



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

June 5, 2019

CASE No.: **BOA19-00270** CASE NAME: **Superstition Springs Center CSP**

Property Owner:	East Mesa Adjacent, LLC
Applicant's Name:	Jeremiah Scheffer, Thinking Caps Design
Location of Request:	Within the 6300 through 6600 blocks of East Southern Avenue (south side) and the 1200 through 1500 blocks of South Power Road (west side).
Parcel Nos:	141-54-043, 141-54-044B, 141-54-044C, 141-54-044F, 141-54-044H, 141-54-044J
Nature of Request:	Requesting a Special Use Permit (SUP) to allow modifications to an existing Comprehensive Sign Plan (CSP) in the LC-BIZ District
Zone District:	Limited Commercial (LC) with a Bonus Intensity Zone (BIZ) overlay
Council District:	6
Site Size:	99.7 ± acres
Proposed Uses:	Regional Shopping Center
Existing Use:	Regional Shopping Center
Hearing Date(s):	June 5, 2019 / 5:30 p.m
Staff Planner:	Veronica Gonzalez
Staff Recommendation:	APPROVAL with 3 Conditions

HISTORY

On March 6, 1990, the Board of Adjustment approved a Comprehensive Sign Plan (case #BA90-013) for a regional shopping center (Superstition Springs Center) in the LC-BIZ District. The sign plan included exceptions to sign height, the number of signs, and sign face area requirements.

On December 7, 1988, the Design Review Board approved the building elevations (case #DR88-052) for a 1,297,424 square foot regional shopping mall.

On February 5, 2019, staff administratively approved a minor modification to the building façade to allow an additional tenant in a building originally approved with case DR88-052.

PROJECT DESCRIPTION

Background

The proposed modification is for attached signage for a specific anchor tenant building identified in the original CSP as the Mervyn's building. To adjust to the changing retail environment, the previously developed single tenant building has been remodeled to accommodate multiple tenants. The previously approved CSP included allowances for attached signage based on a single occupant. As a single occupant anchor tenant, the original CSP allowed up to three attached signs, one for each elevation, at 275 square feet each with an aggregate sign area of 825 square feet. The applicant's request to modify the CSP includes allowing the number of attached signs per tenant to be consistent with current sign code in order to accommodate multiple tenants. The current zoning ordinance allows proposed Tenant 1A up to four attached signs and proposed Tenants 2A and 2B up to three attached signs each. According to the applicant, the maximum amount of allowed sign area for each elevation will remain at 275 square feet and no individual sign will be allowed to exceed 160 square feet.

The modified CSP will also allow each tenant additional smaller signs that are up to six square feet in sign area. Per Section 11-47-2(A)2 of the MZO, a permit is not required for certain signs that are six square feet or less in area. Such signs are also not considered as part of the allowed number of signs or sign area for each tenant unit of a building. According to the applicant, the design criteria for attached signage as specified in the original CSP will remain unchanged.

General Plan Character Area Designation and Goals

The Mesa 2040 General Plan character area designation for this site is Mixed Use Activity District. Per Chapter 7 of the General Plan, Mixed Use Activity Districts are areas designated for large-scale community and regional activity areas, which include a mix of retail, entertainment and office uses. The existing shopping mall is consistent with the character area designation.

Site Characteristics:

The existing development is a large, regional shopping center located on ±99 acres with approximately 1,297,424 square feet of retail space that was constructed in the early 1990's. The property is irregular in shape with only small portions of the lot fronting on Southern Avenue and Power Road. The specific building for the proposed sign modifications is setback more than 500' from Southern Avenue and has limited visibility to the street due location of a number of buildings in between the structure and the street. The subject property also abuts the US 60 Freeway right-of-way along its southern border; however, the specific building has no visibility on this freeway because the freeway is below grade and mall building is located between the structure and the freeway.

Surrounding Zoning Designations and Existing Use Activity:

<p>Northwest (Across Southern Avenue) Maricopa County R1-6 Existing Residential</p>	<p>North (Across Southern Avenue) Maricopa County R1-6 Existing Residential</p>	<p>Northeast (Across Southern Avenue) Maricopa County R1-6 Existing Residential</p>
<p>West LC and LI Existing Retail and Auto Sales</p>	<p>Subject Property LC-BIZ Retail</p>	<p>East (Across Power Road) LC Existing Retail</p>
<p>Southwest US 60 Freeway</p>	<p>South US 60 Freeway</p>	<p>Southeast US 60 Freeway</p>

Mesa Zoning Ordinance Requirements and Regulations:

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 unique in shape and the subject building has restricted visibility on Southern Avenue.

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 existing shopping center exhibits unique characteristics of site location and physical scale. The shopping center is located on 99.7 acres and includes approximately 1,297,424 square feet of retail space. The original CSP was approved because the shopping center represented a clear variation from conventional development and necessitated a customized sign plan. The ongoing remodeling of the single tenant anchor building to accommodate multiple tenants is consistent with the original characteristics of the subject regional shopping center.

3. 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.

While the modified CSP proposes to increase the number of attached signs to accommodate multiple tenants, the modifications do not include any increases in attached sign area allowances or changes to previously established design criteria.

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 District character type of the Mesa 2040 General Plan. The existing use is consistent with the goals and objectives of the General Plan by providing a significant retail use to a regional activity area. Approval of the proposed modifications to the existing CSP will advance the goals and objectives of the General Plan by allowing attached signage for additional retail merchants within the shopping center.

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 retail use conforms to the land use regulations of the LC District and the General Plan character type designation. The proposed modifications to the existing CSP are consistent with the location, size, design and operating characteristics of the property.

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 modifications, while increasing the number of attached signage, will prevent sign clutter on the site due to the limitations on sign area for each tenant. Therefore, the proposed request will not be injurious or detrimental to the surrounding properties.

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

The proposed project is currently served by existing City of Mesa utilities and public infrastructure.

Findings

- A. The existing CSP was approved on March 5, 1990 as case BA90-013.
- B. Staff administratively approved minor building modifications to allow multiple tenants in a building previously designed for a single tenant unit.
- C. The proposed CSP modifications, while increasing the number of attached signs, will not increase the aggregate attached sign area.
- D. The proposed CSP modifications conform to the criteria outlined in Section 11-46-3(D) of the MZO for approval of a CSP.
- E. The subject site has restricted visibility on Southern Avenue, the property owner is remodeling the building to accommodate multiple retail tenants and the sign plan will maintain the previously allowed design criteria for attached signage on the property.

- F. The proposed CSP modifications conform to the criteria outlined in Section 11-70-5(E) of the MZO for approval of a SUP.
- G. The proposal is consistent with the goals of the General Plan, the use complies with the LC zoning district, the modified sign package will not be injurious or detrimental to adjacent or surrounding properties and there are adequate public services to support use of the site.

Neighborhood Participation Plan and Public Comments

The applicant sent required notification letters to all property owners within 500' of the site on May 21, 2019. As of the writing of this report, staff has not been contacted by any resident to express support or opposition to the request.

Staff Recommendations:

The proposed CSP conforms to the review criteria for Comprehensive Sign Plans outlined in Section 11-46-3 of the MZO as well as the review criteria for a Special Use Permit outlined in Section 11-70-5 of the MZO; therefore, staff recommends approval of the request with 3 conditions:

Conditions of Approval;

1. Compliance with the site plan, sign plan details and project narrative submitted.
2. All signs shall comply with the approved Comprehensive Sign Plan (BA90-013), except as modified by this request.
3. Compliance with all requirements of the Development Services Department in the issuance of sign permits.