

**BUSINESS FOR THE CITY COUNCIL  
OF THE  
CITY OF ANGLETON**

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**SUBJECT:** Discussion and possible action on approval of variance to the Sign Ordinance requested by CVS Pharmacy, allowing CVS Pharmacy to have three monument signs, allowing for 513 square feet of wall signage and allowing the signs to exceed the two square feet allowed by the Sign Ordinance.

REQUESTED BY: CVS Pharmacy/Southwest Signs

SUBMITTED BY: Shelly Deisher

DATE SUBMITTED: 04/01/09      FOR THE AGENDA OF: 04/14/09

Expenditure Required: Not Applicable.

Available Funding: Not Applicable.

Attachments: Please see applications and drawings attached.

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**SUMMARY STATEMENT:**

**Explanations of the denial of CVS signage by City Permit Dept.**

1. **Section 7 (C) 1, 1.2(a)[See Section 21.5-7.a.2 of the City Code] allows an individual business to have one monument sign for their business. They are asking for three monument signs.**
2. **Section 7 (C) 1, 1.1 [See Section 21.5-7.a.1 of the City Code] allows wall signage square footage at the ratio of 1.5 sq. ft. of signage for every linear foot of business frontage. Business frontage is defined as the linear measurement of the side of the building which contains the primary entrance of the building. This would allow for 135 sq. ft. of wall signage if the front elevation is considered front of building. They would be allowed 205 sq. ft. of signage if the right elevation is considered the front of the building. Their total wall signage request proposed is 513 sq. ft. of wall signage.**
3. **The proposed directional signs are considered free-standing signs because they have the CVS/Pharmacy name on them, thus they are not considered traffic signs. They already have the one large free-standing sign in parking lot. If they were directional monument signs, they would exceed the 2 sq. ft.**

allowed by the sign ordinance, Section 14(F) [See Section 21.5-14(6) of the City Code].

4. The City Attorney has advised that the provisions for a variance in Section 21.5-13 of the City Code only allow for variances in height, sign area and length of time allowed to remove or to make a nonconforming sign. There is no provision for the City Council to grant a variance to increase the number of signs (See Section 21.5-13 of the City Code). It appears that the City Council would need to amend the Sign Ordinance to permit a variance to the number of signs.

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**Recommendation:** At this time, the staff cannot recommend approval of CVS's entire request for the reasons set forth above. A variance cannot be granted under the Sign Ordinance to increase the number of monument signs from one to three. The Sign Ordinance would need to be amended to allow this. The City Attorney also advises that if you decide to grant a variance for increasing the area of the wall signage you must find that the variance:

- 1) Will not be contrary to the public interest, and
- 2) Because of conditions peculiar to the property and as the results of the action of the applicant, a literal enforcement of this section would result in unnecessary and undue hardship.