

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
Tuesday, April 18, 2023**

Members Present:

Ed FreibergChairman
Isaac T. Henry III.....Vice Chairman
Linn Cardner.....Member
Todd Loupe..... Member

Members Absent:

Keith Longlois..... Member
Mark Ferrell.....Alternate Member

Council Members Present:

None

Staff Present:

Kelvin Knauf, Director of Planning & Community Development
Wendy Lloyd, Planning Secretary
Marvin Benoit, Building Official
Divon Williams, Deputy Director of Planning & Community Development

Chairman Freiberg called the meeting to order at 5:30 p.m.

CITIZEN COMMENTS

Chairman Freiberg asked for any comments. None were made.

Mr. Knauf introduced Divon Williams, new Deputy Director of Planning and Community Development for the city.

ELECTION OF OFFICERS

Election of Chairman

Member Henry motioned to elect Ed Freiberg as Chairman
Member Loupe 2nd

Vote: 4 – 0

Motion Carries

Election of Vice Chairman

Member Cardner motioned to elect Isaac Henry as Vice Chairman
Member Loupe 2nd

Vote: 4 – 0

Motion Carries

REGULAR BUSINESS - MEETING MINUTES

Chairman Freiberg asked for motion to approve the February 28, 2023, meeting minutes

Vice Chair Henry motioned to approve
Member Cardner 2nd

Vote: 4 - 0

Motion Carries

PUBLIC HEARING

Conduct a public hearing on a request from Christus Orange Micro-hospital for a variance to the sign ordinance for the Gisela Houseman Medical Complex at 6901 Medical Center Drive.

Chairman Freiberg opened the public hearing at 5:32 p.m.

Mr. Knauf stated the hospital is requesting several variances. One is variances to the monument sign and under the zoning ordinance a monument sign can only be 100 square feet. They are requesting 1 monument sign of 220.73 square feet and another monument sign of 105 square feet. You can see up here and in your packet the locations of those monument signs. Also, they're requesting variances to the directional signs. Directional signs can only be 6 square feet with a maximum of 3 feet tall. They're asking for 9 square foot directional sign at one location, 24.7 square foot directional sign in another location and another 24.7 square foot in a 3rd location.

Paul Ingle – 2971 Elkton Trail Tyler, TX: Mr. Ingle stated I'm with Comet Signs. We're the largest sign company in the state of Texas and just recently were acquired and now owned by a company and we're the largest sign company in the United States. Kelvin did some nice renderings here but I brought some bigger versions in case you want to pass these around to see what we're talking about. Number 1 is the big primary pylon sign and number 2 is the secondary sign. These are the directionals. I've been in the sign industry since 1985 and I've worked with Christus Health throughout the United States. I've done over 400 locations for Christus. They are some of our largest accounts. I've already been down to the Orange facility 3 times. So, this is my 4th time for this project. I know their sign program very well. They have a brand and you've probably seen it at other locations around where Christus has sites. The sign program has very specific sizes of signs and we try to do multiple so that they can fit in a majority of codes in different cities. This one was kind of unique because it's so far off the interstate. There's going to be future development in front of it. There's going to be medical office buildings around it. So, we're not trying to advertise for I-10. The sign would have to be way too big for that plus I believe there's a development sign that's going down there near I-10 that you guys recently reviewed. So that will be helpful for people coming down the frontage road. Once you come down this main drive, Eagle Point Drive and one of things we're trying to do for this location is wayfinding. We do this inside the hospital as well as the exterior because when you go to a hospital you're under stress most of the time and you're trying to get to an appointment or find a loved one. It's like going to a hotel or going to an airport. We try to design signage where you can read it while you're driving and we do it based on the speed limit and visibility. Under the confines of how this is designed for Christus because they have fonts that they use, colors. In this case all these signs have emergency on them. That's a critical part of this because this is a new hospital for this location and we want to make sure that emergency and that's why some of these directional signs are taller so that if a car is in front of it an ambulance can still see it. This program has been in place for 25 years. They're also in Latin America. I don't know if you knew Christus is in Latin

America. They're in multiple states. Louisiana especially and Texas and New Mexico. That's the plan and why we're looking for something a little larger. We also know that there's going to be future expansion for the hospital so that's why we're trying to do the sign here and all of them will last for many years and then we can reface it in the future. We won't change any square footage or overall height because that's historically what happens. Now some of these will illuminate internally and some are not illuminated. It depends on whether they're in a median. If it's at a decision point we try to keep it illuminated so you can see it at night. Vice Chair Henry stated I saw some of the pictures had the LED on them at the bottom. Mr. Ingle stated yes we internally illuminate the big pylon signs plus put a floodlight. So, the face can light up and the logo and everything can light internally. That's a new thing they're trying to do.

Chairman Freiberg stated can you kind of orient us where they are. I can see and I've studied my own maps here. Mr. Ingle stated so your main monument will be here. This is called number 1. Chairman Freiberg stated now we approved 1 last meeting. Mr. Ingle stated right it's out here. Mr. Knauf stated at the end of that median. Mr. Ingle stated we originally were going to bid on that sign but it went off to another company. We saw the original design and actually inputted on the design for that. So, when you come in on this main drive your primary sign (number 1), the biggest one would go approximately right here. Then, why do we need a 2nd one? Well because all of this is going eventually be developed. Right now, it's just a big open field. When we look at a hospital entrance, we look at decision points and I think this road over here goes and eventually go through. Mr. Knauf stated it will at some point. Mr. Ingle stated right so we know at some point traffic will come in and so this will be a decision point for people coming from the west. But this is the bigger one and it's oriented for traffic within here not the interstate. The directional signs are all within this area here. All are different heights, illuminated and nonilluminated. They're all listed. I think there's about 7 roughly.

Chairman Freiberg stated as they expand, there won't be a need for them to come back to this committee for approvals on the directional sign. Mr. Knauf stated I don't anticipate that. Mr. Ingle stated right typically not we really try to do our due diligence early on. We've been working on this for a year and a half. We do that with Christus' leadership as well as the design firm and then we produce the signs and project manage them. It's coming along pretty fast. There's the building signage but that was all within the code and you guys have already issued permits for those. That went really smoothly. Again, all that is part of the branding for Christus.

Chairman Freiberg stated on the sign you didn't get versus the signs you have now are they aesthetically similar. Mr. Ingle stated that's a developer sign so the developer has no relationship with Christus or us. It's something that the general contractor that built the building suggested that they would like us to be involved in. They ended up using a company out of Alabama which seemed kind of odd to me because we are based out of Texas. We didn't have anything to do with that design. It's just really a giant tenant sign. It shows some of the tenants that will be there and then some of the future tenants that will go in the development and Christus is one of them. As far as the Christus logo, it's the same at every location. Do they compliment each other? I think so. I mean when I look at the architecture of the building and what they did for the development sign. I think they all go pretty well together. I think they look good. Remember that distance to the development sign is 1000 or 1500 feet. It's a long way off. Mr. Knauf stated I think that sign did have some stone or stucco accents to it. I think they are compatible. They are both of a similar shape. Mr. Ingle stated ours are a little more understated for Christus. They are healthcare signs. They're not real thick. They don't have poles. It works well at all the locations we've ever done. Member Loupe stated and these match the ones in Beaumont. Mr. Ingle stated yes exactly. Occasionally, like if you go to Jasper, they have a giant pole sign. We didn't do that location.

I don't even know why they did that. Vice Chair Henry stated because 190 is right next to it. Mr. Ingle stated and initially we thought about doing that here and then they said leadership said no. We don't want that big flashy sign and we don't like that look. We suggested this and we started with something larger than the one you see here. I actually came down and drove the site and said I think that's too big and we went with this smaller one. I think in the future the only difference you'll see is these faces may change. We make these faces so they're sort of modular.

Chairman Freiberg closed the public hearing at 5:48 p.m.

DISCUSSION/ACTION ITEM

Consider a request from Christus Orange Micro-hospital for a variance to the sign ordinance for the Gisela Houseman Medical Complex located at 6901 Medical Center Drive.

Vice Chair Henry stated I like the idea of the signs and signs are important especially at the hospital.

Member Loupe stated I do too.

Vice Chair Henry motioned to approve all variances as requested

Member Loupe 2nd

Vote: 4 – 0

Motion Carries

PUBLIC HEARING

Conduct a public hearing on a request from Angus Davis for a variance to the sign ordinance for property located at 2214 Interstate 10 West.

Chairman Freiberg opened the public hearing at 5:49 p.m.

Mr. Knauf stated this is kind of a real unusual situation in that the appraisal district has this property here and this property here both as 2214 I-10 W. The request is for a new business to go in that will be a heavy equipment rental business is the way I understand it. It's currently Frey's Landscaping where they are. Mark is intending to sell it to Angus Davis and they'll put in a heavy equipment rental business here which is permitted under the zoning ordinance. This is unusual in that this little triangular piece here has frontage along I-10 but this large piece here doesn't. If the business is located here and there were a pole sign here then this is an offsite sign for a business located here which isn't permitted. But if it's located here in this larger tract, then the maximum height is 24 feet is the way the ordinance is written. So, Angus Davis is requesting to be able to put up a pole sign on here that is 40 feet. Now the ordinance allows pole signs on the interstate to be 1 foot tall for every 1 foot of frontage on the lot. If this were all one lot then they would have frontage here and they could put up a taller than 40 foot sign. I struggled with deciding on whether to approve it administratively or not and thought the safest course so that in the future it could never be questioned whether I should have done that or not is to bring it to the Board of Adjustment.

Brian (for Angus Davis) – 24010 State Hwy 249, Tomball, TX: Brian stated I'm the sales manager for the company. Angus couldn't be here tonight. We do about 57 million dollars a year in revenue.

We're looking to grow the business. We really like this location over here in Orange that we want to do some modifications to. For our business internally, we are a rental company but we're also a dealership and we need that marketing to be able to supply us a lot of our revenue. We have a very large project that's coming into Orange that's a 5 billion dollar project with Chevron that we've got some connections with Zachary Group and we're really trying to expand on that. This signage is probably one of the most important things that we could have for this business. We're not sure that we would go ahead with the purchase without this signage. I understand the height restrictions but it's very important that we put it up above that 40 feet mark right there because the interstate going up towards that way and if it's lower it's null and void basically because it's going to block all the views. We really love the location. We think we could really grow and be part of this community. We'd like to come out here. 99 percent of what we do is pretty much taxed on our revenue and we want to be able to snag that here for Orange and be able to help grow this city as well and become part of the community.

Member Loupe stated so what you are saying is the triangle property isn't counting towards the frontage but they own both pieces. Mr. Knauf stated they own both pieces. This triangular piece has frontage along I-10 but this large piece doesn't. Vice Chair Henry stated so each one of those numbers are the lot numbers right. Mr. Knauf stated right those are the parcel numbers. Vice Chair Henry stated so those 4 right there, that's all part of Frey's. Mr. Knauf stated no. This is where the arrows are pointing and this one. Those 2 are Frey's. Chairman Freiberg stated that small piece you're saying is only like 24 feet. Mr. Knauf stated no. I forget what I measured that is. Member Loupe stated but because the business is actually going to be located on 420 is that the problem? Mr. Knauf stated yes I would imagine that most of the business is going to be located in the bigger parcels. The entrance is here.

Mark Frey – 2210 Woodmont Dr. – Orange, TX: Mr. Frey stated it's all one property. It's divided up into 2 parcels at the appraisal district but it's all one property. I pay 2 tax dollars on each parcel but it's all fenced in as 1 property. Mr. Knauf stated the problem is that the triangular piece has the interstate frontage that the big one needs. The big piece doesn't have any interstate frontage so they are limited to 24 feet. The small triangular piece has interstate frontage. Member Loupe stated what about the road going to the baseball field. Whose property is that on? Mr. Frey stated that belongs to this property but that is an access piece. Member Loupe stated so they can't remove that access road. Mr. Frey stated that's a grandfathered access piece that will have to stay. They have a choice on if they want to fence that in if they want to but more than likely it's going to stay there because it is an access piece to the OYBS property that sits behind my property. That can't change that entrance and all, it's all grandfathered in. All the entrances on the frontage are grandfathered in from TX dot as well. Vice Chair Henry stated so you're looking at putting the sign on the triangular piece. Brian stated yes. Vice Chair Henry stated and what's the height it can only go to right there. Mr. Knauf stated well it would be an offsite sign which we don't allow because the business is located on another parcel. Mr. Frey stated I don't quite understand that. Is that because the business is going to be located on the back part? Mr. Knauf stated the sign would not be located on the same parcel of property that the business is on. Mr. Frey stated but the business would be on that front parcel as well. I don't understand that. It's going to encompass both properties. Brian stated right it is part of the business. We're going to be doing marketing and we're going to have heavy equipment up there. Mr. Frey stated it's the parking lot of the business. Mr. Knauf stated yeah but they are 2 separate legal parcels according to

the appraisal district. Mr. Frey stated but the business encompasses both parcels. Mr. Knauf stated I understand but still this sign would not be on the part where the main business is. Mr. Frey stated so it's based on the linear footage of the frontage which is 240 feet. You're saying 24 feet in height. 1 foot for every 10 foot or what did you say? Mr. Knauf stated 1 foot for every foot of frontage. But if it were on the large parcel here since it doesn't have interstate frontage, then the maximum for a pole sign is 24 feet on the large parcel. Member Loupe stated I see so what is that address. Mr. Knauf stated they're both 2214 I-10. Vice Chair Henry stated just the appraisal district has them broken up into 2 separate parcels. Mr. Frey stated that's because 50 years ago when in the survey of the abstract, that chopped up all those pieces. Member Loupe stated so there's no question if the variance is granted, is the variance for the full frontage height or up to a number we decide. Mr. Frey stated the variance would be for the 40 foot. Vice Chair Henry stated is there a way to get that resurveyed with the appraisal district. Mr. Frey stated it's been resurveyed twice. They just resurveyed it and I don't know if when they surveyed it if they surveyed it as 2 parcels or 1 parcel. Typically, they survey it as 1 parcel with all the meets and bounds and all the pins that come in it but it depends on how they wrote the survey up. Member Loupe stated so to change it to 1 property, what would they actually do. Mr. Knauf stated what they would do is go through a replatting process and come up with a new plat. They would have to go before P&Z for a recommendation to council for action. They would replat it from 2 lots into 1 lot. Member Loupe stated how high is the sign there right now. Mr. Frey stated there is no sign. Vice Chair Henry stated the closest sign to it is Toro's right the Mexican restaurant. Mr. Frey stated there's some 100 foot signs on either side. Chairman Freiberg stated I don't think height is a problem, it's just can we do it? Mr. Frey stated getting it replotted into 1 piece of land is way more involved than having you all approve this. Vice Chair Henry stated I understand. I was just thinking for long term. That's nothing that you all have done. It's the dumbest thing in the world. Mr. Knauf stated it's a very weird situation. I went through a kind of dilemma on whether I could approve it administratively from like what you're saying from that standpoint. But then someday if you go to sell it and come back and go wait that wasn't property done. The safest way was to bring it to the board of adjustments and get a variance. Chairman Freiberg stated but that sign right there without the top, that's 40 feet. Brian stated at least. That's somewhere to about the size of our sign too. It's 92 inches tall, 20 feet wide. That's very similar to what we want. It will just look a lot nicer. Mr. Knauf stated but if you grant the variance then that would cure all ill. Mr. Frey stated the sign is going to be placed on the front triangular property at the legal distance allowed. There are setbacks on the front and the setbacks are dictated by the department of transportation. It meets all those requirements. The main thing is the height because of the 2 parcels of land. Brian stated the only other thing the owner wanted me to bring it up is that our future plans as well is also to put a shop in there that's 5000 square feet but I don't think that will be an issue.

Chairman Freiberg closed the public hearing at 6:05 p.m.

DISCUSSION/ACTION ITEM

Consider a request from Angus Davis for a variance to the sign ordinance for property located at 2214 Interstate 10 West.

Chairman Freiberg asked if there was any other discussion. None was made.

Member Loupe motioned to approve variance as requested
Member Cardner 2nd

Vote: 4 – 0

Motion Carries

Vice Chair Henry motioned to adjourn

Member Loupe 2nd

Chairman Freiberg adjourned the meeting at 6:07 p.m.