

# Planning Staff Analysis

## PDA25-0003a/Gateway of Denton Signs

### City Council District #4

#### REQUEST:

Request to amend Planned Development 139 (PD-139) on 4.291 acres to establish special sign regulations for a travel plaza (the Vintage Travel Plaza Special Sign Standards (VTPSSS)).

#### SITE DATA:

The site is a 4.291-acre undeveloped tract located at the southeast corner of Vintage Boulevard and I-35W Vintage Boulevard Ramp intersection. A detailed site plan for the development of a travel plaza was adopted for the site in 2024.

Vintage Boulevard/FM2499 is classified as a Primary Arterial which originates at Highway 377 and extends across I-35W and continues west as FM 2449. It has been recently reconstructed between Highway 377 and I-35W by expanding the roadway to a four-lane divided section with a five-foot sidewalk on the north side of the roadway and a ten-foot shared-use trail (accommodating bicycles and pedestrians) along the south side of the roadway. The Mobility Plan depicts a future extension of Loop 288 (currently terminates at I-35 in north Denton) toward the west and south, ultimately connecting to I-35W at FM 2449 on the west side of I-35W.

Currently, I-35W is constructed as a four-lane divided interstate highway with curved exit ramps connecting to Vintage Boulevard. An expansion of the roadway is currently in design and will include additional travel lanes, frontage roads, and redesigned ramps at Vintage Boulevard/FM 2449.

There are no Environmentally Sensitive Areas, floodplain, or other significant environmental features on the site.

#### SURROUNDING ZONING AND USES:

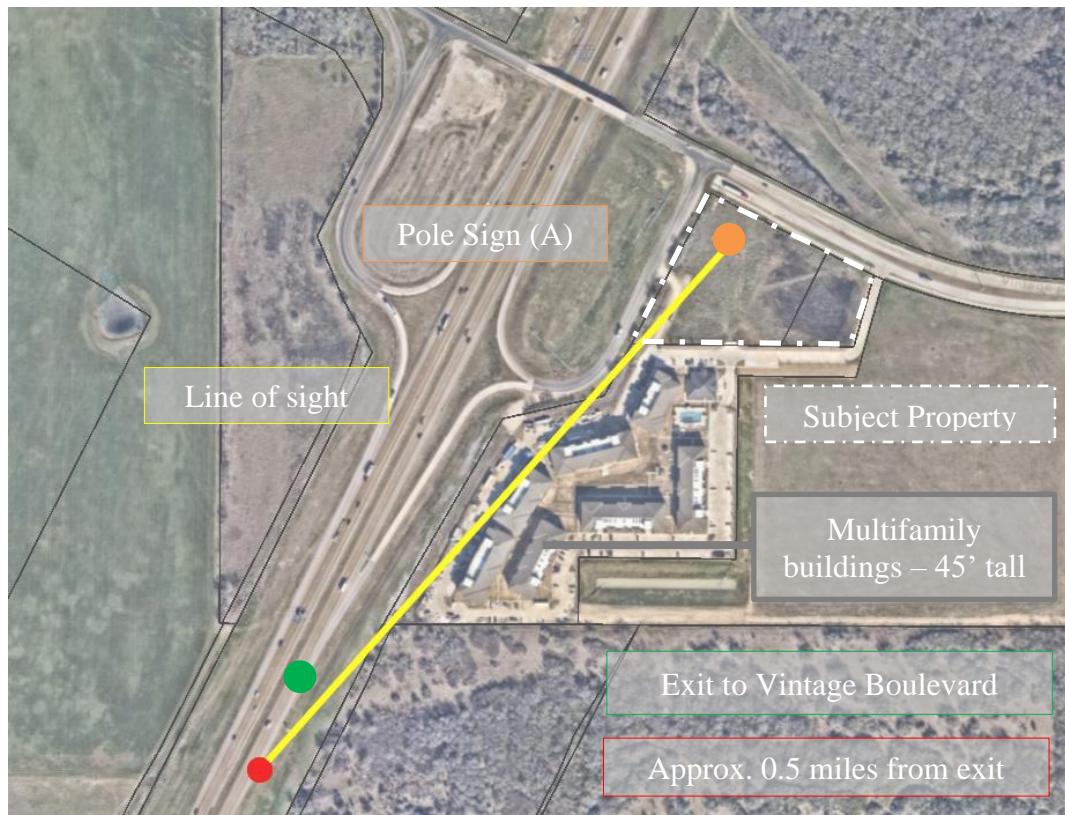
Northwest: Zoning: Highway Corridor (HC) Use: I-35W and undeveloped land	North: Zoning: PD-139 Use: Vintage Boulevard and undeveloped land	Northeast: Zoning: PD-139 Use: undeveloped land and single-family residential
West: Zoning: Highway Corridor (HC) Use: I-35W and undeveloped land	SUBJECT PROPERTY	East: Zoning: PD-139 Use: Charter school use approved, currently undeveloped
Southwest: Zoning: PD-139 Use: Multifamily (developing)	South: Zoning: PD-139 Use: Multifamily (developing)	Southeast: Zoning: PD-139 Use: Charter school use approved, currently undeveloped

## CONSIDERATIONS:

- A. Section 33.14.3 of the Denton Sign Code (Chapter 33 of the Code of Ordinance) specifies that the approval criteria applicable to the creation of a sign district contained in Section 33.18 also apply to sign regulations adopted within a Planned Development District:
  - a. *Provides a Comprehensive Plan for signs that would be clearly superior to what would be allowed without the plan*

Signs are needed as part of the urban built environment: they provide directions for residents and visitors and communicate messages for commerce and community. However, signs can create nuisances such as visual clutter on city streets, glare for nearby property owners, and distract drivers. Generally, sign regulations aim to balance a property owner's sign needs with a community's aesthetic and safety goals by limiting the type, size, number, and setbacks to minimize nuisances.

The approved travel plaza development includes automotive fuel sales, two restaurants, and an auto wash facility. The graphic below illustrates the angle of traffic heading north on I-35W from a driver's point of view with respect to the proposed multi-tenant pole sign.



At the point where a driver might need to exit the highway to visit this development, a pole sign at 40 feet would not allow for adequate visibility for the advertisement of all three businesses due to the height of the multifamily buildings to the south of the subject area. Additionally, due to the wider right-of-way width of I-35W where it intersects with Vintage Boulevard, adjacent property and required building setbacks make it so that the travel center development and associated signs are tucked behind developments to the south and southwest for drivers traveling northeast into the City of Denton. Because of these conditions, some of the proposed ground signs do not meet the regulations within the Code of Ordinance Chapter 33, Denton Sign Code. The proposed VTPSSS establishes a comprehensive plan (see Exhibit 8) for ground signs for the travel center development approved via Ordinance PDA23-0005a to meet the distinct needs of this unique location along the I-35W corridor. A full listing of the VTPSSS is provided in Exhibit 7, and the following summary demonstrates elements of the plan and standards which provide for superior visibility compared to what would be allowed under the Denton Sign Code:

- **Maximum Height:** Per Section 33.14.2(b), signs on IH 35N, 35E, or 35W have a maximum height of 40 feet. As proposed, Pole Sign (A) exceeds the maximum height by 20 feet in order to ensure visibility of the sign for drivers on the northbound side of I-35W prior to the appropriate exit.
- **Maximum Effective Area:** Per Section 33.14.2(b), signs on IH 35N, 35E, or 35W have a maximum effective area of 250 square feet. With a total effective area of 466 square feet, the proposed Pole Sign (A) exceeds the maximum effective area for IH 35N, 35E, or 35W (max 250 square feet) by 216 square feet. The total effective sign area includes advertisement for the automotive fuel sales as well as a sign for each of the two restaurants. This increased effective area in addition to the increased height is needed to accommodate all three businesses and allow for visibility from the right-of-way.
- **Design:** In addition to allowing additional height and area for Sign A, the proposal includes cohesive materials, colors, and detailing for all proposed on-site signage which complements the travel plaza architecture, color palette, and materials. Furthermore, the proposal would limit the number of ground signs within the district. Therefore, this unified sign package may reduce visual clutter with consistency and uniformity.

b. *Would be compatible with surrounding properties. In considering whether a district and sign plan is "compatible" and "clearly superior", the commission and council shall consider, but are not limited to considering the following:*

- a. *Scale. The relationship between and compatibility of sign scale, site scale and the scale of nearby buildings*

As discussed above, the proposed deviation in height is to allow for visibility of the sign beyond the 45-foot-tall multifamily buildings just south of the subject property. Therefore, the proposed height is appropriate with the scale of the area. All other proposed signs comply with the Denton Sign Code standards.
- b. *Color. The relationship between and compatibility of sign color to the color of nearby buildings and landscaping: The degree to which sign colors are complimentary to its surroundings.*

The sign colors correspond to the brand colors and coloring of the buildings for each brand.

c. *Material. The materials of the signs and how they relate to their surroundings.*

The materials for the signs include a pole for visibility with the travel plaza branding and business name contained in the upper portion of the sign as well as a variety of smaller ground signs. Materials for the sign types are appropriate for a travel center use setting and consistent with the architectural style of similar uses.

d. *Shape. The shape and design of the signs and how they relate to their surroundings*

The shape and design of the proposed ground signs are compatible with the site architecture and typical of signs found on freeways to provide visibility for businesses.

e. *Landscaping. The relationship of signs to landscaped features in and outside the district.*

The ground signs would be installed adjacent to the Interstate 35W service road and Vintage Boulevard and will not conflict with the landscape plans approved as part of PDA23-0005a (Exhibit 6).

f. *Traffic safety and traffic circulation. The impact of the signs on driver's view, the degree to which view obstructions are created or improved, avoidance of confusion with or obstruction of traffic control signs and devices, and the time it takes a motorist to read the sign.*

The proposed signs are not anticipated to obstruct drivers' view or create confusion. Rather, the taller Pole Sign (A) is intended to provide adequate visibility from the right-of-way. Additionally, each ground sign included in the sign package reflects the intent to provide legible directions to the various businesses within the site.

g. *Illumination. The impact and compatibility of sign illumination within the district and in relation to neighboring properties. The avoidance of glare and light pollution.*

The proposed Pole Sign (A) and Monument Sign (B) are internally illuminated and the proposed Direction Signs are externally illuminated. All signs must meet the illumination level and setback requirements of the Denton Sign Code.

h. *Integration. How the signs in the district are integrated into a unified development concept with the topography, building design, other signs, landscaping, traffic circulation and other development features on the district and nearby property.*

a. *Is not being used merely to avoid or gain a variance of the sign regulations;*

The proposed special sign district is not intended to merely vary from the sign regulations, rather, the purpose is to comprehensively plan the ground signs to determine the appropriate number, optimal locations, adequate sizes, and the compatible design to clearly communicate necessary information while minimizing potential impacts.

*b. Does not violate the spirit or intent of the sign regulations; and*

According to Section 33.1(c), the purpose of the sign regulations is to balance important and competing interests, including the constitutional right to free speech and the public interests in safety and aesthetics, including controlling visual clutter.

The proposed VTPSSS would not violate this purpose, rather, it is intended to allow for the promotion of three of the business developing on the subject property and direct vehicular traffic to various areas throughout the property. Additionally, the proposed special sign district limits potential visual clutter by placing ground signs in key locations to welcome visitors and direct drivers, potentially reducing the need for additional signs throughout the site.

*c. Complies with the requirements of this section.*

The proposal complies with the requirements of this section.

B. In addition to the standards within the Denton Sign Code, Section 2.4.5.E of the Denton Development Code (DDC) provides approval criteria applicable to all applications.

*a. General Criteria*

*a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The review criteria were applied as required.

*b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.*

Section 2.7.3.D of the DDC applies to this PD amendment request. An analysis of this request per those criteria can be found below in Consideration C.

*c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for rezoning to PD requests, or in this case a PD amendment.

*b. Prior Approvals*

The proposal is consistent with the permitted uses and detailed site plan approved in PDA13-0005a. As illustrated in the Comprehensive Sign Package (Exhibit 8).

*c. Consistent with the Comprehensive Plan and Other Applicable Plans*

*The decision-making authority:*

*a. Shall weigh competing goals, policies, and strategies.*

There are no competing goals, policies, or strategies with this proposal.

*b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.*

## **Future Land Use**

Per the Denton 2040 Comprehensive Plan Future Lane Use Map (FLUM), the subject property is designated as Regional Mixed Use. This designation applies to areas intended to serve as regional destinations within Denton, and development may include residential, commercial, office, entertainment, and other uses except industrial, at the highest levels of scale and density within the city. The approved travel plaza development is consistent with this designation.

### **d. Compliance with this DDC**

#### *a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

The proposed amendment to approved PDA23-0005a complies with the PD Amendment process as outlined in DDC Section 2.7.3. Since the PD was adopted prior to the current DDC regulations, the PD also follows the standards as required by the planned development regulations (Ordinance 1991-034) and Article II, Appendix B-Zoning of the Code of Ordinances (1969 Zoning Ordinance). As discussed in Consideration A above, the proposed planned development amendment proposes deviations from the Denton Sign Code but complies with the approval criteria applicable for the creation of a sign district for any property that has more than 300 feet of continuous street frontage on one public street.

#### *b. Compliance with these standards is applied at the level of detail required for the subject submittal.*

The applicant has provided a Comprehensive Sign Plan (Exhibit 8) with the application submittal. The signs have been reviewed for conformance with the Denton Sign Code and the proposed VTPSSS requires compliance with the Denton Sign Code except for those deviations identified for the proposed Pole Sign. All signs shall be constructed in accordance with the VTPSSS.

### **e. Compliance with Other Applicable Regulations**

The proposal conforms to the PD regulations for both use and development standards, and also complies with the Denton Sign Code as previously noted.

### **f. Consistent with Interlocal and Development Agreements**

There are no interlocal or development agreements for the subject site.

### **g. Minimizes Adverse Environmental Impacts**

There are no Environmentally Sensitive Areas on the site. The development is compliant with the current DDC requirements for tree preservation and stormwater management, which were fully analyzed with the Civil Engineering Plans for the development.

### **h. Minimizes Adverse Impacts on surrounding Property**

This approved development is not expected to have an adverse impact on surrounding properties. Although the majority of the property immediately adjacent to the subject site is undeveloped, the surrounding zoning and nearby development suggest that suburban scale commercial uses could continue to develop along Vintage Boulevard, especially with the future plans for Loop 288 to be continued around the western side of the City, terminating at this intersection on I-35W. The approved development is consistent with this trend.

As designed, the use is oriented toward the I-35W and Vintage Boulevard rights-of-way, minimizing vehicular impacts to development to the south or east of the site. Regarding access, the development plan for the travel plaza is coordinated with the multifamily residential development to the south and the intended school to the east. As discussed in Consideration A above, the proposed signs are designed for adequate visibility from I-35W and Vintage Boulevard, oriented to maintain clear sight visibility triangles for the safe passage of vehicular traffic.

i. *Minimizes Adverse Fiscal Impacts*

The proposed amendment is not anticipated to create adverse fiscal impacts.

j. *Compliance with Utility, Service, and Improvement Standards*

This proposed PD Amendment will not negatively affect utilities, services or improvements.

k. *Provides Adequate Road Systems*

As a result of the TIA, the following improvements were required conditions to the approval of PDA23-0005a to ensure safe and adequate access:

- An eastbound right-turn deceleration lane within Vintage boulevard to serve the westernmost drive
- A westbound left-turn lane within Vintage Boulevard to serve the easternmost drive
- A median opening within Vintage Boulevard to serve the easternmost drive

The proposed signs will contribute to safe access to and navigation throughout the development.

l. *Provides Adequate Public Services and Facilities*

This proposed PD Amendment will not negatively affect public services and facilities. The new development must connect with existing utility stubs and comply with all applicable standards to ensure adequate public services and facilities are constructed in accordance with the approved Civil Engineering Plans.

m. *Rational Phasing Plan*

No phasing is proposed for this development.

C. Section 2.7.3.D of the DDC states that an application for a rezoning to PD district may be approved based on the following conditions:

a. *Complies with the goals of the Comprehensive Plan.*

As was discussed in B.3.b above, the proposed development is consistent with the Regional Mixed Use Future Land Use Designation of the Denton 2040 Comprehensive Plan.

b. *Complies with the goals of relevant Area Plans.*

There is no small area plan approved for this site.

c. *Complies with this DDC, except where modifications are expressly authorized through the PD Regulations Document and PD Development Plan.*

The approved PD Development Plan complied with the DDC to the greatest degree possible in addition to the development standards outlined in Ordinance 91-034. The proposed VTPSSS complied with the Denton Sign Code except for the limited deviations proposed for sign height and effective area as outlined in Exhibit 1.

- d. Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in the PD district.*

The travel plaza use and layout were previously approved as part of PD-139. This amendment is specific to signage and complies with the criteria for deviation from the Denton Sign Code as described in consideration A above.

- e. In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding areas.*

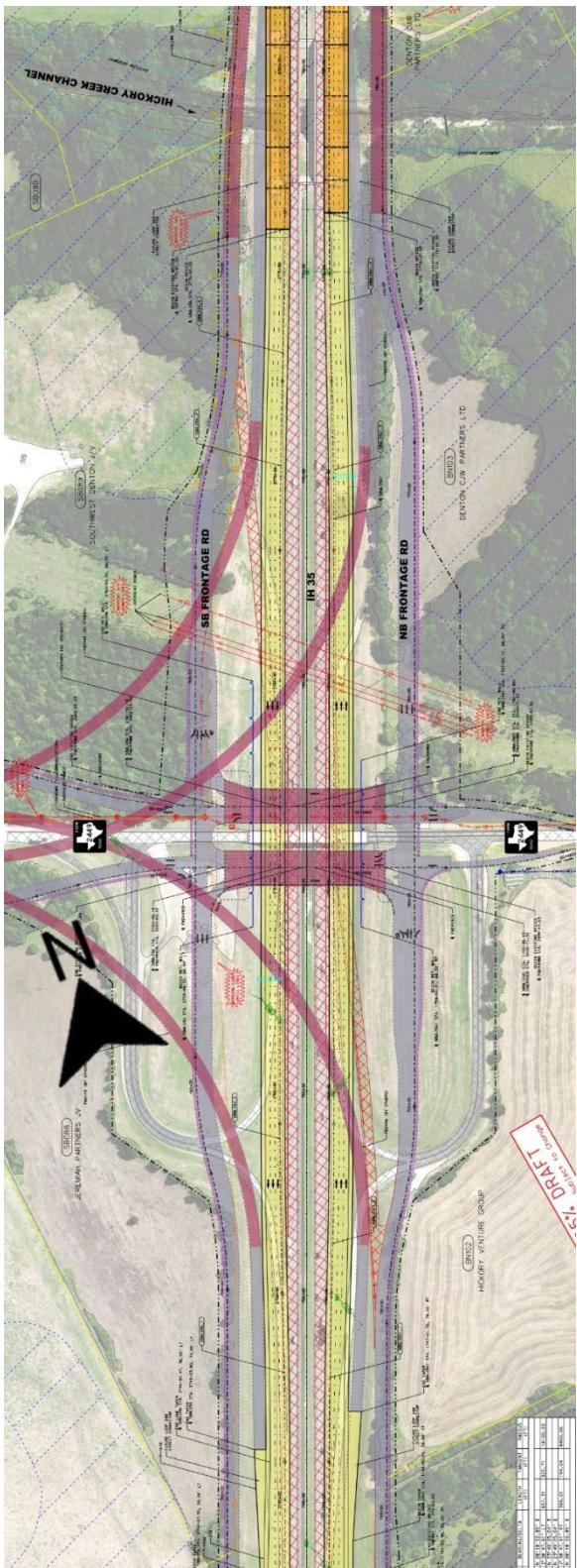
No residential uses are proposed as part of this PDA, which is specific to signage for an already approved commercial development.

- e. In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended.*

The approved commercial uses are appropriate for this area, which is at the intersection of a primary arterial roadway and an interstate highway. The proposed signs will ensure safe navigation to and through the commercial development.

- f. The provisions of public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD district.*

Adequate public facilities are in place to serve the approved development and this will not be impacted by the proposed sign standards.



Future improvements to I-35W include new north- and south-bound frontage roads which will require a realignment of the entrance and exit ramps to remove the current curved roadways to a more typical diamond pattern. The north-bound frontage road adjacent to the site will include a dedicated right-turn lane, one through-lane, one shared through and left-turn lane, one left-turn lane, and one u-turn lane (see graphic, left). Completion of improvements is anticipated for 2028.