

## Board of Adjustment

### *Staff Report*

**CASE NUMBER:** BA16-062  
**LOCATION/ADDRESS:** 5246 East Southern Avenue  
**COUNCIL DISTRICT:** District 2  
**PLANNER:** Kaelee Wilson  
**OWNER:** Southern and Higley Classic Car Spa, LLC  
**APPLICANT:** Marja Royala. Signs Plus

**REQUEST:** *Requesting a Special Use Permit (SUP) to allow: 1) modification of an existing Comprehensive Sign Plan (CSP), and 2) for an electronic message display to change more than once per hour for an existing car wash within a commercial center in the LC zoning district. (PLN2016-00714)*

#### **SUMMARY OF APPLICANT'S REQUEST**

This request involves a modification to an existing Comprehensive Sign Plan (BA04-025) to increase the height and square footage of an existing monument sign. The requested monument sign has an electronic message display that the applicant has requested the message to change every 30 seconds.

#### **STAFF RECOMMENDATION**

Staff recommends **approval** of case BA16-062, *conditioned upon the following:*

- 1. Compliance with the sign plan submitted, except as modified by the conditions listed below.*
- 2. The blue color on the posts for the sign shall be removed and painted a consistent color that matches the stone.*
- 3. The detached sign shall not exceed 8-feet in height and 30 square feet in sign area.*
- 4. The electronic message sign shall comply with all illumination intensity levels listed in Section 11-41-8-D-18c.*
- 5. The electronic message display shall change a maximum of once per 30 seconds.*
- 6. Compliance with all requirements of the Building Safety Division with regard to the issuance of sign permits.*

#### **SITE CONTEXT**

**CASE SITE:** Existing carwash within group commercial center – LC Zoning District  
**NORTH:** (Across Southern) Existing office complex – LC Zoning District  
**EAST:** Existing apartment complex – RM-3 Zoning District  
**SOUTH:** Existing apartment complex – RM-3 Zoning District  
**WEST:** (Across Higley) Existing apartment complex – RM-3 Zoning District

## STAFF ANALYSIS:

### Detached Signs

The subject parcel is an existing carwash that is currently undergoing on-site upgrades. In addition to the on-site improvements, the applicant is proposing to replace the existing 8-foot tall monument sign with 30 square feet in sign area with a 12-foot tall monument sign with 74 square feet in sign area with an electronic message display panel. When a Comprehensive Sign Plan was established for the overall shopping center (BA04-025), both detached and attached signs were taken into consideration to ensure compatibility and limit sign clutter. For the Southern Avenue frontage, there are three approved monument signs. Staff has created a brief table to document Code allowances, the current CSP approval (BA04-025) and the request.

Table 1

Street	Frontage	Code Aggregate Sign Area	Code Aggregate Sign Height	Approved 2004 Sign Area	Approved 2004 Sign Height	Proposed Aggregate Sign height	Proposed Aggregate Sign Area
Southern Avenue 3 signs	Approx. 600 feet	300 s.f.	30 feet	110 s.f.	28 feet	32 feet	180 s.f.

The “individual tenant” detached signs are identified at a maximum of 8-feet in height and 30 square feet in sign area in the existing Comprehensive Sign Plan. The only detached signage that exceeds that height are the overall center monument signs that are 12-feet in height. The requested increase in height from 8-feet to 12-feet and the increase in sign area square footage is inconsistent with the intent behind the original Comprehensive Sign Plan approval that took both the detached and attached signage into consideration to ensure balance between sign area and square footage. Staff is not supportive of the increase in height and square footage due to increase not being compatible with the existing detached signs.

The existing and approved monument signs are compatible with one another in color and building materials. The sign the applicant is proposing has a similar monument base but also includes blue painted posts within the sign construction. The blue coloring creates an inconsistency in uniformity amongst the signs that was established in 2004. Staff has added a recommended condition of approval that requires the blue posts to be painted a color consistent with the colors in the stone base.

### Special Use Permit for Electronic Message Display

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 on this portion of Southern Avenue is 45 mph. The number of monument signs is minimal with the proposed electronic message sign being the only one within this shopping center.

Finally, the request for a 30 second message display is consistent with past Board of Adjustment decisions, which have allowed message changes every 30 seconds. 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 30 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 FOR CSP:**

- 1 The current Comprehensive Sign Plan allows for a maximum of 8' in height and 30 square feet in sign area for individual tenant detached signs.
- 2 The applicant is requesting 12' in height and 74 square feet in sign area.
- 3 The proposed sign does not meet the intent of the original Comprehensive Sign Plan (BA04-025) that took both attached signs and detached signs into consideration to create a cohesive sign package.
- 4 The proposed is not of higher quality over the existing sign.
- 5 There are no special conditions or hardship on this property that would warrant the increase in sign height or square footage.

#### **FINDINGS FOR SUP FOR ELECTRONIC MESSAGE DISPLAY FREQUENCY**

- 1 The speed limit is 45 mph for this portion of Southern Avenue.
- 2 There is minimal sign clutter in this area so the electronic message changing every 30 seconds won't be detrimental or cause a distraction.

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

1. 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) – 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.

A Comprehensive Sign Plan containing elements which exceed the permitted height, area and number of signs specified in this Chapter may be approved by the Zoning Administrator/Board of Adjustment only upon a finding that:

- (a) The development site contains unique or unusual physical conditions, such as topography, proportion, size or relation to a public street that would limit or restrict normal sign visibility; or
- (b) The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent a clear variation from conventional development; or
- (c) The proposed signage incorporates special design features such as logos, emblems, murals or statuary that are integrated with the building architecture.

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:

<b>INTENSITY LEVEL (NITS)</b>
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<b>COLOR</b>	<b>DAYTIME</b>	<b>NIGHTTIME</b>
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.