



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

September 2, 2020

CASE No.: BOA20-00529	CASE NAME: Power and McKellips Center
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Owner's Names:	Weingarten Nostat Inc., Wendy's Properties LLC, and Target Corporation
Applicant's Name:	Lisa Ranzenberger
Location of Request:	Within the 2000 to 2100 blocks of North Power Road (east side) and the 2000 block of East McKellips Road (north side).
Parcel Nos:	219-25-684, 219-25-685, 219-25-686, 219-25-683A, 219-25-683B
Nature of Request:	Special Use Permit (SUP) to modify an existing Comprehensive Sign Plan (CSP) for a group commercial center.
Zone District:	Limited Commercial (LC)
Council District:	5
Site Size:	20± acres
Existing Use:	Commercial Development
Staff Planner:	Charlotte Bridges, Planner I
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **March 20, 1986**, the subject property was annexed into the City of Mesa as part of a larger 407± acre annexation and subsequently zoned Single Residence (RS-35) (Ord. No. 2041 and Z86-070).

On **June 5, 2000**, the City Council rezoned the subject site from RS-35 to Limited Commercial (LC) to allow for development of a commercial retail center (Z00-016, Ord. 3779).

On **June 12, 2001**, the Board of Adjustment approved a request for a Special Use Permit (SUP) to allow a Comprehensive Sign Plan for a commercial retail center (BA01-031).

PROJECT DESCRIPTION

Background

This request is for a Special Use Permit (SUP) to modify the existing Comprehensive Sign Plan (CSP) for the Power and McKellips Center located at the northeast corner of Power and McKellips Roads. The proposed CSP modification would add two sign types to the signage options allowed for attached signs; non-standard raceways and/or backer panels and non-illuminated individual letters. Both of these attached sign types comply with the permanent attached sign standards of Section 11-43-2(B) of the Mesa Zoning Ordinance (MZO).

The original CSP (BA01-031) for the Power and McKellips Center was approved 2001 and included the following provisions for permanent detached signs:

Table 1: BA01-031 Approved Detached Signs

STREET FRONTAGE	NUMBER OF SIGN	AGGREGATE SIGN HEIGHT	AGGREGATE SIGN AREA
McKellips Road	3	27 feet	240 square feet
Power Road	3	28 feet	168 square feet

The original CSP also approved for the following provision for attached signs:

Table 2: BA01-031 Approved Attached Signs

TENANT	NUMBER OF SIGN	AGGREGATE SIGN AREA
Major 1 (Target)	4	400 square feet
Major 2	3	200 square feet
Mini-major, Pads and Shop	Compliance with MZO	Compliance with MZO

The original CSP also included sign design standards for the permanent attached signs, which only allowed for “illuminated, channel letter wall signs.” In addition, the original CSP approval included a condition that stipulated “attached sign shall be composed of individual letters and mounted directly onto the building with no background sign copy other than building colors or materials that have been reviewed and approved by the Design Review Board.” The proposed CSP modification removes this condition of approval and adds “non-standard raceways and/or backer panels” and “non-illuminated individual letters” to the types of attached signs allowed by the CSP.

Per Section 11-67-10(A) of the MZO, the Planning Director may approve minor modifications to approved plans that are consistent with the original findings and conditions approved by the Board of Adjustment. Since the proposed CSP modification is “not consistent” with the original CSP condition of approval noted above, this requested modification is required to be approved by the Board of Adjustment.

Additional minor text edits to the CSP document are also being proposed by the applicant to clarify language, but no other modifications are proposed to the original CSP allowances approved for the number, height, area, or design standards of the permanent detached signs. In addition, the request does not include any other modifications to the original CSP allowances

approved for the number or size of permanent attached signs. The proposed CSP modification to the allowed types of permanent attached signs complies with the permanent attached sign standards of Section 11-43-2(B) of the MZO.

General Plan Character Area Designation and Goals:

The General Plan Character Area designation on the property is Mixed Use Activity District with Community Scale sub-type. Per Chapter Seven of the General Plan, the focus of the Mixed Use Activity District is large-scale community and regional activity areas that usually have a significant retail commercial component including shopping areas such as malls, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. The district often includes other uses such as office, entertainment and residential.

Per the General Plan, the Community Scale sub-type district primarily serves the population within a four-mile radius and typically contains one or two big box buildings and associated shops and pad sites. The character type is typically at the intersection of two arterial streets and is typically auto dominant unless part of a Transit District. This request complies to the goals of the Mixed Use Activity District Character Area designation and the Community Scale sub-type by providing support that strengthens the viability of this existing commercial activity center.

Site Characteristics:

The subject development was constructed in the early 2000s and is located at the northeast corner of Power and McKellips Roads but does not include the convenience store/service station facility located at the immediate corner. This commercial retail center includes 205,000± square feet of retail, restaurant, and commercial space on a 20± acre site. Access to the site is provided by two drive entries from McKellips Road and three drive entries from Power Road. In addition, cross-access is provided between the corner convenience store/service station and the subject property. Parking for the various buildings and tenants is provide throughout the development.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Power Road) RS-9 Undeveloped Property and Place of Worship	North RS-35 Charter "Public" High School	Northeast PS Community College
West LC Existing Commercial Retail Center	Subject Property LC Existing Commercial Retail Center	East PS Community College
Southwest (Across Power and McKellips Roads) LC Existing Commercial Development	South (Across McKellips Road) LC Existing Commercial Retail Center	Southeast (Across McKellips Road) RM-2 PAD Townhomes

Mesa Zoning Ordinance Requirements and Regulations:

Comprehensive Sign Plan MZO Section 11-46-3(D)

Per Section 11-46-3(D) of the City of Mesa Zoning Ordinance, the Board of Adjustment shall find the following criteria are met for approval of a CSP:

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

The development site is located at the northeast corner of Power and McKellips Roads. Several of the buildings are setback hundreds of feet from the adjacent streets, which restricts normal visibility of permanent attached signs from the adjacent streets. The proposed modifications to the CSP adds more choice to the types of permanent attached signs allowed, which gives building tenants more options to customize their attached signage so it is more recognizable and visible.

The proposal meets this criteria.

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

The proposed modification to the CSP is appropriate for the architectural style of the existing development.

The proposal meets this criteria.

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.

The craftsmanship and design of the attached signs types proposed by this CSP modification are considered “high-quality” and integrate well with the architecture of the existing commercial retail center. This request complies with permanent attached sign standards of Section 11-43-2(B) of the MZO.

The proposal meets this criteria.

Special Use Permit MZO Section 11-70-5

Per Section 11-70-5(E) of the City of Mesa Zoning Ordinance, the Board of Adjustment shall also find the following criteria are met for approval of 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;

The site is located in the Mixed Use Activity Character Area and Community Scale sub type of the Mesa 2040 General Plan. The existing commercial retail center use is consistent with the goals and objectives of these plans. Approval of this CSP modification will advance the goals and objectives of the General Plan by adding flexibility to the types of attached signs for the existing commercial retail center.

The proposal meets this criteria.

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 any other applicable City plan or policies;

The existing development is located in the LC District. Per Section 11-6 of the MZO, the existing commercial uses are allowed in the LC District and conform to the goals of the General Plan character designation of Mixed-Use Activity District and Community Scale sub type. The proposed CSP modifications to allow additional permanent attached sign types is consistent with the location, size, design and operating characteristics of the property and the surrounding area.

The proposal meets this criteria.

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 proposed CSP will not be injurious or detrimental to the surrounding properties.

The proposal meets this criteria.

4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

The City of Mesa utilities and public infrastructure are available to serve new multi-residence development.

The proposal meets this criteria.

Findings

- A. The subject site is an existing commercial retail center.
- B. Several of the buildings are setback hundreds of feet from the adjacent streets restricts normal attached sign visibility from the adjacent streets.
- C. The proposed modification to the CSP adds choice to the allowed attached sign types, which gives tenants more flexibility to customize their attached signage, so it is more recognizable and visible.

- D. The proposed modifications to the CSP are appropriate for the architectural style of the existing development
- E. The additional attached signs types proposed by this CSP modification are considered “high-quality” and integrate well with the architecture of the existing commercial retail center and comply with permanent attached sign standards of Section 11-43-2(B) of the MZO.
- F. The subject CSP modification will advance the goals and objectives of the General Plan. The additional attached sign types are consistent with the location, size, design, and operating characteristics of the property and will not be injurious or detrimental to the surrounding properties.

Neighborhood Participation Plan and Public Comments:

The applicant sent the required notification letters to all property owners within 500 feet of the site. As of writing this report, staff has not been contacted by any resident or property owner to express support or opposition to the request.

Staff Recommendation:

Based on the application received and the preceding analysis, staff finds the proposed CSP modification conforms to the review criteria for Comprehensive Sign Plans outlined in Section 11-46-3 and the review criteria for a Special Use Permit outlined in Section 11-70-5 of the MZO; therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the sign plan documents submitted.
2. Compliance with all requirements of the Development Services Department in the issuance of sign permits.

Attachments:

Exhibit 1-Vicinity Map
Exhibit 2-Staff Report
Exhibit 3-Narrative and Justification
Exhibit 4-Comprehensive Sign Plan
Exhibit 5-Site Plan
Exhibit 6-BA01-031 case file
Exhibit 7-BA01-031 minutes