

**AGENDA**  
**CITY OF THE COLONY, TEXAS**  
**SIGN BOARD OF APPEALS**  
**Wednesday, May 18, 2016**

After determining that a quorum is present, the Sign Board of Appeals of the City of The Colony, Texas will convene into Regular Session which will be held on Wednesday, May 18, 2016 at 6:45 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items will be addressed:

<b>1.0</b>	<b>CALL REGULAR SESSION TO ORDER</b>
<b>2.0</b>	<b>ITEMS FOR CONSIDERATION</b>
<b>2.1</b>	Consider approval of the minutes of the regular session of the October 21, 2015 Sign Board of Appeals meeting.
<b>3.0</b>	<b>PUBLIC HEARING ITEM</b>
<b>3.1</b>	<b><i>SBA16-0001 – The Hudson Apartments Banner Sign Variances</i></b> Conduct a public hearing, discuss and consider a request for variance from Sign Ordinance Section 6-261.i) Temporary Signs – Property Sale or Lease Signs to allow a double face banner sign for proposed Hudson Apartment Complex located on Windhaven PKWY west of Boathouse multifamily development.

“Pursuant to the Texas Open Meetings Act, Government Code Chapter 551, one or more of the above items may be considered in executive session closed to the public. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.”

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact Tina Stewart, Interim City Secretary, at 972-624-3105 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**CERTIFICATION**

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 PM on the 13<sup>th</sup> day of May 2016.



  
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Tina Stewart, Interim City Secretary

**MINUTES  
CITY OF THE COLONY  
SIGN BOARD OF APPEALS  
Wednesday, October 21, 2015**

After determining that a quorum was present, the Sign Board of Appeals of the City of The Colony, Texas convened into Regular Session which was held on Wednesday, October 21, 2015 at 6:32 p.m. in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Charles Tredo, Joel Ortega, Gerald Odum, Constance Yahwak, and Casey Truskunas.

Board Members Absent: None

Present from Staff: Surupa Sen, AICP, Senior Planner, Gordon Scruggs, P.E. Director of Development Services, Jeff Moore, City Attorney.

<b>1.0</b>	<b>CALL REGULAR SESSION TO ORDER</b>
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Chairman Tredo called the meeting to order at 6:32 p.m.

<b>2.0</b>	<b>ITEM FOR CONSIDERATION</b>
<b>2.1</b>	Consider approval of the minutes of the regular session of the September 16, 2015 Sign Board of Appeals meeting.

**Board Member Yahwak moved to approve the minutes as written, seconded by Board Member Ortega. The motion carried (5-0).**

<b>3.0</b>	<b>PUBLIC HEARING ITEM</b>
<b>3.1</b>	<i>SI15-0015, Sign Ordinance Revision</i> Conduct a public hearing, discuss, and consider making a recommendation to City Council regarding an amendment to Section 6-261 (j), Feather Signs, of Article XI, Signs, of Chapter 6 of the Code of Ordinances.

Chairman Tredo read Public Hearing Item 3.1 into record.

Ms. Sen presented the staff report.

Board Member Yahwak asked whether there is an end date on this amendment based on when the construction will finish.

Mr. Moore stated that due to the nature of construction there is no definite end date for the Ordinance amendment. Staff will remember to bring the Ordinance back to the Board when construction on F.M 423 is complete and amend the Ordinance back to its original state.

Chairman Tredo opened and closed the public hearing at 6:39 p.m. with no one wishing to speak on this item.

Sign Board of Appeals Minutes

October 21, 2015

Page 2 of 2

**Board Member Ortega moved to approve item 3.1, seconded by Board Member Truskunas. The motion carried (5-0).**

Being no further discussion, Chairman Tredo adjourned the meeting at 6:40 p.m.

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**Charles Tredo, Chairman**

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**Surupa Sen, AICP, Senior Planner**

**SIGN BOARD OF APPEALS STAFF REPORT**

**AGENDA DATE:** May 18, 2016  
**DEPARTMENT:** Engineering/Development Services Department  
**PLANNER:** Surupa Sen, AICP, Senior Planner, 972-624-3164

**SUBJECT: SBA16-0001 – *The Hudson Apartments Banner Sign Variances***

Conduct a public hearing, discuss and consider a request for variance from Sign Ordinance Section 6-261.i) Temporary Signs – Property Sale or Lease Signs to allow a double face banner sign for proposed Hudson Apartment Complex located on Windhaven PKWY west of Boathouse multifamily development.

**APPLICANT/OWNER:**

Billingsley Company c/o Tiffany Harlow Dallas Texas

**REQUEST**

In June 2015, the City Council approved The Hudson at Austin Ranch Development Plan (SP15-0003) 699 multiple family units that would include 654 apartments and 45 townhome units, on approximately 46.22 acres, located near the southwest corner of Windhaven Parkway and Plano Parkway west of the Boathouse multi-family development in PD-22, Austin Ranch.

The applicant is requesting a sign variance to Section 6-261 (i) “Temporary Signs – Property Sale or Lease.” This Section reads as follows:

(i) Property Sale or Lease Sign	
Location	A property sale and/or lease sign shall not be located within any right-of-way or median
Maximum Effective Sign Area	
Residential:	6 square feet of effective sign area
Non-residential:	60 square feet of effective sign area
Non-residential along SH 121:	100 square feet of effective sign area
Maximum Height	
Residential:	3 feet
Non-residential:	10 feet
Non-residential along SH 121:	20 feet
Permit	Required – non-residential only
Fee	Yes – non-residential only
Removal	5 business days after the sale or lease of advertised property



PROPERTY SALE/LEASE

Section 6-263, Definitions, defines a “Property Sale or Lease Sign” as

“Any sign that advertises property for sale or lease. May refer to vacant land or to developed property.”

The applicant is requesting to allow a double face banner sign on construction fence to be installed on or after June 1, 2016. The banner sign is requested to be in place for 12 months as the construction of the site is not going to be complete till 2018. The sign will be 8 foot tall and 60 linear feet in length. This would require a variance to Section 6-261(i) “Temporary Signs – Property Sale or Lease,” from 100 square feet (SF) effective sign area per property leasing sign be increased to 480 square feet (SF).

Also the duration requested is longer than the allowed 5 business days after the sale or lease of advertised property.

### **FINDINGS**

According to Section 6-256 of the Sign Ordinance in the Code of Ordinances, The Sign Board of Appeals may grant a variance if the following conditions exist:

**1. That the request does not violate the intent of the ordinance.**

The intent of the ordinance is to have new signs being constructed in the city be limited in size, be attractive and add to the beauty of the City while safely conveying their message to passing motorists. The applicant has stated that leasing this type of project starts while construction is ongoing and it is difficult to convey the message to potential renters that leasing is open, while the construction fence gives an appearance that it is not. As a result they are requesting a sign that would be visible from Windhaven Parkway from both the east-bound and west-bound line of site. The Hudson is such an expansive property and is setback in the valley, it was important to have the visibility from the road. The sign will be designed to be simple and non-obtrusive so it will not be a distraction to drivers, but only give them the information.

**2. That the granting of the variance on the specific property will not adversely affect the surrounding properties.**

It is Staff’s opinion that this request will not adversely affect the surrounding properties since most of the properties surrounding this subject property are vacant currently and the sign is of temporary nature. The signs will be removed after the property lease process is complete.

**3. That the variance, if granted, will not adversely affect public safety.**

It is Staff’s opinion that this request will not be a detriment to public safety since the sign in question is not located within any traffic visibility trainable, does not contain any flashing light or visual effect to distract motorists.

**4. That there are special conditions which are unique to the applicant or property.**

There are no special conditions unique to this property that should allow for a larger for sale/lease sign.

### **NOTIFICATION**

Board of Adjustment public hearings require newspaper notification a minimum of ten (10) days prior to the meeting date. A legal notice was published in the Dallas Morning News on May 6,

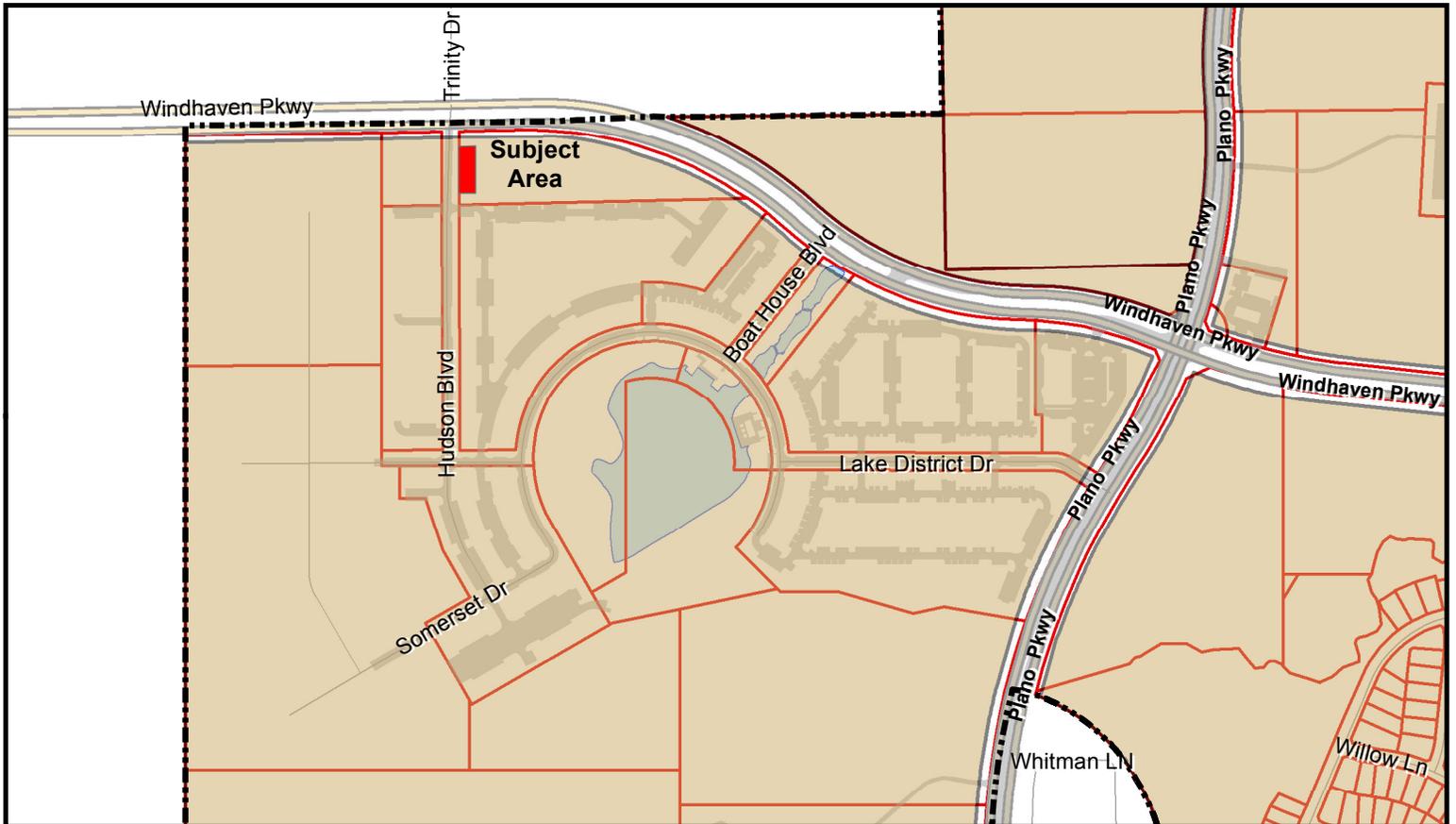
2016. No comments either for or against this request were received as of the printing of this packet.

**RECOMMENDATION**

Staff recommends approval of the requested variance.

**ATTACHMENTS**

1. Location Map
2. Sign Variance Submission from Billingsley Property Services



**Project No. SBA16-0001 - Project Name: Banner Sign at Hudson Apt**

- |                               |                          |                  |                      |                        |
|-------------------------------|--------------------------|------------------|----------------------|------------------------|
| Proposed Banner Sign location | Business Park/Industrial | Heavy Commercial | Mobile Home          | Planned Development    |
| Agricultural                  | Duplex Dwelling          | Industrial       | Neighborhood Service | Shopping Center        |
| Business Park                 | General Retail           | Light Commercial | Office District 1    | Single Family Dwelling |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.



# The Colony

## Sign Variance Submission

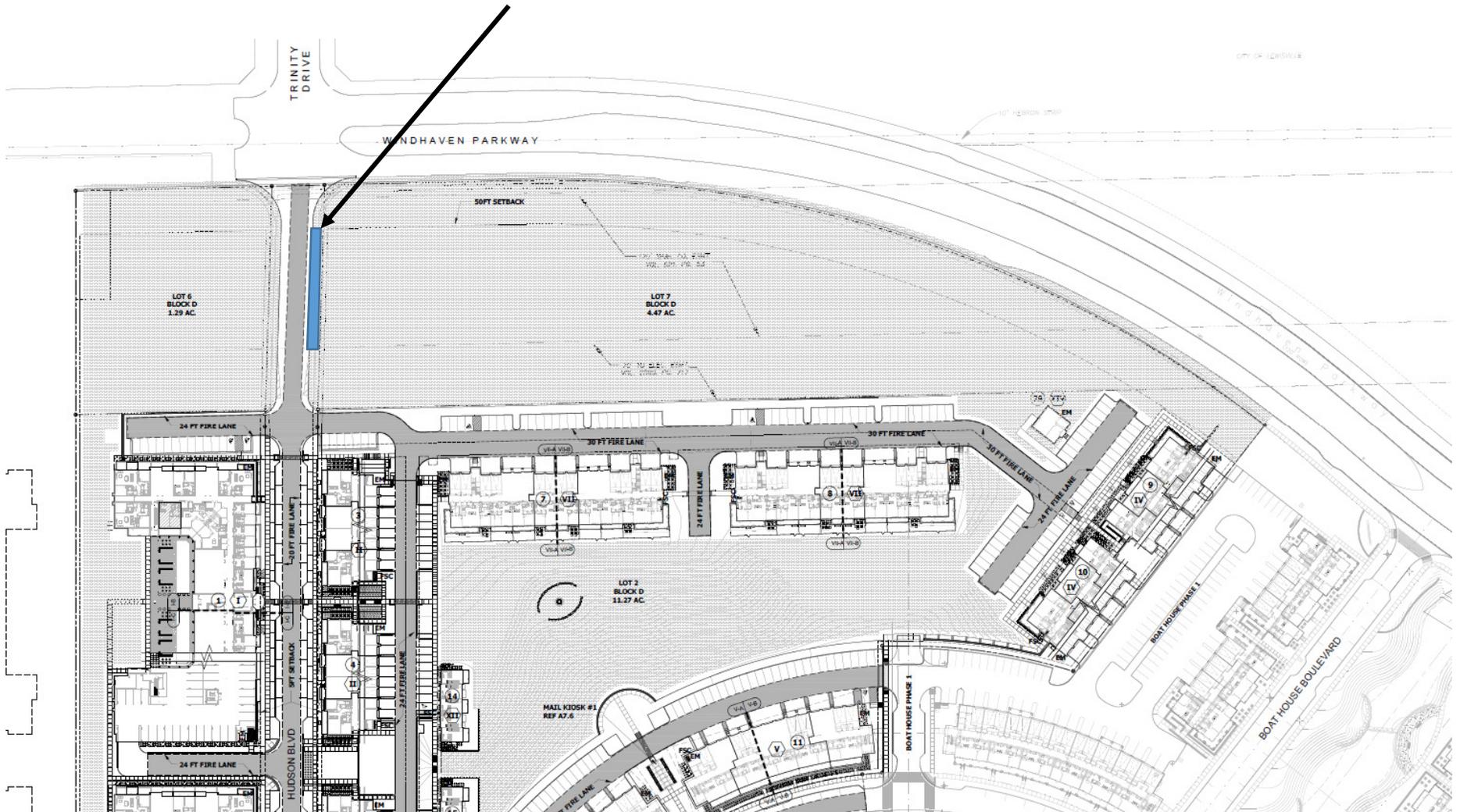
Billingsley Property Services  
Signage renderings, dimensions and  
requested location at The Hudson

The logo for Billingsley, featuring the word "Billingsley" in a white serif font centered within a dark blue rectangular background.

Billingsley

# Site Map View

Location of construction fencing; banner would be double sided for visibility East-bound and West-bound on Windhaven; adhering to 50FT setback



## Aerial View – 1

Location of construction fencing; banner would be double sided for visibility East-bound and West-bound on Windhaven; adhering to 50FT setback



## Aerial View – 2

Location of construction fencing; banner would be double sided for visibility East-bound and West-bound on Windhaven; adhering to 50FT setback



## Sample banner – street view

\*NOTE: banner creative will be built to size if location is approved



## Banner Creative Requested:

- Size: 8 foot tall x 60 linear feet
- Print: Mesh banner on frame for wind durability; Printed on both sides for visibility from either direction on Windhaven
- Creative/ Copy to include:
  - Square “H” Hudson Logo
  - Imagery and photos representative of the property feel
  - “Now Leasing” and property phone number

## Sample Billboard Creative:



## Length of Time Requested:

- Install on or after June 1, 2016
- Due to the size and length of construction on the project, the Leasing Center will open in December 2016, however, construction will not be completed until October 2018
- Requesting banner sign to be up for a minimum of 12-months

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According to the MPF Research Apartment Market Report, The Boat House was the largest project to complete in Q1 2016; and The Hudson is the largest project in all of the Dallas metro area under construction during Q1 2016:

- McKesson Corporation, a health care services and information technology firm, recently announced it will open a new regional office in Irving. The firm is buying the former 525,000-square foot NEC Corporation of America buildings near SH 161 and SH 114. McKesson is investing \$157 million in Texas (another facility will be headquartered in The Woodlands) and plans to create more than 975 new jobs. Once the move is complete, McKesson Corporation will become the largest employer in Irving.
- Pegasus Foods, a Los Angeles-based frozen food manufacturer, announced during 1st quarter 2016 it will expand operations in Rockwall. The company intends to construct a \$10 million, 80,000-square-foot manufacturing plant, which would house around 325 new jobs.
- The largest apartment project to complete in the Dallas metro during 2016's 1st quarter was the first phase of The Boat House with a total of 526 units. The property is located just south of intersection of Windhaven Parkway and Plano Parkway in The Colony/Far North Carrollton submarket. Locally based Billingsley Company wrapped up construction on the property in February 2016.
- The largest apartment project under construction in the Dallas metro during 2016's 1st quarter was the second phase of The Boat House. The Billingsley Company broke ground on the 700-unit property in December 2015 and expects for construction to complete in October 2018.
- At the end of 1st quarter 2016, there were 15 high-rise apartment buildings under construction in the Intown Dallas submarket. The tallest, the 52-story Elm Place Tower, is a joint venture of New York-based Olympic Property Partners and Fort Worth-based BDRC which formed Olympic 1401 Elm Associates LLC. The developers plan to transform the longtime vacant building into a residential (550 rental units), retail and office tower. According to the *Dallas Business Journal*, the redevelopment cost is estimated at around \$240 million.
- The last vacant corner of Preston Road and Sam Rayburn Tollway was purchased by developer Lincoln Property, according to *The Dallas Morning News*. Most currently, the firm is constructing nearly a half million square feet of retail and commercial space, and has plans to include even more retail space, apartments, and office space. The shopping center project – dubbed Village 121 – is being constructed at one of the highest concentrations of retail space in the nation. Over 4 million square feet of retail and restaurants are nearby.



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# Hardship Request

Our biggest hurdle in leasing our apartments during construction is the misconception that we are not available for lease while construction fencing is up and while construction is still taking place on the property. In order to meet our 90%+ occupancy goal, we need to ensure drive by traffic understands we are leasing and available for move ins.

In regards to the sizing, we are requesting to create a sign that would be visible from Windhaven Parkway from both the east-bound and west-bound line of site. The Hudson is such an expansive property and is set back in the valley, so we feel like it is important to have the visibility from the road. We will design the sign to be simple and non-obtrusive so it will not be a distraction to drivers, and only give them the information they need to know that the property is leasing, as it is difficult to tell if the property is open with the construction still going on.

Additionally, Billingsley owns all of the land surrounding The Hudson, so we did not feel like the size of the sign would be an issue for surrounding residential or retail/consumer properties as we are isolated.

Lastly, the sign variance that was approved for The Boat House helped drive by traffic immensely, and we are proud to report that as of April 15<sup>th</sup>, one year after the clubhouse opening, The Boat House is 92.8% occupied. Due to the fact that The Hudson is a larger project (700-units vs. 526-units), the construction timeframe and “lease up” period will both be extended to closer to 2-years.

Please take this into consideration as you review our request to install the banner on the property.