



AGENDA

**REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION
CITY OF HIGHLAND VILLAGE, TEXAS
TUESDAY, JUNE 19, 2018, 7:00 PM
HIGHLAND VILLAGE MUNICIPAL COMPLEX
CITY COUNCIL CHAMBERS
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS**

**OPEN SESSION
(City Council Chambers – 7:00 PM)**

1. Call to Order/ Roll Call.
2. Consider Approval of the Minutes from the Regular meeting of Planning and Zoning held on May 15, 2018.
3. Visitor's Comments
(Anyone wishing to address the Planning and Zoning Commission must complete a Speakers' Request form and return it to City Staff. In accordance with the Texas Open Meetings Act, the Commission is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting.)
4. Conduct Public Hearing and Review and Consider an application on a proposed change in zoning from "O" Office Zoning District to a Planned Development District "PD" for Office uses, including the adoption of development and sign regulations, relating to the development and use of Lots 1A, 1B, and 2, Block A, Wilkerson Addition, located at 2250, 2260, and 2280 Highland Village Road.
5. Receive Status Report on Various Projects.
 - Future P&Z Meetings
6. Adjournment.

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed.

I HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE, CHAPTER 551, ON JUNE 15, 2018 NOT LATER THAN 5:00 P.M.

Autumn Aman
Community Development Coordinator

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 899-5132 or Fax (972) 317-0237 for additional information.

Removed from posting on the _____ day of _____, 2018 at _____ by
_____ at _____.

DRAFT MINUTES
REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION CITY OF HIGHLAND VILLAGE, TEXAS
HELD IN THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD
TUESDAY, MAY 15, 2018

1. Call to Order/Roll Call.

Chairman Deedee Ricketts called the meeting to order at 7:00 p.m.

Roll Call

Present:	Deedee Ricketts	Chairman
	Stan Lemko	Vice Chairman
	Bob Holden	Commissioner
	Tom Heslep	Alternate Commissioner
	Dylan Romo	Alternate Commissioner
Absent:	Rick Turner	Commissioner
	Robert Fiester	Commissioner
Staff Members:	Autumn Aman	Community Development Coordinator
	Sasha Torres	Community Services Assistant

Chairman Ricketts congratulated absent Commission Robert Fiester on being elected to City Council.

2. Consider Approval of the Minutes from the Regular meeting of the Planning and Zoning Commission held on January 16, 2018.

Vice Chairman Stan Lemko made a motion to approve the minutes with non-substantive changes. Alternate Commissioner Tom Heslep seconded the motion.

Motion passed (5-0)

3. Visitor's Comments.

Mr. Jimmy Bassinger, 210 Edgewood Drive, addressed the Commission discussing a proposed development where an application had been submitted for and recently withdrawn for the property located at 180 Highland Village Road. He stated even though the application had been withdrawn, he still wanted to present a signed petition in opposition to the proposed development to the Commission.

Mr. Bassinger continued with the area being designated as a Transit Oriented Development (TOD), which he thought gave false advertisement to the developers. He had requested that the Planning and Zoning Commission look at removing the designation of a Transit Oriented Development (TOD) for the area.

Mr. Bassinger concluded with submitting the petition in opposition to the Commission that read as follows:

We, the undersigned residents of the City of Highland Village, submit our opposition to the Planned Development for Residential uses on a 5.76 ± acre tract of land out of the W.P.

Pearce Survey Abstract No. 1015, City of Highland Village, Denton County, Texas, commonly known as 180 Highland Village Road, as presented by G&A Consultants.

Mr. Frank Shaghafi, 309 Duvall Blvd., stated he was a new resident to Highland Village and wanted to voice his concerns on the proposed development that had been withdrawn for 180 Highland Village Rd. He stated there was already a ten to fifteen minute wait getting onto Hwy. I-35 from Highland Village Road and would like Highland Village to remain as it is.

4. Conduct Public Hearing and Review and Consider an application to amend the Sign Regulations of the Marketplace Planned Development District with Retail (MPD-R), as amended, applicable to Lot 1, Block A, The Shops at Highland Village, generally located northwest of the intersection of FM 2499 and FM 407.

Community Development Coordinator Autumn Aman stated the City had received an application to amend the signage criteria only for The Shops at Highland Village. She continued that their current ordinance would remain in effect and that they were only requesting additional signage. Ms. Aman stated that the applicants' request is to be allowed parking lot light pole and interior light pole banners and tenant monument signs. Ms. Aman stated the tenant monument signs would have to be spaced no closer than one-hundred (100') feet from each other; no monument could be placed closer than twenty-five (25') feet from the large corner monument sign at FM 407 and FM 2499. All signs would have to be placed on their property only and they could not be placed in any right-of-way, public highway, street or utility easement. She continued that the monuments shall not be placed adjacent to any turn lanes and not cause any issues with visibility or safety, and if it were questionable, they may be required to provide a sight line visibility study prior to any permit being issued. The burden would lie on the applicant. Ms. Aman stated that a mockup sign had been placed on site at The Shops at Highland Village to allow the Commission to get a better visual of the location and proposed size of the monument signs. She concluded that public hearings are required for an amendment, everyone within two-hundred (200') feet were notified and there had not been any inquiries from the notifications.

Chairman Ricketts opened the Public Hearing at 7:18 p.m.

There were no speakers from the Public Hearing.

Chairman Ricketts closed the Public Hearing at 7:18 p.m.

The Commissioners, Community Development Coordinator Aman, and the applicant, Phil Loftis, Sigma Signs, 1992 Justin Rd., Highland Village, TX discussed the request as it pertained to the following:

- Making sure the monument signs would be legible.
- All to have good coloring.
- All monuments to be placed in a line of site where they could be easily seen and not blocking visibility, possibly placing them on a berm.
- The number of tenants that would be displayed on each monument.
- All being low profile signs and complimentary to the site and how they did not want to clutter the center.
- The location of light pole banner signs and making sure banners would be removed when an event was over and that all banners would be maintained and not left up if they were worn, torn, or faded.

Discussion also included how major retailers would not consider The Shops at Highland

Village due to lack of visibility and people were not aware of the number of stores that are actually located in The Shops.

Chairman Ricketts concluded that she does agree it is very important to increase sales for The Shops at Highland Village, have more visibility, and retain more tenants; however, she wanted everyone to keep in mind that it is also very important that The Shops at Highland Village attract new tenants.

Alternate Commissioner Heslep made a motion to recommend to City Council approval of the ordinance as presented. Alternate Commissioner Romo seconded the motion.

Motion Passed (5-0)

6. Receive Status Reports on Various Projects

- **Future P&Z Meetings**

Community Development Coordinator Aman stated that the next meeting would be held on June 19, 2018.

7. Adjournment.

Meeting adjourned at 7:40 p.m.

Autumn Aman
Community Development Coordinator

Deedee Ricketts - Chairman
Planning and Zoning

CITY OF HIGHLAND VILLAGE
PLANNING AND ZONING

AGENDA# 4

MEETING DATE: June 19, 2018

SUBJECT: Conduct Public hearing and review and consider an application on a proposed change in zoning from “O” Office Zoning District to a Planned Development District “PD” for Office uses, including the adoption of development and sign regulations, relating to the development and use of Lots 1A, 1B, and 2, Block A, Wilkerson Addition, located at 2250, 2260, and 2280 Highland Village Road.

PREPARED BY: Autumn Aman, Community Development Coordinator

BACKGROUND

The City has received an application to create a Planned Development for the Highland Village Business Park. The applicant, G&A Consultants, on behalf of the property owners, Tre Far Niente Partnership and Haymarket Land Corporation, has requested to create a Planned Development, more specific for signage, so that they may be allowed to place signage on their property where it is currently not allowed per ordinance. More specifically, the property is divided into three lots, one of which has no direct street frontage, but all three of which are developed with office buildings. Under the City’s existing sign regulations, a sign placed on one of the lots that front on Highland Village Road, but contains information regarding a tenant occupying the lot that does not front on Highland Village Road, would be a prohibited off-premises sign. This planned development is designed to provide a master sign plan for the entire development, which, among other things, will allow signs installed along the Highland Village Road frontage to include tenant information for the rear lot to the extent provided in the ordinance.

The property is currently zoned “O” Office and there will be no changes to the current location, size, number of buildings, parking areas, landscape areas, and driveways on the properties.

A request for a variance to the sign regulations to allow an off-premises sign for tenants on the rear lot was previously denied by the Zoning Board of Adjustment based on the request failing to satisfy the criteria for granting a variance.

IDENTIFIED NEED/S:

Public hearings are required to be conducted by both the Planning and Zoning Commission and City Council. All public hearing notification requirements have been met. Prior to the City Council taking any action on the application, the Commission must review the application and make a recommendation for action to the City Council.

OPTIONS & RESULTS:

Options are to recommend to the City Council that the application be (1) approved as submitted, (2) approved with modifications, or (3) deny the request. The Commission may also postpone any action in order to receive any additional information which it requests be presented.

PROGRESS TO DATE: (if appropriate)

As of the date of preparation of this briefing, June 12, 2018, staff has not received any emails or inquiries on the nature of the request.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

An Ordinance has been generated. A copy of the draft ordinance prepared by the City Attorney is attached.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission review and forward a recommendation to City Council.

CITY OF HIGHLAND VILLAGE, TEXAS

ORDINANCE NO. 2018- [REDACTED]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS, AMENDING THE HIGHLAND VILLAGE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP RELATING TO THE USE AND DEVELOPMENT OF LOTS 1A, 1B, AND 3, BLOCK A, WILKERSON ADDITION, PRESENTLY ZONED "O" OFFICE BY CREATING PLANNED DEVELOPMENT NO. [REDACTED] FOR OFFICE USE AND ADOPTING DEVELOPMENT REGULATIONS, INCLUDING SIGN REGULATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Highland Village, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Highland Village, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that the Comprehensive Zoning Ordinance and Zoning Map of the City of Highland Village, Texas, as previously amended, should be further amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, DENTON COUNTY, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance ("CZO") and the Zoning Map of the City of Highland Village, Denton County, Texas, as previously amended, be further amended relating to the use and development of Lots 1A and 1B, Block A, Wilkerson Addition, an addition to the City of Highland Village, according to the plat thereof recorded as Document No. 2016-2112, Plat Records, Denton County, Texas, and Lot 2, Block A, Wilkerson Addition, an addition to the City of Highland Village, according to the plat thereof recorded in Cabinet P, Page 212, Plat Records, Denton County, Texas (collectively the "Property"), which is presently zoned as "O" Office, by establishing Planned Development No. [REDACTED] for Office Uses to be used and developed in accordance with the use and development regulations set forth in Section 2 of this Ordinance.

SECTION 2. The Property shall be developed in accordance with the development and use regulations applicable to property located in a "O" Office Zoning District as set forth in the CZO except as amended as follows:

- A. Site Plan Requirement:** No changes in the location, size, number or bulk of buildings, parking areas, landscape areas, and driveways shall as they exist on the effective date of this ordinance until a planned development site plan for the Property has been approved as an amendment to this Ordinance.
- B. Sign Regulations.** Signs installed or constructed on the Property shall be located and designed in accordance with the applicable provisions of the CZO for the "O" Office Zoning District except to the extent modified as follows:

- (1) Sign Location:** Building wall signs and monument signs located on the Property shall be installed substantially in the location and in substantial compliance with the Sign Location Exhibit attached hereto as Exhibit "A" and incorporated herein by reference.

(2) Monument Signs:

- (a) All monument signs, including base and surface area, shall be constructed of brick or stone and shall be architecturally compatible with the building it is identifying. The sign face must be encased in brick or stone. Signs shall be externally ground lit signs.
- (b) No advertising or promotional information is permitted on monument signs except tenant identification and leasing information.
- (c) No more than three (3) monument signs, whether existing on the effective date of this Ordinance or installed after said effective date, may be located along and visible from Highland Village Road as shown on the Sign Location Exhibit.
- (d) Monuments signs located along Highland Village Road must be separated by not less than forty (40') feet between signs.
- (e) If the sign labeled as "Existing Monument Sign" located on Lot 2, Block A, Wilkerson Addition is to be relocated, said sign must be removed prior to issuance of a sign and/or building permit for construction and/or installation for the sign labeled "Relocated Sign" (i.e. Sign E) located on Lot 2, Block A, Wilkerson Addition, as shown on the Sign Location Exhibit. The Existing Monument Sign shall be used solely to identify owners and/or tenants of the building located on Lot 2, Block A, Wilkerson Addition.
- (f) In no case shall any monument sign be placed on the Property at a location that obstructs sight visibility in the vicinity of any ingress and egress access point of the Property.
- (g) The monument sign labelled as "Sign F" on the Sign Location Exhibit shall not exceed four feet (4.0') in overall height, measured from natural grade, and shall not exceed thirty-two (32) square feet in surface area on each sign face. Sign F shall be used solely to identify owners and/or tenants of the building located on Lot 1A, Block A, Wilkerson Addition.
- (h) The monument sign labelled "Sign E" on the Sign Location Exhibit (the relocated sign described in paragraph (e), above,) shall not exceed four feet (4.0') in overall height, measured from natural grade, and shall not exceed thirty-two (32) square feet in surface area on each sign face. Sign E shall be used solely to identify owners and/or tenants of the building located on Lot 2, Block A, Wilkerson Addition.
- (i) One (1) monument sign shall be allowed on Lot 1B, Block A, Wilkerson Addition at the location labelled "Sign B" on the Sign Location Exhibit. Sign B shall not exceed four feet (4.0') in height, measured from the natural grade, and shall not exceed thirty-two (32) square feet in surface area on each sign face. Sign B shall be used solely to identify owners and/or tenants of the building located on Lot 1B, Block A, Wilkerson Addition.

(3) Center Identification Sign.

- (a) One (1) Center Identification Sign may be located along the street frontage of Lot 2, Block A substantially at the location shown on the Sign Location Exhibit and labelled as "Sign A". Sign A shall not exceed six feet (6.0') in height measured from the natural grade, and shall not exceed sixty (60) square feet in surface area per side.
- (b) Sign A shall be used solely for:
 - (i) identification of owners and tenants for the buildings location on Lots 1A and 1B, Block A, Wilkerson Addition and the street addresses for said owners and tenants;
 - (ii) identification of the name of the office center; and
 - (iii) placement of contact information for the leasing company, broker, and/or agent authorized to lease space within the buildings on the Property, including the name, phone number, email address, and, if the leasing office is located on the Property, the address of the leasing office.

Sign A shall be deemed to not be an off-premises sign as long as the information placed on Sign A conforms to this Section 2.B.(3)(b).

(4) Interior Tenant Directory Signs. Two (2) tenant directory monument signs labelled as "Sign C" and "Sign D" may be installed and located on the Property as shown on the Sign Location Exhibit . Sign C and Sign D shall be constructed of brick and stone and architecturally compatible with the building it is identifying. Each tenant directory monument sign shall not exceed two (2') feet in height, measured from natural grade, and shall not exceed three (3') feet in width. Sign C and Sign D may only be used to identify the names of owners and tenants of the building located on the platted lot on which the respective sign is located..

(5) Wall Signs: Wall signs for all buildings located on the Property shall be subject to the following:

- (a) Wall signs identifying the business or tenant located within the building to which the wall sign is attached may be located on the building facades at the locations identified on the Sign Location Exhibit.
- (b) No more than two (2) wall signs shall be installed on the facades identified on the Sign Location Exhibit. In no case shall the total sign area of all wall signs located on the façade of a building exceed fifteen (15%) percent of the facade area of the façade on which the signs are located.
- (c) Wall signs may be internally or externally lit in accordance with the applicable provisions of the CZO.

(6) Tenant Plaques: Tenant plaques for all buildings located on the Property shall be subject to the following:

- (a) Each tenant shall be allowed a plaque on the exterior of the building adjacent to the main entrance/or entrances of each building as depicted on the attached in Exhibit C, Plaque Sign Exhibit, Sign H.
- (b) All plaques for all building shall have a uniform appearance.
- (c) Materials for said plaques shall be either metal, aluminum, acrylic, bronze or stainless steel.
- (d) The maximum size of each plaque shall not exceed an area of four (4) square feet as shown on the Plaque Sign Exhibit.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Highland Village governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Comprehensive Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance and Code of Ordinances of the City of Highland Village, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Highland Village, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON FIRST READING ON THIS THE ____ DAY OF _____, 2018.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON SECOND READING ON THIS THE ____ DAY OF _____, 2018.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:6/8/18:100046)

ORDINANCE NO. 2018-_____
EXHIBIT "A"
SIGN LOCATION EXHIBIT

PRELIMINARY PLANS
THIS DOCUMENT IS FOR
INTERIM REVIEW AND IS
NOT INTENDED FOR
CONSTRUCTION, BIDDING,
OR PERMIT PURPOSES.
G&A CONSULTANTS, F-1798
ROBERT JOHN DOLLAH, JR.,
P.E. #86698
DATE 6/12/2018

WILKERSON SIGNS
Lot 1A, 1B, and 2, Block A
Wilkinson Addition
4.854 Acres
 in the
CLARY SURVEY, ABSTRACT NO. 248
CITY OF HIGHLAND VILLAGE
DENTON COUNTY, TEXAS



SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE

111 Hillside Drive • Lewisville, TX 75057
P: 972.436.9712 • F: 972.436.9715

144 Old Town Blvd. North, Ste 2 • Argyle, TX 76226
P: 940.240.1012 • F: 940.240.1028

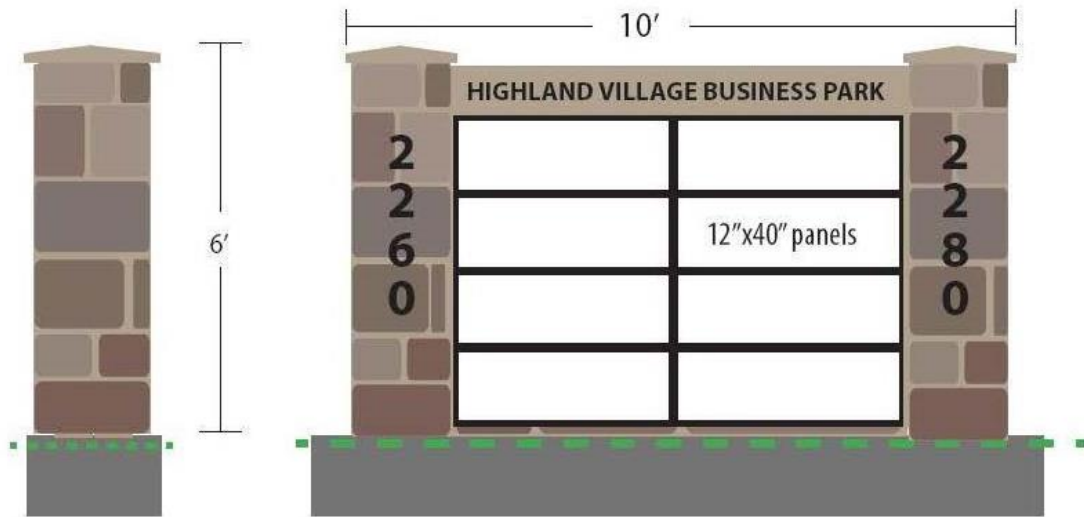
TBPE Firm No. 1798 TBPLS Firm No. 10047700

WILKERSON ADDITION SIGNS

ORDINANCE NO. 2018-_____
EXHIBIT "B"

CENTER IDENTIFICATION SIGN

SIGN "A"



MONUMENT SIGN

SIGN "B"

Two sided tenant monument
Stone (matching building)
Poured foundation

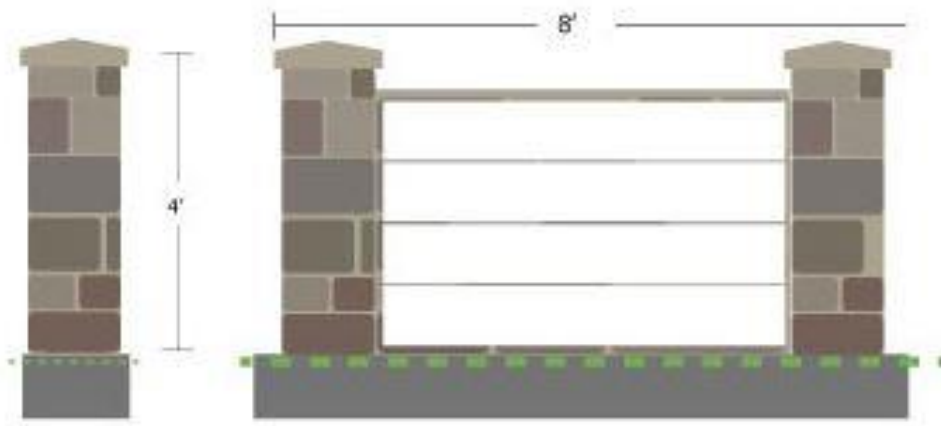


EXHIBIT "B"

INTERIOR TENANT DIRECTORY SIGN

SIGN "C"



SIGN "D"



EXHIBIT "B"

WALL SIGNS

SIGN "G"



EXHIBIT "B"



PLAQUE SIGNS

SIGN "H"

