

MEETING AGENDA

COMMERCIAL BOARD OF ADJUSTMENT

Wednesday, October 16, 2024

Public Hearing 10:00 a.m.

In Person

City Council Chamber 2nd Floor, 200 Texas Street /Fort Worth, Texas 76102

VIDEOCONFERENCE:

https://fortworthtexas.webex.com/weblink/register/r4a7f8fe78e4002cfa5dab17081a37691

Meeting/ Access Code: 2558 576 8348 (Registration Required)
Teleconference: (817) 392-1111 or 1-469-210-7159

Viewing Only

Television: Charter 190; One Source 7; Verizon 5; AT&T Uverse 99 City of Fort Worth Website Homepage: http://fortworthtexas.gov/fwtv

For more information on attending or speaking at this meeting either through Videoconference or Teleconference, please visit the City's website:

http://fortworthtexas.gov/boards/

To view this meeting's docket, visit: https://www.fortworthtexas.gov/calendar/boards-commission

The location identified on this agenda is the location at which the presiding officer will be physically present and presiding over the meeting. Members of the Commercial Board of Adjustment may be attending remotely in compliance with the Texas Open Meetings Act.

**Any member of the public who wishes to address the Board using videoconference or teleconference regarding an item on the listed agenda <u>must sign up to speak no later than 5:00PM on October 14, 2024</u>. To sign up, either register through WebEx per the directions on the City's website above or contact Karen Moreno at Karen.Moreno@fortworthtexas.gov or 817-392-8026. Please note the City of Fort Worth is using a third party vendor to assist with City meetings. If there are service interruptions, including call-in number changes, we will provide alternative call-in numbers on our website whenever possible.

BOARD MEMBERS:

	Josh Lindsay	Jarrett Wilson	
-	Tony Perez	Darin Hoppe	
]	Deborah Freed, Chair	Kay Duffy	
]	Bob Riley, Vice-Chair	Andrea Payne Shields	
Ì	James Hook	Virginia Murillo	
]	Kelicia Stevenson		
l.	PUBLIC HEARING		
A.	Approval of Minutes of	of the September 18, 2024 Hearing	

- ANY CASES NOT HEARD WILL BE MOVED TO NOVEMBER 20, 2024 В.
- C. **New Commercial Cases**

I.

1. BAC-24-028 Address: 620 E. Berry Street

> Owner: Gingercrest Inc. by Scott Griffin Zoning: "I" Light Industrial District

a. Special Exception: Permit electronic changeable copy on a monument sign in the northeast corner of the lot.

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ASSISTANCE AT THE PUBLIC MEETINGS:

Fort Worth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least 48 hours prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

El Edificio Municipal de la Ciudad de Fort Worth, o City Hall, tiene acceso para silla de ruedas. Se solicita a las personas que planean asistir a esta reunión y que necesitan ayudas auxiliares o servicios de intérpretes, lectores o impresiones con letra grande, que se comuniquen con el Coordinador de la Asociación Americana de Discapacitados (ADA) de la Ciudad llamando al teléfono (817) 392-8552; o por correo electrónico a ADA@FortWorthTexas.gov por lo menos 48 horas antes de la reunion para que se puedan hacer los arreglos adecuados. Si la Municipalidad no recibe una notificación por lo menos 48 horas antes de la reunión, ésta hará un intento razonable para proporcionar los servicios auxiliaries necesarios.

Executive Session:

A closed Executive Session may be held with respect to any posted agenda item to enable the Board of Adjustment to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the City of Fort Worth official bulletin board, places convenient and readily accessible to the general public at all times and said Notice was posted continuously for at least 72 hours preceding the scheduled time of said meeting. dity Secretary for the City of Fort Worth, Texas



BOARD OF ADJUSTMENT – COMMERCIAL, 10/16/2024 INFORMATION REPORT

BAC-24-028 Address: 620 E. Berry Street

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a. Special Exception: Permit electronic changeable copy on a monument sign in the northeast

corner

GENERAL INFORMATION

REGULATION: 6.411 Electronic Changeable Copy Signs

Electronic changeable copy signs may be permitted by special exception of the Board of Adjustment in commercial, industrial, mixed-use, and community facility zoning districts, subject to the following conditions:

- A. 1. A maximum of 25% of the sign face may be devoted to changeable copy
- 2. The message rate shall not change at a rate faster than one message every 20 seconds.
- 3. Electronic changeable copy signs shall not contain animation, rolling or running letters or message, flashing lights or displays as part of the display.
- 4. On detached signs, electronic changeable copy shall be limited to monument signs, except where pylon and freeway signs are allowed under Section 6.409.
- 5. Electronic changeable copy signs shall have automatic dimming technology installed limiting the sign to no more than 0.3 footcandles above ambient light, measured at a distance equaling the square root of the product of the sign's square footage multiplied by 100. The distance shall be rounded to the closest whole number.
- 6. All sound shall be prohibited.
- B. The Board of Adjustment shall not grant variances which are less restrictive than the conditions of the special exception.
- C. In granting the special exception, the board of adjustment shall consider the following:
 - 1. The presence of other electronic changeable copy signs in the vicinity;
 - 2. The visibility from residential districts.
 - 3. The street classification of the adjacent roadways; and
 - 4. The proximity to scenic areas or corridors.

REGISTERED
NEIGHBORHOOD
NOTIFICATION:

The following registered associations were sent early notification: Berry Street Initiative, Worth Heights NA, Morningside NA, Vicki Lane-Bowie Street Homeowners and Tenants Association, Jennings May St Louis NA, Brentmoor NA, Southeast Fort Worth Inc, United Communities Association of South Fort Worth, Fort Worth ISD, Trinity Habitat for

Humanity, and Streams & Valleys, Inc.

LOT HISTORY: BAC-24-015, Special Exception for electronic changeable copy on a freeway sign,

approved, 6/20/2024.

COMPREHENSIVE

PLAN DESIGNATION: Light Industrial

EXISTING

CONDITIONS: The subject property is an existing convenience store with gasoline sales on the edge

of an established neighborhood with the South Freeway (I-35W) running north/south



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along the eastern property line. Generally, commercial and small industrial uses are found where Berry Street and the freeway intersect, with additional industrial uses and a small residential subdivision with industrial zoning to the northwest, west, south, and southeast. Commercial uses line Berry Street to the east with single family uses immediately beyond the commercial lots. The lot is generally square and flat, with no floodplain or existing trees. The closest existing residential use is a single family subdivision on the opposite side of the South Freeway, approximately 650 feet to the east of the site.

The existing billboard type sign appears to have been constructed in the mid-1990s and is proposed to be converted to a standard monument sign. The applicant is requesting to place electronic changeable copy on the converted sign at the lot's northeast corner. The monument sign faces drivers heading east and west on Berry Street, which is considered a major arterial street, instead of a freeway. The main lanes of Berry Street have generally the same grade as the monument sign's base. The other billboard type sign in the site's southeast east corner was approved to have electronic changeable copy on a freeway sign June 20, 2024.

As the closest single family neighborhood is further east of the freeway, intervening commercial and industrial buildings block the visibility to the sign from the residential uses. The ambient light distance measurement for 15 square feet of electronic changeable copy is 39 feet, where the additional lighting would be on the subject site and the adjacent street. No other electronic changeable copy signs were noted in the vicinity. Due to the ambient light that encroaches onto industrially zoned land or the adjacent street, the special exception as proposed **is compatible** with surrounding land uses.

BAC-24-028 620 E. Berry Street



APPLICATION TO THE ZONING BOARD OF ADJUSTMENT CITY OF FORT WORTH, TEXAS



Marque con una "X" si necesita que la Ciudad le proporcione un INTERPRETE durante la Audiencia Publica.							
PLEASE PROVIDE A DETAILED SITE PLAN							
Address of Premises affected: 620 E. BERRY STREET Lot/Tract: 1RBlock/Abstract: 23Lot Size: 1.56 ACRES Legal Description: Addition/Survey: RYAN & PRUITT BLOCK 23 LOT 1R							
Owner's Name: GINGERCREST INC Address: PO BOX 2437 City: ATLANTA State: GA Zip: 30339 Tele: () 7704317600 E-Mail JGIAMBALVO@RACETRAC.COM							
Applicant's Name: GINGERCREST INC Address: 200 GALLERIA PARKWAY SE, STE 900 City: ATLANTA State: GA Zip: 30339 Tele: () 7704317600 E-Mail JGIAMBALVO@RACETRAC.COM							
Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials: REQUESTING SPECIAL EXCEPTION FOR UTILIZING REMOVING EXISTING POLE SIGN AND REPLACING WITH (1) MONUMENT SIGN WITH ELECTRONIC CHANGEABLE COPY. LED PRICE SIGNS ALLOW FOR EASIER AND SAFER CONDITIONS TO CHANGE THE PRICE OF GAS SHOWN. SPECIAL EXCEPTION FOR FREEWAY SIGN ON SITE WAS APPROVED 6.19.24 - THIS WILL ALLOW ALL SIGNS ON SITE TO OPERATE ON SAME SYSTEM.							
Additional documentation may be supplied to support your case If photos are supplied, please label each picture.							
Status of Project:							
Previous Board of Adjustment Case filed on this property: ✓ Yes ☐ No Date 6.19.24 Case Number(s) BAC-24-015 (APPROVED)							
Is the purpose of this request to provide reasonable accommodation for a person(s) with disabilities? YES NO							
If Yes, the application will be directed to the Planning and Development Director or Zoning administrator for review pursuant to Ordinance No. 22098-03-2016, "Reasonable Accommodation or Modification for Residential Uses." Applications under a Reasonable Accommodation Ordinance review will not be heard by the Board of Adjustment. Please see Ordinance No. 22098-03-2016 (Chapter 17, Division V) for more information.							
NOTE TO STAFF: If Yes, send a copy of this application and any attachments to the Zoning Administrator. Have you informed your Home Owners Association ☐ YES ☐ NO or Neighbors ☐ YES ☐ NO of the request?							
To watch the Hearings: http://www.fortworthtexas.gov/ , click on "Watch online Now" & "Board of Adjustment video".							
STAFF USE ONLY: Zoning							
Owner Occupied Variance (One and Two Family Homes) for Section							
☐ Special Exception for Section							
☐ Variance for:							
☐ Interpretation of the Regulation \$400							
DATE RECEIVED: FEE AMOUNT PAID: # OF REQUESTS: RECEIVED BY: CASE NO.							

Please explain in your own words, how the request meets each of the hardship criterion listed below.					
. The variance is not a self-created hardship					
. The property where the variance is being sought has unique circumstances existing on the property, such as area, hape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely nancial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the roperty.					
. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of ne zoning ordinance.					
. The variance will not adversely affect the health, safety, or welfare of the public.					
. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.					
acknowledgement and a second s					
certify that the information provided is true and correct to the best of my knowledge and belief, and that I, only authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment nless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant Board waiver of the 24-month mandatory re-application delay period. ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS.					
Il applications submitted via email must be signed using a digital ID or certificate.)					
igned by the Owner / Applicant or Agent (Circle appropriate entity)					
Justen Giambalvo Digitally signed by Justen Giambalvo Date: 2024.07.22 23:24:26 -04'00'					

Signature: _

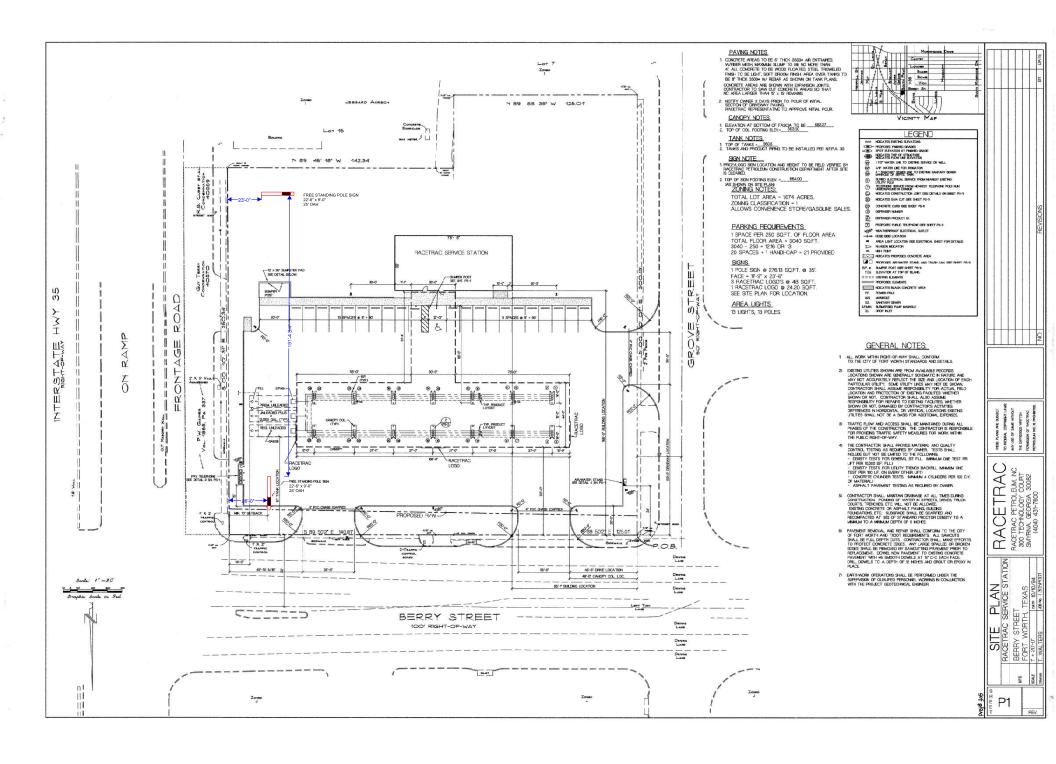
Date ____

*All sign components to be UL listed. All wiring to conform to UL specifications. Installation to be per NEC requirements. All signs to bear UL lables PRICER SPECIFIC COLORS STAMPED. SEALED ENGINEERING REQUIRED LOGO RED PRICER GREEN **C1** FOUNDATION INFORMATION PROVIDED BY RACETRAC. MANUFACTURER RESPONSIBLE FOR HAVING A LICENSED ENGINEER VALIDATE FOUNDATION DESIGN PRIOR TO INSTALL DARK BRONZE PRICER RED FUEL GRADE PANELS NEED TO BE ACCESSIBLE PRICER BLACK **DOUBLE FACED QUANTITY 2** 11'-8" 2'-8" 11'-0" 2'-0" 6'-6 25/32" ∞ Sloan Sign Box 3 **LED Interior Illumination** Racelrac 1-.9 Specifications: Sign Faces: · Logo panel: Aluminum panel painted Bronze C3 with parallelogram mounted to the surface. -2" SPACE -REQ. FOR Parallelogram to be channel letter-type Regular Diese ≅ 4 FUEL GRADE construction with .177" thick Polycarbonate 5'-8 5/8" face panels with 2nd surface applied translucent vinyl graphics. Parallelogram copy 8'-0" OAH to be digital print provided by Miratec. Systems with red background and with blue area of logo graphic also printed. Cabinet and trim cap to be painted Red C1. 24" LED · Regular Unleaded Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied opaque vinyl Black C6; "Regular" to be show-through white. · Diesel Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied translucent vinyl Green C7; "Diesel" to be show-through white. Changeable copy area Changeable copy area Interior Illumination: Sloan Sign Box 3 LED Interior Illumination powered by low voltage power 24" x 44", 7.33 sq ft 24" x 44", 7.33 sq ft supplies. This is behind the Logo panel, Fuel grade panels and DEF/CAT/Drive Thru (if applicable) panels. Sign Frame: 2" x 2" x .25" steel tube with .063" aluminum cladding painted Bronze C3. Extruded aluminum 1-1/2" wide Divider Bars installed to retain sign panels. Face dividers and "9" is fixed, not "9" is fixed, not retainer to be painted Bronze C3. Sign Support: Internal steel pipe support to be changeable changeable



welded to steel saddle bracket at top and bottom of sign frame. External steel sign support to meet building and local sign codes. Size of steel and footing as

required per site requirements.



68.93 SqFt Price Sign - (2) 36" LED - N2 - NEW CABINET TO EXISTING POLE



'All signcomponents to be UL listed. Allwiring to conform to UL specifications. Installations to beper NEC requirements. All signs to bear UL labels. PRICER SPECIFIC COLORS STAMPED. SEALED ENGINEERING REQUIRED FOUNDATION INFORMATION PROVIDED BY RACETRAC. MANUFACTURER RESPONSIBLE FOR HAVING A LICENSED ENGINEER VALIDATE FOUNDATION DESIGN PRIOR TO C1 (LOGO RED PRICER GREEN INSTALL DARK BRONZE PRICER RED DOUBLE FACED QUANTITY 1 PRICER BLACK ALL FUEL GRADE PANELS TO BE ACCESSIBLE FROM TOP OF SIGN 22'-6" 9'-1 21/32" THIS SIDE FACES ROADWAY Sloan Sign Box 3 **LED Interior Illumination** 2'-1 Specifications: 1-5 Diesel Sign Faces: Logo panel: Aluminum panel painted Bronze C3 with 9'-0" parallelogram mounted to the surface. Parallelogram to be channel letter-type construction with .177" thick Polycarbonate face panels with 2nd .6" V.O. surface applied translucent vinyl graphics. Parallelogram copy to be digital print provided by Miratec. Systems with red background and with blue area of logo graphic also printed. Cabinet and trim cap to be painted Red C1. Regular Unleaded Product Panel: Solar Grade OAH Polycarbonate; Background to be 1st surface 7'-8 13/32" LED AREA WIDTH applied opaque vinyl Black C6; "Regular" to be 25'-0 show-through white. 11'-0/\(\frac{1}{2}\)" V.O. · Diesel Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied translucent EXISTING 24" DIA POLE vinyl Green C7; "Diesel" to be show-through white. **BOXED SF:** Interior Illumination: Sloan Sign Box 3 LED Interior Illumination powered by low voltage power supplies. **RT LOGO**: 9'-1 21/32' x 2'-1"= 19.03 SF This is behind the Logo panel, Fuel grade panels **REGULAR FUEL GRADE:** 2'-8 5/8' x 10"= 2.3 and DEF/CAT/Drive Thru (if applicable) panels. Sign Frame: 2" x 2" x .25" steel tube with .063" SF **DIESEL FUEL GRADE**: 2'-1 9/32' x 8"= 1.4 aluminum cladding painted Bronze C3. Extruded aluminum 1-1/2" wide Divider Bars installed SF **REGULAR PRICER:**3' x 7'-8 13/32"= 23.1 SF to retain sign panels. Face dividers and retainer to be **DIESEL PRICER:** 3' x 7'-8 13/32"= 23.1 SF NEW 6' WIDE POLE COVER painted Bronze C3. Sign Support: Internal steel pipe support to be welded **TOTAL SF: 68.93 SF** to steel saddle bracket at top and bottom of sign External steel sign support to meet building and local **NON ADVERTISED SF: 133.57SF** sign codes. Size of steel and footing as required per SIDE VIEW **FRONT VIEW** site requirements. 2'-6" 6'-0"

