

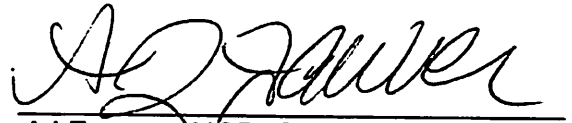
**CITY OF AMARILLO, TEXAS**  
**DOWNTOWN URBAN DESIGN REVIEW BOARD**  
**NOTICE OF PUBLIC MEETING**

**NOTICE** is hereby given that the Downtown Amarillo Urban Design Review Board will meet at 5:30 pm at 808 S. Buchanan, **Room 275** located on the second floor of the Simms Building, Amarillo, Texas, on Thursday, February 1st, 2018. The subjects to be considered at the meeting are shown on the agenda below.

**AGENDA**

- ITEM 1:** Public Comment: Citizens who desire to address the Downtown Amarillo Urban Design Review Board with regard to matters on the agenda or having to do with policies, programs, or services will be received at this time. The total time allotted for comments is three (3) minutes per speaker. The board may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff. (*Texas Attorney General Opinion. JC-0169*) If you wish to speak regarding an item on the agenda, please hold your comments until that item is introduced.
- ITEM 2:** Approval of December 7, 2017 Downtown Amarillo Urban Design Review Board meeting minutes.
- ITEM 3:** COA-17-30: A request for variance from the requirement that Outdoor Electronic Message Display (EMD) Signs within the Downtown Urban Design District have no more than 25% of the sign face devoted to changeable copy, in order to allow a sign which has 53% of the sign face devoted to changeable copy on an existing pole sign at the following location: 1115 S Taylor Street, legally described as Lots 6 - 10, Block 149, Plemons Addition Unit No. 1. [*Section 4-10-122, pg. 38, Downtown Amarillo Urban Design Standards*]
- ITEM 4:** COA-18-02: A request for variance from the standard prohibiting pole signs in the Downtown Amarillo Urban Design District, to allow an existing pole to be used as a pole sign, at the following location: 1004 S Tyler Street, legally described as Lot 1, Block 137, Plemons Addition Unit No. 1. [*Section 4-10-122; pg. 26 & 27, Downtown Amarillo Urban Design Standards*]
- ITEM 5:** COA-18-03: A request for variance from all applicable standards outlined in the walkways, building edge, street grid, and parking sections of the Downtown Amarillo Urban Design Standards, located in the Downtown Amarillo Urban Design District at 621 SW 6<sup>th</sup> Ave, legally described as Lot 20 to Lot 11, Block 74, Glidden and Sanborn Unit [*Section 4-10-122; Downtown Amarillo Urban Design Standards*]
- ITEM 6:** Consider future agenda items.

**SIGNED** this 29<sup>th</sup> day of January 2018.



AJ Fawver, AICP, CNU-A

The Simms Building is accessible to individuals with disabilities through the main entrance. Parking spaces for individuals with disabilities are available in the front parking lot. The building is equipped with restroom facilities, communications equipment, and elevators that are accessible. Individuals with disabilities, who require special accommodations or a sign language interpreter, must make a request with the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3014 or the City TDD number at 378-4229.

STATE OF TEXAS §  
COUNTIES OF POTTER §  
AND RANDALL §  
CITY OF AMARILLO §

On the 7<sup>th</sup> day of December, 2017, the Downtown Design Review Board met in a scheduled session at 5:30 p.m. in Room 203 located on the second floor of the Simms Building, 808 S. Buchanan, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Steve Gosselin	Y	33	29
Steve Pair, Chairman	Y	16	12
Cole Camp	Y	11	11
Cindi Bulla	Y	11	10
Gary Jennings	N	11	9
Verlinda Watson	N	11	1
Becky Heinen	N	11	7
Alan Cox (alternate)	Y	8	7

Staff in Attendance:  
Jeffrey English, Planner I

ITEM 1: Public Comment: Citizens who desire to address the Downtown Amarillo Urban Design Review Board with regard to matters on the agenda or having to do with policies, programs, or services will be received at this time. The total time allotted for comments is three (3) minutes per speaker. The board may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff. (*Texas Attorney General Opinion. JC-0169*) If you wish to speak regarding an item on the agenda, please hold your comments until that item is introduced.

No comments were made.

ITEM 2: Approval of September 15, 2017 Downtown Urban Design Review Board meeting minutes.

Chairman Pair asked for corrections, deletions or changes to the minutes of September 15, 2017. Motion was made by Commissioner Bulla, seconded by Commissioner Camp, to approve the minutes as submitted. Motion passed unanimously.

ITEM 3: COA-17-32 A request for variance from the requirement that fencing along the building edge and parking lots within the Downtown Urban Design District not be chain link, to allow an existing chain link fence to remain at the following location: 1101 South Pierce Street (1Broadcast Center), legally described as Lots 1-10, Block 147, Plemons Addition Unit No. 1. [Section 4-10-122, pg. 14 & 24, Downtown Amarillo Urban Design Standards]

Mr. English advised the project consists of a recently built 6' tall chain-link fence around KVII office building parking lot for employee security and protection of assets. This fence was submitted as a violation to the City, and the violation process was followed, resulting in this application. The existing site consists of an existing building and landscaping, along with a recently built chain-link fence around the rear side of the property that face I-27/ US 287/US 87/ US 60 highways. Downtown Amarillo Urban Design Standards (DAUDS) elements involved are building edge and street grid and parking. Mr. English explained that the chain-linked fence does not meet the DAUDS as chain-link, barbed-wire, razor-wire fences are not allowed by either element involved. Mr. English advised staff recommends denial of the item as presented along with variance 1.

Chairman Pair asked if there were any questions or comments. Diane Taylor, general manager of ABC 7 broadcast center 79109, appeared to explain why the fence was built and that it did not require a permit to be so. Ms. Taylor noted the safety concerns of the business and employees, presenting photos of examples various times it was an issue, as well as an example of an existing chain-link fence that was built before the DAUDS were adopted. Ms. Taylor was concerned about the overall maintenance and security of a proposed new fence. There was a discussion regarding the types of fencing that would meet the DAUDS standards while serving as protection.

A motion to deny the variance for this project as submitted was made by Commissioner Camp, seconded by Commissioner Cox. The motion passed unanimously.

ITEM 4: Consider future agenda items

It was inquired about the status of the department staffing level. Staff advised there were hopes in being able to make an offer to a new potential Senior Planner.

No further comments were made; Chairman Pair adjourned the meeting at 5:53pm.



AJ Fawver, AICP, CNU-A  
Planning Director













## DOWNTOWN AMARILLO URBAN DESIGN STANDARDS DOWNTOWN DESIGN REVIEW BOARD

### Certificate of Appropriateness

**Project Information:** COA-17-30, 2018 DDRB Hearing (2-1-2018)

**Project Name:** S Taylor St. & SE 12<sup>th</sup> Ave. – Toot ‘n Totum Office Pole Sign Upgrade  
**Project Address:** 1115 South Taylor Street, Amarillo, TX  
**Zoning:** Central Business District (CB)  
**Historic Designation:** ( ) National ( ) State ( ) Local (X) N/A  
**Construction:** (X) New (X) Renovation/Remodel ( ) Addition

#### Basic Description of Project:

The project consists of an existing pole sign and the replacement and expansion of a changeable copy sign to a one sided outdoor electronic message display sign facing towards southbound traffic on South Taylor Street..

Site amenities will include pole signage along the right-of-way frontage.

#### Basic Physical Characteristics:

The sign will consist of a new addition on to an existing pole sign, specifically, the replacement and expansion of a changeable copy sign to a one sided outdoor electronic message display sign facing towards southbound traffic on South Taylor Street. Downtown Amarillo Urban Design Standards (DAUDS) elements proposed are under the category of Signs.

#### Standards that Apply to Review:

##### Signs

- Minimum Standard: Outdoor Electronic Message Display Signs (Page 38) shall not contribute to light pollution for any adjacent residential developments, produce strobe-like effect, interfere with the effectiveness of any official traffic sign, signal or device, or exceed 5,000 nits during the daylight hours or 500 nits between dusk and dawn as measured from the closest property line. Maximum of 25% of the sign face may be devoted to changeable copy. The message shall not change at a rate faster than one message every 5 seconds, except rolling signs. The interval between messages shall be a maximum of 2 seconds. Changeable copy signs shall not contain animation, flashing lights or displays. Changeable copy signs may not be used to display commercial messages relating to products or services that are not offered on the premises. Free standing signs shall have a maximum height of five (5) feet. Temporary screening materials along fenced construction area are encouraged to minimize the visual impact of construction areas and fencing.

o **Proposal:**

The existing pole sign that was built before DAUD standards were adopted in 2010 has a current breakdown of 48 sq ft (Toot 'n Totum ID Sign), 12 sq ft (Support Center Sign), and 48 sq ft (Changeable copy sign with suction cup letters) to come out to a grand total of 108 sq ft of signage with 44% being devoted to changeable copy.

Now moving forward to the new proposed sign breakdown of 48 sq ft (Same Toot 'n Totum ID Sign) and (69"x113") 54.14 sq ft of a new outdoor electronic message display sign which comes out to a grand total of 102 sq ft of signage with 53% devoted to changeable copy. This 53% is well above the maximum 25% for changeable copy standards set forth in the DAUDS booklet on Page 38. Also to note, new outdoor electronic message display signs on free standing signs shall have a maximum height of five (5) feet and this proposed sign will be above 5' at a height of 8' according to the applicant. As such, **the applicant has requested a variance** from this standard set out in the DAUDS, which is addressed in the Variances section below.

## **Variances**

**Variance 1:** A 53% variance above the 25% maximum changeable copy sign face size limit to allow larger than 25% changeable copy signs.

### **Justification Provided by the Applicant:**

Overall, the applicant counters that many of these standards would cause negative effects on its employees and their parking arrangements. When submitting a variance application, the developer is required to provide justification for the variance(s). The questions (numbers), along with the applicant's responses (bullets), are shown below.

1. Explain how there are special circumstances or conditions affecting the land involved such that strict application of the subdivision regulations or Downtown Amarillo Urban Design Standards will deprive the property owner of the reasonable use of his land.
  - No
2. Explain how the variance is necessary for the preservation and enjoyment of a substantial property right of the property owner.
  - Changing to an electronic message center vs. manual will enable us to change messages via computer located inside building instead of person using suction cup pole and individual letters.
3. Explain how the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.
  - No
4. Explain how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Subdivision Ordinance or disrupt the adopted pattern of development for the Downtown Amarillo Overlay District.
  - No – it will enhance the property and be helpful not only to the consumer but also Toot 'n Totum to get messages to the public. We are reducing the square footage of the existing pole sign to accommodate the message center.

### History & Previous Approvals

Planning staff has searched past cases looking for such variances and/or sign types to allow renovations to an existing pole sign and could not find any that allowed for larger than 25% changeable copy on a sign. There are no variances on record in the DAUD district that has allowed a larger than 25% changeable copy outdoor electronic message display sign.

### **Staff Recommendation:**

To summarize the applicant increased the size of the changeable copy from the existing 48 sq ft to the proposed 54 sq ft. The overall sign might be slightly smaller but their changeable copy got larger, thus the percentage is larger. They increased the changeable copy size percentage from 44% to 53%, which is well above the 25% maximum.

In light of the previous discussion above, lack of approvals/precedence set by the DDRB, and considering conditions such as the existing pole sign and the addition of the new large size of the outdoor electronic message display sign and the sign's height above the maximum 5', the sign does not meet the standards outlined in the DAUDS and **staff recommends denial** as submitted.



## DOWNTOWN AMARILLO URBAN DESIGN STANDARDS DOWNTOWN DESIGN REVIEW BOARD

### Certificate of Appropriateness

#### Project Information: COA-18-02, 2/1/2018 DDRB Hearing

Project Name: 1004 S Tyler St. – Firestone Sign Variance Request  
Project Address: 1004 South Tyler Street, Amarillo, TX  
Zoning: CB  
Signage: ( X ) New ( ) Renovation/Remodel ( ) Addition

#### Basic Description of Project:

The project consists of a new proposed 14' pole sign for the Firestone Lofts with a sign face area of 30sf per side.

#### Standards that Apply to Review:

##### Signs

- Minimum Standard: Pole signs with the exception of parking lot pole signs and directional signs are prohibited in the Downtown Amarillo Urban Design Standards. (Pole signs are signs on a pole, whether wrapped or unwrapped, and exceed 8 feet in height)
  - Proposal: The proposed sign is classified as a pole sign that does not meet the definition for directional or parking lot pole sign. The proposed height is 14 feet for the pole and 3 feet for the sign, for an overall height of 17 feet. The proposed width of the sign is 10 feet which would give a total area of 30 square feet for sign face. The proposed sign would also be located within the public right-of-way which would create a safety hazard and necessitate a License and Hold Harmless. As such, the sign **does not meet the standards** outlined in the DAUDS.

#### Variances

Variance 1: A variance from the allowance of a pole sign within the DAUDS overlay area as otherwise considered a prohibited sign per adopted standards.

#### Justification Provided by the Applicant:

The applicant states they believe the sign contributes to the historical features of the building as the corner sign was a marker for motorists to identify the service station, the building is a historic landmark, and if granted the variance they will replace the sign with a similar size and likeness.

**Staff Analysis and Recommendation:**

Taking into consideration the applicant's justification for the variance that it was a marker for motorists in the past, staff believes that this idea goes against one of the main principles of the DAUDS standards of Pedestrian Scale. Most standards established in the overlay are to encourage and create a better pedestrian atmosphere to promote a walkable downtown.

When conducting a site visit, staff noticed no other significant pole sign in the area. Most signs established around this corner are wall signs or projecting wall signs. It was also noticed that the existing pole is located in the pedestrian right-of-way which is a safety concern in the walkway. The building remodel and streetscape of this site was previously reviewed in a DDRB meeting for which the plan was consistent with the minimum 7' unobstructed walkway standard. If this pole sign is granted in this location then the walkway would become obstructed.

Considering the above and that the standards are clear concerning the prohibition of pole signs in the DAUDS overlay area, **staff recommends denial** of the requested variance.



## DOWNTOWN AMARILLO URBAN DESIGN STANDARDS DOWNTOWN DESIGN REVIEW BOARD

### Certificate of Appropriateness

**Project Information: COA-18-03, 2018 DDRB Hearing (2-1-2018)**

**Project Name:** 621 SW 6th. – Site Change of Use  
**Project Address:** 621 SW 6<sup>th</sup> Ave, Amarillo, TX  
**Zoning:** Heavy Commercial (HC)  
**Historic Designation:** ( ) National ( ) State ( ) Local (X) N/A  
**Construction:** (X) New (X) Renovation/Remodel ( ) Addition

#### Basic Description of Project:

The project consists of a demolition of three existing buildings and redo of the parking lot and sidewalk/pedestrian way at 621 SW 6<sup>th</sup> ave.

#### Basic Physical Characteristics:

The proposed site will remove three existing buildings on the south portion of the lot and increase the parking lot; remove portions of the curb and gutter, driveway, and sidewalk; removing the building sign in its entirety along with the current chain-link fence and various trees as marked on the demolition plan.

#### Standards that Apply to Review:

##### Walkway Standards

- **Minimum Standard: Furnishing Zone, Pedestrian Way, and Frontage Zone.** Pedestrian way should be a minimum of 7 feet; current proposed is 6 feet. Furnishing Zone lies between the Pedestrian Way and the Street and includes trees, utility poles, benches etc. Street Tree Standards are one tree per maximum of 25 feet, they are to be placed in the Furnishing Zone (within 2-4) feet of the Street, other restrictions of type of tree and size of tree apply. Street lights shall be of the approved style and be placed in the Furnishing Zone at a maximum distance of 50 feet.
- **None of the listed requirements are being met**

##### Building Edge

- **Minimum Standard: Walled-off or fenced developments, defined as perimeter fencing around all or part of a development, are not allowed.** Chain-link, barbed-wire, razor-wire fences are not allowed (Page 15). Fencing of quality, materials, no higher than six feet may be considered for courtyards, green space, or private parking that is part of a development. Acceptable materials include wrought iron, brick,

stone, or dark tubular steel. Such fencing shall have openings (transparency) constituting no less than 75% of the surface area. These applications will be considered on a case-by-case basis. Changes to existing building facades shall be consistent with existing architecture, architectural features and floor plans. Ground floor of buildings shall include architectural relief at least every 30 feet.

- **None of the listed requirements are being met**

#### Street Grid and Parking

- **Minimum Standard:** Parking lots adjacent to the pedestrian walkway shall be visually screened with landscaping and/or fencing or walls of 3- 4' in height. Fencing and walls must be of high quality material, such as metal, wrought iron, brick or stone. Private, secured parking lots may be fenced with quality fencing materials and be no higher than 6' tall. A Maximum of one entrance/exit drive is allowed per parking lot per block façade.
- **None of the listed requirements are being met**

#### Signs

- **Minimum Standard:** Wall signs maximum width is 66% of the linear width of the business, Letter height: proportionate to the size of the sign, generally a capital letter should be ¾ of the height of the sign background. Awning and canopy signs: Maximum letter height 75% of the height of the valence flap/shed area. Minimum valence height is 8 inches, minimum vertical clearance from sidewalk is 8 feet.
- **No Signage has been proposed**

- Proposal:

The new site proposal calls for no furnishing zone and no frontage zone with 5 foot sidewalks with no trees, lights or other features found in a furnishing or frontage zone. The proposed fence is requesting variances for height, opaqueness, and building material. The screening fence/wall that is being proposed for the parking lot is also in need of a variance for height and material. No signage proposal has been submitted. As such, **the applicant has requested a variance** from the Downtown Amarillo Urban Design Standards.

#### Justification Provided by the Applicant:

Overall, the applicant counters that many of these standards would cause negative effects on its employees and their parking arrangements. When submitting a variance application, the developer is required to provide justification for the variance(s). The questions (numbers), along with the applicant's responses (bullets), are shown below.

1. Explain how there are special circumstances or conditions affecting the land involved such that strict application of the subdivision regulations or Downtown Amarillo Urban Design Standards will deprive the property owner of the reasonable use of his land.

There are multiple special circumstances affecting this land where strict application of the DAUD standards would not allow us reasonable use of our property.

One such circumstance is the requirement of a screen fence that is 3' to 4' tall. Due to the vandalism and homeless population in the area, we have proposed a 6' tall wood privacy fence that would enable us to protect the patrons of the businesses on our property and their

possessions. Providing these securities on our property is a reasonable expectation of use and right that we should be provided on our property.

Another such requirement that would deprive us of reasonable use of our property is the undue economic stressors addressed above. We should not be forced to incur additional maintenance expense due to the crime issues in the area and the installation of the required street scape requirements will create just that. Our building has been vandalized and squatted in on multiple occasions and the financial risk we are willing to take in the area should be our decision solely.

2. Explain how the variance is necessary for the preservation and enjoyment of a substantial property right of the property owner.

The responses to item 1 are directly applicable to this item as well. Please refer to our item 1 response.

3. Explain how the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

The granting of this variance will not be detrimental to public health, safety or welfare as we have addressed above. Specifically, we are requesting a privacy fence to allow for the safe, peaceable enjoyment of our employees and customers.

The granting of this variance will also not be injurious to other property owner's in the area. What we are proposing to do with this property will in fact do the opposite. We are proposing to spend over \$1 million on this property and the improvements will do nothing but increase neighboring property values and eventually spur further development in the area which is to the benefit of neighboring property owner's and the City of Amarillo.

4. Explain how the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Subdivision Ordinance or disrupt the adopted pattern of development for the Downtown Amarillo Overlay District.

The granting of our requested variances will in fact make enforcement of the DAUD standards more difficult in this area in the future but we believe that is indicative of the inherent issues with the DAUD ordinance. The area covered by the DAUD currently is overreaching and punitive to property owners in lower property value areas contained within the DAUD borders. We realize the positive intent of the DAUD but as mentioned previously, our property is not in a central, high public use area. It is our belief that the borders which make up the properties required to conform to DAUD standards should be reduced to a more centric area of Downtown Amarillo and incrementally expanded as development in downtown spreads. If our property were to become more densely populated with retail and hospitality businesses, as proper downtown is, we would be happy to comply with the DAUD standards as this would most likely alleviate many of our grievances. The difficulties faced where are property is located are not as prevalent in downtown proper which is why there is growth in the retail and hospitality industry in that area. In an area with this growth, the additional cost that the DAUD standards force a property owner to incur can be recouped during operation. This is not the case in the area that our property is located, at least not for the foreseeable future.

For all of the above reasons, we are requesting that reason prevail and our site plan be approved as submitted. We are not attempting to skate by reasonable standards and this is evident by the investment we are willing to make in this property. We are merely requesting that standards that



present undue financial strains and obstructions to our rights to peaceably enjoy our property not be imposed.

**Staff Recommendation:**

With the lack of precedent/approvals set by the DDRB, and considering the scope of the variances requested and the improvements that are being proposed this site does not meet the minimum standards outlined in the DAUDS and **staff recommends denial** as submitted.