



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Anzollitto
- ☐ 2 = Woolard
- ☒ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Colvin
- All

DESCRIPTION	CONSIDER A REQUEST FROM PEGGY'S ON THE GREEN FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 12. PROHIBITED SIGN LOCATIONS. C. OFF-SITE SIGNAGE (<i>128 W. Blanco</i>)
STAFF'S RECOMMENDED ACTION (be specific)	Approve Or Deny A Request From Peggy's On The Green For A Variance To The Sign Ordinance Section 12. Prohibited Sign Locations. C. Off-Site Signage (<i>128 W. Blanco</i>)
CONTACT PERSON	JEFF THOMPSON
SUMMARY	<p>The City recently received a request for a sign variance from a new restaurant, Peggy's on the Green. The variance was requested for an off-site billboard sign (attachment 1). The specific request is to locate the sign on City property at the entrance to Cibolo Creek Trail. This is approximately 10 feet to the south of the Ye Kendall Inn property roughly where the temporary sign is located today (attachment 2).</p> <p>The proposed location of the sign would possibly make the sign more visible to the general public than the location of the current temporary sign. The 4'-0" tall sign could at times be obstructed from view by vehicles checking into the hotel if they parked under the porte cache. It is also a nicely landscaped area that is closer to the sidewalk/trail that leads to the main entrance to the restaurant (attachment 3).</p> <p>The City Council is being asked to determine whether or not to approve a variance to allow an off-site sign on city property to take place. If the variance were to be approved, a simple lease agreement (also on the agenda) will be necessary between Peggy's on the Green and the City to allow the use and specify terms.</p> <p>Background:</p> <p>Establishments within the Historic District can be permitted for a maximum of 3 exterior signs. On August 2, 2016, The Historic Landmark Commission (HLC) approved a freestanding sign, projecting sign and wall sign for the establishment (attachment 4 & 5). The size of these signs all fit within our ordinance requirements for their type. Only the billboard sign requires a variance due to its proposed location off-site. The proposed</p>

billboard sign is attractive and unobtrusive with the top of the sign face shown to be low, 4'-0" above ground level (attachment 6).

The Ye Kendall Inn (YKI) was constructed in 1859 and is one of the oldest and most distinctive structures in Boerne. It is listed on the National Register of Historic Places. Older structures typically require extraordinary care and maintenance to preserve them and keep them in viable economic use. The refurbishment of YKI and the addition of a high quality restaurant in this building and in downtown is important to Boerne.

The owner applied for and received a \$5,000 Historic District Restoration Program grant on January 5, 2016 that provided financial assistance with a partial roof replacement.

The City and Ye Kendall Inn have worked cooperatively - the previous owner conveyed a .18 acre trail easement to the City of Boerne at no cost for the Cibolo Trail switchback at Main Plaza.

The primary entrance to the establishment host station is via access from an ADA ramp and adjoining stone staircase with direct access from the Cibolo Creek Trailhead. Secondary access points are through the Ye Kendal Inn lobby and along the exterior porch of the hotel (attachment 7).

We have not identified any utility conflicts in the location of the proposed sign.

Staff Variance Committee:

The staff committee met and discussed the request. The group did not see a significant advantage of the relocation of the sign 10 feet onto public property, or a hardship to locating the sign on private property. Several members expressed concern about precedence of allowing private use of public property for signage and how to distinguish between what the city would allow and not allow in the future for similar requests. Alternatives (see *Alternatives* below) were discussed including on-site and off-site directional signage which the group felt would be just as effective without accessing public property. The committee voted to recommend denial of the request and to present the alternatives to the owner, which was done.

Other Information:

There have been isolated cases where off-site signage or other or on city property uses have been approved under special circumstances. Mini Texans was recently allowed to place an

	<p>off-site sign temporarily on an open lot on Hwy 46 with the stipulation that it be removed once the building opened. The primary business sign for Electrolab on Enterprise Parkway is located partially in the right of way (ROW). The sign was constructed in the wrong place and the City entered into an agreement to allow it to stay but to acknowledge that if we needed to access the ROW, the sign could be damaged or destroyed with no fault to the City. While not a sign the City did allow the Old #9 depot to build a segment of the parking area on COB right of way that contains various utilities. The city allowed this use of public property as a parking area as it did not overly inhibit access to the underground utilities and provided for additional parking across from the Old #9 Trailhead parking area. The Fairfield Inn sign at Scenic Loop and IH 10 is an off-premise sign which received a variance. Each situation is different and none of them is exactly what is being requested in this case.</p> <p>Alternatives:</p> <ol style="list-style-type: none"> 1) Grant the variance for the off-site Billboard sign 2) Deny the request 3) Deny the request and propose alternatives; <p>The sign ordinance limits the number of signs per establishment in the Historical District to 3 (Ord. No. 2012-15, §8, 7-10-2012). To allow an additional sign the owner would have to agree to eliminate one of the 3 permitted signs to allow any of the following suggestions to be viable:</p> <ol style="list-style-type: none"> 1) The owner could be allowed to install a directional sign on private property not to exceed 6 sq ft. 2) The owner could opt to use a movable 2'x4' sidewalk sign that can be placed in the R.O.W. during business hours to direct patrons to the main entry. <p>The owner could also submit a new variance to allow the use of more than 3 signs and keep the 3 already approved. New signs proposed under these options would have be approved by the HLC.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	Sign variance request, photos

This summary is not meant to be all inclusive. Supporting documentation is attached.

