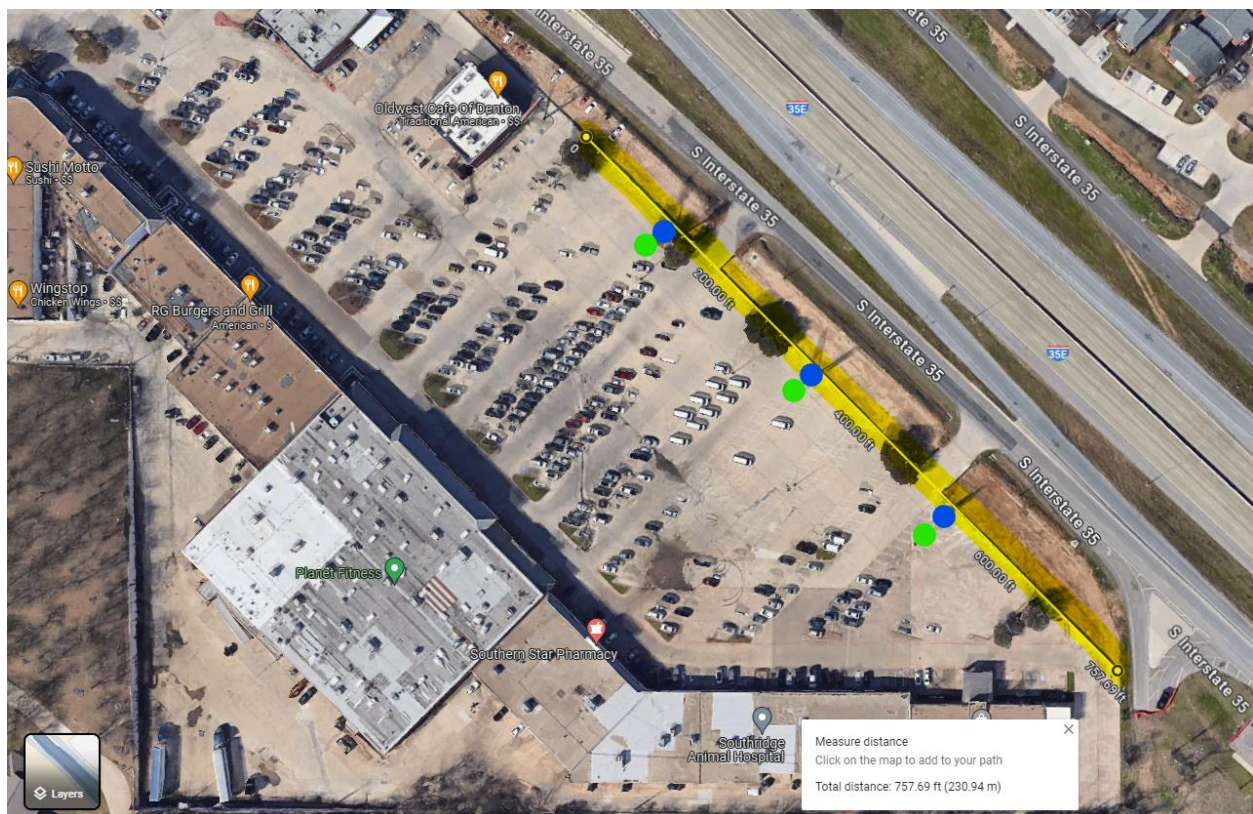


Figure 1 – Highway frontage of Southridge Village shopping center with existing sign locations (blue dots), proposed sign locations (green dots), and highway frontage distance (yellow line) shown.



2434 S INTERSTATE 35, DENTON, TX 76205



UL E479782 TDLR 18785

990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com

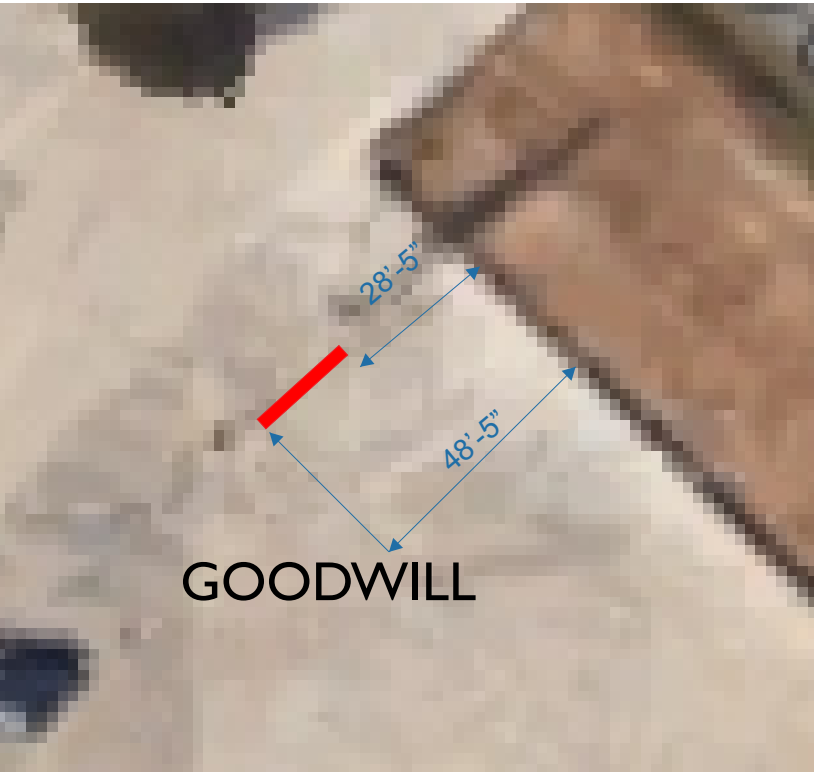
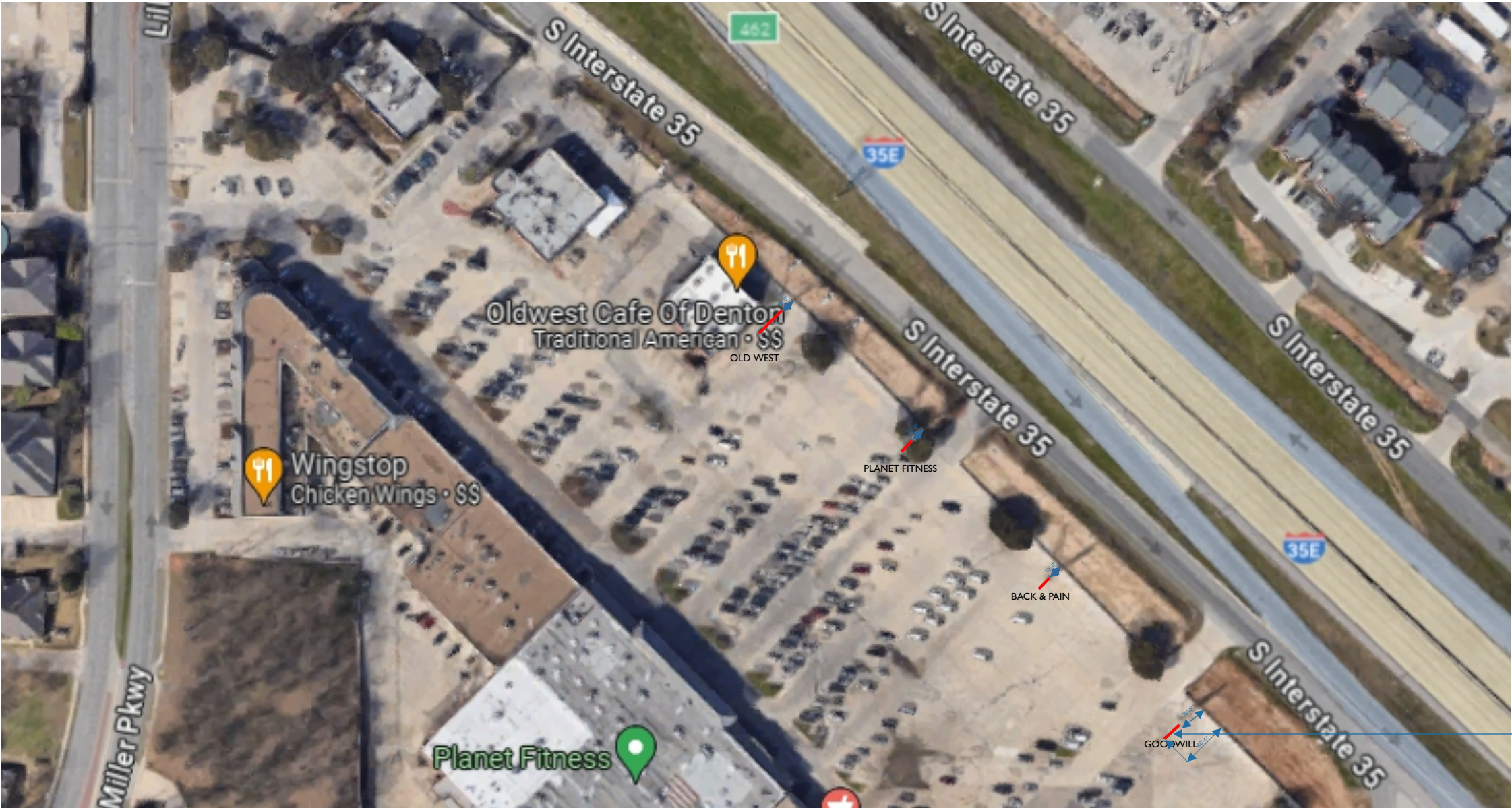
FINAL APPROVAL

CLIENT SIGNATURE _____

PRINTED NAME _____

DATE: _____ SALESMAN: _____ JOB #: PRELIMINARY ART

- ☒ CONCEPT ART
- ☐ PERMIT / ENGINEERING ART (IF APPLICABLE)
- ☐ PRODUCTION READY ART



ZOOMED IN

SCALE: 1/32"=1'-0"

1 SIGN 1

SITE PLAN

SCALE: 1/128"=1'-0"

MELLO SIGNS

990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com

UL

E479782

TDLR 18785

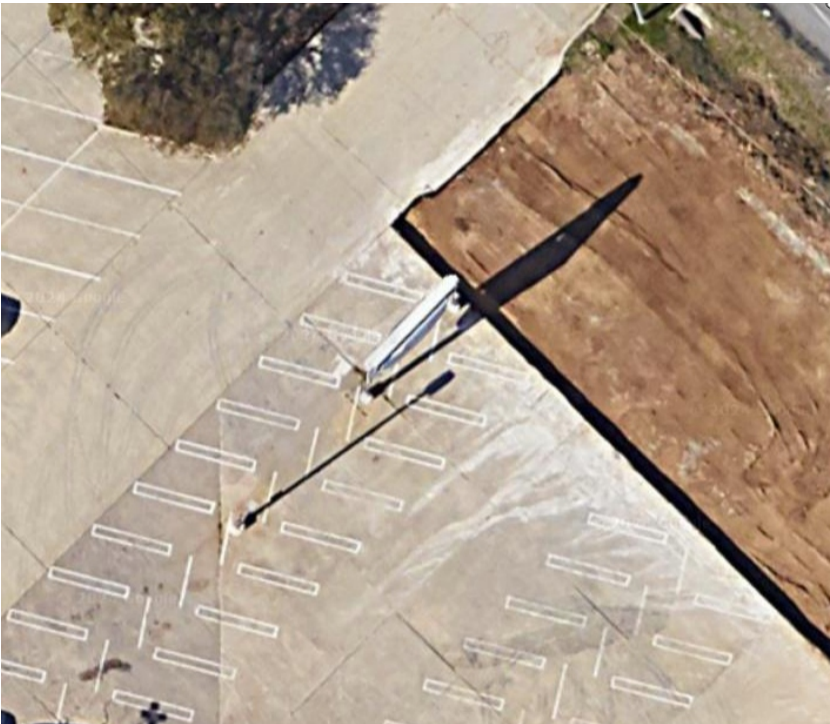
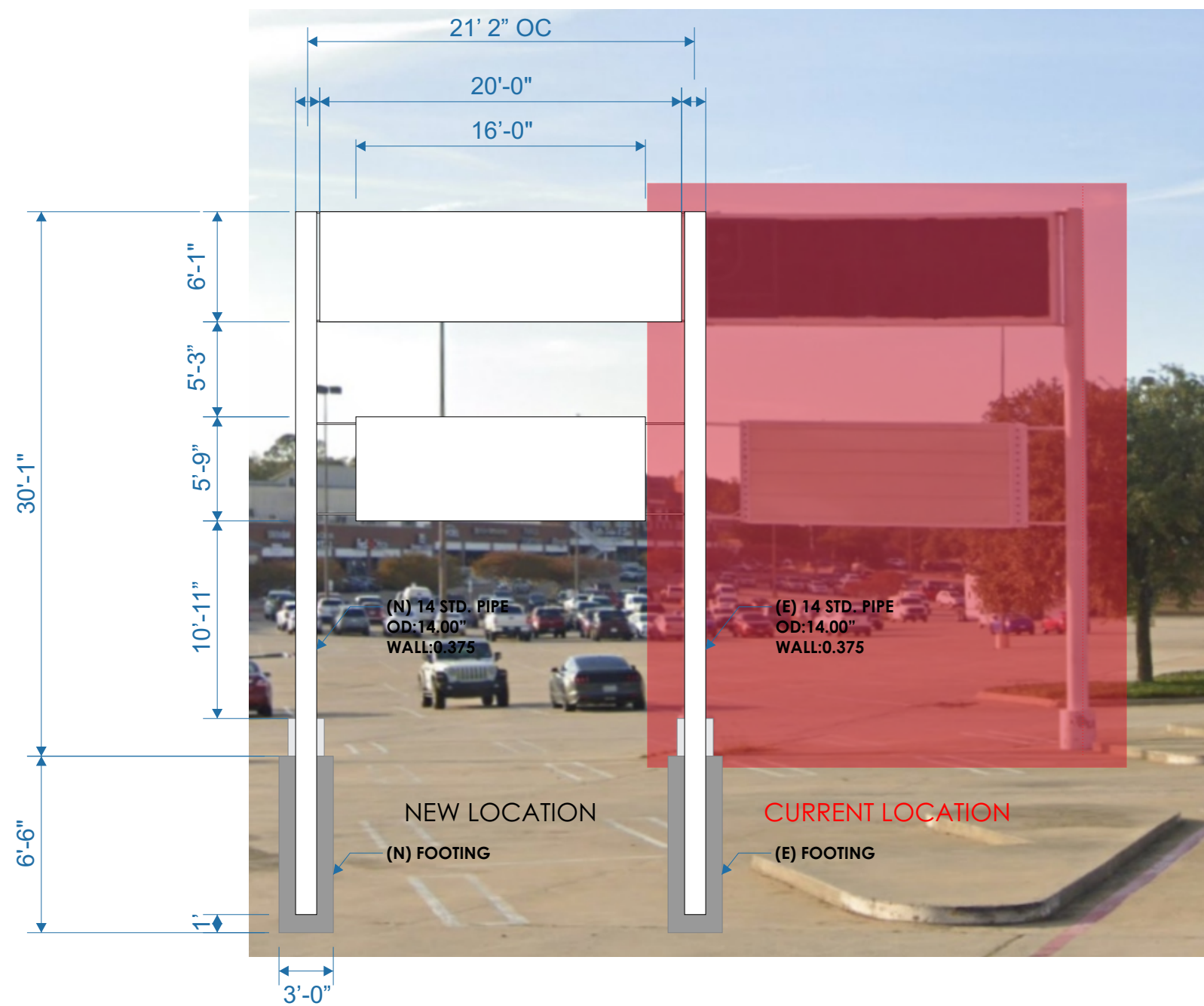
CLIENT SIGNATURE

PRINTED NAME

DATE: SALESMAN INITIALS:

GENERAL DISCLAIMERS: All signs to be manufactured and installed in accordance with local and state regulations. This drawing is the property of MELLO SIGNS. It shall not be produced, copied or distributed without authorization of MELLO SIGNS. RENDERING APPROVAL: Please carefully review all drawings and material specifications. Color samples can be provided upon request. All PDF files are approximate representations. PLEASE READ CAREFULLY BEFORE FINAL APPROVAL: Review all files and check for all errors. Please review all spelling, material and color specifications, and installation notes. Changes after approval and the start of manufacturing may incur additional charges. By signing this proof you are acknowledging that you have read and fully reviewed all drawings, proposals, and Mello Signs Terms and Conditions.

CLIENT NAME	GOODWILL	DATE	BY	REV #
ST. ADDRESS	2434 S INTERSTATE 35	03-01-2024	AM	OG
CITY/STATE	DENTON, TX 76205	03-26-2024	DE	R1
PHONE		04-11-2024	DE	R2
EMAIL				
SALESMAN	AARON			
DESIGNER	AARON			
FILE NAME	GOODWILL-DENTON-TX-SIGN RELOCATION			



EXISTING LOCATION

SIGN 1 - PYLON SIGN SIGN RELOCATION

SCALE: 1/8"=1'-0"

SITE NOTES:

CODE ALLOWANCE:

MELLO

SIGNS

990 HALTOM RD. FORT WORTH, TX 76117

682-312-5338 — www.mello-signs.com

UL

E479782

TDLR 18785

CLIENT SIGNATURE

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RENDERING APPROVAL:

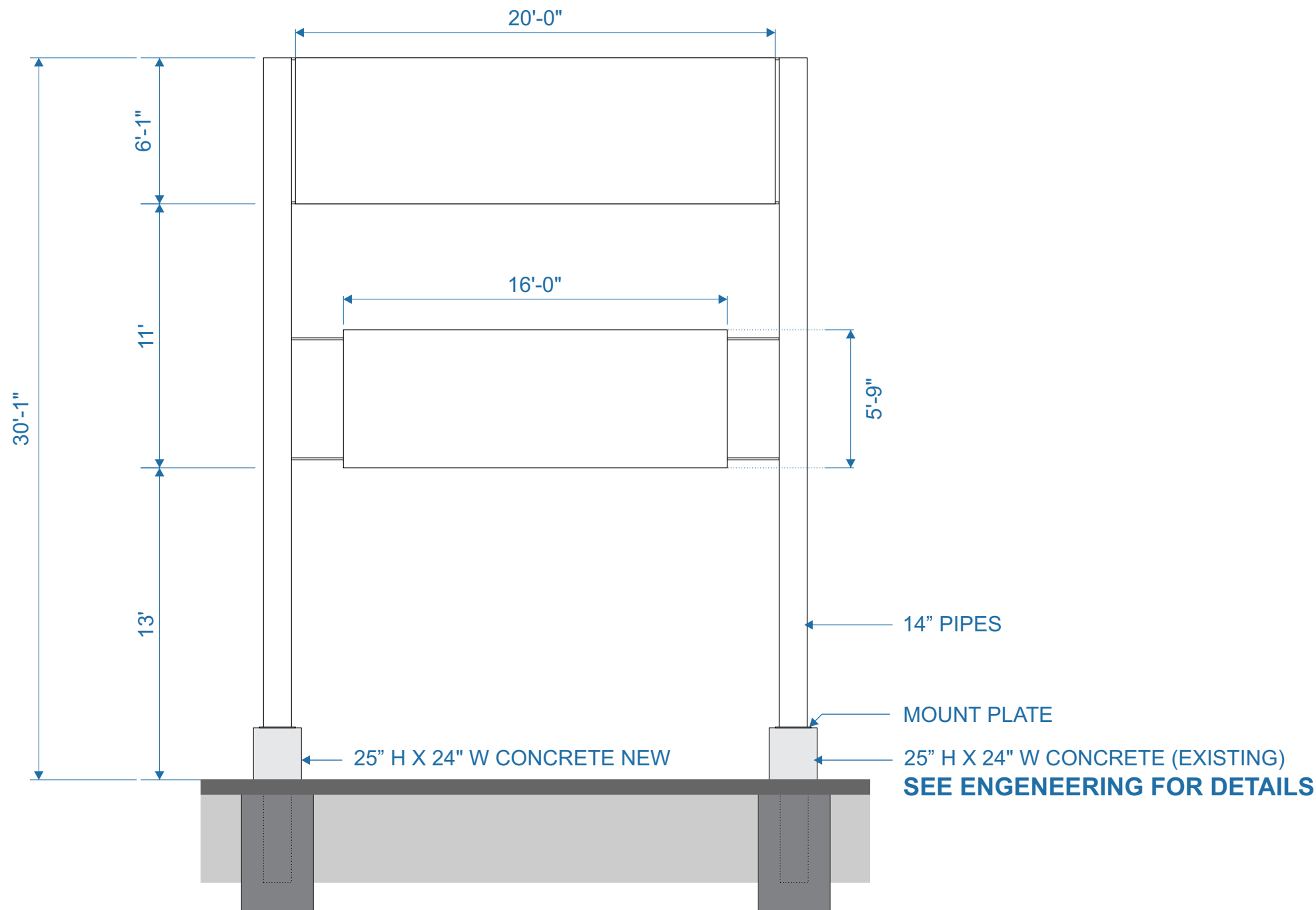
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CLIENT NAME	GOODWILL	DATE	BY	REV #
ST. ADDRESS	2434 S INTERSTATE 35	03-01-2024	AM	OG
CITY/STATE	DENTON, TX 76205	03-26-2024	DE	R1
PHONE		04-11-2024	DE	R2
EMAIL				
SALESMAN	AARON			
DESIGNER	AARON			
FILE NAME	GOODWILL-DENTON-TX-SIGN RELOCATION			

TOTAL SQ FT: 214 SQ FT



FINISHES COLOR CHART

☐ MATHEWS WHITE SATIN

SIGN 1 - PYLON SIGN SIGN RELOCATION

SCALE: 3/16"=1'-0"

QUANTITY: (1) REQUIRED

DESCRIPTION OF WORK:

RELOCATE SIGN TO 15' FROM NEW SETBACK. STUB INTO NEW PYLON. PAINT ALL SIGN COMPONENT WHITE

*ALL PENETRATIONS SEALED WITH EXTERIOR GRADE SILICONE

MELLO
SIGNS

990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com

UL

E479782 TDLR 18785

CLIENT SIGNATURE

PRINTED NAME

DATE: SALESMAN INITIALS:

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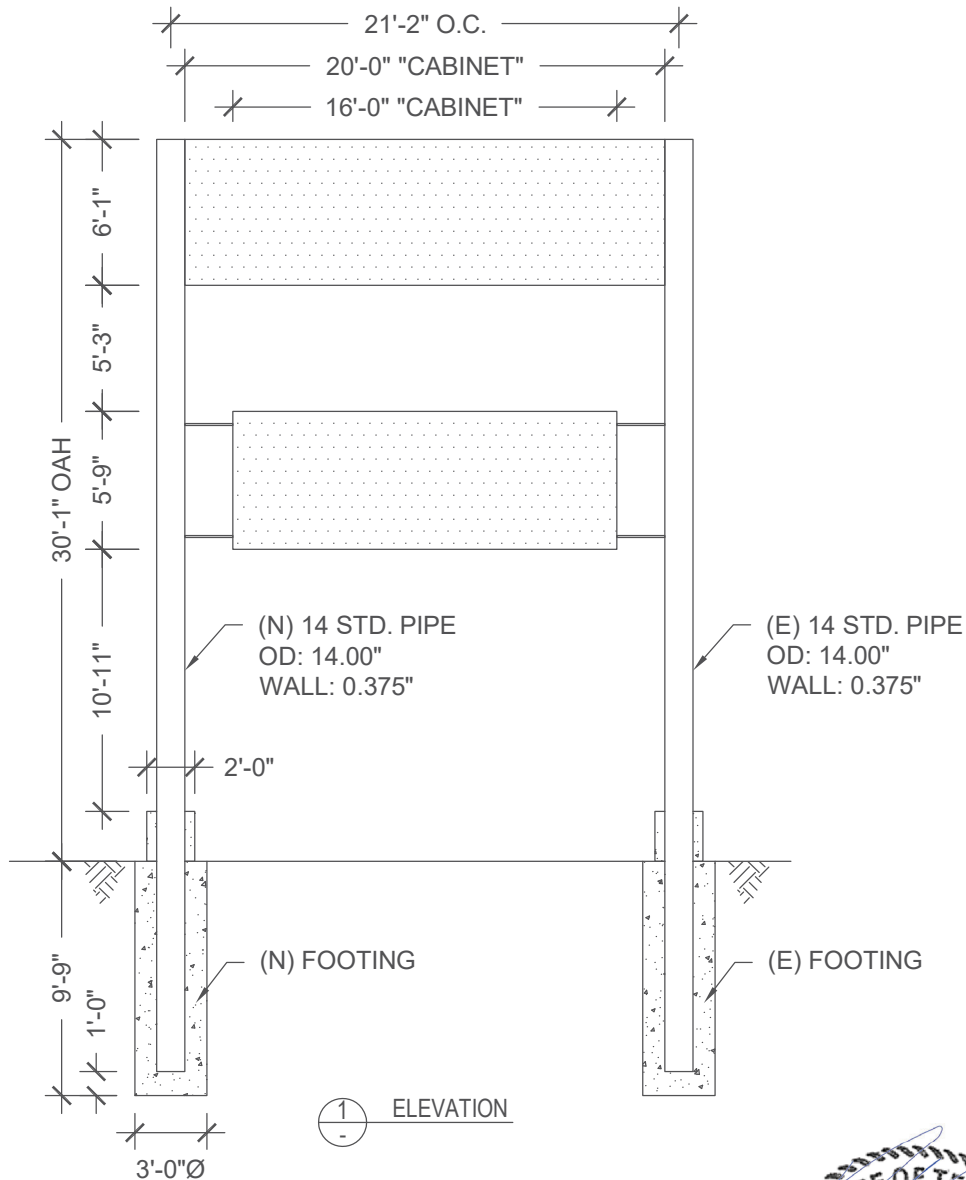
CLIENT NAME	GOODWILL	DATE	BY	REV #
ST. ADDRESS	2434 S INTERSTATE 35	03-01-2024	AM	OG
CITY/STATE	DENTON, TX 76205	03-26-2024	DE	R1
PHONE		04-11-2024	DE	R2
EMAIL				
SALESMAN	AARON			
DESIGNER	AARON			
FILE NAME	GOODWILL-DENTON-TX-SIGN RELOCATION			



12396 WORLD TRADE DRIVE, SUITE 312
 SAN DIEGO, CA 92128
 PROJECTMANAGER@SULLAWAYENG.COM
 PHONE: 1-858-312-5150 FAX: 1-858-777-3534

PROJECT: GOODWILL, 2434 S. INTERSTATE 35, DENTON, TX
 PROJECT #: 45072
 CLIENT: MELLO SIGNS

DATE: 04/03/2024
 ENGINEER: CT
 LAST REVISED:



GENERAL NOTES

1. DESIGN CODE: IBC 2021
2. DESIGN LOADS: ASCE 7-16
3. WIND VELOCITY 115 MPH EXPOSURE C
4. CONCRETE 2500 PSI MINIMUM
5. PIPE STEEL ASTM A53 GR. B, $F_y = 35$ KSI MIN.
6. PROVIDE MIN. 3" CLEAR COVER ON ALL STEEL EMBEDDED IN CONCRETE WHEN CAST AGAINST SOIL
7. LATERAL SOIL BEARING PER IBC CLASS 4 (150 PSF/FT)
8. PROVIDE PROTECTION AGAINST DISSIMILAR METALS
9. ALL DIMENSIONS TO BE VERIFIED PRIOR TO FABRICATION
10. ALL EXISTING ELEMENTS AND DIMENSIONS TO BE VERIFIED IN FIELD



CERTIFICATE OF AUTHORITY
 NO. F-14143

04-09-2024



PROJECT: GOODWILL
 PROJ. NO.: 45072
 CLIENT: MELLO SIGNS

DATE: 4/3/2024
 ENGINEER: CT

V5.5

units; pounds, feet unless noted otherwise

Applied Wind Loads; from ASCE 7-16 (LRFD):

$$F = q_z * G * C_f * A_f \quad \text{with } q_z = 0.00256 K_z K_{zt} K_d V^2 \quad (29.3.2 \text{ \& } 29.4)$$

$C_f = 1.721$ (Fig. 29.3-1) 2 pole C_f factor = 0.96 21.167 max. height = 30.083
 $K_{zt} = 1.0$ (26.8.2) (=1.0 unless unusual landscape)
 K_z = from table 28.3-1 Exposure = c
 $K_d = 0.85$ for signs (table 26.6-1)
 $V = 115$ mph
 $G = 0.85$ (26.9) weight = 4.830 kips
 $s/h = 0.202$ $M_{DL} = 0.00$ k-ft
 $B/s = 3.29$

Pole Loads	structure component	height at section c.g.	K_z	q_z	pressure $q_z * G * C_f$	A_f	shear	Wind Moment M_w
	1	1.04	0.85	24.46	35.79	8.33	298	311
	2	7.54	0.85	24.46	35.79	25.47	912	6875
	3	14.00	0.85	24.46	35.79	37.13	1329	18604
	4	16.88	0.87	25.04	36.63	69.62	2550	43035
	5	19.38	0.89	25.73	37.64	2.92	110	2127
	6	22.00	0.92	26.41	38.64	9.33	361	7933
	7	24.50	0.94	26.96	39.44	22.33	881	21582
	8	27.50	0.96	27.65	40.45	111.67	4517	124227
	9	30.04	0.98	28.20	41.26	1.86	77	2307
					sums:	288.67	11034	227.00 (M_w) k-ft
two pole distribution factor *b*s (asce fig. 29.4-1):					x 0.58		6347	130.58
					$P_u = 5.80$ kip		$M = 130.58$ k-ft	$M = \sqrt{M_{DL}^2 + M_w^2}$
					$M_u = \sqrt{1.2 M_{DL}^2 + 1.0 M_w^2} = 130.58$ k-ft			

Pole Design

section; pipe

(New & Existing)

$$M_u \leq \phi M_n \text{ with } M_n = f_y Z \quad f_y = 35 \text{ ksi} \quad \phi = 0.9$$

H	M_u (k-ft)	Z req'd. (in)	Size(in)	t (in)	Z	Use
at grade	130.58	49.74	12	0.375	53.70	14 Std. Pipe, $\phi M_n = 170.65$ k-ft

Footing Design

footprint: round

(New & Existing)

$$\omega = 1.3 \quad \text{IBC 1605.3.2} \quad \text{IBC Table 1806.2, sections 1806.3.4, 1807.3.2} \quad S = (1.3 \times 2 \times 150 \text{ psf/ft})$$

$$P = 4.95 \text{ kip} \quad S1 = S \times d / 3 \quad A = 2.34 \times P / (S1 \times b) \quad S = 400$$

$$S1 = 1302 \quad d = 0.5 \times A (1 + (1 + 4.36 \times h/A)^{.5}) \quad \text{IBC 1807.3.2.1}$$

$$A = 2.97$$

footing: 3' - 0" dia.

9' - 9" deep

* Note: (E) Footing is also safe because Proposed signage is same as the Existing Signage.



PROJECT: GOODWILL
 PROJ. NO.: 45072
 CLIENT: MELLO SIGNS

DATE: 4/3/24
 ENGINEER: CT

V5.5

units: pounds, feet unless noted otherwise

Check Buckling for Round HSS Section (LRFD):

Pole Design-AISC

section; pipe<=12"

weight= 3.508 kips

$F_y =$ 35 ksi $\phi =$ 0.9 $E =$ 29,000 ksi

H	M_u (k-ft)	Z' reqd	Size(in)	t (in)	Z	S			
at grade	130.58	49.74	14	0.349	65	50	spec wt=	0.490	kcf
				$r =$	4.83		signage wt;	3.508	k
				$A =$	14.96		pipe weight	1.323	k
	$D/t =$ 40.1			h (L) =	30.0833		$P =$	4.830	k
	$KL/r =$ 149.5						$P_r =$	5.80	k
	$K =$ 2			$F_{cr} =$ 11.58	for $KL/r < \sqrt{E/f_y}$				AIISC Chap. E3
	$F_e =$ 13.2	ksi (E3-4)		$F_{cr} =$ 11.61	for $KL/r > \sqrt{E/f_y}$				
	$4.71\sqrt{E/f_y} =$ 137.9			use $F_{cr} =$ 11.61					
	for $D/t < 0.07 E/F_y$ section is compact			$0.07 E/F_y =$	58				
	for $D/t < 0.31 E/F_y$ section is non-compact			$0.31 E/F_y =$	257				
	Section is compact								
	$P_n = F_{cr} A_g =$	173.7	k	$P_c = \phi P_n =$	156.3	k			
$M_n = (0.021 E / (D/t) + F_y) S =$	210.4	k (non-compact)							(F8-2)
$M_n = F_y Z =$	189.6	k-ft (compact)							
$M_n = F_{cr} S =$	48.2	k-ft (slender - slender sections NOT USED)							
use $M_n =$	189.6	k-ft		$P_u / \phi P_n =$	0.03709				
$M_c = \phi M_n =$	170.65	k-ft		$M_u / \phi M_n =$	0.76518				
	$P_r / P_c =$	0.0371							AIISC Chap. H1
	$P_r / 2P_c =$	0.0185							
	$P_r / P_c + 8/9 * M_r / M_c =$	0.717							
For $P_r / P_c < 0.2$; $P_r / 2P_c + M_r / M_c =$	0.784								
	use	0.78							



planet
fitness

2434 S INTERSTATE 35, DENTON, TX 76205



UL E479782 TDLR 18785

990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com

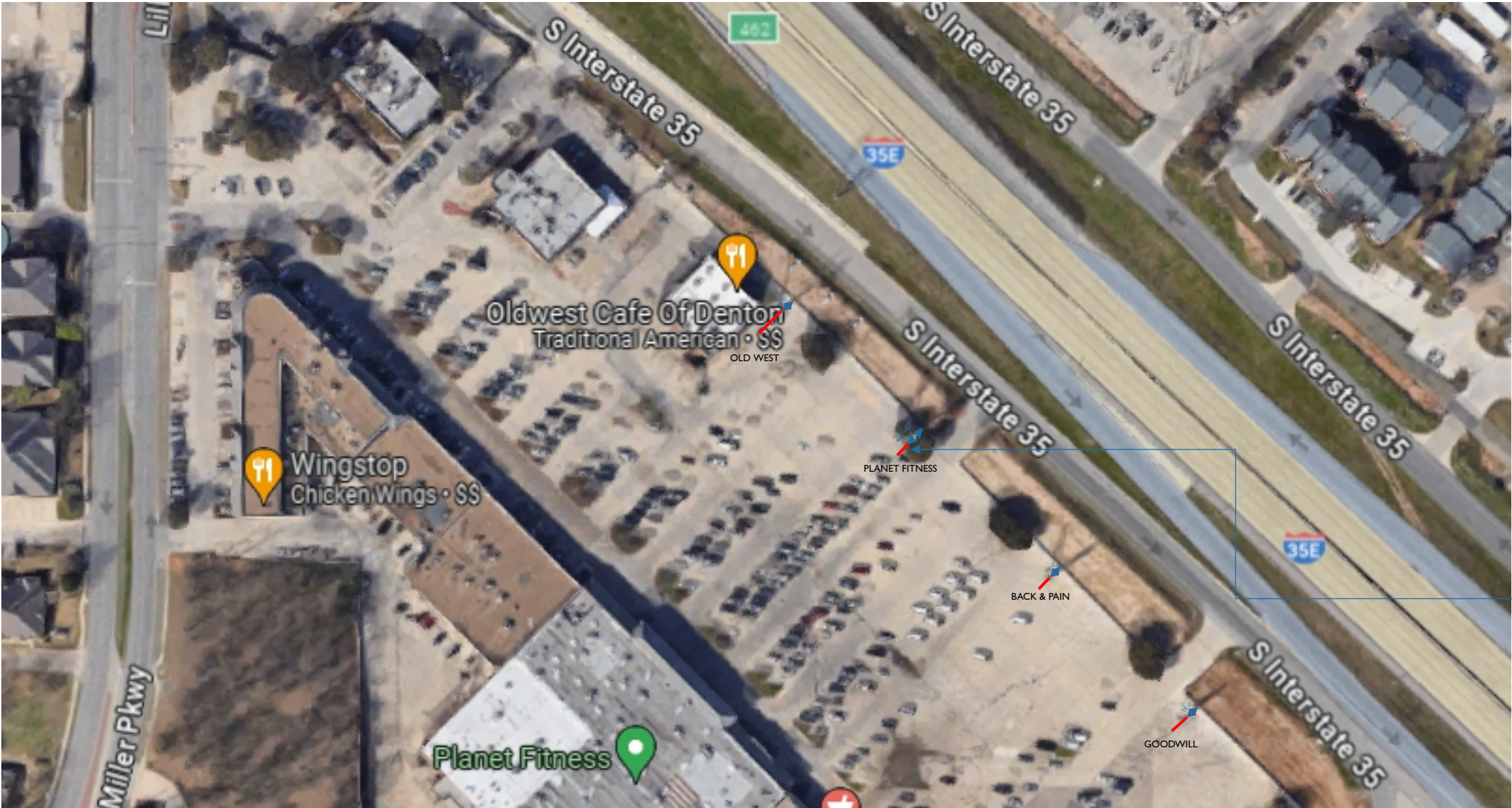
FINAL APPROVAL

CLIENT SIGNATURE _____

PRINTED NAME _____

DATE: _____ SALESMAN: _____ JOB #: PRELIMINARY ART

- ☒ CONCEPT ART
- ☐ PERMIT / ENGINEERING ART (IF APPLICABLE)
- ☐ PRODUCTION READY ART




ZOOMED IN SCALE: 1/32"=1'-0"


1 SIGN 1

SITE PLAN

SCALE: 1/128"=1'-0"



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 **E479782** **TDLR 18785**

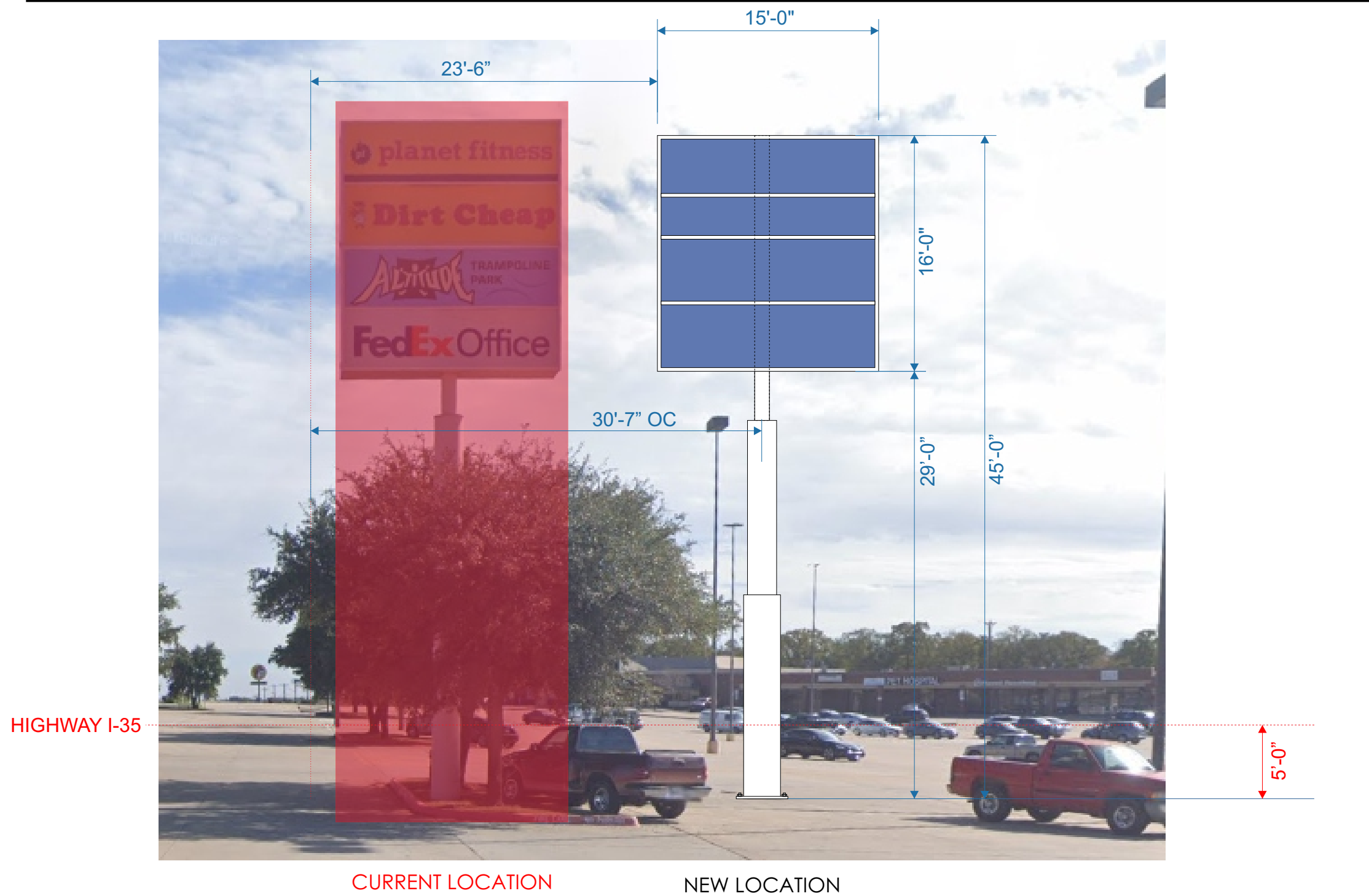
CLIENT SIGNATURE _____
PRINTED NAME _____
DATE: _____ SALESMAN INITIALS: _____

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CLIENT NAME	MILTON PLANET FITNESS	DATE	BY	REV #
ST. ADDRESS	2434 S INTERSTATE 35	03-01-2024	DE	R1
CITY/STATE	DENTON, TX 76205	03-28-2024	DE	R2
PHONE		04-08-2024	DE	R3
EMAIL		07-16-2024	DE	R4
SALESMAN	AARON			
DESIGNER	DREW			
FILE NAME	PLANET FITNESS-DENTON-TX-SIGN RELOCATION			




EXISTING LOCATION

SITE NOTES:

CODE ALLOWANCE:

CLIENT NAME	MILTON PLANET FITNESS	DATE	BY	REV #
ST. ADDRESS	2434 S INTERSTATE 35	03-01-2024	DE	R1
CITY/STATE	DENTON, TX 76205	03-28-2024	DE	R2
PHONE		04-08-2024	DE	R3
EMAIL		07-16-2024	DE	R4
SALESMAN	AARON			
DESIGNER	DREW			
FILE NAME	PLANET FITNESS-DENTON-TX-SIGN RELOCATION			

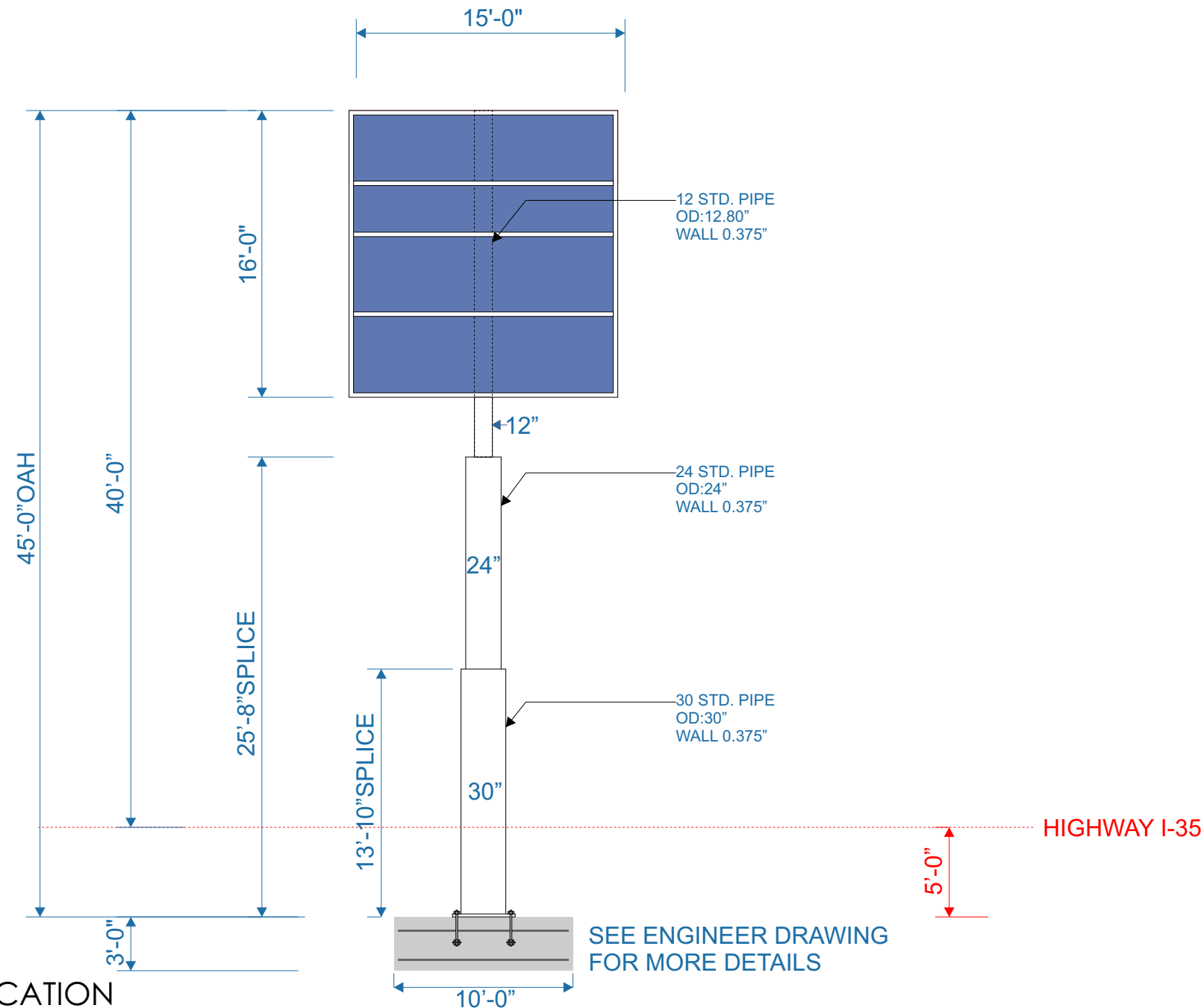
 MELLO SIGNS	E479782 TDLR 18785
	CLIENT SIGNATURE _____ PRINTED NAME _____ DATE: _____ SALESMAN INITIALS: _____

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TOTAL SQ FT: 153 SQ FT



SIGN 1 - PYLON SIGN SIGN RELOCATION

QUANTITY: (1) REQUIRED

DESCRIPTION OF WORK:

RELOCATE SIGN TO 15' FROM NEW SETBACK. STUB INTO NEW PYLON. PAINT ALL SIGN COMPONENT WHITE

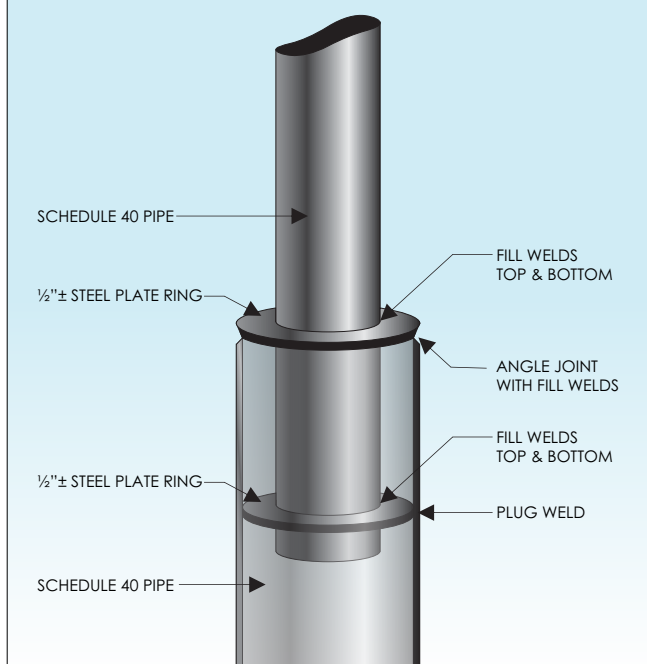
*ALL PENETRATIONS SEALED WITH EXTERIOR GRADE SILICONE



SCALE: 1/8"=1'-0"

FINISHES COLOR CHART

☐ MATHEWS WHITE SATIN

STUB PIPE DETAIL - NOT TO SCALE



 990 HALTOM RD. FORT WORTH, TX 76117 682-312-5338 — www.mello-signs.com	 E479782 TDLR 18785	<p>GENERAL DISCLAIMERS: All signs to be manufactured and installed in accordance with local and state regulations. This drawing is the property of MELLO SIGNS. It shall not be produced, copied or distributed without authorization of MELLO SIGNS.</p> <p>RENDERING APPROVAL: Please carefully review all drawings and material specifications. Color samples can be provided upon request. All PDF files are approximate representations.</p> <p>PLEASE READ CAREFULLY BEFORE FINAL APPROVAL: Review all files and check for all errors. Please review all spelling, material and color specifications, and installation notes. Changes after approval and the start of manufacturing may incur additional charges. By signing this proof you are acknowledging that you have read and fully reviewed all drawings, proposals, and Mello Signs Terms and Conditions.</p>	CLIENT NAME	MILTON PLANET FITNESS	DATE	BY	REV #
	CLIENT SIGNATURE _____		ST. ADDRESS	2434 S INTERSTATE 35	03-01-2024	DE	R1
PRINTED NAME _____	CITY/STATE	DENTON, TX 76205	03-28-2024	DE	R2		
DATE: _____ SALESMAN INITIALS: _____	PHONE		04-08-2024	DE	R3		
	EMAIL		07-16-2024	DE	R4		
	SALESMAN	AARON					
	DESIGNER	DREW					
	FILE NAME	PLANET FITNESS-DENTON-TX-SIGN RELOCATION					

SOUTHRIDGE BACK & PAIN

2436 S INTERSTATE 35 STE 370, DENTON, TX 76205



UL E479782 TDLR 18785

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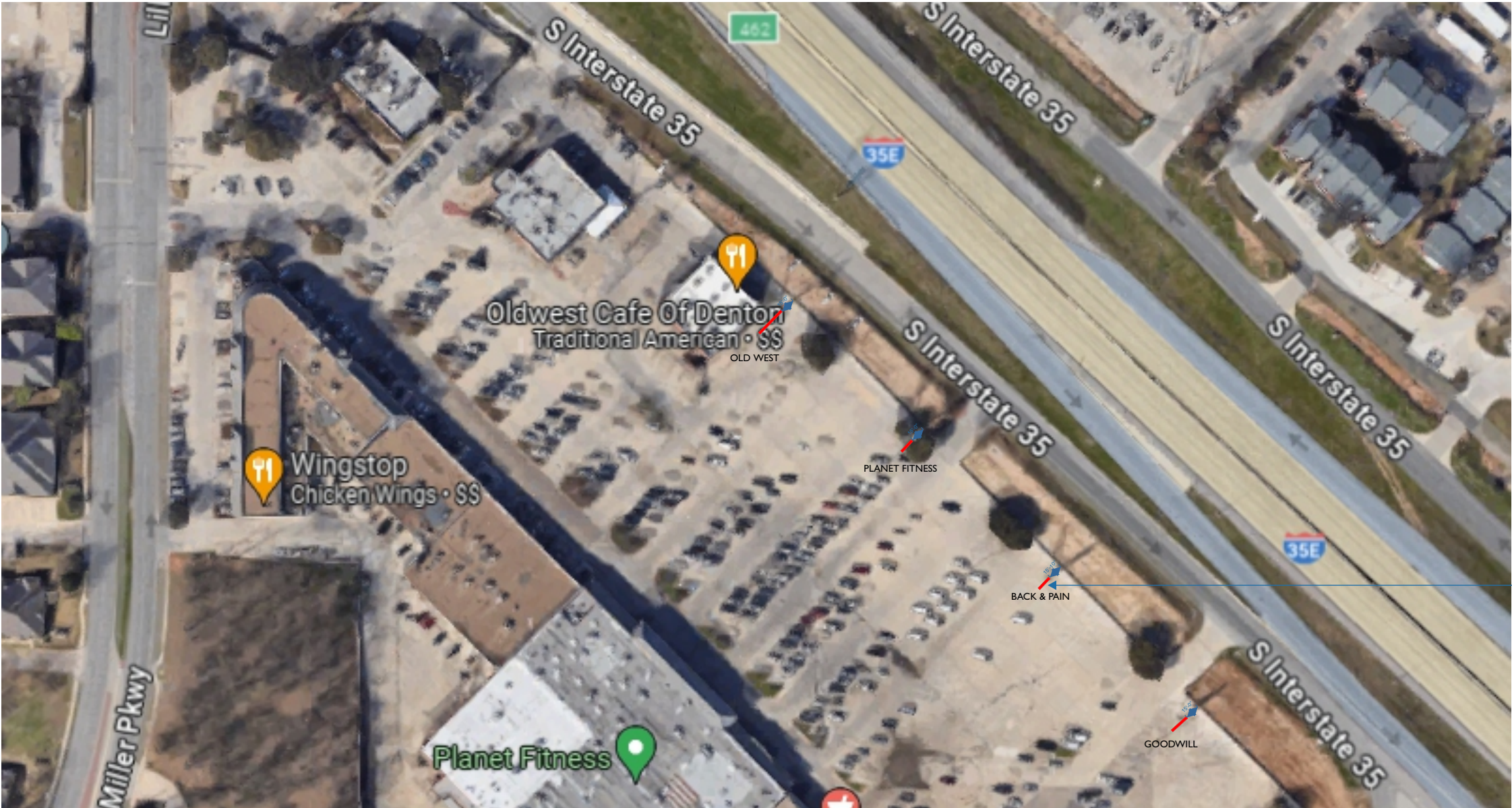
FINAL APPROVAL

CLIENT SIGNATURE _____

PRINTED NAME _____

DATE: _____ SALESMAN: _____ JOB #: PRELIMINARY ART

- ☒ CONCEPT ART
- ☐ PERMIT / ENGINEERING ART (IF APPLICABLE)
- ☐ PRODUCTION READY ART





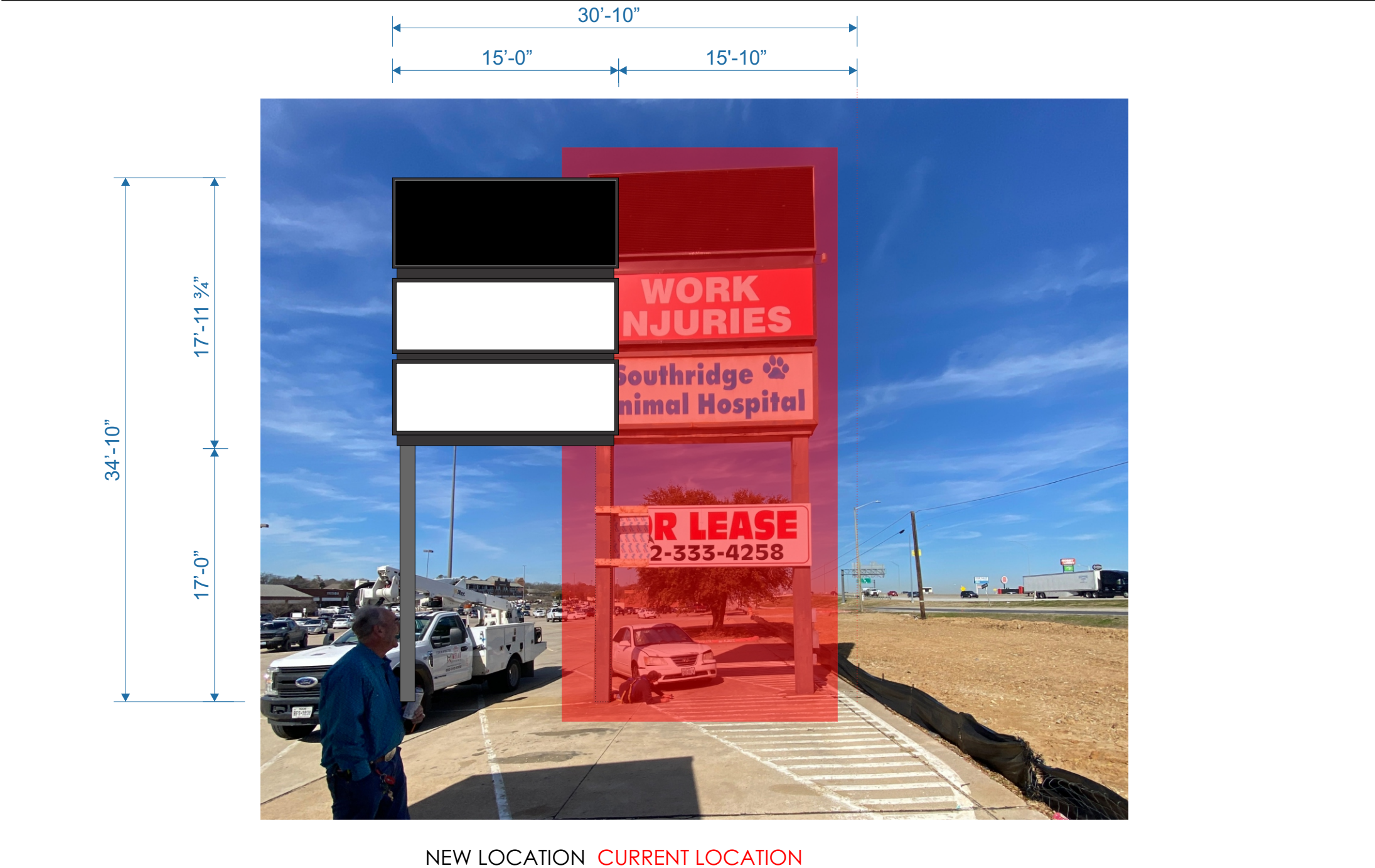
ZOOMED IN SCALE: 1/32"=1'-0"

1 SIGN 1

SITE PLAN

SCALE: 1/128"=1'-0"
DETAILED SITE SURVEY REQUIRED

<div><p>990 HALTOM RD. FORT WORTH, TX 76117 682-312-5338 — www.mello-signs.com</p></div>	<div> E479782 TDLR 18785</div>	<p>GENERAL DISCLAIMERS: All signs to be manufactured and installed in accordance with local and state regulations. This drawing is the property of MELLO SIGNS. It shall not be produced, copied or distributed without authorization of MELLO SIGNS. RENDERING APPROVAL: Please carefully review all drawings and material specifications. Color samples can be provided upon request. All PDF files are approximate representations. PLEASE READ CAREFULLY BEFORE FINAL APPROVAL: Review all files and check for all errors. Please review all spelling, material and color specifications, and installation notes. Changes after approval and the start of manufacturing may incur additional charges. By signing this proof you are acknowledging that you have read and fully reviewed all drawings, proposals, and Mello Signs Terms and Conditions.</p>				
	CLIENT SIGNATURE _____					
	PRINTED NAME _____					
	DATE: _____ SALESMAN INITIALS: _____					
CLIENT NAME	SOUTH RIDGE BACK AND PAIN	DATE	BY	REV #		
ST. ADDRESS	2436 S INTERSTATE 35 STE 370	03-01-2024	DE	OG		
CITY/STATE	DENTON, TX 76205	03-25-2024	DE	R1		
PHONE		03-25-2024	DE	R2		
EMAIL						
SALESMAN	AARON					
DESIGNER	DREW					
FILE NAME	SOUTHRIDGE BACK AND PAIN-DENTON-TX-SIGN RELOCATION					



LOCATION - EAST ELEVATION

SCALE: 1/8"=1'-0"

DETAILED SITE SURVEY REQUIRED



EXISTING LOCATION

SITE NOTES:

CODE ALLOWANCE:

CLIENT NAME	SOUTH RIDGE BACK AND PAIN	DATE	BY	REV #
ST. ADDRESS	2436 S INTERSTATE 35 STE 370	03-01-2024	DE	OG
CITY/STATE	DENTON, TX 76205	03-25-2024	DE	R1
PHONE		03-25-2024	DE	R2
EMAIL				
SALESMAN	AARON			
DESIGNER	DREW			
FILE NAME	SOUTHRIDGE BACK AND PAIN-DENTON-TX-SIGN RELOCATION			

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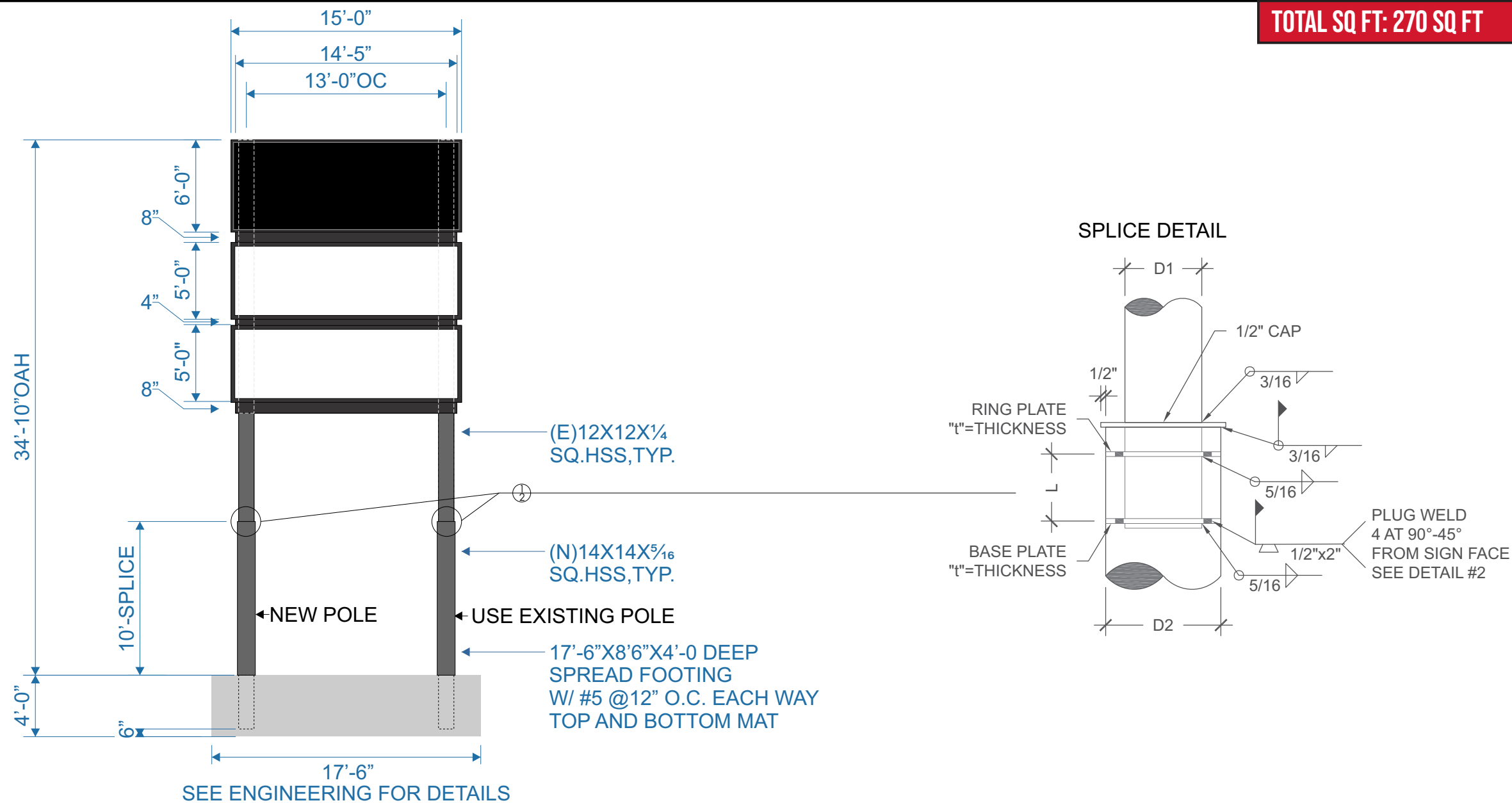
CLIENT SIGNATURE _____

PRINTED NAME _____

DATE: _____ SALESMAN INITIALS: _____

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TOTAL SQ FT: 270 SQ FT



SIGN 1 - PYLON SIGN SIGN RELOCATION

SCALE: 1/8"=1'-0"

QUANTITY: (1) REQUIRED

DESCRIPTION OF WORK:

RELOCATE SIGN TO 16'5 3/8" FROM NEW SETBACK. USE ONE EXISTING PYLON AND ONE NEW PYLON. PAINT ALL SIGN COMPONENT BLACK

*ALL PENETRATIONS SEALED WITH EXTERIOR GRADE SILICONE

FINISHES COLOR CHART

MATHEWS BLACK SATIN

MELLO

SIGNS

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CLIENT SIGNATURE

PRINTED NAME

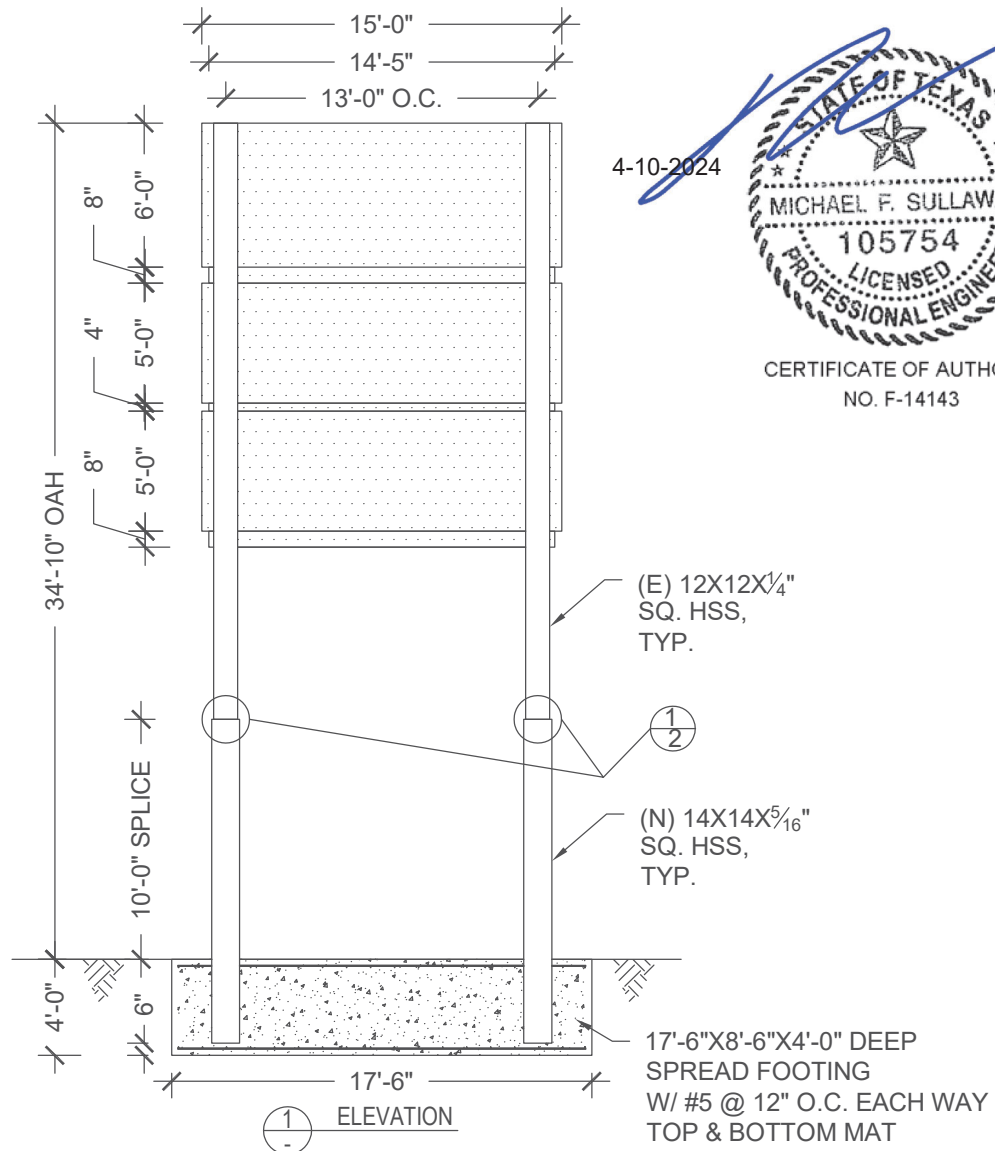
DATE:SALESMAN INITIALS:

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CLIENT NAME	SOUTH RIDGE BACK AND PAIN	DATE	BY	REV #
ST. ADDRESS	2436 S INTERSTATE 35 STE 370	03-01-2024	DE	OG
CITY/STATE	DENTON, TX 76205	03-25-2024	DE	R1
PHONE		03-25-2024	DE	R2
EMAIL				
SALESMAN	AARON			
DESIGNER	DREW			
FILE NAME	SOUTHRIDGE BACK AND PAIN-DENTON-TX-SIGN RELOCATION			

PROJECT:	SOUTHRIDGE BACK & PAIN, 2434 S. I35, DENTON, TX
PROJECT #:	44861
CLIENT:	MELLO SIGNS

DATE: 4/10/2024
ENGINEER: RM
LAST REVISED:



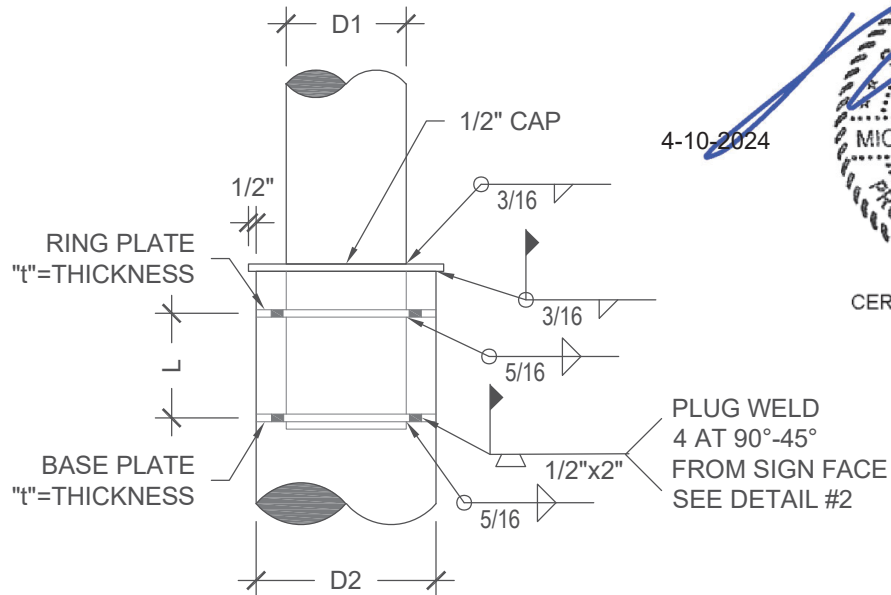
1. DESIGN CODE: IBC 2021
2. DESIGN LOADS: ASCE 7-16
3. WIND VELOCITY 110 MPH EXPOSURE C
4. CONCRETE 2500 PSI MINIMUM
5. SQ. HSS STEEL ASTM A500 GR. B, $F_y = 46$ KSI MIN.
6. STEEL REINFORCEMENT IN CONCRETE ASTM A615 GR 60
7. PROVIDE MIN. 3" CLEAR COVER ON ALL STEEL EMBEDDED IN CONCRETE WHEN CAST AGAINST SOIL
8. VERTICAL SOIL BEARING PER IBC CLASS 4 (2000 PSF)
9. PROVIDE PROTECTION AGAINST DISSIMILAR METALS
10. ALL DIMENSIONS TO BE VERIFIED PRIOR TO FABRICATION
11. ALL EXISTING ELEMENTS AND DIMENSIONS TO BE VERIFIED IN FIELD



12396 WORLD TRADE DRIVE, SUITE 312
 SAN DIEGO, CA 92128
 PROJECTMANAGER@SULLAWAYENG.COM
 PHONE: 1-858-312-5150 FAX: 1-858-777-3534

PROJECT: SOUTHRIDGE BACK & PAIN, 2434 S. I35, DENTON, TX
 PROJECT #: 44861
 CLIENT: MELLO SIGNS

DATE: 4/10/2024
 ENGINEER: RM
 LAST REVISED:



4-10-2024



1 - SPLICE DETAIL

NOTES:

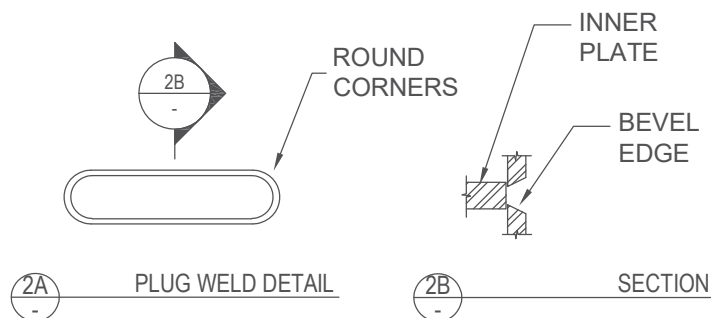
1. THIS DETAIL MAY BE USED FOR PIPE AND SQUARE TUBE SECTIONS.
2. $L = 1.5 \times D1$ OR 12" , WHICHEVER IS LARGEST

THICKNESS (t)

FOR D1 THRU 16" DIA., USE $t = 1/2"$ PL.

FOR 16" DIA. < D1 < 30" DIA., USE $t = 3/4"$ PL.

FOR D1 > 30" DIA., USE $t = 1"$ PL.





PROJECT: SOUTHRIDGE BACK & PAIN
 PROJ. NO.: 44861
 CLIENT: MELLO SIGNS

DATE: 4/10/2024
 ENGINEER: RM

V5.5

units; pounds, feet unless noted otherwise

Applied Wind Loads; from ASCE 7-16 (LRFD)

$$F = q_z * G * C_f * A_f \quad \text{with } q_z = 0.00256 K_z K_{zt} K_d V^2 \quad (29.3.2 \text{ \& } 29.4)$$

$C_f = 1.716$ (Fig. 29.3-1) 2 pole Cf factor= 0.98 13 max. height= 34.83
 $K_{zt} = 1.0$ (26.8.2) (=1.0 unless unusual landscape)
 $K_z =$ from table 28.3-1 Exposure= c
 $K_d = 0.85$ for signs (table 26.6-1)
 $V = 110$ mph
 $G = 0.85$ (26.9) weight= 3.017 kips
 $s/h = 0.507$ $M_{DL} = 0.00$ k-ft
 $B/s = 0.85$

Pole Loads	structure component	height at section c.g.	K_z	q_z	pressure $q_z * G * C_f$	A_f	shear	Wind Moment M_w
	1	5.00	0.850	22.4	32.64	23.33	762	3808
	2	12.50	0.850	22.4	32.64	10.00	326	4080
	3	16.08	0.862	22.7	33.10	4.33	143	2307
	4	17.50	0.876	23.1	33.64	9.61	323	5658
	5	18.92	0.890	23.4	34.18	32.50	1111	21013
	6	21.42	0.913	24.0	35.05	42.50	1490	31907
	7	23.00	0.926	24.4	35.55	4.81	171	3929
	8	24.08	0.934	24.58	35.85	27.50	986	23746
	9	26.58	0.953	25.09	36.59	47.50	1738	46204
	10	28.50	0.969	25.51	37.21	9.61	358	10191
	11	29.42	0.977	25.72	37.51	17.50	656	19311
	12	32.42	0.996	26.21	38.23	72.50	2772	89860

sums: 301.69 10837 262.02 (M_w) k-ft arm= 24.2
 two pole distribution factor *b*s (asce fig. 29.4-1): x 0.69 7426 179.54
 $P_u = 3.62$ kip $M = 179.54$ k-ft $M = \sqrt{M_{DL}^2 + M_w^2}$
 $M_u = \sqrt{1.2 M_{DL}^2 + 1.0 M_w^2} = 179.54$ k-ft

Pole Design (LRFD) section; tube

$M_u \leq \phi M_n$ with $M_n = f_y Z$		$f_y = 46$ ksi	$\phi = 0.9$				
H	M_u (k-ft)	Z req'd. (in)	Size(in)	t (in)	Z	New and Existing	
at grade	179.54	52.04	10	0.465	60.7	(N) 14X14X5/16" Sq. HSS, $\phi M_n = 219$ k-ft	
splice at 10 ft	109.84	31.8	10	0.233	32.7	(E) 12x12x1/4" Sq. HSS, $\phi M_n = 125$ k-ft	



PROJECT: SOUTHRIDGE BACK & PAIN
 PROJ. NO.: 44861
 CLIENT: MELLO SIGNS

DATE: 4/10/2024
 ENGINEER: RM

V5.5

Longitude Direction

units; pounds, feet unless noted otherwise

applied shear at grade $v = 6.773$ kip unfactored load **10.837** k (factored)
 applied moment at grade $m = 163.760$ kip-ft unfactored load **262.02** k-ft
 depth of soil above footing $h_s = 0.0$ ft
 allowable soil bearing $p = 2.000$ ksf

Signage Weight $w = 3.017$ k (See Previous Page)

Spread Footing Design

moment $m = 190.9$ k-ft
 Footing size (ft) $b = 17.50$ $L = 8.50$ $h = 4.00$ $S = 210.8$
 Footing Weight = 89.3 k See Above, $w = 3.017$ k soil 0.00 total = 92.27
 Overturning; $M_c = 392$ $M_c > 1.5M$ 2.055 ok
 soil pressure; max = 1.611 ksf ok
 forces on concrete pad; $V = 80$ k $V_r = 128$ k ($=1.6V$)
 $M = 170$ k-ft $M_r = 271.3$ k-ft

Check Slab;

$\phi = 0.9$ $f_y = 60$ ksi $f_c = 2.5$ ksi 150 lbs/ft³
 Flexure $A_s = 1.60$ $d = 44.0$ in
 $\phi M_n = \phi A_s f_y (d - a/2) = 3792$ k-in $= 316$ k-ft $M_r < \phi M_n$ ok
 $a = A_s f_y / 0.85 f_c b = 0.215$ in
Check minimum $A_{smin} = 3 \sqrt{f_c} b d / f_y = 23.1$ $200 b d / f_y = 30.80$ or $1.333 A_s = 2.13$ in²
 ACI 10.3.1

short direction $\gamma_s = 2 / (\beta + 1) = 0.8$ with $\beta = 1.5$ short direction; $\gamma A_s = 1.71$ in²
Use #5@12" each direction

Shear; $\phi V_n = \phi 2 \sqrt{f_c} b d$ $\phi V_c = 693.0$ $\phi = 0.75$ $V_r < \phi V_n$ ok

Top Slab

Assume half of footing is in uplift

weight = 45 kip arm = 2.1 ft
 $M = 95$ k-ft $M_r = 113.8$ k-ft
 Flexure $A_s = 0.700$
 $\phi M_n = \phi A_s f_y (d - a/2) = 1660$ k-in $= 138$ k-ft $M_r < \phi M_n$ ok
 $a = A_s f_y / 0.85 f_c b = 0.194$ in
Check minimum $A_{smin} = 2 \sqrt{f_c} b d / f_y = 11.22$ $200 b d / f_y = 14.96$ or $1.333 A_s = 0.9331$ in²
 short direction $\gamma_s = 2 / (\beta + 1) = 0.8$ with $\beta = 1.5$ short direction; $\gamma A_s = 0.75$ in²
Use #5@12" each direction