NOTICE OF MEETING

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT WILL MEET IN A REGULAR SESSION IN THE SENATOR FLORENCE SHAPIRO COUNCIL CHAMBERS LOCATED AT, 1520 AVENUE K, PLANO, TEXAS AT 3:00 P.M. TUESDAY, AUGUST 23, 2016.

The Board of Adjustment may convene into Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with its attorney regarding posted items in the regular meeting.

PUBLIC COMMENTS:

1. The Board of Adjustment will hear comments of public interest. Time constraints may be directed by the Chair of the Board of Adjustment. Specific factual information, explanation of current policy, or clarification of Board of Adjustment authority may be made in response to an inquiry. Any other discussion or decision must be limited to a proposal to place the item on a future agenda.

APPROVAL OF MINUTES:

2. August 09, 2016 meeting

SIGN APPEAL REQUEST:

3. **APPEAL #16-16S 3310 Dallas Parkway Ste#109:** A request to vary from Subsection 22.300 (.1) (K) (iii) of Division 2, Article 9, Zoning Ordinance No. 2015-5-2 as amended, to allow a canopy sign to exceed the allowable height of 12 inches by 13 inches for an overall height of 25 inches. This appeal is requested by property owner David C. Palmer with West Plano Village Ltd.

OTHER:

4. **Items for future Agenda.**

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 1520 Avenue K, Plano, Texas on the 12th **day of** August **20**16**, at** 5:00 **o'clock.** p.m.

Alice A. Snyder

Asst. City Secretary

THE CITY OF PLANO TEXAS JUNE 2, 1873

Council Liaisons: Deputy Mayor Pro Tem Ben Harris and Council Member Tom Harrison

Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Ave., with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers are located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the Building Inspection Department at 972-941-7140

Board of Adjustment
August 9, 2016

Board Members Present
Carolyn Kalchthaler, Chairperson
Peter Krause
Jim Norton
William Gibson
Joyce Beach
Enghlab Eftekhari
Ban Alali (Present for items 4 and 5)
Phil Head, Alternate

Absent
Phillip Pierceall, Alternate
Robert Miller

Staff
Victoria Huynh, Deputy City Attorney
Selso Mata, Building Official
Laura Wigglesworth, Code Compliance Rep
Diana Casady, Sr. Administrative Assistant

Chairperson Carolyn Kalchthaler called the meeting to order at 3:00 p.m., Tuesday, August 9, 2016 in the Senator Florence Shapiro Council Chambers of the Municipal Center. A quorum was present and notice of the meeting had been posted for the time and manner required by law. The following matters were discussed.

One Board member was not in attendance at the beginning of the meeting. Therefore, Chairperson Carolyn Kalchthaler advised the audience that there were only seven (7) members present to hear their case. State law requires at least six (6) affirmative votes by the Board before a variance can be granted. It is the policy of the Board to give the applicant the ability to table a case until all eight (8) members are present. All Applicants stated they would like to continue with only seven (7) members seated.

Chairperson Kalchthaler admitted all documents and testimony given into the official Board of Adjustment record.

1. **Public comments:** There was no public comment.

2. **Approval of Minutes from June 28, 2016**

Board Member Phil Head made the motion to approve the minutes from June 28, 2016, Bill Gibson seconded the motion. The Board voted 7/0 in favor of approving the minutes from June 28, 2016.

3. **APPEAL # 16-14S 6565 Headquarters Drive: A request to vary from Subsection 22.300 (.2) (I) (i) of Division 4, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow onsite directional signs to exceed the allowed 30" height by 18" for an overall height of 48" and to exceed the allowed 8 square feet by 4.68 square feet for an overall size of 12.68 square feet. This request applies to 36 onsite directional signs across the entire Toyota campus.**

Laura Wigglesworth, Code Compliance Representative, gave a presentation on the variance request and answered questions from the Board.

Doug Beebe, Toyota Motors of North America, provided testimony on the insight of the general campus plans and the importance of the signage on the campus. Toyota has designed it such a way to enable customers and community to enjoy the different areas such as conference centers and gathering areas.

Joe Haver, Corgan Architects, gave a presentation explaining the layout of the Toyota campus, buildings, plant materials, and why they would need the taller directional signs on the campus. The plan included wild grasses and sustainable landscape. The plants will be left natural and not be manicured and require little to no water. The taller signs will keep the signs visible to all vehicles and pedestrian traffic. Mr. Haver went over the four factors of granting a variance and answered questions from the Board.

Chairperson Kalchthaler closed the floor to public comment, and discussion were confined to the Board.

After discussion, Board Member Joyce Beach made the motion to approve Appeal #16-14Z. Bill Gibson seconded the motion. The Board voted 7/0 in favor of the motion, and the variance request was approved.

At 3:30 p.m., Board Member Ban Alali joined the meeting making a full eight (8) member Board.

4. APPEAL # 16-15S 101 E Park Blvd. 12th Floor: A request to vary from Subsection 22.300 (.1) (C) (ii) of Division 4, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow a multistory office wall sign to exceed the allowed 250 square feet by 96.02 square feet for an overall size of 346.02 square feet.

Laura Wigglesworth, Code Compliance Representative, gave a presentation on the variance request and answered questions from the Board.

Mark Vergenz, Chandler Signs, testified the basis of this variance request is to improve sign visibility. The sign will be very high on the building and needs to be large enough so that drivers don't have to slow down to look as they go by. In addition, Mr. Vergenz discussed about the spirit of the Code. They would be allowed by City regulations if they put all wording on one line. However, with the words being presented in two lines, there is a lot of air space that is being calculated in the total size of the sign that is not being used as signage. If this sign were a single line across the building, it would then meet Code standards and no variance would be needed. However, this is not the preferred design of the Client nor the owner.

Chairperson Kalchthaler closed the floor to public comment, and discussion was confined to the Board.

After discussion, Board Member Bill Gibson made the motion to approve Appeal #16-15Z. Enghlab Eftekhari seconded the motion. The Board voted 3/5 in favor of the motion, the motion failed and the variance request was denied. Board Members Joyce Beach, Phil Head, and Enghlab Eftekhari voted to approve the variance. Board Members Carolyn Kalchthaler, Peter Krause, Jim Norton, Bill Gibson, and Ban Alali voted to deny the motion.

5. Items for future Agenda.

One case for the August 23, 2016 meeting.

Meeting adjourned at 4:06 p.m.

_____

Carolyn Kalchthaler, Chairperson

Plano
City of Excellence

SIGN APPEAL TO THE BOARD OF ADJUSTMENT

SIGN APPEAL APPEAL NO.: #16-16S

FILING FEE $265.00
RECEIPT NO. _____
RECEIPT DATE: _____

PLEASE TYPE OR PRINT USING BLACK INK

APPEAL LOCATION:
Street Address: 3310 Dallas Parkway, Suite 109 Zoning District: PD-185 RC
Lot Number: 1 Block: A Addition: Tinseltown Addition

TO THE HONORABLE BOARD OF ADJUSTMENT:
David C. Palmer (West Plano Village, Ltd.) 214-720-6600
(Applicant) (Applicant Phone Number)
3102 Maple Dallas TX 75201
(Applicant Street Address City State Zip)

In accordance with the provisions of the Sign Ordinance, appeal is now made to the Honorable Board of Adjustment to grant the following variance request. (Please be specific)

Allow signage on the freestanding beam to be controlled by restrictions applicable to a wall sign per the City Sign Ordinance. Per attached exhibits, the height of the sign would be 25". All of the letters except one will be 15" or less. The "J" in Jewelers will be 25", resulting in a variance request of 13" overall to the allowed height per ordinance.

A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. No variance shall be granted if it conflicts with the spirit of the ordinance. In order to make a finding of hardship and to grant a variance, the Board of Adjustment shall consider the following conditions:

a. The requested variance does not violate the intent of the ordinance:

The proposed sign is to be mounted to a freestanding beam on columns in front of the tenant space. The PD does not speak to this condition, however it was always the design intent to mount signs to the beam and is the primary reason it exists. The sign is being classified as a canopy sign and not a wall sign, which significantly restricts the size. While the beam is technically not a "wall" it is also not a "canopy". The sign ordinance allows both a canopy and a wall sign. In this case, the beam mounted canopy sign will be the only sign installed and it is well below the maximum size allowed for a wall sign under the ordinance.

b. The requested variance will not adversely affect surrounding properties:

The sign faces Dallas North Tollway and is not visible from surrounding properties.

c. The requested variance will not adversely affect public safety:

The sign is no different than any other wall sign on the property. It is actually smaller than the allowable size for a wall sign at this location. As the request is purely to allow the sign to be mounted to a steel beam instead of to a wall, there is no public safety issue.

d. Special conditions exist which are unique to this applicant or property:

The building is U - shaped with the front of the tenant space set back. Mounting a sign to the wall would have very limited visibility because of the building shape and particularly because of the freestanding beam which is directly in the line of sight to where a wall sign would be mounted. Also, due to the interpretation of the sign being a "canopy sign" the 12" height restriction is severely limiting, especially because of the specific text style / logo of this particular tenant. The 12" height is effectively only 9" due to the script nature of one letter in the sign. To maintain the tenant's brand image, the font is not flexible.

e. Is the denial of the variance going to cause a substantial burden on religious activities of the property owner/user? Circle one: Yes / No If Yes, see question (f.)

Plano
City of Excellence

SIGN APPEAL TO THE BOARD OF ADJUSTMENT

f. If yes, please explain how the denial of the variance will cause a burden on religious activities of the property owner/user?

_____

_____

_____

****

The undersigned officer(s) and/or agent(s) of the property owner(s) are the properly authorized officials and by signing below have the necessary authority to execute this application on behalf of applicant hereto.

_____

Name Address City State Zip Date

PLEASE CHECK ONE:

X _____ I will represent this variance request at the Board meeting

_____ I will not be able to represent this variance at the Board meeting. My authorized representative who will represent this variance before the Board of Adjustment is:

_____

Name Address City State Zip Date

****

NOTE TO APPLICANT:

A notice of meeting will be sent only to the applicant, or to the authorized representative, if one is designated. If the variance is denied, it may be two years before the variance can be reheard. The decision of the Board of Adjustment shall be final on all sign cases. Refer to The City of Plano Zoning Ordinance: Article 6, Section 6-209(3) to appeal the decision of the Board regarding a zoning case. DP (initial)

I hereby certify that the above statements are true and correct to the best of my knowledge. I acknowledge that I may withdraw my application prior to it being presented to the Board. To resubmit the application I understand I will need to submit another application fee. DP (initial)

David C. Palmer
Applicant's Signature

David C. Palmer
Please Print Name

STATE OF TEXAS
COUNTY OF COLLIN

Subscribed and sworn to before me this 12 day of July, 2016

Terri Pruneda
Notary Public

NOTARY PUBLIC STATE OF TEXAS
Terri Pruneda
Commission Expires
06-28-2017

(Seal)

My commission expires: 6-28-17

Existing Signage

Proposed Signage

Front Lit Channel Letters on Back plate attached to radius Canopy

15" White Acrylic Letters reading "NASR BROS." vinyl inlay 3m Duranodic 3630-69, 1" Bronze Trim Cap, 5" Bronze Aluminum Returns
25" T x 75" W "Jewelers" White Acrylic Letters w/ vinylinlay 3m Duranodic 3630-69, 1" Bronze Trim Cap, 5" Bronze Aluminum Returns
Illuminated White LED's (Note Channel letters that are attached as one piece will not bend with the Raceway, so they will stand-off Raceway.)

Raceway 6" T x 6" Deep x 210" W Aluminum (Note we will need to get the radius of the canopy, to build a Radius Raceway)
painted to match the existing canopy

PLEASE NOTE! UP TO 2 REVISIONS INCLUDED IN INITIAL DESIGN. ANY ADDITIONAL CHANGES WILL INCUR STANDARD DESIGN CHARGE OF $60.00 PER HOUR, BILLING IN 1/4 HR INCREMENTS. PLEASE CAREFULLY PROOFREAD! CHECK ALL SPELLING, PUNCTUATION, PHONE NUMBERS, SIZES, AND COLORS BEFORE APPROVING. ANY CHANGES MADE AFTER APPROVAL WILL INCUR ADDITIONAL CHARGES.

FINAL ELECTRICAL CONNECTION BY CUSTOMER

Customer Approval | Date

Landlord Approval | Date

ACME SIGN COMPANY
1136 Fletcher Street
Dallas, TX 75223
214-824-3695
800-856-1864
Fax 214-826-6010
www.acmesign.com

Signage Drawing Information

Customer: Nasr Brothers

Address: Plano

Sales Rep: Stephanie Headen

Designer: Kurtis Strand

Date: 7-27-16

Revision Date:

File Name: Variance Side by Side

Sign Description:

Information for Customer

It is the Customer's responsibility to provide electricity & electrical hook-up of 120V sign voltage to ALL Signage.

This design and engineering drawing is our proposal. The right to use and reproduce in any form is not authorized without permission by Acme Sign Company.

Underwriters Laboratories Inc.

Radius Canopy 23'-4"

Variance request
sign on top of Canopy
25" Tall Letter "J"

Allowed by City
sign on canopy
12" Tall letter "J"

PLEASE NOTE!! UP TO 2 REVISIONS INCLUDED IN INITIAL DESIGN. ANY ADDITIONAL CHANGES WILL INCUR STANDARD DESIGN CHARGE OF $60.00 PER HOUR, BILLING IN 1/4 HR INCREMENTS. PLEASE CAREFULLY PROOFREAD! CHECK ALL SPELLING, PUNCTUATION, PHONE NUMBERS, SIZES, AND COLORS BEFORE APPROVING. ANY CHANGES MADE AFTER APPROVAL WILL INCUR ADDITIONAL CHARGES.

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ACME SIGN COMPANY
1136 Fletcher Street
Dallas, TX 75223
214-824-3695
800-856-1864
Fax 214-826-6010
www.acmesign.com

Signage Drawing Information

Customer: NASR Bros. Jewelers

Address: 3310 Dallas Pkwy #109 Plano TX

Sales Rep: Stephanie Headen

Designer: Kimberlea Miller

Date: 6-15-15

Revision Date: 7-27-15 R7

File Name: NASR Bros. Jewelers / Plano / Drawing 7-27-15

Sign Description: Channel Letters on / on Raceway

2 of 2

Information for Customer

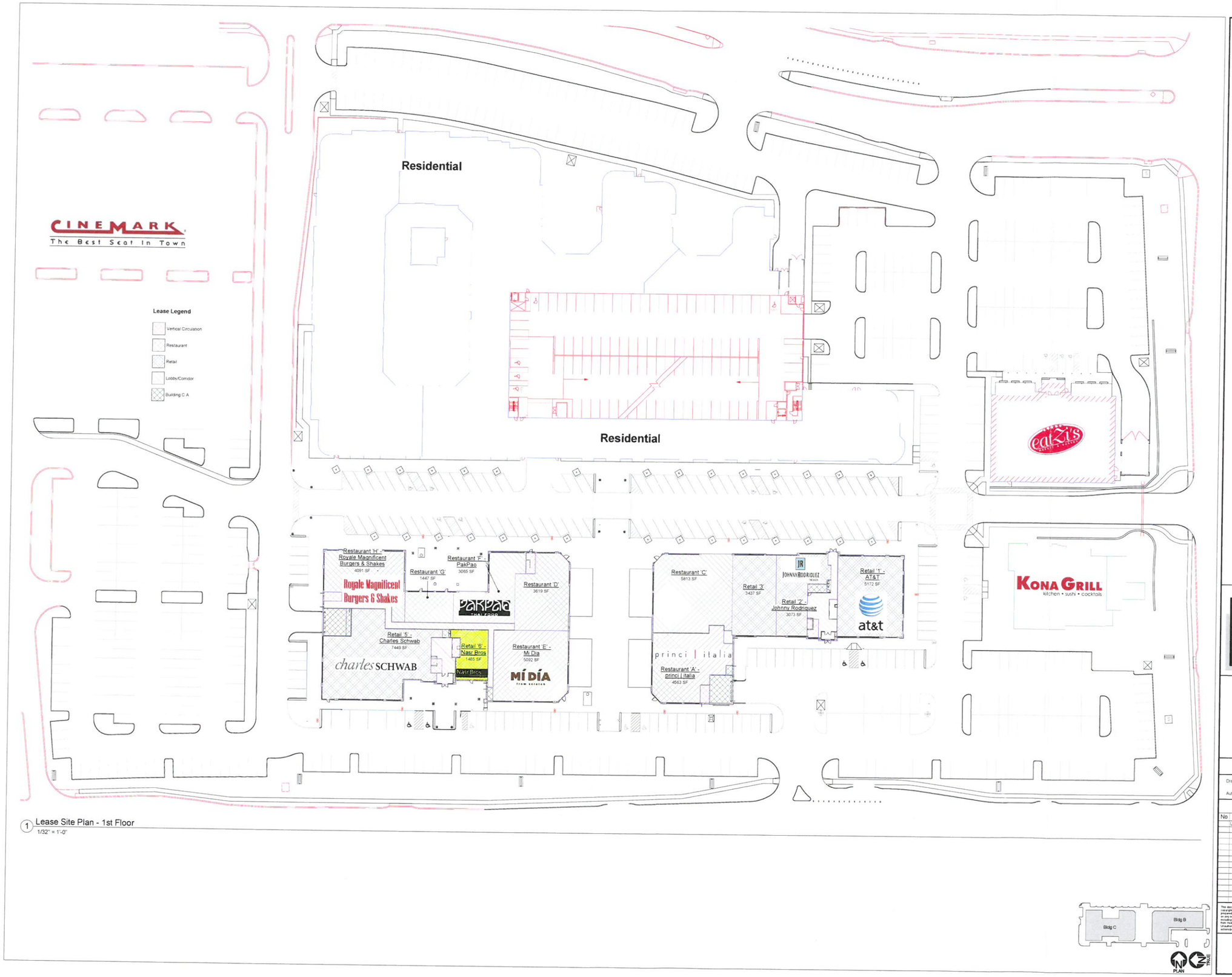
It is the Customer's responsibility to provide electricity & electrical hook-up of 120V sign voltage to ALL Signage.

This design and engineering drawing is our proposal. The right to use and reproduce in any form is not authorized without permission by Acme Sign Company

Underwriters Laboratories Inc.

charles SCHWAB
972-288-4434

West Plano Village
500,000 SF Mixed-Use Development
SPACE AVAILABLE
Office
Restaurant
Retail



1 Lease Site Plan - 1st Floor
1/32" = 1'-0"

West Plano Village

HODGES & ASSOCIATES
Architecture • Planning • Interiors
www.hodgesusa.com 972.387.1000
13642 Omega, Dallas, TX 75244

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

mm.dd.yyyy

Project Number:
04112-04

Drawn By
Checked By
Author
Checker

Revision Schedule

No	Description	Date
	Lease Plan	03.26.2015

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LP1.10

Lease Site Plan - 1st Floor

APPEAL SUMMARY
#16-16S

APPLICANT: Property owner David C. Palmer with West Plano Village Ltd.

ADDRESS: 3310 Dallas Parkway, Suite # 109

ZONING: Regional Commercial (RC)
PD-185

APPLICANT REQUEST: The applicant is requesting to vary from Subsection 22.300 (.1) (K) (iii) of Division 2, Article 22, Zoning Ordinance No. 2015-5-2 as amended, to allow a canopy sign to exceed the allowable height of 12 inches by 13 inches for an overall height of 25 inches.

ORDINANCE REQUIREMENTS:

Subsection 22.300 (.1) (K) (iii) states the canopy signs shall not exceed 12 inches in height and shall not extend above the roofline of the building.

STAFF FINDINGS:

This property is located at the northeast corner of Parker Road and Dallas North Tollway (DNT), situated within a commercial zoning district.

Per the applicant, the beam mounted canopy sign will be the only sign installed and it is well below the maximum size allowed for a wall sign under the ordinance.

This tenant faces DNT and per the applicant no additional sign will be installed for this tenant. The canopy sign exceeds the allowable 12 inches by 13 inches for the overall height of 25 inches. The canopy sign will not exceed the allowable 75% coverage of the canopy width.

length of the face of the canopy. The width or thickness of the stripe shall be limited to one-third of the vertical dimension of the face of the canopy. The internal illumination of a canopy is limited to the portions of the canopy face on which a sign or stripe is permitted.

G. Subdivision Wall Signs or Plaques

Subdivision wall signs or plaques are limited to residential zoning districts and shall not exceed 30 square feet. Subdivision wall signs or plaques are limited to 2 per subdivision entry and may be illuminated by means of spotlighting only. Subdivision wall signs or plaques shall only be attached to an approved masonry screening wall or entry feature. The homeowners association or developer must enter into a maintenance agreement with the City of Plano Planning Department. Subdivision wall signs or plaques shall only be allowed in the absence of a freestanding subdivision entry sign.

H. Window Signs

Window signs are permitted. The total area of all window signs on any given elevation of a building may not exceed 25% of the window area of that elevation.

I. Occupational Signs

Occupational signs shall not exceed 2 square feet in area and shall denote only the name and profession of an occupant in a commercial building or public institutional building.

J. Murals

(ZC 2004-24; Ordinance No. 2004-8-21)

i. Murals shall be reviewed and approved by the Building Official for compliance with the definition of a mural and other applicable local, state, and federal laws.

ii. Murals denied by the Building Official shall be subject to review pursuant to Sec. 22.100.9.

K. Canopy Signs

(ZC 2013-21; Ordinance No. 2014-1-9)

i. Canopy signs may be placed on top of or may be attached to the face of a canopy.

ii. The combined total area of wall signs and canopy signs on any wall shall not:

a. Exceed the area and size allowed for a single wall sign and;

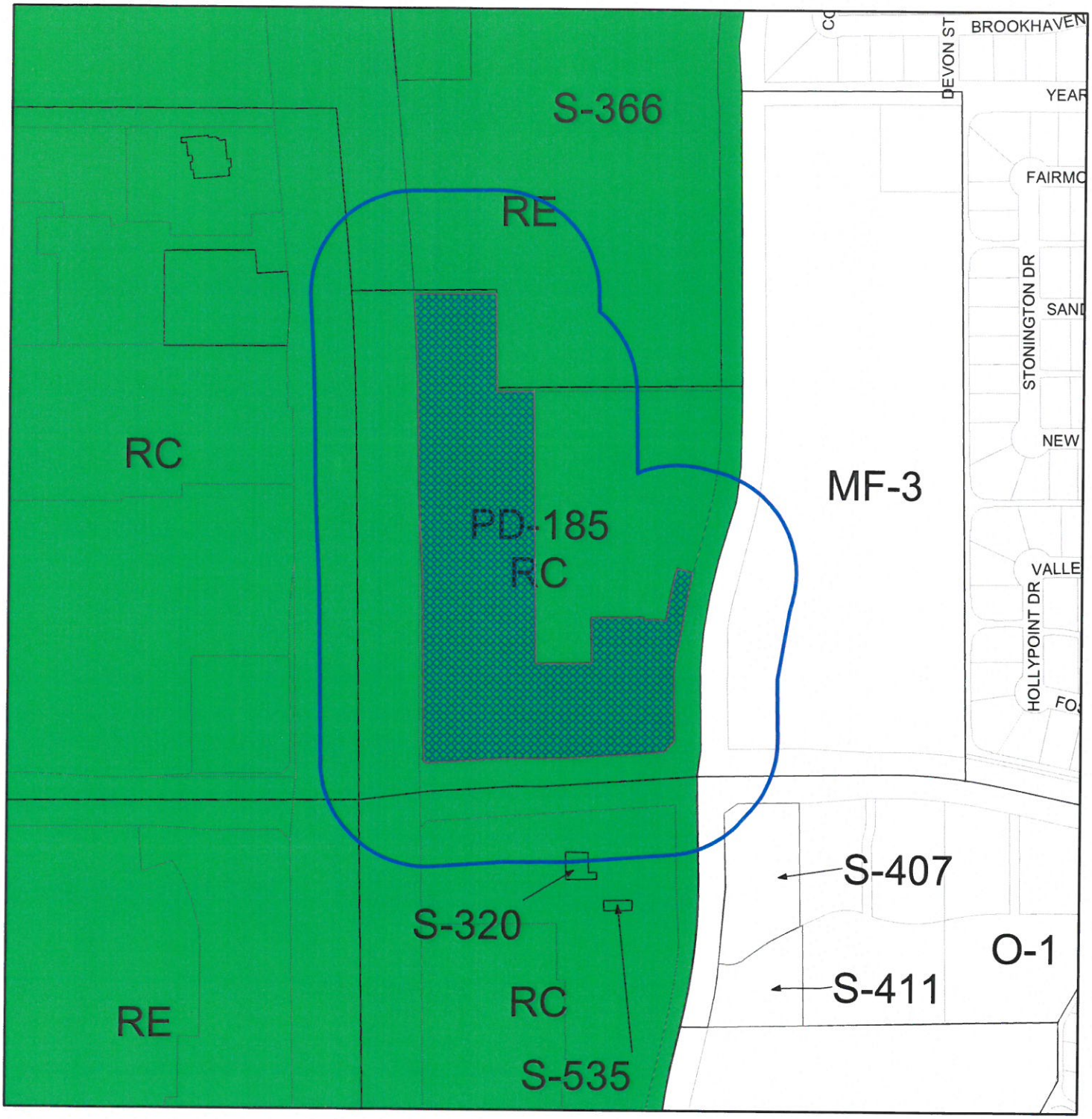
b. Exceed more than 75% of the length of the canopy.

iii. Canopy signs shall not exceed 12 inches in height and shall not extend above the roofline of the building.

.2 Freestanding Signs

A. Agricultural Signs

Agricultural signs, limited to advertising produce, crops, or animals on a farm, may be erected in any Agricultural zoning district and shall not exceed 50 square feet. Maximum height of an agricultural sign shall be 15 feet with a required setback of

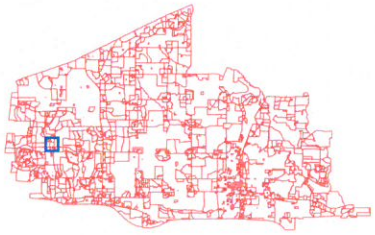


Board of Adjustment

Appeal #: #16-16S

Address: 3310 DALLAS PKWY, STE #109

Zoning: REGIONAL COMMERCIAL (RC)
PD-185



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