

Board of Adjustment

Staff Report

CASE NUMBER: BOA18-00833
LOCATION/ADDRESS: Within the 5300 and 5400 blocks of East Baseline Road (north side) - including 5416 E. Baseline Road
COUNCIL DISTRICT: District 2
STAFF PLANNER: Kim Steadman
OWNER: 5416 E Baseline Limited Partnership LP
APPLICANT: Bell Ventures – Sheri Beller

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

SUMMARY OF APPLICANT’S REQUEST

This request is to modify a Special Use Permit (SUP) for an existing Comprehensive Sign Plan (CSP) for “Inverness Commons” located east of the northeast corner of Baseline Road and Higley Road. The proposed modifications increase the cap on sign height for a specific category of attached signs, as well as modifying one of the original conditions of approval to allow more options for locating attached signs.

STAFF RECOMMENDATION

Staff recommends **approval** of case BOA18-00833, **with the following conditions:**

1. *Compliance with the modified sign plan details submitted, except as modified by the conditions below.*
2. *Sign type H3 as specified in the Inverness Commons Sign Plan shall be limited to a maximum of four signs per side of the building. A single tenant may utilize no more than two signs. Unless a modification is approved by the Zoning Administrator, all signs shall be placed at a single level. The Zoning Administrator may consider allowing signs at multiple levels on building elevations which are proportionally designed to incorporate more sign areas and the use of multiple levels is consistent with the architecture of the building.*
3. *Signage which includes logos or other elements that exceed the capped height may be reviewed and approved by the Zoning Administrator to allow the additional height. The body of the sign is to comply with the height cap, with a limited item(s) exceeding the cap.*
4. *Compliance with all conditions of approval of BA00-043 except as herein modified.*
5. *Compliance with all requirements of the Development Services Department in the issuance of sign permits.*

SITE CONTEXT

CASE SITE: Existing mixed-use development, and vacant land – Zoned NC-PAD, RM-3-PAD, LC, PEP-PAD, RM-4-PAD
NORTH: US 60 – Not zoned
EAST: Existing agricultural use and hospital – zoned PEP-PAD-CUP
SOUTH: (Across Baseline Road) Existing church, and residential – Zoned Gilbert SF-43, SF-D, RC
WEST: Existing industrial, hotel, and vacant land – Zoned Gilbert GO, RC

STAFF SUMMARY AND ANALYSIS

The existing CSP for Inverness Commons establishes sign types for multiple conditions within this mixed-use development. "H3" signs are used to identify tenants of single-story or two-story commercial/industrial buildings. The request would modify the rules for H3 attached signs on two-story buildings. (See P. 18 of the proposed CSP.)

- The existing CSP limits the height of H3 signs as follows:
 - Anchor: 36" Cap Height **(The request is to increase this to 52".)**
 - Majors: 18" Cap Height

- The proposed "Fairway Mortgage" sign generally complies with the 36" cap, except for a 52"-tall logo. A condition of approval allows staff to review requests for elements, such as logos, that exceed the 36" cap.

- An original condition of approval limited sign type H3 to just 4 sign areas for each side of the building, with **all signs at a single level** as follows: *"All signs other than the sign designated for the name of the building shall be placed at a single level designed for signs."* (BA00-043, Condition #2) The applicant wants a sign above the second-story windows, but this could limit options for other tenants. Staff proposes the revised **Condition #2** allowing Planning Division staff to review requests for signage at 2 levels.

- The applicant proposes the "Fairway Mortgage" sign above a second-floor window.

Rather than requiring all future signs to be placed at the second-floor level staff proposes a modification to the existing condition #2, allowing staff to review requests to locate signs at more than a single level. The opportunity to review such requests will increase flexibility while avoiding sign clutter.



Frontage in yellow-92 ft.



MZO 11-46-3.D 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 current request modifies the CSP standards for H3 signs. This change provides for improved visibility while avoiding sign clutter.
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	The requested modifications to the CSP provide reasonable latitude in the use of the H3 sign type while still ensuring signage integrates well with the architecture.
c) The proposed signage incorporates special design features such as logos, emblems, murals or statuary that are integrated with the building architecture.	This request establishes a standard for the use of logos that may exceed the height cap established by the existing CSP.

Summary of Applicant's Justification

As justification for the proposed number of attached signs and overall sign area, the applicant has noted:

- A. The requested modification will allow second floor tenants exposure signage on their respective contiguous suite walls.;
- B. The increased text and logos height will give a more balanced design aspect relative to the building façade;
- C. The proportion of the sign will be more conducive to the building elevation.

Staff recommends retaining the 36" cap on letter height, while allowing for logos, etc., that exceed that height.

Conclusion

The proposed CSP modifications, with staff conditions, allow for signs that are appropriately sized and do not create sign clutter. As such, Staff recommends approval based on the following findings:

FINDINGS

1. The modified CSP allows H3 signs to include logos and other similar elements that exceed the height caps of the CSP, subject to staff review.
2. The modified CSP allows H3 signs to be located at more than one level on a building, subject to staff review.
3. The current request modifies the CSP standards for H3 signs. This change provides for improved visibility while avoiding sign clutter.
4. The requested modifications to the CSP provide reasonable latitude in the use of the H3 sign type while still ensuring signage integrates well with the architecture.
5. The sign criteria within the CSP is tailored to this specific development and enhances the characteristics of the land use.^[1]_{SEP}
6. The CSP, with the recommended conditions, will be compatible with, and not detrimental to, adjacent properties or the district in general.

ORDINANCE REQUIREMENTS

MZO 11-46-3: Comprehensive Sign Plans:

- A. **Authorization.** The Zoning Administrator Hearing Officer or the Board of Adjustment may approve a comprehensive sign plan for a proposed or existing development or building in conjunction with the granting of a Special Use Permit in accordance with Chapters 67 and 70 of the Zoning Ordinance.
- B. **Purpose and Intent.** 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 Sign Ordinance provisions. The intent is to provide for flexible sign criteria that promote superior design through architectural integration of the site, buildings, and signs. This does not allow for consideration of sign types allowed within a zoning district.
- C. **Minimum Required Elements of Comprehensive Sign Plan.** A comprehensive sign plan shall include the location, size, height, construction material, color, type of illumination, and orientation of all proposed permanent and portable signs, and any other document(s) necessary to determine if the plan meets the review criteria.
- D. **Review criteria.** The Zoning Administrator Hearing Officer or the Board of Adjustment may approve a comprehensive sign plan containing element which exceed the permitted height, area, and number of signs specified in this Sign Ordinance if the comprehensive sign plan conforms to the required findings in 11-70-5 of the Zoning Ordinance and upon a finding that:
 1. 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

2. 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
 3. The proposed signage incorporates special design features such as lighting, materials and craftsmanship, murals, or statuary that reinforce or are integrated with the building architecture.
- E. **Sign Permit Required.** A sign permit is required for the construction and placement of individual signs contained in an approved comprehensive sign plan.
- F. **Modification and Expiration of Approved Sign Plans.** An approved comprehensive sign plan expires in accordance with Section 11-67-9 of the Zoning Ordinance. If a plan expires, the sign allowance for the property is based on the provisions in Chapters 42 and 43 of this Sign Ordinance unless a new comprehensive sign plan is approved.

MZO 11-70-5: Special Use Permit:

- E. **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.