

Board of Adjustment

Staff Report

CASE NUMBER: BOA17-00126
LOCATION/ADDRESS: 1411 South Power Road
COUNCIL DISTRICT: District 6
STAFF PLANNER: Kim Steadman, RA – Senior Planner
OWNER: Granite Peak/Victoria Land Partners LP
APPLICANT: Advanced Arizona – John Hansen

REQUEST: *Requesting modification to a Special Use Permit (SUP) to amend a Comprehensive Sign Plan (CSP) in the LC-PAD District.*

SUMMARY OF APPLICANT'S REQUEST

This request will amend a Comprehensive Sign Plan (CSP) to allow additional attached signage for the AT&T tenant space within an existing commercial center at the southeast corner of Power Road and Hampton Avenue. The CSP modification proposes attached signs in three locations. Two signs are currently allowed.

STAFF RECOMMENDATION

Staff recommends **approval** of case **BOA17-00126**, conditioned upon the following:

1. *Compliance with the sign plan submitted.*
2. *Compliance with all requirements of the Development Services Division in the issuance of sign permits.*
3. *Compliance with sign plan BA93-012 except as modified by this request.*

SITE CONTEXT

CASE SITE: 3-tenant commercial building – zoned LC-PAD
NORTH: (Across Hampton Avenue) Existing commercial – Zoned LC-PAD
EAST: Existing commercial – Zoned LC-PAD
SOUTH: Existing commercial – Zoned LC-PAD
WEST: (Across Power Road) Existing commercial – Zoned LC-BIZ

STAFF SUMMARY AND ANALYSIS

The existing CSP (approved through BA93-012) allows tenant spaces “Maximum two (2) signs not to exceed two (2) sq. ft. of total sign area for each front foot of building occupancy with a maximum of one hundred sixty (160) square feet in area total.” This is the same as the signage allowed by Code. This results in 160 SF of signage for this tenant space, based on the 80’ building dimension.

This tenant space is on the north end of the building, with three exposed sides. The door to the tenant space faces the parking area east of the building. The other sides face Power Road and Hampton Avenue. This request would add a sign to the north (Hampton Avenue) face for a maximum of three sign locations, one on each of the exposed elevations. In addition, the two parts (logo and AT&T name) of the east-facing sign, over the entry door, are proposed to be mounted on separate planes, but adjacent to each other. They function as one sign, but technically are two. Table 1 compares MZO standards (same as the current CSP) with the proposed CSP modification. **Bolded** entries exceed Code.

Attached Signs – MZO Chapter 11-41-6.E.1:

Table 1

<u>Facing:</u>	<u>Front Feet:</u>	<u>Code:</u> Aggregate <u>Sign Area</u>	Sign Name	<u>Proposed:</u> <u>Sign Area</u>	<u>Code:</u> <u>Number of Signs</u>	<u>Proposed:</u> <u>Number of</u> <u>Signs</u>
<u>NORTH – Hampton Avenue</u>	±80 feet	160 SF (aggregate divided between all elevations)	S3	±28 SF	2 (for the entire tenant space)	1
<u>EAST - Parking Lot</u>	(Only the longest frontage is used to calculate sign area.)		S1	±7 SF* ±20 SF*		2*
<u>SOUTH – N/A</u>			-	-		N/A
<u>WEST – Power Road</u>			S2	±28 SF		1
Total	±80 feet	160 SF	-	±83 SF	2	4

*These signs are two elements mounted adjacent to each other, but on different building planes. Unique features of building design and the proximity of the two signs means they will function as one sign.

While allowing one additional sign area for the north face of the tenant space, the requested modification to the CSP maintains the same 160 SF aggregate sign area allowed by code, and the existing CSP. The added sign will increase visibility from Hampton Avenue without adding sign area. The existing CSP precludes pad buildings from having detached signage, and this remains in effect. Staff finds the added third sign location on this tenant space provides the needed visibility while meeting the intent of the original CSP.

MZO 11-41-8.D.13 establishes required findings in order for the Board of Adjustment to approve a **CSP**:

(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	The modification to the CSP improves visibility from Hampton Avenue.
(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	Adding a sign facing Hampton Avenue responds to the configuration of this building on the site. The two east facing signs integrate with the unique building features and function as one sign.
(c) The proposed signage incorporates special design features such as logos, emblems, murals or statuary that are integrated with the building architecture.	The proposed attached signage has been modified to integrate with the architecture of the recently-renovated building. The use of logos helps to keep the signs area below the standard 160 SF maximum.

Summary of Applicant's Justification

As justification for the increase in number of signs the applicant has noted:

- A. The proposed additional sign location will be the only sign on this building facing Hampton Avenue;
- B. The existing CSP does not allow detached signage for pad buildings;
- C. The building was previously a single-tenant pad, with signage that did face Hampton Road;
- D. The sign design is in keeping with the quality established by the CSP; and
- E. The sign will be an asset to the commercial center.

MZO 11-70-5 establishes findings that are required if the Board of Adjustment is to approve a **SUP**:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;	Staff finds the proposed CSP modification provides appropriately-scaled signage that is consistent with the goals and objectives of the General Plan for this area.
2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;	The characteristics of this commercial building, and the proposed modification to the CSP are consistent with the commercial nature of this area, without increasing sign clutter.
3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and	The modified signage proposed in this modification of the CSP is in keeping with the intent of the CSP and will not be detrimental to the surrounding commercial area.
4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.	This area is fully developed, providing all the infrastructure, services and facilities needed.

Conclusion

The requested modification to the existing CSP allows for increased visibility while maintaining the 160 SF cap for sign area. The single sign proposed for the Hampton Avenue frontage will not constitute sign clutter in that area of the site. The signage for the entry wall and adjacent canopy function as a single sign although physically separate. The signage is well-designed in keeping with the CSP. Staff recommends approval with conditions, based on the following findings:

FINDINGS

1. The CSP modification does not add detached signage.
2. The CSP modification adds one (1) attached sign facing Hampton Avenue.
3. The CSP proposes two (2) adjacent signs for the east elevation. The proposed mounting configuration places the two signs as close as possible, allowing them to function as one sign.
4. The CSP proposes ±63 SF of attached signage.
5. The CSP modification retains the 160 SF cap on sign area for the tenant space.
6. The sign criteria within the CSP modification are tailored to this specific development and promote superior design.
7. The proposed CSP modification is complimentary to the surrounding area and consistent with the use of the property. Therefore, the CSP, with the recommended conditions, will be compatible with, and not detrimental to, adjacent properties or the district in general.

ORDINANCE REQUIREMENTS

Zoning Ordinance, Section 11-70-5 – Special Use Permit:

- B. *Special Use Permit (SUP)*. A SUP is a discretionary permit issued by the Zoning Administrator or Board of Adjustment.
- C. *Uses Subject to Special Use Permits*. Uses requiring a SUP are established in the use tables in Chapters 4 through 11.
- D. *Permit Requirements*. Permit requirements for some uses requiring a SUP are provided in Chapter 31, Standards for Specific Uses and Activities.

- E. *Permit Application and Procedures.* The procedures for review and consideration of a SUP are as provided in the Chapter 67, Common Procedures, except a citizen participation plan and report is not required.
- F. *Required Findings.* A SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established in the record.
 - 1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;
 - 2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;
 - 3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
 - 4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.
- G. *Revocation of Special Use Permits.* A Special Use Permit granted pursuant to this Chapter may be suspended, revoked, or modified by the Zoning Administrator, after holding a public hearing to determine whether any condition, stipulation, or term of the approval of the Use Permit has been violated. At least 30-days notice shall be provided prior to the public hearing, and all of the noticing and hearing requirements of Chapter 67 shall apply.

Zoning Ordinance, Sec. 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 Chapter 70 of this Ordinance. 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, 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 11-41-8 (E).