## Freeway Landmark Monument CUP

SEC 202 Santan Freeway and Power Road





## Submitted by:

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#### On Behalf of:

Power 202 Mixed-Use, LLC

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### **Introduction and Request**

Pew & Lake, PLC, on behalf of Power 202 Mixed-Use LLC, is pleased to submit this narrative and related exhibits for a Freeway Landmark Monument Sign ("FLM," or alternatively "Freeway Landmark Sign") request at Gallery Park, an approved mixed use regional destination on approximately 40 acres located at the SEC of 202 Santan Freeway and Power Rd. in Mesa. The site where the sign will be located is identified on the Maricopa County Assessor's Map as APN 304-30-075 (the "Property"). The purpose of this application is to request approval of a Council Use Permit to allow for a single Freeway Landmark Monument Sign in Gallery Park that is larger than the square footage allowed under the strict application of the code.

#### Specifically, our request is for:

 Approval of a Conditional Use Permit (CUP) and modifications from the Freeway Landmark Monument Guidelines to allow one (1) Freeway Monument Sign with a total sign area of 763 square feet per side, at the location shown on the Site Plan included in the application materials and shown in the illustrative graphic below.



## **Gallery Park Background**

Originally approved in May 2019, Gallery Park is a mixed-use regional destination located at the boundary of Mesa and Gilbert and with direct frontage on the 202 Santan Freeway. It has a mix of executive offices, vertical loft residential-commercial, and other entertainment and commercial uses. Gallery Park marks a primary entrance into Mesa's Gateway Airport area. A significant number of people use the adjacent freeways from Mesa, Gilbert, Queen Creek, Santan Valley and elsewhere. Regional visibility in the area has increased with the recently completed SR 24 interchange near the Property. Gallery Park's dynamic mix of uses and vibrant design character make it a destination for jobs and visitors to Mesa at this key gateway to the city. This development is the City's only existing vertical mixed use residential and commercial development in the area. It is a distinguishing landmark project that has enhanced the visibility and marketability for the City.

In the approved zoning for Gallery Park, site planning and detailed design guidelines were reviewed and incorporated into the PAD. This freeway sign request complies with the PAD design themes and subsequent comprehensive sign plan. During various stages of the development process, the FLM sign was referenced in the plans and in discussions with the City staff. The applicant clearly conveyed the intention to apply for Freeway Landmark Sign as proposed in this request.

#### **FLM Description**

The proposed Freeway Landmark Monument sign mirrors the contemporary architectural design and sophisticated colors and materials approved in the Gallery Park project. A combination of dark grey, warm browns and wood tones provide a sleek aesthetic for the sign. Additionally, the sign is enhanced by the tasteful addition of the trademark graphics, logos and linework unique to Gallery Park. The center logo is designed with slats made from synthetic wood, with the Gallery Park logo laser cut in the middle. The sign appropriately identifies the Gallery Park mixed-use destination and will provide safe and adequate wayfinding to the Gallery Park mixed-use development. The following page illustrates the design of the FLM. This design includes static signs and an electronic message panel on both sides of the sign (which electronic panel could be replaced with static sign panels for hotel users only).



Proposed FLM Design (w/electronic message panel)

The monument sign is necessary to invite customers to this premier mixed-use development, and to provide critical identification for current and future tenants of Gallery Park. This important location in the City of Mesa is the primary entrance to the Phoenix-Mesa Gateway Airport. Until the airport is expanded on its northern boundary, as planned, Power Road remains the only direct access to the airport from the freeway and serves as the main entrance to the airport terminal. It is important to note that no other freeway signs are likely to be proposed in the 2-mile stretch of freeway east of the Property due to a large Maricopa County Flood Control canal and associated right-of-way, the 202-SR 24 freeway interchange, and large industrial projects that do not typically use commercial freeway signs.

There are other physical characteristics in the vicinity that impede visibility, requiring an oversized freeway sign. There is a large ADOT drainage retention basin along the northern boundary of the property that creates a 300-foot distance from travel lanes of the freeway to the proposed sign. There is also a tall sound barrier wall running parallel to the freeway, west of Power Road that significantly reduces the visibility from the eastbound freeway offramp. Finally, the freeway is elevated by approximately 30 feet at this location. The sound barrier wall, retention basin and elevated freeway combine to require a 75-foot-tall freeway sign.

#### **FLM Guidelines**

An FLM is permitted in the LC zoning district, so long as the property is designated as a Mixed-Use Activity District in the General Plan and subject to approval of a Council Use Permit. In addition to the CUP findings outlined in Section 11-70-6 of the Zoning Ordinance, the Council must find that the FLM complies with the FLM Guidelines.

This request addresses the **purpose** of the FLM guidelines, as follows:

- 1. **Harmony:** The proposed sign complements and advances the mixed-use commercial character of Gallery Park and the nearby Mesa Gateway airport development.
- 2. Preventing Over-Concentration: This request is for a single sign. The sign is necessary to provide identification for Gallery Park along an elevated freeway that has a tall barrier wall near the exit ramp leading to Power Road. With the canal east of the Property, the industrial park east of the canal and at the end of the airport runway, this sign will likely be the only FLM in Mesa for two miles on the south side of the freeway.
- 3. **Enhancing the flow of Traffic:** This proposal provides an aesthetically appealing sign that will promote adequate wayfinding from the 202 Santan Freeway. A clear view of the sign will allow visitors to safely approach Gallery Park and maneuver smoothly once on the site.
- 4. **Protection of Travelers:** The proposed FLM does not obstruct views or provide distraction to the drivers along the 202 Freeway. The proposed sign will be located approximately 300 feet from the travel lanes of the elevated freeway. The sign has been designed at a size that provides visibility from the freeway, but without being obtrusive or distracting.

Moreover, this request addresses the **intent** of the FLM Guidelines, as follows:

- 1. **Regulate advertising distractions for public safety purposes**. The proposed FLM is approximately 300-feet away from the freeway travel lanes. Moreover, the travel lanes at this location are elevated by about 30-feet above the Gallery Park grade level. The distance and change in elevation combine to create a safe separation between the signs and passing motorists.
- 2. **Minimize conflict with public beautification measures:** There are no beautification measures that have been implemented in this area. The freeway in this location contains no public art or any other type of installation that would be diminished by the proposed FLM.
- 3. **Create a pleasing visual environment:** The proposed FLM has been designed by a professional sign company, in collaboration with the Gallery Park developer. The sign has been designed to be compatible with the architecture, style and materials of the Gallery Park buildings, and in conformance with the robust Gallery Park design guidelines.
- 4. **Require sign maintenance for safety and visual appearance.** Through the Gallery Park property owner's association, the entire site, including the sign, will be maintained at all times. Lighting within the sign will be monitored and elements will be replaced quickly, and tenant signs will be removed and replaced as necessary.

Shown below is a graphic representing how this proposed FLM complies with the FLM guidelines. The figure in **red bold** text represents the single modification from the guidelines contained in this request, (the speed at which messages may be changed) and would be required only for the FLM with the electronic messaging panel.

Standard	FLM Guideline	Provided		
Min. site area	30 acres	40 acres		
Max. Signs within 1 mile on one side of freeway	3 signs per 1 mile on 1 side of freeway	1 sign in 2+ miles, south side of freeway		
Sign Quantity	More than 1 sign if: Min. 2,000 LF freeway frontage, & Min. 60 ac. development	1 sign for 40-acre development		
Focus on destination name	Clearly visible, emphasized on sign	Clearly visible, Emphasized on sign		

Location of destination name	Visible, Top of sign, min. 20% suggested	Visible, top and middle of sign, Complies		
Tenant Names	Tenant signs allowed; Destination should be prominent	Complies		
Min. Separation to other FLM on same side of freeway (ft.)	2,000	776 ft. (in different jurisdiction)		
Min. Setback to Residential Use	10 times sign height 750 ft. (0.1 mile)	4,700 ft (0.9 mile)		
Max. distance from property line abutting the freeway (ft.)	Max. 200	+/-30		
Horizontal width to be less than 1/3 the vertical height.	<1:3	0.9:3		
Electronic Message Display				
Electronic Message Display	Limited to text No animation or video	Text, and static graphics and images that change are proposed		
Limitations to changes in messages and sequence	Min. 1-hour changes in sequence, no continuous or scrolling displays	Continuous changes in displays are proposed with intervals of min. 8 seconds, sufficient for 1 change for cars driving by at 75 MPH and consistent with existing electronic displays installed in Mesa.		
LED levels (nits)	LED color intensity (nits) Full color: 7,000 daytime 2,500 nighttime	Proposed are industrial ISA standards comparable to what other municipalities adopted more recently.  Daytime brightness: None (competing with sun)  Nighttime: 0.3 foot candles Product shall include an ambient light sensor to dim based on ambient light (dawn, dusk, overcast days)		
Provide written certification from sign manufacturer	Manufacturer certification regarding LED brightness standards required at permitting as approved by Building Safety	Complies		

As provided for in Section V of the FLM Guidelines, if a proposed sign is unable to comply with the FLM Guidelines, modifications may be approved when the following criteria are met:

A. The proposed Freeway Landmark Monument incorporates special design features or unique architectural elements that represent superior quality.

**Response:** As described in this narrative and shown in the submitted sign plan, the proposed sign incorporates special design features and upscale architectural elements. The Gallery Park sign type, trademark and logo are distinctive and have been approved in the Comprehensive Sign Plan. The colors, materials, layout of the FLM sign are in conformance with the Gallery Park design guidelines and exceed the standards of comparable developments. The sign is designed to exceed industry and consumer expectations in both quality and materials, and also to exceed the City's FLM guidelines which were first approved in 2004 and amended in 2006.

The simple, modern form of the sign, along with the dark colors and wood accents creates an elegant design that is rarely seen on freeway signs.

B. Such modifications or alternatives are consistent with the intent of these Guidelines and will result in conditions that are commensurate with or superior to these Guidelines.

**Response:** The proposed sign meets the objectives of the Sign Guidelines to promote safety and quality design. Safety is promoted by locating the sign further away from the freeway than other signs in the city. The sign will not obstruct views of cars traveling on the freeway but will instead promote adequate and safe wayfinding to Gallery Park. As noted previously, the proposed design is consistent with the approved PAD design guidelines and exceeds expectations for comparable developments.

- C. At least one of the following three factors are present:
  - An individualized assessment reveals the existence of extraordinary conditions involving topography, land ownership, adjacent development (emphasis added), parcel configuration, or other factors related to the development site; or

**Response:** As previously noted, An ADOT drainage area on the south side of the 202 freeway creates a 300-foot separation from the Gallery Park property line to the 202 freeway. This separation is much larger than that enjoyed by most other freeway-adjacent sites. Additionally, there is a tall sound barrier wall on the south side of the Power Road freeway offramp, that significantly reduces the desired one-mile visibility range to which most signs are designed. Additionally, the 202 Santan Freeway is elevated to approximately 30 feet above ground level. These three factors- the drainage channel, freeway elevation and barrier wall- combine to create extraordinary conditions that require a slightly larger FLM.

2. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing feature that represents a clear variation from conventional development; or

**Response:** The unique features include those described in the above extraordinary conditions. Additionally, the mixed-use nature of Gallery Park, with a dynamic mix of residential and retail uses, demands a sign that is commensurate with the size and scale of the overall project. The gateway site at the entry into the Gateway Airport area also represents a historic condition not present in any other mixed-use site in Mesa. The proposed sign offers a unique architectural style embedded in the Gallery Park mixed use project. The sign is designed with distinguishing features that are consistent with the approved comprehensive sign plan and design guidelines.

3. The proposed site is designated Mixed Use Activity District/Employment by the Mesa General Plan Land Use Map and such property is located within two (2) miles of two (2) intersecting freeways."

**Response:** The Property is designated as a Mixed-Use Activity District Character Area and is located within 2 miles of the 202 – SR24 freeway interchange.

As required by the FLM Guidelines, the Applicant complied with the requirements to have a presubmittal conference and conduct an onsite "balloon test" – or location analysis – with city planning staff to determine appropriate locations and configurations of the signs. The Applicant used an enhanced procedure using a crane and banner of different lengths to indicate the sign's prospective height from different angles along the 202 Santan Freeway. This analysis was critical to understanding the distances needed to make the signs legible while protecting traffic safety along the freeway. Included in the application materials are renderings depicting views of the proposed sign from the freeway. The renderings show that the signs are appropriate in scale to the surrounding structures and uses and pose no safety threat to motorists traveling on the freeway or near the development site.



#### **Conditional Use Permit Evaluation**

The drawings submitted with this are consistent with the Gallery Park Design Guidelines and modern site planning principles. Sign Standards in this application will comply with the city standards and guidelines, except as modified in this request. Freeway Landmark Monument Signs are governed by the Sign Ordinance (Mesa Zoning Ordinance, "MZO," Article 5), and the Freeway Landmark Sign Guidelines (Res. #8700). The table on the next page outlines the zoning standards applicable to this CUP request. (CUP modifications to the zoning ordinance in **bold** font in the "Provided" column).

Zoning Standards									
Standard	MZO	Provided							
Definition of Freeway Landmark MZO 11-50-3	Min. 16 feet height 120 sq.ft. area Visible from freeway	Complies							
Permitted Zoning District MZO 11-43-7.D	LC or GC	Complies LC							
General Plan Character Area MZO 11-43-7.D	Mixed Use Activity District	Complies Mixed Use Activity District							

Max. Sign Area per sign (SF) MZO 11-43-7.E	750 SF	<u>763 SF</u>
Max. Sign Area per sign, LF of Freeway Frontage MZO 11-41-7-A., 11-43-7.D	1,071 LF of frontage 535.5	1,071 LF of frontage on 202 <b>763 SF</b>

### **Compliance with CUP Requirements**

In addition to the findings required for an FLM modification, the proposed Freeway Landmark Monument contained in this request complies with general CUP requirements contained in Section 11-70-6-D of the Zoning Ordinance, as follows:

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.

**Response:** The mixed-use activity district is designed for community and regional activity areas with a significant retail component for lifestyle centers. As demonstrated in the approved PAD zoning for Gallery Park, the proposed development implements that vision. This CUP likewise complies with the intent of the General Plan by designing signage of the scale and quantity and style that embraces the themes and PAD guidelines of the approved mixed-use center with recreational, lifestyle, shopping, and commercial uses.

Additionally, the signage is appropriately designed for a large project site that is located at a key intersection of two major arterial streets at the City's boundary. The prominence of the signage and monumentation combine to create a gateway into the project that lies at the boundary between Mesa and Gilbert in the Power Road corridor, with the goal of attracting patrons from multiple communities to this regional development. Design themes, dimensions, and colors and materials of the signs incorporate quality and durable materials and achieve enduring themes that are attractive and suitable for the commercial and residential anchors to the project.

 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.

**Response:** The proposed development has more than 1,000 linear feet of frontage on the 202 Santan Freeway and 2,000 feet of frontage along Power Road. If the site was oriented differently, with the longer side against the freeway, the deviation from the maximum sign area based on frontage would not be necessary. However, at 40-acres, this site is large enough to support the proposed location, size, design, and operation of the signage proposed in this application. Signage design is appropriately scaled to the size of the regional mixed use activity center and unique design themes of the project. The proposed design complies with the approved zoning and design

standards for the Gallery Park PAD.

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area of the proposed project or improvements in the neighborhood or to the general welfare of the City.

**Response:** The size of the signs visible from the street are appropriate to the scale, location, and type of regional development that Gallery Park represents. The signs are in the range that is reasonable for this type of regional scale development. The size type, and design of the signs will enhance the value of this project and surrounding properties that will indirectly benefit from their proximity to this visible development. The nature of the project and its complementary signage are appropriate and reasonable for a property that is in the middle of a commercial and industrially designated area. Sign location and sizes will comply with standards and will not block vehicular site visibility triangles and therefore will not pose any unreasonable impacts on surrounding traffic patterns.

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

**Response:** This project is located adjacent to existing services. There are adequate public services and infrastructure to support the proposed project, as it was approved in the underlying zoning. Proposed utility services will tie-into nearby facilities. Signage is located outside of the public right-of-way and will not conflict with the utilities or right-of-way improvements.

5. The proposed 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.

**Response**: This locational requirement is met because Gallery Park is a dynamic mixed-use development and one of the only developments in southeast Mesa with a vertical residential mixed-use component. It is planned for restaurant, retail/commercial, office, and other uses, which is unlike a conventional development in the city. The standards and layout incorporate distinguishing features that set a high standard compared to conventional development.

6. The proposed signage incorporates special design features such as lighting, materials and craftsmanship, murals, or statuaries that reinforce or are integrated with the building architecture.

**Response:** The proposed signage contains impactful design features with a character that complies with the approved design guidelines for the Gallery Park PAD

The mix of surrounding land uses suggests that the proposed sign will not have a detrimental effect on surrounding properties, but instead will effectively and safely attract patrons to businesses within Gallery Park. No residential neighborhoods are located near the property, only commercial and employment uses, each with similar signage.

#### Conclusion

The proposed Freeway Landmark Signs are an important component of the Gallery Park mixed-use development, which is located at a key intersection at the 202 Freeway and Power Road. This location on Power Road is the highly visible entrance to the Mesa Gateway Airport. The sign proposed in this request is appropriate and necessary to identify the Gallery Park project and attract visitors and consumers into the City of Mesa from multiple jurisdictions.

Infused with similar design features as the Gallery Park PAD, the proposed sign has a compelling design that is appropriately suited to the surrounding area. The dimensions and location of the sign have been thoughtfully planned and fulfill the objectives of the City's Freeway Landmark Guidelines.



Revised Resolution # 8700 Adopted April 17, 2006

Original Approval Resolution # 8245 - May 17, 2004

#### I. INTRODUCTION

There are thirty-six miles of existing or proposed urban freeways within the Mesa Planning Area. These miles are composed of the Red Mountain rimming north Mesa, the Superstition cutting a swath through the central City, and the San Tan in the far southeast.

The Mesa City Council has determined that the limited use of freeway identification signs for certain existing and proposed regional commercial land uses is an appropriate means to help achieve economic sustainability. The City Council also recognizes that there must be a balance between the needs of the business community and the desire of Mesa's citizens to preserve view corridors along these freeway miles.

To achieve this balance the Mesa City Council has set forth these guidelines as a means to allow freeway signage that is well designed, appropriately sited, and to the extent possible, esthetically pleasing. These Freeway Landmark Monument Guidelines are to be utilized in evaluating requests for identification signs along Mesa's urban freeway system.

#### II. PURPOSE AND INTENT

- A. The purpose of the Freeway Landmark Monument Guidelines is to:
  - 1. Encourage development of property in harmony with the desired character of the City while providing due regard for the public and private interests involved.
  - Promote the effectiveness of Freeway Landmark Monuments by preventing the over concentration, improper placement, deterioration, and excessive size and number.
  - 3. Enhance the flow of traffic and the convenience, ease and enjoyment of travel along Mesa's freeways.
  - 4. Protect travelers on Mesa's freeways from injury or damage as a result of distraction or obstruction of vision attributable to large signs.

- B. The intent of the Freeway Landmark Monument Guidelines is to:
  - 1. Regulate advertising distractions that may contribute to traffic accidents.
  - Assure that public benefits derived from expenditures of public funds for the improvement and beautification of freeways and other public structures and spaces shall be protected by exercising reasonable control over the character and design of large sign structures.
  - 3. Provide a pleasing visual environment for the citizens of and visitors to the City of Mesa, Arizona.
  - 4. Require that signs be properly maintained for safety and visual appearance.

#### III. DEFINITIONS OF TERMS

The following definitions are contained in Title 11, Zoning Ordinance, of the Mesa City Code:

#### A. Section 11-1-6

<u>USE PERMIT, COUNCIL (C.U.P.)</u>: A discretionary authorization issued by the City Council upon a finding through a public hearing, that the proposed activity is in conformance with the intent of this Code, the General Plan and/or other specified plans of Council policies; and will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general. Such Council Use Permit may be limited by specific conditions, restrictions, terms or time periods.

#### B. Section 11-19-5

FREEWAY LANDMARK MONUMENT: A sign structure of architectural quality, which exceeds twelve feet (12') in height or eighty (80) sq.ft. in area, intended to be viewed from an adjacent freeway for purposes of identifying an associated commercial or non-commercial development.

GROUP C-O-I DEVELOPMENT: A commercial, office, or industrial development where there are located several separate business activities having appurtenant shared facilities, such as driveways, parking, and pedestrian walkways, and which is designed to provide a single area in which the public can obtain

varied products and services. Distinguishing characteristics of a group C-O-I development may, but need not, include common ownership of the real property upon which the development is located, common wall construction, and multiple-occupant use of a single structure.

#### IV. GUIDELINES

#### A. General Provisions.

- 1. The number of freeway landmark monuments (FLMs) per development should be limited to one (1).
- 2. Given other location and siting criteria (below, Item IV.B.), along any given one-mile length of freeway frontage, there should be no more than three (3) FLMs on one side of the freeway.
- Additional FLMs for one development may be considered only in the event that both the length of the adjacent freeway frontage exceeds two thousand feet (2000') and the area of the development exceeds sixty acres (60 ac.).
- 4. The project or destination name of the development should be clearly visible and considered an emphasis of any sign area present on the FLM. As a general rule, 20% of the total sign area should be used for the project or destination name.
- 5. The project location or destination name should be located towards the topmost visible portion of the FLM, just under any sign embellishment (if used).
- 6. When a FLM is used for a group C-O-I development, the sign area used for names of individual tenants within the overall development should be considered secondary to the project or destination name. The development or destination name shall be assigned more sign area and prominence than individual tenant or store names.

- B. <u>Location and Siting.</u> A Freeway Landmark Monument shall be located:
  - 1. On a parcel or approved development site of at least thirty (30) contiguous acres which has frontage on a freeway and an intersecting arterial street; and
  - On property having a General Plan land use designation of Regional Commercial or Public/Semi-Public; and
  - 3. No closer than two thousand feet (2000') from an existing or approved Freeway Landmark Monument on the same side of the freeway; and
  - 4. A distance of no less than ten times (10 x) the proposed actual height (including sign embellishment) of the FLM from existing residential uses (based on the physical location of the FLM relative to the exterior boundary of the residential parcel). Examples: a 40' high FLM would require a minimum 400' setback; a 58' high FLM would require a minimum 580' setback; a 90' high FLM would require a minimum 900' setback from an adjacent residential property line.
  - 5. No greater than two hundred feet (200') from the Right of Way line of the adjacent Freeway or property owned by the Arizona Department of Transportation or the City of Mesa.
- C. <u>Design and Construction.</u> A Freeway Landmark Monument shall be designed and built:
  - No higher than reasonably necessary in order for the topmost portion of the sign (including sign embellishment) to be visible from a vehicle approaching on the same side of the freeway and located within sufficient distance to permit vehicles to safely exit the freeway. Visibility of sign area assigned to tenant(s) should not be used as the basis to justify additional sign height; and
  - 2. Having a form, texture, color, and finish that incorporates representations complimentary to the primary architectural or natural features of the associated development or feature; and

- Having low maintenance, architectural-grade surfacing materials such as metal, masonry, ceramic tile, glass or stucco; and
- 4. Having a horizontal to vertical ratio not exceeding 1:3. (The horizontal dimension shall not exceed 1/3 of the vertical dimension); and
- Having a sign area determined by the following ratio: Maximum one (1) square foot of total sign area per two (2) lineal feet of freeway frontage. Example: A site with 1000' of lineal freeway frontage shall be limited to no more than 500 square feet of sign area on the FLM; and
- 6. Having a maximum sign area not in excess of 750 square feet; and
- 7. Limiting nighttime illumination to just the sign copy or sign message. Internally illuminated signs shall have opaque backgrounds so that only the sign copy is illuminated. Where a background is integral to the design of a corporate image or registered trademark, the background is to be colored to mute the amount of illumination.
- D. <u>Exterior Illumination</u>. A Freeway Landmark Monument composed of exposed neon, argon or krypton tubing, exposed incandescent lighting, or other exposed artificial lighting to outline such Freeway Landmark Monument or portion thereof, is permitted provided such illumination:
  - 1. Constitutes a design component of the overall Freeway Landmark Monument architecture; and
  - 2. Is integrated into the primary physical elements of the Freeway Landmark Monument and is harmonious with the architectural style of the structure; and
  - 3. Serves only for the purpose of embellishing the nighttime architecture of the Freeway Landmark Monument, and does not portray an advertising message; and

- 4. Is compatible with the land use and architecture of adjacent developments; and
- Complies with the Outdoor Light Control Provisions of the Mesa City Code, and the National Electrical Code, as evidenced by submittal of complete design plans and specifications; and
- 6. Is fully functional. If any component of the lighting becomes nonfunctional, none of the lighting system may be illuminated until the entire lighting system is repaired and is functioning as intended.
- E. <u>Electronic Message Display.</u> A Freeway Landmark Monument using an electronic message display is permitted provided:
  - 1. The display is limited to text messages only, with no animation or video; and
  - The message change sequence is accomplished immediately or by means of fade or dissolve modes. Each message shall be displayed for a minimum period of one hour or at an interval specified by the City Council. No continuous, traveling or scrolling displays will be allowed; and
  - 3. The intensity of the Light Emitting Diode (LED) display shall not exceed the levels specified in the chart below:

#### LED COLOR 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

4. The applicant provides written certification from the sign manufacturer that the sign's light intensity has been factory pre-set not to exceed the limits 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.

#### V. MODIFICATIONS AND ALTERNATIVES

The City Council may approve modifications or alternatives to these Guidelines when:

- A. The proposed Freeway Landmark Monument incorporates special design features or unique architectural elements that represent superior quality; and
- B. Such modifications or alternatives are consistent with the intent of these Guidelines and will result in conditions that are commensurate with or superior to these Guidelines; and
- C. One of the following is present:
  - An individualized assessment reveals the existence of extraordinary conditions involving topography, land ownership, adjacent development, parcel configuration, or other factors related to the development site; or
  - 2. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing feature that represents a clear variation from conventional development; or
  - The proposed site is designated Mixed Use/Employment by the Mesa General Plan Land Use Map and such property is located within two (2) miles of two (2) intersecting freeways.

#### VI. REQUIRED SUBMITTALS WITH APPLICATION

In addition to site plan(s), elevation(s), color boards and other standard submittals typically required for Planning and Zoning Board and Design Review Board applications, the applicant shall submit additional support materials, as follows:

- A. Photographs documenting empirical observation (e.g. field test with crane and balloon). The empirical observation shall document at minimum four possible FLM heights (the proposed height plus two lower and one higher than proposed).
  - 1. Each documented option shall differ a minimum of ten feet (10') from the next option.

- 2. Written notice of the empirical test shall be made to the Planning Director ten (10) working days in advance of the test date.
- 3. The empirical test shall be observed or verified by the Planning Director or his/her designee.
- 4. Heights shown in the empirical observation shall be confirmed by an independent source: the Planning Director, his/her designee, or by professional survey.
- 5. The device used to confirm the proposed heights shall have sufficient size and substance so as to provide a comparable sense of scale for the proposed sign. Examples of sufficient size and substance include four foot (4') wide banners strung between two balloons, or four foot by eight foot (4' x 8') sheets of plywood suspended in place by a crane.
- 6. If balloons are used, methods to limit wind drift should be utilized, such as tethering.
- B. Computer photo simulations or other professionally rendered (to scale) perspectives in which the proposed Freeway Landmark Monument is depicted on site, as if the Freeway Landmark Monument were already in place,
  - 1. Simulations or renderings shall depict several vantage points.
  - 2. At minimum, at least one of the photo simulations or renderings shall depict the view or potential view of the Freeway Landmark Monument from the same side of the freeway as the FLM placement at one quarter of a mile (1/4 mile or 1320') away from the beginning of the freeway off-ramp closest to the FLM location.
  - 3. Photo simulations shall include at least one view from the residential subdivision closest to the overall project site related to the FLM.
- C. A section drawing depicting the line-of-sight available to the occupants of a vehicle approaching a freeway off-ramp from one-quarter of a mile away. The top of the proposed FLM shall be used as the point of reference.

#### VII. APPLICABLE SECTIONS OF THE ZONING ORDINANCE, ORDER OF ADVISORY BOARD REVIEW AND GENERAL APPROVAL PROCESS

A. Council Use Permit Requirement for Freeway Landmark Monuments, Excerpted from Sign Ordinance, Sec 11-19-8(D)18: General Provisions, Supplementary Provisions:

A Freeway Landmark Monument is permitted in all zoning districts, subject to the approval of a Council Use Permit in accordance with the Administration and Procedures Chapter of this Ordinance. In addition to the findings required for approval of a Council Use Permit as specified in the definition contained in Section 11-1-6 of this Title, a Freeway Landmark Monument may be approved only upon a finding by the City Council that such Freeway Landmark Monument is in compliance with the location parameters, operational limits, and design standards specified in the Freeway Landmark Monument Guidelines.

B. Citizen Participation Requirements, Sec 11-18-15:

The applicant is required to do the following before a Council Use Permit application for a Freeway Landmark Monument is filed. All items listed below shall be in addition to all Citizen Participation plans, actions and reports specified by Mesa Zoning Ordinance, Sec. 11-18-15 Citizen Participation:

- Hold a neighborhood meeting to present and discuss the proposal, and receive, document and respond to citizen input.
  - a. Schedule the neighborhood meeting at a convenient time and location for the public, in relatively close proximity (within two miles, if possible) to the site of the proposed Freeway Landmark Monument.
  - b. Mail Notices of the neighborhood meeting to all property owners within a distance of three hundred feet plus an additional distance of fifteen times the proposed actual FLM height (including sign embellishment) from the exterior boundary of the development site [Notice radius = (15 x FLM height)+300'] Examples: A 40' high FLM would require a 900 foot notification radius. A 63' high FLM would require a 1245 foot notification radius).

- c. Mail Notices of the neighborhood meeting to all homeowner groups, property owner groups, and neighborhood associations registered with the City and located within one mile (1 mile) of the proposed FLM location (excluding highway or street rights-of-way).
- d. All notice letters shall be mailed First Class US Postal Service and postmarked a minimum of two weeks (14 days) before the required neighborhood meeting is held.
- 2. At the neighborhood meeting, make available for viewing all items required to be submitted in support of the Council Use Permit Application for a Freeway Landmark Monument, as described in Item VI. (Above).
- 3. Complete all other citizen participation plans and steps as required of an application for a Council Use Permit (see Mesa Zoning Ordinance, Sec 11-18-15 Citizen Participation).
- B. Applications and Fees, Sec 11-18-8:
  Applications for Council Use Permits (CUPs) shall be made in the office of the Planning Division on a form provided and shall be accompanied by a fee of \$1,200.00.
- C. Planning and Zoning Board and Design Review Board Recommendations Required, Sign Ordinance, Sec 11-19-8(D)18:

Before any such Council Use Permit shall be considered by the Council, the request shall be referred to:

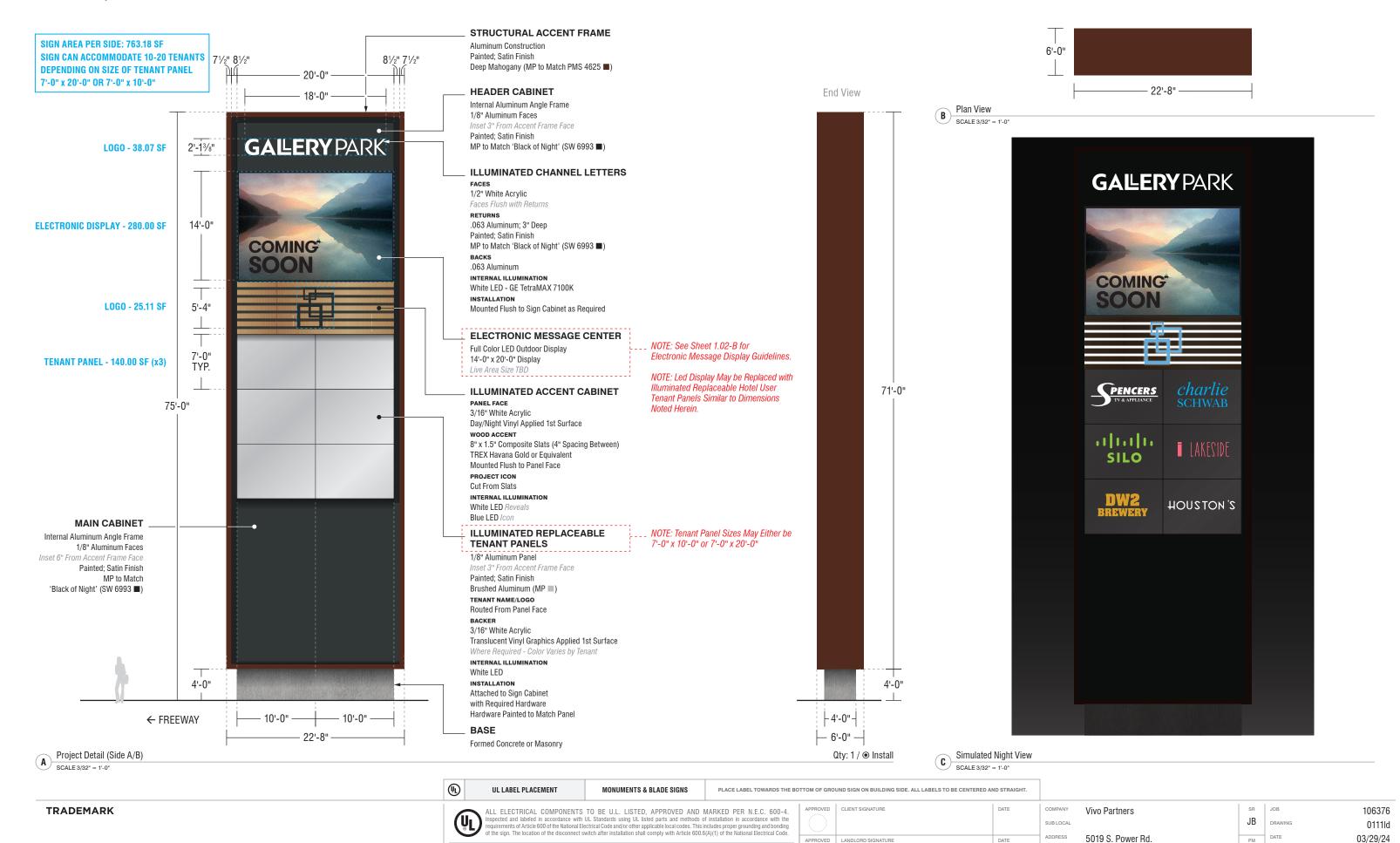
- 1. The Design Review Board to review and forward its recommendations to the City Council. The review by the Design Review Board shall be limited to consideration of specific design, materials, and architectural features of the proposed Freeway Landmark Monument.
- 2. The Planning and Zoning Board to hold a public hearing review, and forward a recommendation to the City Council.

- 3. The order of review for the Council Use Permit shall be
  - Design Review Board Work Study Session for initial review of the FLM design, and for dialogue with the applicant.
  - Planning and Zoning Board Public Hearing for public hearing and to forward its recommendation to City Council.
  - Design Review Board Public Meeting for consideration and to forward its recommendation to City Council.
  - d. City Council for considering and acting on CUP application.
- D. Additional Requirements Relating to Requests for Council Use Permits (Excerpted from Sec 11-18-7: Planning and Zoning Board, Planning Hearing Officer and City Council)

When a Council Use Permit is required for any structure, facility, or use specified in this Ordinance:

- Any existing structure, facility, or use shall not be modified, altered, enlarged or expanded, unless a Council Use Permit has been approved in accordance with the procedures set forth in this Chapter. The issuance of a Council Use Permit shall require that the existing development site be brought into substantial conformance with the terms of the Mesa City Code, including but not limited to: signs, landscaping, screening, parking, and storm water retention.
- 2. The City Council may prescribe in connection with any Council Use Permit such conditions as deemed necessary of appropriate in order to fully carry out the provisions and intent of this Ordinance.
- 3. A Council Use Permit granted pursuant to this Chapter may be suspended, revoked or modified, upon a finding at a public hearing as specified in this Chapter, that any condition, stipulation, or term of the approval of said Council Use Permit has been violated.

G/FLM Committee/Adopted Guidelines – 2006 Revision



Volts Req'd: 120V Total Amps: 20.0 Circuits Req'd: 1 Client to provide primary electric feed to within 6 feet of sign location.

JB

Gilbert, AZ

1.01

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#### 1 d.ii - Freeway Landmark Monument

Per FLM Guidelines	Deviation Request
Per Section IV-A-1 of the Freeway Landmark Monument Guidelines (FLMG), the number of freeway landmark monuments (FLMs) per development should be limited to one. Additional FLMs for one development may be considered only in the event that both the length of the adjacent freeway frontage exceeds two thousand feet (2000') and the area of the development exceeds sixty acres (60 ac.).	We are requesting (1) Freeway Landmark Monument. Due to the unique layout of this parcel, it is much longer on the West elevation and smaller on the North elevation. Due to the large size of the project and the fact that the freeway is elevated and includes screen walls near the exit, we feel (1) FLM would be justified and will help to identify the project and the tenants within.
Per Section IV-C-5 of the FLMG, the permitted sign area of FLMs is as follows: a maximum of one (1) square foot of total sign area per two (2) lineal feet of freeway frontage. Example: A site with 1000' of lineal freeway frontage shall be limited to no more than 500 square feet of sign area on the FLM.	We are requesting a 75' tall FLM with 763.18 of square feet of sign area. The frontage on the North of this development is 1,071' (which would typically allow 535.5 sf of sign area). Again, due the fact that the freeway is elevated and includes screen walls near the exit, we feel increased height is necessary for the signs to be readable and functional. This is proven by the site demo that was conducted with the Mesa planner.
Per Section IV-A-1 of the FLMG, the project or destination name of the development should be clearly visible and considered an emphasis of any sign area present on the FLM. As a general rule, 20% of the total sign area should be used for the project or destination name. Additionally, when a FLM is used for a group C-O-I development, the sign area used for names of individual tenants within the overall development should be considered secondary to the project or destination name.	We do have the name at the very top for prominence and also the logo featured as well. This FLM is designed to match the designs of the already approved CSP ground signs for the project. It is important that we maintain a design consistency for all the ground signs on the project and much time and effort has been put into this design to make it cohesive, functional and attractive.

#### **Additional Justification for Approval**

As part of requesting these modifications and alternatives, we have provided the following:

- A. Incorporated a high level of planning and design to achieve a very modern and timeless appearance and presence. The custom outer structural frame, logo treatment, unique illumination features, composite slats all add up to a truly one of a kind design.
- B. These design features go up and beyond what would be required per the Mesa FLM guidelines.
- C. The proposed development does have a unique topography in relation to the elevated freeway and also the unique layout of the parcel being much taller than it is wide, but is still a substantial 40 acre project.

Electronic Message Display Sign Matrix Chart

Building Safety Director.

**Electronic Message Display Guidelines** 

or scrolling displays will be allowed; and

LED COLOR INTENSITY LEVEL (nits)

DAYTIME

7.000

levels specified in the chart below.

COLOR

FULL COLOR

1. The display is limited to text messages only, with no animation or video; and

2. The message change sequence is accomplished immediately or by means of fade or dissolve modes. Each message shall be displayed for a minimum period

of 1 hour or at an interval specified by the City Council. No continuous, traveling

3. The intensity of the Light Emitting Diode (LED) display shall not exceed the

NIGHTTIME

2,500

4. The applicant provides written certification from the sign manufacturer that the

sign's light intensity has been factory pre-set not to exceed the limits 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

# FLM Sign Matrix Chart



Vicinity Map SCALE 1" = 200'-0"

**TRADEMARK** 

CLIENT SIGNATURE	DATE	COMPANY	Vivo Partners	SR	JOB	106376
		SUB LOCAL		JB	DRAWING	0111ld
LANDLORD SIGNATURE	DATE	ADDRESS	5019 S. Power Rd.	PM	DATE	03/29/24
		CITY STATE	Gilbert, AZ	JB	SHEET	1.02
			LANDLORD SIGNATURE DATE SUB LOCAL ADDRESS	LANDLORD SIGNATURE DATE SUB-LOCAL ADDRESS 5019 S. Power Rd.	LANDLORD SIGNATURE  DATE  LANDLORD SIGNATURE  DATE  DA	SUBLOCAL SUBLOCAL ADDRESS 5019 S. Power Rd.  ADDRESS 5019 S. Power Rd.  PM DATE

**Deviation Request** 

1. We are requesting the use of static images.

Daytime Brightness: None (Competing with the sun.)

of sign area based on the following calculation: Measurement Distance (feet) =  $\sqrt{\text{(SIGN AREA X 100)}}$ Example calculation using a 40-square foot sign: Measurement Distance =  $\sqrt{(40 \text{ X} 100)} = 63.2 \text{ feet}$ 

(Dawn, dusk, overcast days)

4. No deviations requested.

Phoenix, with no adverse conditions.

2. We are requesting that each message shall be displayed for a minimum period

of 8 seconds. This matches the established standard utilized by Mesa and

3. We are requesting the industry (ISA) standard and what the surrounding

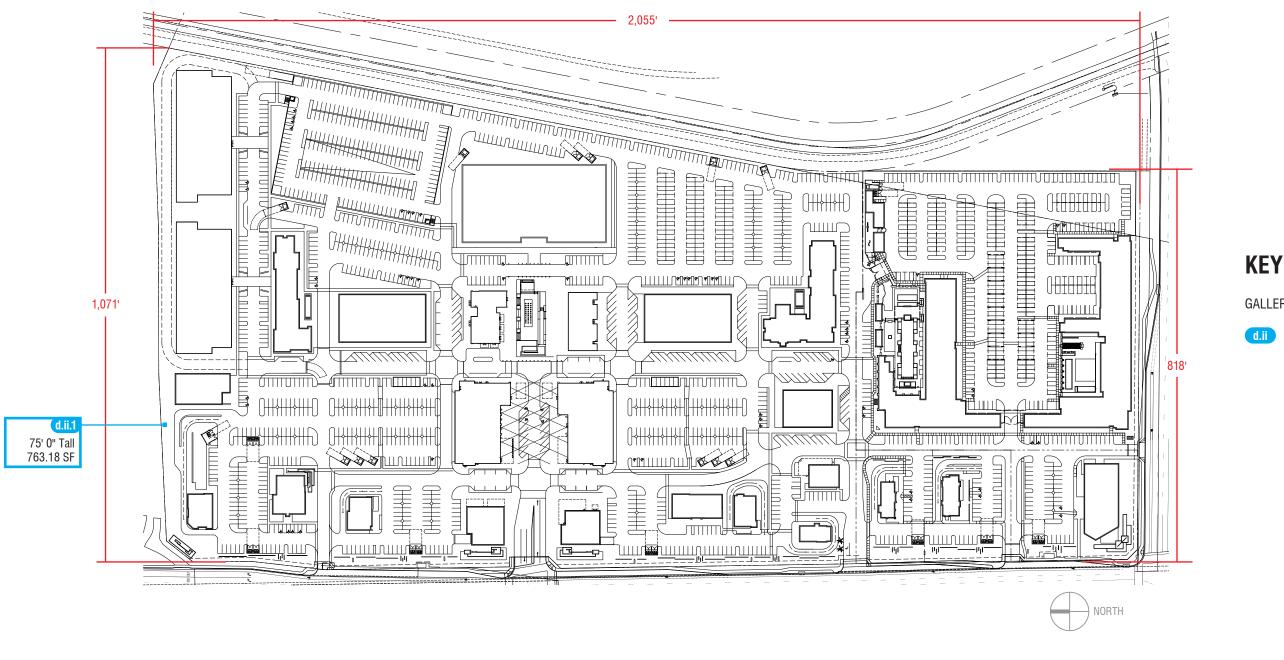
municipalities have adopted in their code. We are also requesting Foot candles as a measurement of brightness as its measurement takes into account ambient

light (which Nits do not) and it measures appearance (which Nits do not), and the measurement of Foot candles is easier and less expensive than the measurement

Nighttime Brightness: 3 Foot candles. Measurement distance would be a function

Product shall include ambient light sensor to dim based on ambient light.

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**GALLERY PARK** 

d.ii Project ID Monument Sign

106376 0111ld 03/29/24 1.03

Sign Location Plan SCALE 1" = 200'-0"

**TRADEMARK** 

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APPROVED	CLIENT SIGNATURE	DATE	COMPANY SUB LOCAL	Vivo Partners	JB	JOB DRAWING
APPROVED	LANDLORD SIGNATURE	DATE	ADDRESS	5019 S. Power Rd.	PM	DATE
			CITY STATE	Gilbert, AZ	JB	SHEET



(P1 - West Elevation) d.ii.1 - 55 ft. Option B

**TRADEMARK** 

APPROVED LANDLORD SIGNATURE

Vivo Partners
SUB LOCAL

ADDRESS

5019 S. Power Rd.

CITY STATE

Mesa AZ

 SR
 JOB
 106376

 JB
 DRAWING
 0108ld

 PM
 DATE
 03/29/24

 JB
 SHEET
 1.04



(P1 - West Elevation) d.ii.1 - 65 ft. Option B

APPROVED	CLIENT SIGNATURE	DATE	COMPANY	Vivo Partners	SR	JOB	106376
			SUB LOCAL		JB	DRAWING	0108ld
APPROVED	LANDLORD SIGNATURE	DATE	ADDRESS	5019 S. Power Rd.	PM	DATE	03/29/24
			CITY STATE	Mesa, AZ	JB	SHEET	1.05



(P1 - West Elevation) d.ii.1 - 75 ft. Option B

APPROVED	CLIENT SIGNATURE	DATE	COMPANY SUB LOCAL	Vivo Partners	sr JB	JOB DRAWING	106376
			SUB LUCAL			DRAWING	0108ld
APPROVED	LANDLORD SIGNATURE	DATE	ADDRESS	5019 S. Power Rd.	PM	DATE	03/29/24
			CITY STATE	Mesa, AZ	JB	SHEET	1.06



(P1 - West Elevation) d.ii.1 - 85 ft. Option B

Vivo Partners
OCAL
5019 S. Power Rd.

Mesa AZ

 SR
 JOB
 106376

 JB
 DRAWING
 0108ld

 PM
 DATE
 03/29/24

 JB
 SHEET
 1.07



## Citizen Participation Plan

## SEC Power Road and Loop 202 Freeway Landmark Monument

## Purpose:

The purpose of the Citizen Participation Plan is to provide the City of Mesa staff with information regarding the plan to inform citizens and property owners in the vicinity concerning the Applicant's request to the City of Mesa approval of a Freeway Landmark Monument Sign Council Use Permit on the northern boundary of the subject property. The subject property includes the approximately 40-acre site located at the southeast corner of Power Road and the Loop 202, which is the location of the approved Gallery Park mixed-use commercial center.

By providing opportunities for citizen participation, the applicant will ensure that those affected by this application will have an adequate opportunity to learn about and comment on the proposed plan.

#### **Contact Information:**

Those coordinating the Citizen Participation activities are listed as follows:

#### Ralph Pew and DJ Stapley

Pew & Lake, PLC 1744 S. Val Vista Drive, Ste. 217 Mesa, Arizona 85204 Ph. (480) 461-4670 Ralph.Pew@pewandlake.com djstapley@pewandlake.com

#### Jose Pombo

VIVO Development Partners
4650 E. Cotton Center Blvd, Suite 200
Phoenix, AZ 85040
Ph. (602) 393-9370
jpombo@vivopartners.com

#### **Action Plan:**

To provide effective citizen participation in conjunction with this application, the following actions will be taken to provide opportunities to understand and address any real or perceived impacts the development that members of the community may have:

- 1. A notification list will be developed for citizens and agencies in this area including:
  - a. Interested neighbors focused on 1,000+ feet from parent parcel, but may include more; and
  - b. Homeowners Associations within one-half mile of the project site and registered neighborhood associations within one mile of the project (City indicated none are within the required area).

- 2. A letter providing notification of the Council Use Permit submittal and a copy of the proposed Site Plan will be sent to all property owners and associations on the required notification list. The notice letter will include an explanation of the request and the name and contact information for the applicant, which will provide opportunities for neighbors to ask questions and provide comments about the application. A copy of the notification letter, notification map, and notification lists are included with this Citizen Participation Plan.
- 3. The applicant will listen to and consider any comments or questions provided to the applicant during the application process. It will factor them into its determination regarding the project plans before submitting the final submittal before the public hearing for this case.
- 4. The applicant will record comments and feedback from the public that it receives concerning the Site Plan application. A description of the comments provided, any issues raised, and the applicant's responses that address those issues raised will be submitted to the City of Mesa.
- 5. A Citizen Participation Report and updates regarding any citizen comments received will be submitted to the City before the Planning & Zoning Board Public Meeting with a copy of the sent notification letter and associated notification materials.
- 6. All requirements for public hearing notice will be complied with. For public hearing notice, applicant will post a 4' x 4' sign on the property. The sign will be placed on the property on or before the Wednesday two weeks prior to the Planning & Zoning Board meeting. A notarized document with attached photograph of the sign(s) will be submitted to the Planning Staff to be kept in the case file.

## Proposed Schedule:

Formal Submittal to City	July 18, 2022
Follow-Up Submittal	August 22, 2022
Design Review Board	September 13, 2022
Planning & Zoning Public Hearing	October 12, 2022

## Attached Exhibits:

- 1) Neighborhood Meeting Materials
  - a. Notification Map of surrounding property owners
  - b. List of property owners within 1000 ft. of the subject property and HOAs and registered neighborhood contacts

#### Property Owners, 1,000+ Feet

#### Gallery Park Freeway Landmark Monument, SEC Power Rd. & Loop 202

20TH ST & BELL MULTI-FAMILY LLC/P202-GP LOT 4 TIC LLC/VDP-GP LOT 4 TIC LLC 4650 E COTTON CENTER BLVD STE 200 PHOENIX, AZ 85040 6907 EAST RAY ROAD OWNER LP 870 7TH AVE FRNT 2 NEW YORK, NY 10019-4369 AEI ARIZONA OZ FUND LLC 11100 SANTA MONICA BLVD STE 260 LOS ANGELES, CA 90025-6695

AEI RAY DEVELOPMENT LLC 300 W CLARENDON AVE STE 240 PHOENIX, AZ 85013 ALI ADVISOR INC 2999 N 44TH ST NO 100 PHOENIX, AZ 85018 ALI ADVISOR INC (PROB. DEED/LEGAL)
2999 N 44TH ST STE 100
PHOENIX, AZ 85018

AMERICAN FURNITURE WARHOUSE CO 8820 AMERICAN WY ENGLEWOOD, CO 80112 BC PICO LLC/DRIVE PICO LLC/AUTOMATIC PROPERTIES LLC 11601 SANTA MONICA BLVD LOS ANGELES, CA 90025 CRP PDC MESA GATEWAY OWNER LLC 450 NEWPORT CENTER DR STE 405 NEWPORT BEACH, CA 92660

DICKERSON ZACHARY 32624 N RUGOSA RD QUEEN CREEK, AZ 85142 FLOOD CONTROL DISTRICT OF MARICOPA COUNTY 2801 W DURANGO ST PHOENIX, AZ 85009 GATEWAY 71B LLC 4942 S 71ST ST MESA, AZ 85212-6436

GATEWAY CORNER HOLDINGS LLC 7515 E 1ST ST SCOTTSDALE, AZ 85251 GILBERT GATEWAY TOWNE CENTER HOLDINGS LLC 3941 W MOHAVE ST NO 110 PHOENIX, AZ 85009 GRANITE FIELD INVESTMENTS LLC PO BOX 151 QUEEN CREEK, AZ 85142

KCK INVESTMENTS LLC 4747 S POWER RD MESA, AZ 85212 MESA 18 LP 720 3RD ST NO E SASKATOON, SK S7H1M3 MGW BUILDING LLC 4144 W SUNSET RD LAS VEGAS, NV 89118

NORTHINGTON MESA INDUSTRIAL INVESTORS LLC PO BOX 1368 CARLSBAD, CA 92018 PHOENIX-MESA GATEWAY AIRPORT AUTHORITY 600 S POWER RD BLDG 41 MESA, AZ 85206-5219 POWER 17 LLC 124 S 600 E SALT LAKE CITY, UT 84102

POWER 202 MIXED-USE LLC 4650 E COTTON CENTER BLVD STE 200 PHOENIX, AZ 85040 POWER ROAD GP STV LLC 525 W 21ST ST TEMPE, AZ 85282 ROOSEVELT WATER CONS DIST 5239 PO BOX 100 HIGLEY, AZ 85236

RRCCN OWNERS ASSOCIATION 2999 N 44TH ST STE 500 PHOENIX, AZ 85018 TARGET CORPORATION PO BOX 9456 MINNEAPOLIS, MN 55440-9456

TRIANGLE TRUST/STROSCHER INVESTMENTS LLC 32101 COOK LN SAN JUAN CAPISTRANO, CA 92675

UNITED STATES OF AMERICA 3707 N 7TH ST PHOENIX, AZ 85017

WAL MART STORES INC 1301 SE 10TH ST BENTONVILLE, AR 72716-0535 WF GCC INDUSTRIAL LLC 3104 E CAMELBACK RD UNIT 957 PHOENIX, AZ 85018

## Property Owners, 1,000+ Ft.

SEC of Power Rd. and Loop 202



# VIVO Development Gallery Park; Freeway Landmark Monument Sign Citizen Participation Report April 2, 2024

#### **Purpose:**

The purpose of the Citizen Participation Plan is to provide the City of Mesa staff with information regarding the efforts made by the Applicant to inform citizens and property owners in the vicinity concerning the Applicant's request to the City of Mesa for the following:

- 1. Design Review Approval for a Freeway Landmark Monument Sign (DRB22-00780)
- 2. Council Use Permit for a Freeway Landmark Monument Sign (ZON22000779)

By providing opportunities for citizen participation, the applicant has ensured that those affected by this application have had an adequate opportunity to learn about and comment on the proposed development plans for this property.

#### **Contact Information**:

Those coordinating the Citizen Participation activities have been:

W. Ralph Pew Pew & Lake, PLC. 1744 S. Val Vista Drive, Suite 217 Mesa, AZ 85204 (480)461-4670 (office) (480)461-4676 (fax) Ralph.pew@pewandlake.com Vanessa MacDonald Pew & Lake, PLC. 1744 S. Val Vista Drive, Suite 217 Mesa, AZ 85204 (480)461-4670 (office) (480)461-4676 (fax) vanessa.macdonald@pewandlake.com

#### **Actions:**

In order to provide effective citizen participation in conjunction with this application, the following actions were taken to provide opportunities for feedback from surrounding property owners:

- 1. A notification list of Property Owners within 1000' of the subject parcel was developed using the Maricopa County Assessor Parcel View tools. There were 30-Property Owners in total. There were no registered neighborhood contacts or HOA's within 1-mile of the property. A copy of the notification list and map is attached to this report.
- 2. On August 16, 2022, a notification letter was sent to property owners within 1000-feet of Gallery Park, inviting them to a neighborhood meeting on August 30, 2022. The notification letter is attached to this email.

- 3. The neighborhood meeting was held on August 30, 2022. There were no interested property owners in attendance.
- 4. On October 27, 2023, a Public Notice sign was posted on the property in compliance with the specifications provided by the City of mesa Planning Staff. A copy of the sign posting affidavit is attached to this report.
- 5. On March 22, 2024 a sign was posted on the property notifying members of the public about the Planning & Zoning Board meeting on April 10, 2024.
- 6. On March 25, 2024, notification letters for the Planning & Zoning Board and Design Review Board meetings were delivered to the City of Mesa planning offices, for mailing to the Property Owners on the previously mentioned notification list.

#### **Schedule:**

Formal CUP and Design Review Submittals-July 18, 2022

2<sup>nd</sup> Submittal- September 6, 2022

3<sup>rd</sup> Submittal- May 15, 2023

4<sup>th</sup> Submittal- February 21, 2024

5<sup>th</sup> Submittal- March 28, 2024

Mesa Design Review Board Meeting- April 9, 2024

Planning and Zoning Board Hearing- April 10, 2024

City Council Introduction- TBD

City Council Final Action- TBD

#### Attachments:

- 1. 1000-foot notification list
- 2. 1000foot notification map
- 3. Neighborhood Meeting notification letter
- 4. Summary of neighborhood meeting
- 5. Affidavit of Sign Posting for Planning & Zoning Board meeting
- 6. Notice of Public Hearings

#### Property Owners, 1,000+ Feet

#### Gallery Park Freeway Landmark Monument, SEC Power Rd. & Loop 202

20TH ST & BELL MULTI-FAMILY LLC/P202-GP LOT 4 TIC LLC/VDP-GP LOT 4 TIC LLC 4650 E COTTON CENTER BLVD STE 200 PHOENIX, AZ 85040 6907 EAST RAY ROAD OWNER LP 870 7TH AVE FRNT 2 NEW YORK, NY 10019-4369 AEI ARIZONA OZ FUND LLC 11100 SANTA MONICA BLVD STE 260 LOS ANGELES, CA 90025-6695

AEI RAY DEVELOPMENT LLC 300 W CLARENDON AVE STE 240 PHOENIX, AZ 85013 ALI ADVISOR INC 2999 N 44TH ST NO 100 PHOENIX, AZ 85018 ALI ADVISOR INC (PROB. DEED/LEGAL) 2999 N 44TH ST STE 100 PHOENIX, AZ 85018

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DICKERSON ZACHARY 32624 N RUGOSA RD QUEEN CREEK, AZ 85142 FLOOD CONTROL DISTRICT OF MARICOPA COUNTY 2801 W DURANGO ST PHOENIX, AZ 85009 GATEWAY 71B LLC 4942 S 71ST ST MESA, AZ 85212-6436

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KCK INVESTMENTS LLC 4747 S POWER RD MESA, AZ 85212 MESA 18 LP 720 3RD ST NO E SASKATOON, SK S7H1M3 MGW BUILDING LLC 4144 W SUNSET RD LAS VEGAS, NV 89118

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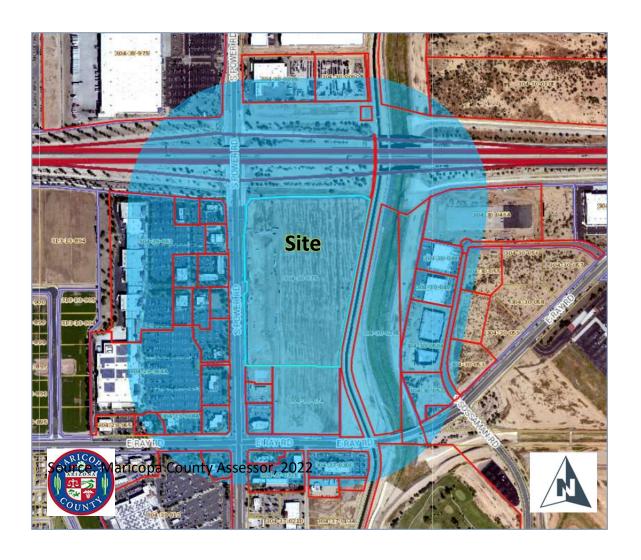
RRCCN OWNERS ASSOCIATION 2999 N 44TH ST STE 500 PHOENIX, AZ 85018 TARGET CORPORATION PO BOX 9456 MINNEAPOLIS, MN 55440-9456 TRIANGLE TRUST/STROSCHER INVESTMENTS LLC 32101 COOK LN SAN JUAN CAPISTRANO, CA 92675

UNITED STATES OF AMERICA 3707 N 7TH ST PHOENIX, AZ 85017

WAL MART STORES INC 1301 SE 10TH ST BENTONVILLE, AR 72716-0535 WF GCC INDUSTRIAL LLC 3104 E CAMELBACK RD UNIT 957 PHOENIX, AZ 85018

## Property Owners, 1,000+ Ft.

SEC of Power Rd. and Loop 202





Sean B. Lake Reese L. Anderson W. Ralph Pew

August 16, 2022

#### NOTICE OF NEIGHBORHOOD MEETING

#### Dear Neighbor:

Together with our client, VIVO Development Partners, we are pleased to invite you to a neighborhood meeting to receive your comments regarding our application to the City of Mesa for freeway signage in Gallery Park, which is located on the approximately 40 acres at the southeast corner of the Loop 202 and Power Road in Mesa. Gallery Park is a regional commercial and loft residential mixed use development that was approved in 2019. This specific request is for a Council Use Permit to allow for two freeway landmark monument signs to be built on the northern portion of the site near the 202 freeway.

A neighborhood meeting has been scheduled to give property owners in the area an opportunity to meet with the applicant and property owner and to learn more about the proposed signs. A copy of the preliminary plan and elevations are enclosed with this letter. The details of this meeting are as follows:

**Date:** August 30, 2022

**Time:** 6:00 p.m.

Place: Holiday Inn Express & Suites Gilbert-

Mesa Gateway Airport (Meeting Room)

5530 S Power Road Gilbert, AZ 85295

If you have any questions before or after the neighborhood meeting, please contact either me or D.J. Stapley by email at <a href="mailto:ralph.pew@pewandlake.com">ralph.pew@pewandlake.com</a> or <a href="mailto:djstapley@pewandlake.com">djstapley@pewandlake.com</a> or by phone at 480-461-4670. You may also contact Jose Pombo at Vivo Development Partners at <a href="mailto:jpombo@vivopartners.com">jpombo@vivopartners.com</a> or by phone at 602-393-9370.

At this time, no public hearing before the City of Mesa has been scheduled. When any meeting date is known, the property will be properly noticed, and anyone who reaches out to us and provides their contact information will also be notified. We welcome any comments and feedback on this case and would be happy to discuss it with citizens or groups upon request.

Sincerely,

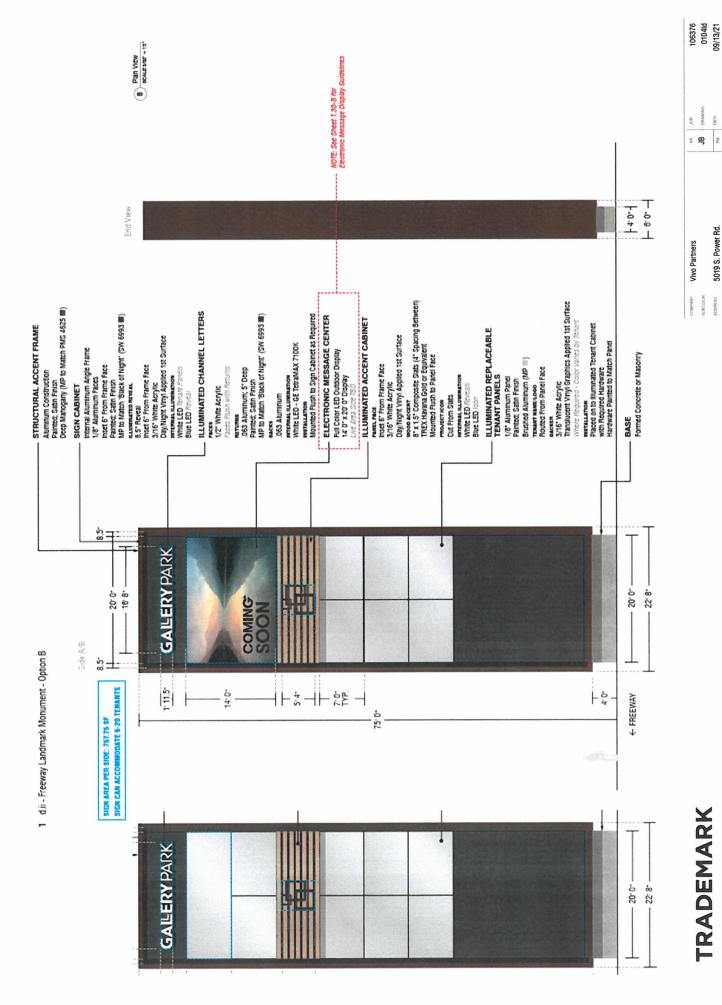
W. Ralph Pew

PEW & LAKE, PLC

#### Sign Locations

## **GALERY** PARK 由





# **TRADEMARK**

5019 S. Power Rd.

Gilbert, AZ

# Neighborhood Meeting Summary Gallery Park Freeway Landmark Monument Signs Power Road and 202 Freeway Case #ZON22-00779, DRB22-00780

August 30, 2022 at 6:00 pm

Holiday Inn Express & Suites-Mesa Gateway Airport (meeting room) 5530 S. Power Road Gilbert, AZ 85295

The neighborhood meeting was open for the public starting at 6:00 pm. It was held at the above-referenced location, which is approximately 1 block south of the Gallery Park subject site.

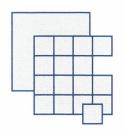
No citizens attended. Present for the applicant were Jose Pombo with Vivo and Ralph Pew and D.J. Stapley from Pew & Lake, PLC. They remained onsite until approximately 6:25 pm before closing the meeting.

00/00/04

# **AFFIDAVIT OF PUBLIC POSTING**

Date: 03/22/24	
I, Patrick Anspaugh, being the owner or authorized do hereby affirm that I have posted the property on SEC Loop 202 and Power Rd. The posting was in on quarter mile of frontage along perimeter right-ovisible from the nearest public right-of-way.	related to case # ZON22-00779  e place with one notice for each
SUBMIT PHOTOGRAPHS OF THE POSTIN BY 11" SHEET OF PAPER WITH	
Applicant's/Representative's signature:	tol omper.
SUBSCRIBED AND SWORN before me on 03/2	2/24
( Sometion: 5/31/27	
Notary Public	JESSE SIMPSON Notary Public - Arizona Maricopa County Commission # 650315





### Pew & Lake, P.L.C.

Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist

Sean B. Lake Reese L. Anderson

March 25, 2024

#### NOTICE OF PUBLIC MEETINGS

DESIGN REVIEW BOARD AND PLANNING & ZONING BOARD Case No. DRB22-00780 and ZON22-00779

Dear Neighbor:

Pew & Lake, PLC, on behalf of our client, VIVO Development, is providing you with notice of **two** upcoming public meetings related to its proposal for a Freeway Landmark Monument (FLM) sign at the 40-acre Gallery Park development at the southeast corner of the Loop 202 Santan Freeway and Power Road in Mesa. To allow for the development of the FLM, we have applied for Design Review and a Council Use Permit (CUP).

This letter is being sent to all property owners within 1,000 feet of the property at the request of the City of Mesa Planning Division. Enclosed for your review is a copy of the site plan and elevations for the proposed FLM. If you have any questions regarding this proposal, please call me or Vanessa MacDonald at 480-461-4670 or e-mail one of us at ralph.pew@pewandlake.com or vanessa.macdonald@pewandlake.com.

Design Review Board
City Council Chambers
(lower level)
57 East First Street, Mesa, AZ
April 9, 2024
Work Session and Public Meeting
4:30 p.m.

Planning and Zoning Board
City Council Chambers
57 East First Street
Mesa, AZ
April 10, 2024
Public Hearing: 4:00 p.m.

The public can attend the meeting either in-person or electronically and telephonically. The live Design Review meeting may be watched via zoom <a href="https://mesa11.zoom.us/j/82508085605">https://mesa11.zoom.us/j/82508085605</a>. The Planning & Zoning Board meeting may be watched on local cable Mesa channel 11, online at Mesa11.com/live or <a href="https://www.youtube.com/user/cityofmesa11/live">www.youtube.com/user/cityofmesa11/live</a>. Either meeting may be listened to by calling 888-788-0099 or 877-853-5247 (toll free) using meeting ID 825 0808 5605 and following the prompts.

If you want to provide a written comment or speak telephonically at the meeting, please submit an online comment code visiting card by scanning the QR on the next page https://www.mesaaz.gov/government/advisory-boards-committees/board-of-adjustment/onlinemeeting-comment-card at least 1 hour prior to the start of the meeting. If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call 888-788-0099 or 877-853-5247 (toll free) using meeting ID 825 0808 5605 and following the prompts, prior to the start of the meeting. You will be able to listen to the meeting; and

when the item you have indicated that you want to speak on is before the Board, your line will be taken off mute and you will be given an opportunity to speak.

For help with the online comment card, or for any other technical difficulties, please call 480-644-2099. The City of Mesa has assigned this case to Mr. Sean Pesek, Senior Planner of their Planning Division staff. He can be reached at 480-644-6716 or sean.pesek@mesaaz.gov, should you have any questions regarding the public hearing process. If you have recently sold this property, please forward this correspondence to the new owner.

Sincerel

W. Ralph Rew

Pew & Lake, PLC

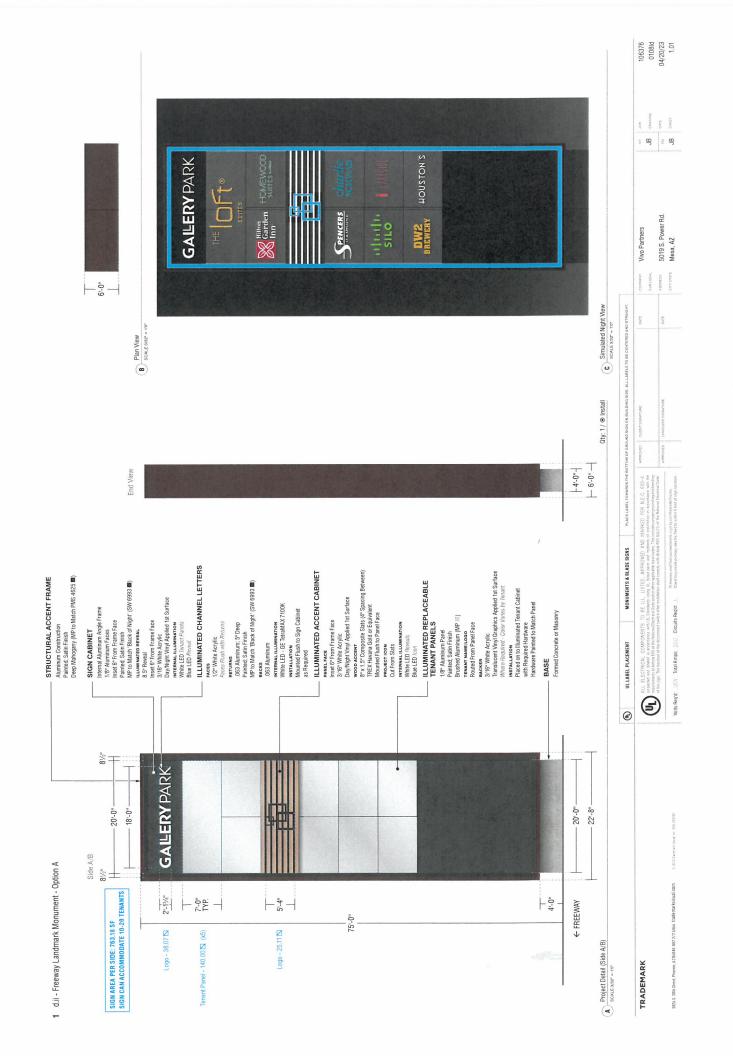
Attachments

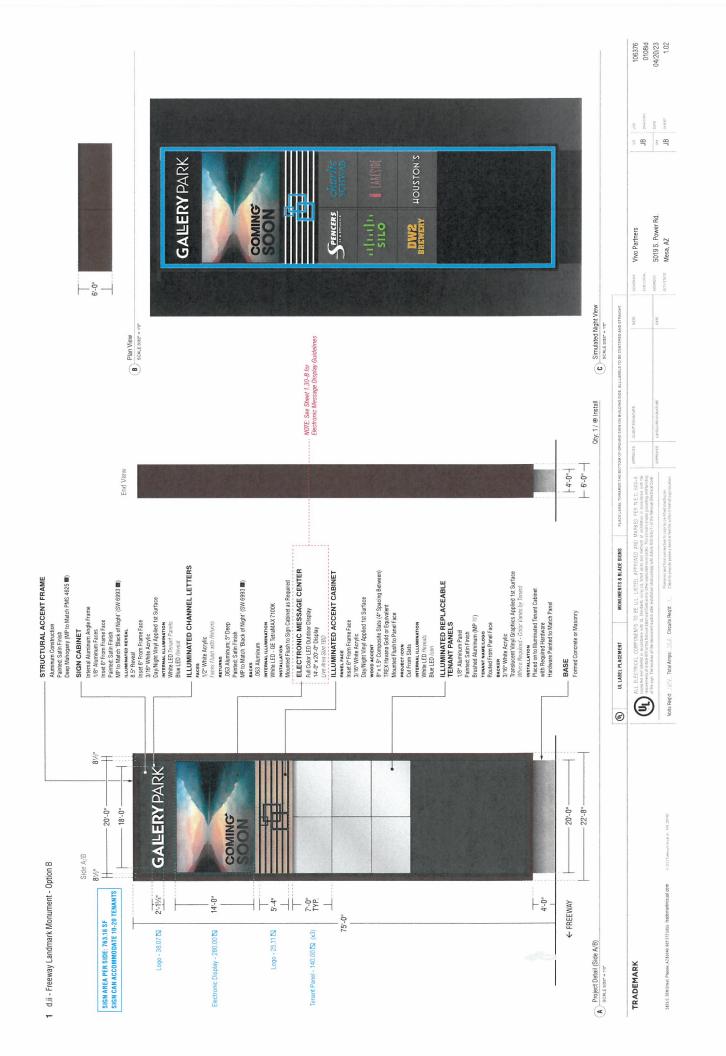
**Design Review QR Code:** 

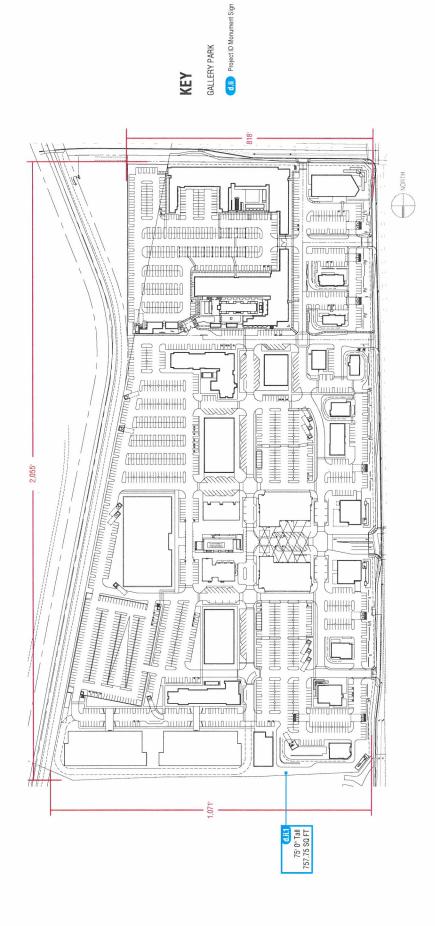


Planning & Zoning QR Code:









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Sign Location Plan

TRADEMARK