

BUILDING AND STANDARDS MEETING
Monday, February 16, 2015

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The Building and Standards Commission of Bedford, Texas, met at Bedford City Hall, 2000 Forest Ridge Drive, Bedford, Texas, February 16, 2015 at 6:00 p.m. for a planning work session, followed by the meeting at 6:30 p.m.

MEMBERS PRESENT

Randy Youngs (Chairman)
Tom Bresnahan (Vice Chair)
Tonya Martin

STAFF PRESENT

Russell Hines, Building Official
Charlotte Nadin, Secretary

(The following items were considered in accordance with the official agenda posted on the 12th day of February, 2015.)

CALL TO ORDER

Chairman Randy Youngs called the meeting to order at 6:31 p.m. A quorum was present, so the Commission could proceed with its scheduled agenda. Randy went over the Building and Standards procedure with the general public, reviewing the meeting format and procedure for the evening. This information is shared prior to each meeting held by the commission

He asked that they remember that the Building and Standards Commission is a quasi-judicial body. A formal record is made of each hearing and each case. The Commission is permitted to act only upon factual information or evidence that is presented by the staff and by parties making presentations at the public hearing on each case. Any party or individual who disagrees with a decision of the Building and Standards Commission must appeal such decision to a State District Court as the City Council of the City of Bedford has no review authority over the decisions of this Commission.

ELECTION OF OFFICERS

With the completion of the opening statement, Chairman Youngs addressed the first item of business, which was the election of officers for 2015. Tom Bresnahan nominated Randy Youngs as Chair and Tonya Martin nominated Tom Bresnahan as Co-Chair. Randy Youngs seconded the motion. Randy asked if there was any discussion. There was none. Then he called for the vote. The vote was unanimous.

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Ayes: Commissioners, Youngs, Bresnahan, Martin.

Nays: None

Abstentions: None

The Chairman then addressed the second item of business which was the approval of the minutes from the last meeting.

APPROVAL OF MINUTES

The minutes from August 25, 2014 were reviewed. Chairman Youngs asked if there was a motion regarding the minutes. Tom Bresnahan made the motion to accept the minutes as written. Tonya Martin seconded. The vote was unanimous. Chairman Youngs declared the motion approved.

OLD BUSINESS

There being no old business, new business was addressed.

NEW BUSINESS

Chairman Youngs addressed the first item of business:

Variance Request B15-001: For Grubbs Nissan at 310 Airport Freeway, Bedford, Texas by Bart Onstott of Datatronic Control. The applicant is requesting the granting of a waiver to the "Special Sign Types" and "Freestanding Freeway Pole Sign Maximum Area" regulations to install a 366 square foot LED message board pole sign that will display electronic graphics. The proposed sign will be 50 feet in height which meets the height requirement in the sign ordinance. The maximum area allowed by ordinance is 300 square feet. The proposed sign is 66 square feet in excess of the maximum requirement. There is currently a pole sign in this location that will be removed and replaced with the proposed sign. The applicant's request necessitates a waiver from the City of Bedford Sign Ordinance, Section 6-70 (b) and 6-71 Freestanding Freeway Pole, Maximum Area.

The Chairman asked if anyone was present representing the City to speak regarding this request. Russell Hines stepped to the podium and reviewed the waiver request. Russell state that the original sign would be removed and replaced by the electronic graphics display sign. It is 66 square feet over what the maximum is allowed in the sign ordinance. He stated he would be happy to answer any questions and that a representative from the applicant from Grubbs Nissan was there to answer any questions.

The Chairman asked if there were any questions.

Tonya Martin asked Russell if it was 50 feet high from the existing grade and Russell stated it was from the grade to the top of the current sign.

Tom Bresnahan asked if Russell knew the dimensions of the existing sign and Russell stated he did not.

Tonya asked if anyone in the nearby community was consulted. Russell stated they were not.

There being no more questions. The Chairman asked if there was anyone from Grubbs there to speak.

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Ms. Barbara Onstott, with Datatronic Control, stepped to the podium. Her company is the manufacturer and installation contractor for the project. They are located in Rowlett, Texas. The size for the old sign is 9 ft 2 by 25 feet. It is at a much lower height. The reason Grubbs wants to proceed with this project is all of the freeway construction that has been done in front of the Grubbs property and the view from this location for each side of the property. They feel they need the additional size to show the products they are marketing.

The additional square footage is for the header which is like a branded site that says "Grubbs" The actual digital sign is within the 300 square feet or a couple of inches difference. She presented an overlay which the commission viewed on the monitors and hard copies they had at their disposal.

She stated their company has done the same sign for two other Grubbs locations. All of them have the header at the top identifying it as a Grubbs property. Her displays showed the old and new signs. The additional height accommodates the viewing from each side of the sign for some distance back down the freeway. There are two different height levels for that property, so they have something of a hardship for the lower freeway area.

As far as the control of the signs, she stated they had been in business for a very long time and were among the first companies to develop the auto brighten/dimming sensor. It is based on ambient sunlight and self-adjusts without any person having to make the adjustment. The dimming sensor is set up on standards accepted by the city and State of Texas. When clouds come in or at evening or night time, it automatically dims, it has full-function scheduling and can be programmed for 99 years.

Most of the time signs that are problematic in dimming and brightening are products that come in from other countries and they don't have those kind of requirements in their countries. People that have built these in the USA don't have that problem.

The Chairman asked if there were any questions.

Tom to Russell: Looking east-bound, would that sign, in your opinion, obstruct the Wendy's or 7-11 signs with the increased width or diameter. Russell said it wouldn't anymore than right now with the configuration of the freeway the way it is now. East bound, at any point, you could have an obstructing sign but at some point in the viewing it's not going to be obstructed as well. It just depends on where you are on the freeway when you view the sign.

Tom asked if it was obstructed from the West at Novak Motors, Russell said no.

Chairman Youngs had a question. He asked Ms. Onstott if (Grubbs) request for the waiver was based on the reconfiguration of the freeway at that location. Mr. Youngs stated that the City Council chose to change the ordinance to increase it from 50 to 66 feet based upon the freeway lanes being changed there, and wanted to know what height had changed to justify the increase in the size of the sign. Do you have some figures that might have changed the site lines for that area.

Ms Onstott stated that the existing sign is only 32 feet tall and the new sign will take it up. The higher up it goes the smaller the perception of the sign the further away it can be viewed. She referred to a picture (in the handout) that showed the elevation of the freeway has been increased at the elevation of the sign. People have to be able to see the sign, recognize the message, and hit the access road in time to visit Grubbs. For a car dealership that is very critical. Most people will not turn around, if they miss the exit.

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Ms Onstott stated that the drawings show the elevations in the freeway change there. They (the dealership) wants maximum readability at a maximum height. We thought 50 to 55 feet would be adequate for them.

Randy questioned if the sign was a back-lit static header. Ms Onstott stated it was back-lit at night. It is 20 foot by 40 foot with an identifier header. They have done two others, one in Eules.

Tonya Martin asked if the distance from the freeway was a factor because of the widening of the frontage road and the change in distance from the entrance of the dealership to the freeway lanes. Ms Onstott agreed that it was. Tonya asked if she knew what that distance was. Ms. Onstott did not have those figures. She stated that they do a drive time and video. They look for the visibility of the proposed sign from the exit and both directions on the freeway. This is our flag dimension.

Tonya stated she had one other concern with the lighting impact on the residents in the area. She asked how close the nearest homes were to the lighting and how bright it was for nighttime, because of the LED lighting? Ms Onstott stated that LED lighting is not like the incandescent lighting like the old screw based light bulbs. It was a very strong sometimes up to a 70 watt lamp. The LED lights are point one (.1) so the net level is compliant with the brightness levels anywhere in the United States. There is no direct residence that the light would be funneling into their property.

The Chairman asked if the commission had questions for Ms. Onstott. There were none. He asked Ms Onstott if she had anything else to say. She did not. He asked if anyone from the community wanted to speak. They did not.

He then opened discussion among the commissioners. They discussed what the justification was to grant the waiver looking at the increase in size and significant reconfiguration with the exits and freeway widening and change in elevations of the freeway. The Chairman remarked that there is no longer an exit at Brown Trail. There is a rise that blocks sight coming from east to west. Brown Trail is high (at the bridge).

He also reminded the commission that the City Council had just gone through and changed the sign ordinance to increase the size and the height. He wasn't sure if the commission had enough justification to go against what the City Council had already determined, which were pretty reasonable numbers.

He thought if the waiver was allowed, the commission would need to be consistent with previous waivers where the commission made an applicant keep to the height and size requirements that the ordinance allowed at that time. We have in the past traded off reducing the height by allowing the signs to be bigger. That is something he had voted on several times in the past 30 years where by limiting the height we could justify an alternative way of looking at this sign.

Ms Onstott stated that there was another sign to the west of this sign that would be removed. It was on Grubbs, property. It is an 80 square foot sign that they have been asked to remove. Randy stated that the commission, in the past, has allowed a sign with the reduction of other signs on the property.

Randy asked if there was other discussion.

Tonya brought up the brightness of the sign again. Tom Bresnahan stated that Russell had remarked that was not an issue. Randy reminded Ms. Onstott again of the requirements in the Bedford Sign

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Ordinance regarding luminosity. Ms Onstott responded by telling him of one sign their company had made that was 20 foot by 40 foot which is just off the north runway of DFW Airport. She said that if there had been a problem with that sign, DFW Airport would not have allowed it.

Chairman Youngs stated that, in the past, the commission had allowed increased sign footage for reduction in height and since the sign will replace two signs his attitude was changing regarding approving the waiver. He felt the motion to approve should include limit of the sign height to 50 feet, including replacing the two existing signs, which would imply both signs have to go before the other goes up. It would have to meet all the standard structural, safety, and ordinance requirements for luminosity, etc., before a permit would be issued for it.

Tonya Martin asked if the sign would just be showing signs for sale and there would be no cars racing, etc. Ms. Onstott joked only in cities that allow it. If I might show this.. She stepped up to the commissioners to show some photos of the header board Grand Prairie Ford's sign, Patriot Ford's sign and Young Hundai's sign, to the commissioners. These signs increased their business 25 percent by using this type of sign. Some show just a picture, some want to be identified.

Russell asked her to return to the podium so we would be sure to have her comments on video/recorded. She placed the photos on the overhead for the commission and audience.

The Chairman noted that Novak motors was required to meet all the size and height requirements for their sign and he felt Grubbs should be held accountable to meet the requirements of the Sign Ordinance. Particularly since the ordinance has changed and already allows it to go to 300 square feet from 200 square feet. I think the other board members should state their opinions also.

Tonya Martin stated she could understand the desire for this approval with the caveat of the two signs being removed and because of the new freeway construction. With the new regulations set by the city, Sixty-six feet isn't a big deal but the City just passed this less than a year ago. They had a reason for doing that. She looked to the other commissioners for a little guidance.

Tom Bresnhan felt that with the ordinance being so new and having an existing business so close to the freeway, it was like Mr. Mason said to Mr. Dixon, "You have to draw the line somewhere." He felt with the way the sign was designed, the word "Grubbs" could scroll through and that might be an option they might want to consider.

Chairman Youngs reminded them that there were requirements on every aspect of the graphics display sign in the City's Sign Ordinance that had to be met for the sign to be approved and that could be mentioned in the motion.

The Chairman asked if there were any more questions from the commission. There were none. There being none he called for a motion. Tonya Martin made the following motion:

MOTION:

That the waiver be approved with the following caveats:

It is approved with the standard graphics, without video. The graphics display must meet the requirements of the "Electronic Graphics Display" sign listed in the Bedford Sign Ordinance. The location is approved but cannot exceed 300 square feet contingent on the removal of the two signs prior to the installation of the new sign.

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After discussion, Tonya withdrew her motion and restated the motion as follows:

MOTION:

That the waiver for the Grubbs "Electronic Graphics" board sign be approved. The graphics display must meet the requirements of the "Electronic Graphics Display/Message Board" sign including height and size also listed in the Bedford Sign Ordinance and that the sign can be no larger than 300 square feet and no higher than 65 feet.

Tom Bresnahan seconded the motion.

Ayes: Commissioners, Youngs, Bresnahan, Martin.

Nays: None

Abstentions: None

Chairman Youngs declared the motion approved.

Chairman Youngs then addressed the second item of business:

Variance Request B15-002: For Bridgeton On The Creek Subdivision masonry fence. The applicant is requesting the granting of a variance to the Fence Ordinance to replace an existing masonry fence that surrounds the subdivision. The existing masonry fence and columns are constructed with red brick. The proposed fence replacement is precast concrete wall system that qualifies as a masonry product but will not be identical to the existing construction.

Section 22-558 (3) of the Fence Ordinance requires masonry fences and masonry fence columns facing a thoroughfare to be replaced, repaired or reconstructed with the same or similar masonry materials and same or similar color of masonry materials provided the materials are still available and comply with the requirement for masonry fence construction.

Section 22-558 (4) of the Fence Ordinance states that the owner of the property that has a masonry fence that is not required by ordinance under zoning or development standards may appeal to the Building and Standards Commission to repair or replace an existing masonry fence or masonry fence columns facing a thoroughfare with alternative screening methods or materials that do not comply with the regulations specified in section 22-558 (3).

The Chairman asked if Russell would step to the podium at which point Russell Hines stepped forward and reviewed the variance request. He remarked that the homeowners association have an existing masonry fence which is combination wood and brick and want to replace it with a Verti-crete pre-cast concrete product which is a different type of material and may be a different color. It will be installed with a structural engineered design. The current ordinance states that any masonry fence adjacent to a thoroughfare would have to be replaced or repaired with the same material and color. The replacement of this masonry fence would deviate from the original material and color and this is why they are coming before the commission.

Tom asked if this new material was a better type of material than the existing. Russell stated that it was and is a precast concrete material. The Chairman asked if the material would have coloring. Russell stated that it would and the applicant would give clarification on that.

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Tonya Martin asked if there was rebar in the panel's material. Russell stated there is rebar in the footings, he did not know if there was rebar in the panels.

The Chairman asked if the commissioners had any questions for Russell. There were not.

The Chairman asked if there was anyone to speak for the variance. Mr. Ray Sperring, President of the Bridgeton On The Creek Homeowners Association. The neighborhood was put together in 1995-1996 at that time the Developer put in a brick fence. That fence is now 20 years old and they have been patching and repairing the fence since 2007. They have spent around \$100,000 in repairs for the bricks and mortar.

Over time the fence has heaved and it has sagged between the columns and a lot of the mortar has broken loose and chipped out of the actual fence, becoming quite unsightly. They decided to do research to see what would be a better choice of fence other than the brick. And because of the Ordinance requirements under masonry, they believed they had come up with the Cadillac of fence material. The precast concrete is 6 feet high 12 feet wide each panel weighs around 4,000 pounds. So it's extremely strong with a rebar construction within it.

The engineered drawing indicates the actual size of the rebar in the drawings. The perimeter fence is 2815 linear feet completely surrounding our garden home development. When we did our research, we contacted Hawk Construction which is up in Princeton, Texas east of McKinney, Texas. Hawk Construction has the exclusive rights to make this kind of fence in the North Texas area. Because of its strength, if you look at all of the TXDOT freeway construction being done in the area, all the bridge abutments are made from precast concrete and sprayed with a beige acrylic paint which will last a long time. TxDOT chose this material because it is going to last a long time.

It won't have a brick pattern; it will have a stone pattern. The molding process allows you to have various patterns to look like cut stone or round stone. It will come out a gray color concrete. As a secondary action, they will spray a base coat on both sides of the fence which is guaranteed for 10 years. On top of that paint they will use a faux finish on that fence that will be hand applied to have the appearance of a cut stone. They hadn't decided as a neighborhood on the pattern or color. The contractor will paint 4 or 5 panels for them to review and approve. It most likely will be an earth tone color similar to the one on the brochure.

They hired a structural engineer to tell them why the fence was crumbling and were told it was because of the heaving process from the soil, so they also hired an independent soil testing company to drill pilot holes throughout the neighborhood to determine how deep the pier holes should be. The normal pier hole is 6 feet, the soil testing company told them to go to 9 feet at an optimal cost so they opted to go to the 9 feet with the optimal cost. He ended his statement.

Randy asked him about the wind load requirements on the sign. The columns will be 20 inches square. The interior is hollow with rebar. Russell told Randy that with the criteria, it would meet the 90 mile-an-hour wind requirement.

Ms Martin verified he had discussed the fence with the neighbors over the past two and one half years. They have obtained funding and have a loan and everyone is excited about having a new fence. She asked if there was a chance pets could get out and Mr. Sperring stated that the fence would be two to three inches above grade so it would be too narrow of an area for pets to get out. A question about wrought iron fences was raised but those were only there for houses that backed up to the creek.

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There were no more questions. Chairman Youngs asked if anyone from the community wanted to speak. A gentleman stepped to the podium. Bryan Norris, who lives at 2315 Bridgeton Lane, he wanted to backup what Ray had said. He stated there was no objection from anyone in the neighborhood. He wanted to remark that the original brick wall pales in comparison to the fence they were about to pick up. He talked about the single thickness of the original fence and how the current fence was deteriorating and the piers in the original fence were popping at the top and spaced at different lengths and not as deep. The panels on the new fence will rest on the piers, not the ground and the water flow will be much better with the new fence as the water flows across the surface.

The Chairman asked if any of the seven people there were opposed to the fence. Those present stated they were not. Cathy Sperring stepped forward and stated that when they walked the neighborhood everyone asked when they were going to get the fence. No one was in opposition. They are just saying, "When!"

Chairman Youngs asked if there was further discussion. There being none, he asked that the record show there was no one else to speak for the variance.

Randy if the commission had any discussion. They did not. The Chairman called for a motion.

Tom Bresnahan made the following motion for the variance:

MOTION:

That we approve the waiver from Bridgeton on the Creek to use the Verti-crete product as stated and to comply with all City ordinances.

Chairman Youngs asked if there was a second. It was seconded by Tonya Martin. The Chairman called for the vote. The vote was unanimous.

Ayes: Commissioners, Youngs, Bresnahan, Martin.

Nays: None

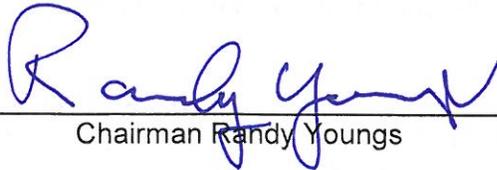
Abstentions: None

Chairman Youngs declared the motion approved.

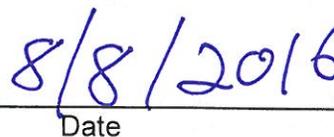
ADJOURNMENT

Chairman Youngs asked if there was other business to be brought before the board. Chairman Youngs determined that there was no further business and called for a motion to adjourn.

Tom Bresnahan made the motion. Tonya Martin seconded. The vote was unanimous. The Chairman adjourned the meeting at 7:51 p.m.



Chairman Randy Youngs



Date