

05 March 2019

City of Boerne  
City Council  
402 E. Blanco Rd.  
Boerne, Texas 78006  
(830) 249-9511

**VARIANCE REQUEST**

**Legacy at Cibolo** (7 Herff Road, 9 Herff Road, 11 Herff Road, 15 Herff Road, 17 Herff Road, 19 Herff Road)

**Project Background**

Legacy at Cibolo is a mixed use development on a tract of land that was approximately 26.6 acres in size. The property has been subdivided into commercial and/or retail lots fronting Herff Road, with a multi-family site at the rear of the property along Cibolo Creek. Two new public streets intersect with Herff Road (Oak Park, which loops north/south providing two access points from Herff Road, and Legacy Oak Lane, which connects Oak Park Drive to Herff Road), providing access to all lots within the development. There is no direct lot access from Herff Road. The development of each lot is intended to be linked with common design elements (such as architectural design, building materials, signage and planting) to create a unified look throughout the Legacy at Cibolo Development. A property owners association (POA) has been established to maintain common area elements such as park/open space, streetscapes, and site entry developments. Private landscape easements have been established at each proposed sign location to allow permanent control and maintenance by the POA, instead of individual lot owners.

**Variance Request**

This letter is being submitted to request a signage variance from the City of Boerne Ordinance as follows:

- A. Ordinance No. 2008-21; Section 5 Definitions; B. Types of Signs; Commercial Complex Identifier  
It is our understanding the City of Boerne is defining the proposed signage as a Commercial Complex Identifier. Per the ordinance, this is a monument sign not to exceed thirty-two (32) square feet in area, and five (5) feet in height.

**We hereby request a variance from the sign area limits of thirty-two (32) square feet (for 17, and 19 Herff Rd. Boerne, TX), and maximum height of five (5) feet (for 7, 9, 11, 15, 17, and 19 Herff Rd. Boerne, TX).**

The Ordinance defines a sign as ‘any letters, figures, symbols, trademarks, or devised designed either to inform people or to attract attention of people to an individual, firm, profession, business, organization, institution, commodity, service, activity, cause or purpose, and which is recognizable from any public right-of-way.’ The Ordinance defines sign area as ‘the square foot area enclosed by the perimeter of the sign face with each face contributing to the aggregate area. The area to be measured encompasses the extreme limits of the writing, representation, emblem or other display together with any material or color forming an integral part of the background of the display or used to differentiate the sign material from the backdrop or structure against which the sign is placed, but excludes any supports or supporting framework.’

The proposed sign design includes a steel sign panel mounted to a stucco wall that is set on a stone veneer base. The sign panel is two (2) feet tall and seventeen (17) feet long, resulting in a sign panel that is thirty-four (34) square feet in area. There is also a circular cast stone element set into the stone veneer on a pillar. This logo panel is thirty (30) inches in diameter, resulting in an area of (4.9) square feet. Therefore, each sign provides a total sign area of (38.9) square feet.

Sign height is defined in the Ordinance as “the vertical distance between the highest attached component of the sign or of its supporting structure, whichever is higher, and the average established ground level beneath the sign.” The proposed sign design includes masonry pillars that are a height of 9’-0”, though the actual ‘sign’ graphics are below that height. The top of the metal sign panel is mounted at a 5’-4” in height.

B. Ordinance No. 2008-21; Section 10 Restrictions on Certain Types of Signs; m. Free Standing Sign

The Ordinance states “a commercial complex with a land area of two (2) acres or more may have one (1) such free standing sign along each street which borders the complex for a distance of two hundred (200) feet or more”

**We hereby request a variance from the two hundred (200) foot separation between signs (for 7, 9, 11, 15, 17, and 19 Herff Rd. Boerne, TX).**

A monument sign is proposed to be located at each access point from Herff Road to the Legacy at Cibolo project. These signs are angled at approximately forty-five (45) degrees to the intersection. This sign arrangement was established by the property boundary and utility easement configurations at the main intersection for the development, the southern intersection of Oak Park Drive, and Herff Road. This arrangement also aided in the preservation of existing trees that assist to provide a buffer between the development and Herff Road, while providing sign visibility to approaching traffic from each direction. Signage was repeated at the other entry points.

## Variance Justification

The proposed entry design seeks to unify the overall development through repeated elements at each entry point to the Legacy at Cibolo, including masonry monument walls and pillars, development signage, landscape planting and lighting. The signage reinforces the regional character, utilizing rustic and predominantly natural materials (such as stone, cast stone, stucco, steel painted to appear weathered, and darkened copper) in a contemporary manner. The proposed walls and columns are repeated at each site entry to create a unified look through the site. The monument signs are complimented with plantings of trees, shrubs and groundcovers, and the subtle lighting scheme uses backlighting at the sign panels and lanterns on top of the masonry elements to provide low light levels that respect local residential and natural areas. The scale of the proposed design is in keeping with signage found on neighboring properties and around the City of Boerne, and also appropriate to the scale of this new development and the anticipated increased traffic on Herff Road with the future growth of Boerne.

It is our belief the proposed signs meet the spirit of the Ordinance (Section 2 'Purpose'). We feel the design does not compromise health, safety, welfare, or property of the public and promotes a positive City image reflecting order, harmony and pride, thereby strengthening the economic stability of Boerne's commercial, cultural, historical and residential areas. We also believe the sign is designed meet the spirit of Section 3 'Design Guidelines', especially in the following ways:

- A. The signage is appropriate to the Hill Country Setting and rural scale of the city.
- B. The signage is located with sensitivity in order to preserve the natural landscape.
- C. The signage proportions are appropriate to the location and setting.
- D. The sign materials are predominantly natural.

Thank you for your consideration of this request.

A handwritten signature in black ink, appearing to read 'Danny Watson', with a stylized flourish at the end.

Danny Watson, ASLA  
Partner / Landscape Architect