

Board of Adjustment

Staff Report

CASE NUMBER: BA16-003
LOCATION/ADDRESS: 1855 and 1903 S. Country Club Drive
COUNCIL DISTRICT: District 3
STAFF PLANNER: Lisa Davis, Planner II
OWNER: Empire Properties
APPLICANT: Sam Fattohy

REQUEST: *Requesting a Special Use Permit to modify an existing Comprehensive Sign Plan (CSP) and to allow an electronic message display to change more frequently than once per hour in the LI-CUP (Light Industrial-Council Use Permit) zoning district.*

SUMMARY OF APPLICANT'S REQUEST

Requesting a Special Use Permit (SUP) to modify the existing Comprehensive Sign Plan CSP (BA06-004) to allow the existing monument sign for 1855 S Country Club Drive, Building B, to be relocated, and to add an additional detached monument sign for 1903 S. Country Club Drive, Parcel C. Also requesting an SUP to allow an electronic message display to change more frequently than once per hour. Building B and Pad C are part of an existing Group Commercial-Office-Industrial Center (COI) at the northeast corner of Country Club Drive and Baseline Road.

STAFF RECOMMENDATION

Staff recommends **approval** of case BA16-003, *conditioned upon following:*

1. Compliance with the approved Comprehensive Sign Plan BA06-004, except as approved by this modification.
2. Compliance with the site plan and sign elevations submitted except as modified by the conditions below.
3. Compliance with all requirements of the Development Services Division with regard to the issuance of sign permits.
4. **The existing monument sign must be removed prior to the issuance of the sign permit for the proposed detached monument signs for Building B.**
5. ***At the electronic display message sign, each message shall remain static for a minimum of fifteen (15) seconds.***
6. ***The transitions between messages and the light intensity level of the electronic message display shall comply with the requirements of Section 11-19-8(D)17.***

CASE SITE: Existing commercial center – Zoned LI-CUP
NORTH: Existing Hotel, commercial and industrial – Zoned GC-BIZ and LI
EAST: Existing Industrial – Zoned LI
SOUTH: (across Baseline Road) Existing Commercial - Town of Gilbert
WEST: (across Country Club Drive) GC Zoning District

CSP HISTORY

BA06-004- Approval of the Comprehensive Sign Plan (CSP) for the commercial center.

ZA09-009- Approval of a modification to the CSP to add a detached multi-tenant sign at the Baseline Road frontage. This increased the number of detached signs allowed from three to four.

BA14-014- Approval of a modification to the CSP to allow the McDonalds, Parcel C, sign adjacent to Baseline Road to be increased in height from 9' to 10'-6".

PROJECT DESCRIPTION

Existing commercial center site area: 33 acres ±
Pad B existing Building Size: 17,940 SF
Pad C is an approximately 13,000 SF vacant site, located approximately 230-ft east of Country Club Dr, and 400-ft north of Baseline Rd.

STAFF ANALYSIS AND FINDINGS:

The existing Comprehensive Sign Plan (CSP) established sign specifications and requirements to create sign compatibility within the COI center (BA06-004). The primary deviation approved was the aggregate number and sign area of attached signs allowed for the Walmart. Through the approved CSP Walmart was approved to have 12 attached signs with a maximum of 611 square feet, 3 at a maximum 160 SF allowed per code. Although the aggregate attached sign area far exceeded code requirements, the detached signs allowance for the center was far below the allowed. The approved CSP allowed for three detached signs adjacent to Baseline Road and three detached signs adjacent to Country Club Drive. The CSP was modified in 2009 to add an additional multi-tenant monument sign adjacent to Baseline Rd. (ZA09-009.) In 2014 it was modified again to allow for the detached McDonald's sign adjacent to Baseline Road to be increased in height from 9' to 10'-6". Existing detached signs adjacent to Country Club Drive are the 9' high Culver's sign at Parcel E, the 12' high Walmart sign and current 9' sign for Building B. Pictures of the existing detached signs, provided by the applicant, are attached.

The current request to modify the CSP relocates the existing monument sign, (TM-1), that is the most northern detached sign adjacent to Country Club Drive. This sign is utilized to advertise the occupants of building B. According to the applicant's narrative the visibility of the current sign is low. The low visibility impacts the occupancy levels of the building, which is currently at 40% vacancy. The applicant is proposing to relocate the sign further south and closer to the right of way in order to increase visibility. The applicant is also requesting an increase in height of this detached sign from 9' overall height to 12' overall height with a sign area of 80 SF. The CSP established overall heights for the monument signs that includes the top architectural embellishment. This design of the proposed sign is consistent with the detached multi-tenant sign that was approved adjacent to Baseline Road ZA09-009. This sign will have the LED electronic message display screen that has the SUP request to change more frequently than once per hour.

The applicant is also requesting to add a detached sign adjacent to Country Club Drive that will be used for the vacant Parcel C. The owner of the property believes that limited visibility of the parcel and lack of sign allowance has impeded the development of the property. The overall proposed height for this sign is 8'-9". The area requested with this sign is 54 SF. The sign for Building B is proposed at 70' from the proposed sign for Parcel C which will be 60' from the existing Walmart sign. As shown in the table below, the total (detached) sign area and sign height are still significantly less than would be allowed under current Sign Ordinance maximums.

Detached Signs

Street	Aggregate Sign Area			Aggregate Sign Height		
	Code	CSP	Proposed	Code	CSP	Proposed
Baseline Rd. 4 signs allowed* - 1,565' frontage	783 SF	267 SF*	267 SF*	78 feet	43.5 feet* (56% of allowed)	43.5 feet* (56% of allowed)
Country Club Dr. 3 signs allowed – <i>Proposed- 1 Additional sign and 3' additional height</i> 896' frontage	448 SF	240 SF	294 SF	45 feet	30 feet (67% of allowed)	42 feet (93% of allowed)

*Includes a fourth sign that was added through ZA09-009.

This request does not make any other revisions to the attached sign CSP totals. For reference the CSP standards for attached signage are listed in the table below:

Allowed Attached Signs

Building	Building Frontage	Code Sign Area	Code Number of Signs	CSP approved Sign Area	CSP Approved Number of Signs
Parcel A Wal-Mart Supercenter	1,168 feet	160 SF	3	611 SF (382% of allowed)	12 (4 modifiers) 611 SF
Parcel B, C, D, E and Lease Lot Phase VI	Varies	Max. 160 SF	Frontage >100' = 3 signs Frontage ≤100' = 2 signs	Min. 24 SF Max. 160 SF	Frontage >100' – 3 signs Frontage ≤100' – 2 signs

The CSP approved attached signage for Parcels B, C, D, E, and Lease Lot Phase VI (the subject parcel) that meets current Sign Ordinance. The purpose of the original CSP appears to have been to allow attached signage for the Walmart Supercenter to exceed the Sign Ordinance maximums in exchange for limited detached signage.

Staff believes the relocation and addition of height of the existing monument sign for building B can be justified to allow for adequate visibility. The addition of the 8'-6" overall monument sign will allow for a detached sign for Parcel C when it develops. The proposed sign area, height and placement are below the Sign Ordinance maximums. There is an additional Special Use Permit request to allow the Building B 12' high sign with the LED electronic message display to change more often than once per hour.

The current Sign Ordinance requires electronic message displays to remain static for a minimum of one hour unless a Special Use Permit (SUP) is granted. Through an SUP a request to change more than once per hour may be granted if the proposed sign is found to be compatible with and not detrimental to surrounding properties through the consideration of specific factors of Section 11-19-8(D)17 which are:

1. The speed and volume of the vehicular traffic visually exposed to the sign;
2. The presence of other signs or distracting influences in proximity to the sign location; and
3. The extent to which the design of the sign is compatible with other signs located on the premises.

The maximum speed limit allowed at Country Club Drive in this area is 45 mph. The existing monument sign will be moved approximately 95' south at about 5' from the property line to allow for visibility. The newly proposed 8'-6" monument signs of Parcel C will be 70' south of the sign. A minimum distance of 50' is required per code. Therefore the number of sign distractions in this area is limited. The applicant is requesting a change in message display every 15 seconds. This request is consistent with Board of Adjustment policy. The basis for these decisions has been the idea of having one message visible for approximately a quarter mile as a vehicle approaches the sign. A static message for 15 seconds ensures the message is static long enough for the driver to read whatever it says quickly, in a single display, and then divert their attention back to the roadway.

FINDINGS:

1. The original CSP, BA006-004, was approved in 2006 and primarily addressed signs for the Major tenant, Walmart, and most notable, attached sign for this tenant.
2. In 2009, ZA09-009 was approved to modify the CSP to allow an additional 12' overall height detached monument sign adjacent to Baseline Road for Parcel D.
3. In 2014 BA14-014 approved additional detached sign height for McDonald's adjacent to Baseline Road.

4. The applicant has proposed an increase in height to the existing Building B detached sign and a new detached sign for Parcel C adjacent to Country Club Drive. The total amount of sign height for the Country Club Drive street frontage including the existing and proposed signs, total of 42 feet less are than allowed by the Sign Ordinance, 45' allowed.
5. The proposed sign area for the total of four detached signs adjacent to Country Club Drive is significantly less than allowed by the Sign Ordinance. A total of 440 square feet is the maximum allowed per code and a total of 294 square feet is proposed.
6. The existing CSP standards for detached signage adjacent to Baseline Road are not revised by this request and are significantly less than allowed by the Sign Ordinance. A total of 78' would be allowed by Sign Ordinance with a total of 43.5' approved through the CSP.
7. All proposed and existing detached signs exceed the minimum 50' required between the detached signs.
8. The existing CSP standards for attached signage on the Walmart Supercenter, Parcels B, C, D, E and Lease Lot Phase VI are not revised by this request.
9. The proposed electronic message display sign is 340' south of the northernmost proposed monument sign for the center. The speed limit at Stapley Road is 45 mph which is typical for the area. The design of the sign is consistent with the approved updated elevations for the center.
10. The electronic message displays are to remain static for a minimum of one hour unless a Special Use Permit (SUP) is granted. With the Special Use Permit staff In this case a 15 second message display is consistent with past Board of Adjustment decisions.
11. The proposed modifications to the CSP will meet the intent of the originally approved CSP and are consistent with current Code requirements. The design of the signs are complimentary this group COI development and consistent with the use of the property. Therefore, the modified CSP, with the recommended conditions, is compatible with, and not detrimental to, adjacent properties or the neighborhood in general. No proposed detached sign exceeds 12 feet in height or 80 square feet in area.

ORDINANCE REQUIREMENTS:

Zoning Ordinance, Section 11-41-6 (E) – Permitted Signs:

2. Detached Signs.
 - a. One (1) square foot of total sign area per lineal foot of street frontage.
 - b. One (1) foot of total sign height per each ten feet (10') of street frontage.
 - c. Developments, including group C-O-I developments, displaying more than one (1) detached sign per street frontage shall be permitted 50% of total aggregate sign area and sign height specified in (1) and (2) above.
 - d. No detached sign shall exceed 80 square feet in area or 12 feet in height.

Zoning Ordinance, Section 11-41-8 (D) 13 – Supplemental Provisions:

13. A Comprehensive Sign Plan for a proposed or existing development/building may be approved by the Zoning Administrator/Board of Adjustment in conjunction with the granting of a Special Use Permit under Title 11, Administration and Procedures Chapter of the Mesa City Code. The purpose of a Comprehensive Sign Plan is to provide for the establishment of signage criteria that are tailored to a specific development or location, and which may vary from specific Ordinance provisions. The intent is to provide for flexible sign criteria that promote superior design through architectural integration of the site, buildings and signs.

A Comprehensive Sign Plan shall include the location, size, height, construction material, color, and type of illumination and orientation of all proposed signs, either permanent or temporary. The construction and placement of individual signs contained in the approved Comprehensive Sign Plan shall be subject to the issuance of sign permits in accordance with 11-19-8(E).

Zoning Ordinance, Section 11-41-8 (D) 17 – Supplemental Provisions:

17. Electronic message displays are permitted in accordance with the following:

a. Displays of static messages, where the message change sequence is accomplished immediately or by means of fade or dissolve modes, shall be permitted as a matter of right, subject to the sign size limitations otherwise applicable for the site, provided each message is displayed for a minimum period of one (1) hour.

b. A Special Use Permit in accordance with Chapter 70 this Ordinance shall be required for approval of the display of static messages displayed for a minimum period less than one (1) hour, and changed by any mode, or for message changes accomplished by the means of travel or scrolling modes. The Zoning Administrator/Board of Adjustment may attach conditions to the approval of such electronic message displays, including limitation on the minimum time period for the display of each message, to the extent necessary to ensure that the granting of the Special Use Permit will not have a detrimental effect on the surrounding area or the public welfare, and will be consistent with the purpose and intent of this Chapter. In making this determination, the Zoning Administrator/Board of Adjustment shall consider the following factors:

- (1) The speed and volume of the vehicular traffic visually exposed to the sign;
- (2) The presence of other signs or distracting influences in proximity to the sign location; and
- (3) The extent to which the design of the sign is compatible with other signs located on the premises. Exception: On a freeway landmark monument, such display is allowed only after approval of a Council Use Permit.

c. The intensity of the LED display shall not exceed the levels specified in the chart below:

INTENSITY LEVEL (NITS)		
COLOR	DAYTIME	NIGHTTIME
Red Only	3,150	1,125
Green Only	6,300	2,250
Amber Only	4,690	1,675
Full Color	7,000	2,500

Prior to the issuance of a sign permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in the chart above, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Building Safety Director.