



**PLANNING DIVISION  
STAFF REPORT**

**Board of Adjustment**

**September 6, 2023**

|                              |   |
|------------------------------|---|
| CASE No.: <b>BOA23-00574</b> | PROJECT NAME: <b>Shops on Mesa Drive</b>                                      |
| Owner's Name:                | Felida 1, LLC   |
| Applicant's Name:            | Anthony Rodriguez, City of Mesa   |
| Location of Request:         | 144 South Mesa Drive  |
| Parcel No(s):                | 138-66-078 and 138-66-079   |
| Nature of Request:           | Requesting a Special Use Permit (SUP) to allow for a Comprehensive Sign Plan. |
| Zoning District:             | Transect 4 Neighborhood Flex (T4NF)   |
| Council District:            | 4   |
| Site Size:                   | 0.7± acres  |
| Existing Use:                | Commercial  |
| Hearing Date(s):             | <b>September 6, 2023 / 5:30 p.m.</b>  |
| Staff Planner:               | Samantha Brannagan, Planner II  |
| Staff Recommendation:        | Approval with Conditions  |

**HISTORY**

On **July 14, 1883**, the property was annexed into the City of Mesa (Ordinance No. 1).

**Between 1964 and 1969**, per Maricopa County historical aerial photos, the commercial building was constructed in its current configuration.

On **February 15, 2022**, the Planning Direction approved opt-in of the site to the Form-Based Code and subsequently zoned Transect 4 Neighborhood Flex (Case No. ZON21-00668).

On **February 17, 2022**, the Planning Director approved Zoning Clearance of the site (Case No. ADM21-01157).

On **November 21, 2022**, the Planning Director approved minor modifications and an Administrative Use Permit for covered outdoor seating (Case No. ADM22-01067).

On **August 1, 2023**, the Planning Director approved minor improvements to front and rear façades of the building (Case No. ADM23-00541).

## PROJECT DESCRIPTION

### **Background:**

The applicant is requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) to serve an existing commercial building in the Transect 4 Neighborhood Flex (T4NF) zoning district. In 2022, the subject property opted-in to the form based code with a Zoning Clearance for exterior modifications to modernize the building’s appearance was approved by the Planning Director. The site contains one, legally non-conforming monument sign which is to remain and is part of the subject CSP request.

### **General Plan Character Area Designation and Goals:**

The Mesa 2040 General Plan Character Area designation on the property is Downtown with a Transit Corridor overlay. Per the General Plan, the focus of the Downtown character area is the creation of a pedestrian oriented, transit-rich environment with a lot of activity. Transit Corridors with Station Area sub-types are intended to have more intense development than the associated corridor and is expected to transition into an urban building form. Buildings are expected to have active first floor uses that engage the street and create an interesting and active street environment.

In addition, the subject site is located within the Central Main Street Area. The Central Main Street Area Plan recognizes the influence of specialized signage, street design, public realm amenities, view corridors, and public and private art in creation of distinctive places to help with the overall goal of creating memorable places of today and the historic districts of tomorrow. The plan is also meant to provide the flexibility in development and redevelopment that encourages and allows the creativity necessary to construct iconic buildings, landmarks, and places.

Overall, the proposed Special Use Permit for a Comprehensive Sign Plan is seen to advance the goals and objectives of the Mesa 2040 General Plan.

### **Site Characteristics:**

The site is 0.7± acres in size and contains an existing 10,030± square foot, single-story commercial building that was constructed between 1964 and 1969, per Maricopa County Assessor’s historical aerial photos. The property is located west of South Mesa Drive and south of East 1<sup>st</sup> Street. The site currently has one, legally non-conforming monument sign of 15’ 2” in height, which includes 2’ 8” of embellishment at the top of the sign and is to remain.

### **Surrounding Zoning Designations and Existing Use Activity:**

|   |                                    |  |
|---|------------------------------------|--|
| <b>Northwest</b><br>(Across S. Pomeroy)<br>DR-3<br>Multiple Residence | <b>North</b><br>DB-1<br>Commercial | <b>Northeast</b><br>(Across S. Mesa Drive)<br>DB-1<br>Single Residence |
|---|------------------------------------|--|

|   |   |  |
|---|---|--|
| <b>West</b><br>(Across S. Pomeroy)<br>DR-3<br>Vacant                  | <b>Subject Property</b><br>T4NF<br>Commercial | <b>East</b><br>(Across S. Mesa Drive)<br>DB-1<br>Commercial            |
| <b>Southwest</b><br>(Across S. Pomeroy)<br>DR-2<br>Multiple Residence | <b>South</b><br>DB-1<br>Commercial            | <b>Southeast</b><br>(Across S. Mesa Drive)<br>DB-1<br>Single Residence |

**Mesa Zoning Ordinance Requirements and Regulations:**

Per Table 11-43-3(B) of the MZO, uses within the T4NF zoning district are permitted two signs per street frontage, attached or detached, with a maximum area of 32 sq ft in size. A non-residential use in the T4NF district is allowed one additional attached sign on a street not to exceed 32 sq ft in size. Altogether, per Table 11-43-3(B) of the MZO, a non-residential land use is permitted three signs, with one required to be attached, and none to exceed 32 sq ft in size. Any sign shall not exceed 8 ft in height.

As the existing building is undergoing extensive improvements, there is currently no attached signage. The site has frontage to both South Mesa Drive to the east and South Pomeroy to the west, with access to the front and rear of the building. The CSP proposes one attached sign per tenant per street frontage, with the end-cap tenants permitted three attached signs in total. These signs have a minimum of 32 sq ft and maximum of 120 sq ft in size.

The CSP will also allow the site to maintain one detached, legally non-conforming sign of 15’ 2” in height. No other detached signage will be permitted.

Tables 1 and 2 below show the attached and detached sign allowances provided in the MZO and the proposed signage requested with this Comprehensive Sign Plan. The requested deviations are in **bold** font.

Table 1: Proposed Attached Sign Criteria

| <b>Proposed Attached Signage</b> | <b>MZO Requirements</b>  | <b>Proposed</b>   |
|----------------------------------|--|---|
| Maximum Number of Signs          | <u>MZO Table 11-43-3(B):</u><br>Two sign signs per street front, attached or detached<br><br>One additional attached sign on a street (maximum 32 sq ft) | <b>One sign per tenant per street frontage</b><br><br><b>Total of three signs for end-cap tenants located in the northernmost and southernmost suites</b> |
| Maximum Area per Sign            | <u>MZO Table 11-43-3(B)</u><br>1 sq ft of sign area per 5-lineal feet of street frontage (maximum 32 sq ft)  | <b>2 sq ft of sign area per linear foot</b><br><br><b>Minimum of 32 sq ft</b><br><b>Maximum of 120 sq ft</b>  |

|  |  |  |
|--|--|--|
|  |  | Maximum of 75% of width of the front of the tenant occupancy |
|--|--|--|

Table 2: Proposed Detached Sign Criteria

| Proposed Detached Signage           | MZO Requirements   | Proposed   |
|-------------------------------------|--|--|
| Maximum Height of Freestanding Sign | <u>MZO Table 11-43-3(A):</u><br>Maximum height of 8-feet, detached | <b>One detached 94 square foot monument sign with six tenant panels 15' 2" in height</b> |

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

Per Section 11-46-3(D) of the MZO, 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 subject site consists of a building constructed between 1964 and 1967 per Maricopa County Assessor’s historical aerial photos, of the original size and shape that it is now. When constructed, both South Pomeroy to the west of the building and South Mesa Drive to the east were already developed and as such the structure was built with double frontage, whereas typical buildings only have frontage in one direction. The building fronts Mesa Drive, with parking provided between the building and the street, whereas sites within the Form-Based Code are intended to engage the street and have parking at the rear of the building. Sites within the**

***The proposal meets this criterion.***

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

**Current entrance to the building exists from South Mesa Drive to the east and South Pomeroy to the west, making the building prominently visible from both streets unlike a typical commercial structure. As such, improvement to the site calls for an increase to both the number and size of signage permitted in the T4NF district to attract customers passing the building on both sides of the street. Not permitting signage on the rear of the building, visible from South Pomeroy, will give the building a blank, faceless wall that will invite less customers to the commercial use.**

*The proposal meets this criterion.*

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

**Per the project narrative, panels on the existing detached monument sign will be replaced with new, metal-routed copy panels that are internally illuminated to attract customers to the site. In addition, the signage facing South Mesa Drive shall be internally illuminated.**

*The proposal meets this criterion.*

**MZO Section 11-70-5(E) Special Use Permit:**

Per Section 11-70-5(E) of the MZO, the Board of Adjustment shall 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 within the Downtown character area of the General Plan and within the Central Main Street Area Plan. The intent of this area is to be pedestrian friendly and to create an interesting and active street environment. The proposed CSP consists of a detached monument sign, which will have the existing panels removed and replaced by illuminated panels. New attached signs that face S. Mesa Drive will also be illuminated. These signs will increase visibility and attract customers to the downtown area of Mesa and reinvest in development of the Central Main Street Area.**

*The proposal meets this criterion.*

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 Proposed Project is consistent with the area in which it is located, with other commercial uses and frontage along an arterial street. These commercial uses also have freestanding signs and multiple attached signage. As such, the proposed CSP is consistent with the location, size and design of the site.**

*The proposal meets this criterion.*

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

**As the multi-tenant building is existing and undergoing extensive reconstruction to improve the site, with the intent to attract high quality tenants and commercial uses, the proposed comprehensive sign package is not seen to be injurious or have detrimental impact to surrounding properties, neighborhood or the general welfare of the City.**

***The proposal meets this criterion.***

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

**City of Mesa utilities and public infrastructure is available to serve the existing commercial buildings and signage.**

***The proposal meets this criterion.***

Findings:

- A. The proposed CSP provides modifications to the standard sign code allowances and design criteria to provide a sense of place.
- B. The CSP specifies the lighting, materials and craftsmanship for the proposed signs.
- C. The subject property is located in the T4NF district and within the Neighborhood character area of the 2040 General Plan.
- D. The proposed CSP advances the goals and objectives of the General Plan and character area by authorizing an increase to the allowed number of signs at this location that will provide well-designed identification for an existing development and improve the streetscape along South Mesa Drive.
- E. The proposed CSP will not be injurious or detrimental to the surrounding properties.

**Neighborhood Participation Plan and Public Comments:**

The applicant mailed the required notification letters to all property owners within 500 feet of the subject property. As of the date of 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 preceding analysis, staff finds the proposed CSP conforms to the review criteria for Comprehensive Sign Plans outlined in Section 11-46-3 of the MZO and the required findings 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 regarding the issuance of building permits.
3. All signage to be reviewed and approved through a separate permit application.
4. Illuminated signs are subject to Section 11-43-3 of the Mesa Zoning Ordinance.

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Site Plan

Exhibit 4 – Comprehensive Sign Plan