



**PLANNING DIVISION  
STAFF REPORT**

**Board of Adjustment**

**June 1, 2022**

CASE No.: **BOA21-00828**

CASE NAME: **Cannon Beach**

Owner's Name:	Power 40 LLC
Applicant's Name:	Sean Lake, Pew & Lake PLC
Location of Request:	Within the 4400 to 4500 blocks of South Power Road (east side) and within the 6800 to 6900 blocks of East Warner Road (south side).
Parcel Nos:	304-30-081, -080, -079, -082, -078, -076, and -077
Nature of Request:	Requesting a Special Use Permit (SUP) to allow a Comprehensive Sign Plan (CSP) for a commercial center.
Zone District:	General Commercial with a Planned Area Development overlay and Council Use Permit (GC-PAD-CUP) and Light Industrial with a Planned Area Development overlay and Council Use Permit (LI-PAD-CUP)
Council District:	6
Site size:	40± acres
Existing use:	General Retail, Offices, Gymnasium, Hotel, Restaurants, Commercial Recreation, and Industrial – currently under construction
Hearing date(s):	<b>June 1, 2022 / 5:30 p.m.</b>
Staff Planner:	Cassidy Welch, Senior Planner
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **May 18, 2000**, the property was annexed into the City of Mesa (Case A00-002; Ordinance No. 3762) and subsequently zoned Agricultural (AG) (Case Z00-045; Ordinance No. 3794).

On **September 21, 2020**, City Council approved a rezone from AG to General Commercial and Light Industrial with a Planned Area Development overlay and Council Use Permit (GC-PAD-CUP & LI-PAD-CUP) and associated site plan for 59 acres, including the subject site (Case No. ZON20-00253; Ordinance No. 5587).

On **December 8, 2021**, City Council approved a modification to the Planned Area Development overlay and site plan modification of the subject site to allow for commercial development (ZON21-00892; Ordinance No. 5658).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant is requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) for a commercial center in the GC-PAD-CUP and LI-PAD-CUP zoning districts. The requested CSP would allow for modifications to the size, height, and spacing of detached signs allowed per the City of Mesa Sign Ordinance.

Per Table 11-43-2(C) of the Mesa Zoning Ordinance (MZO), no detached sign is allowed within seventy-five (75) feet from any other detached sign on the same parcel. The applicant is requesting a modification to allow detached signs within thirty-nine (39) feet from any other detached sign. Per the submitted plans, this will allow entry monumentation on each side of primary and secondary entry drive aisles.

Per Table 11-43-3(D)(4) of the MZO, commercial developments with a minimum of three separate occupants and more than four-hundred feet of street frontage have a detached sign allowance of 1 sign at a maximum area of 120 square feet and a maximum height of 14 feet. Under this allowance, all other detached signs shall be a maximum area of 50 square feet and a maximum height of 8 feet. The applicant is requesting a total of 12 detached signs, seven on the Warner Road frontage and five on the Power Road frontage. Seven signs are proposed to be a maximum 14' in height with a total sign area of 106 square feet and three signs at a maximum height of 13' in height with a total sign area of 116 square feet. The remaining two detached signs are proposed at a maximum height of 8 feet and a total sign area of 11 square feet, meeting current MZO Sign Ordinance standards.

In addition to the detached signs along the perimeter of the site, the applicant is proposing two detached pier signs that will serve as internal monumentation. The requested pier signage is proposed at a maximum height of 28 feet and a total sign area of 200 square feet. The requested CSP also includes several internal signs intended to serve as directional wayfinding and placemaking within the development. Per the submitted plans, the proposed internal signage meets the detached sign allowance per the MZO Sign Ordinance.

Table 1 (Detached Signs) compares the MZO sign standards with the proposed CSP. Bolded entries denote where the CSP proposal differs or exceeds MZO allowances.

**Table 1: Detached Signage (MZO Tables 11-43-3(C) & 11-43-3(D))**

Sign Standard	Allowed per MZO			Proposed		
Minimum distance between detached signs	75 feet			39 feet		
Sign Standard	Quantity	Area	Height	Quantity	Area	Height
Detached Sign Allowance for commercial development with 3 or more occupants and a minimum 400 feet of frontage	1	120 sq. ft.	14 ft.	2	35 sq. ft. per sign; 70 sq. ft. total	14 ft.
	No limitation	50 sq. ft. per sign	8 ft. per sign	5	7.4 sq. ft. per sign; 37 sq. ft. total	14 ft.
				2	5.2 sq. ft. per sign; 10.4 sq. ft. total	8 ft.
				3	38.5 sq. ft. per sign; 115.5 sq. ft. total	13 ft.
				2	100 sq. ft. per sign; 200 sq. ft. total	28 ft.

The CSP requests modifications to the detached sign allowances. The attached signage meets the requirements of the MZO.

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

The General Plan character area designation on the property is a blend of the Mixed-Use Activity and Employment character type designations. Per Chapter 7 of the General Plan, Mixed-Use Activity character areas are large in scale (over 25 acres) and provide community and regional activity areas. Per the Plan, these areas generally have a substantial commercial component including shopping areas such as malls, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. The goal of the district is to also help create strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences. Per Chapter 7 of the General Plan, the primary focus of the

Employment character area designation is to provide for a wide range of employment opportunities in high-quality settings.

The proposed CSP advances the goals and objectives of the Mixed-Use Activity District and Employment character areas by allowing greater visibility for the local business that will serve the employees and others in the area.

**Site Characteristics:**

The Cannon Beach development is currently under construction and located at the southeast corner of Warner Road and Power Road. The Cannon Beach development is a 40± acre large-scale commercial development that includes a variety of uses including a surf park, restaurants, retail, offices, gymnasium, and a hotel. Access to the site is provided by one primary drive on Power Road and four secondary drives on Power and Warner Roads.

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

<b>Northwest</b> (Across Warner & Power Roads) Town of Gilbert Vacant	<b>North</b> (Across Warner Road) LC-PAD Commercial & Vacant	<b>Northeast</b> (Across RWCD Canal and East Maricopa Floodway) Maricopa County Agriculture
<b>West</b> (Across Power Road) Town of Gilbert Commercial	<b>Subject Property</b> GC-PAD-CUP & LI-PAD-CUP Under construction	<b>East</b> (Across RWCD Canal and East Maricopa Floodway) LI Vacant
<b>Southwest</b> (Across Power Road) Town of Gilbert Commercial	<b>South</b> LI Vacant	<b>Southeast</b> (Across RWCD Canal and East Maricopa Floodway) LI Vacant

**Mesa Zoning Ordinance Requirements and Regulations:**

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

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

**Cannon Beach is a large-scale development with a wide variety of uses. At 40± acres in size, the scope of the development is larger than a traditional commercial development. In addition to the size of the project, the mixture of uses and location of**

these uses within the site is also unique. As mentioned previously, there are commercial, office, and recreational components to the project. Additionally, the site features a large water park with a variety of commercial uses arranged around the pool. This area is planned for development at a pedestrian scale and the signage in this area would not be visible from the public right-of-way.

*The request 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

**Cannon Beach is a clear variation from conventional commercial development both in scale and the variety of uses incorporated in the site. Another unique aspect of this site is that specific design guidelines were adopted for this site as part of the 2020 zoning approval to guide the architectural style of the development. The approved design guidelines include design themes, materials, and landscape themes for Cannon Beach. The proposed CSP is consistent with the Cannon Beach design guidelines.**

*The request meets this criterion.*

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

**The CSP specifies design guidelines for the lighting, materials and craftsmanship for the proposed signs, which integrate with the building architecture and the proposed signs meet these design guidelines.**

*The request meets this criterion.*

#### **Special Use Permit MZO Section 11-70-5**

Per Section 11-70-5(E) of the MZO, 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 Cannon Beach development is located within the Mixed Use Activity District and Employment character areas of the Mesa 2040 General Plan. This commercial development is consistent with the goals and objectives of the General Plan. Approval of the CSP will advance the goals and objectives of the General Plan by allowing a customized sign plan for a commercial development with a unique design and uses.**

*The proposal meets this criteria.*

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;

**The proposed project is located in the General Commercial district with a Planned Area Development overlay and Council Use Permit (GC-PAD-CUP) and the Light Industrial district with a Planned Area Development overlay and Council Use Permit (LI-PAD-CUP). Per Sections 11-6-2 & 11-7-2 of the MZO, the commercial development is allowed in the GC\_PAD-CUP and LI-PAD-CUP zoning districts and conforms to the goals of the 2040 Mesa General Plan. The proposed CSP allowances for detached signage is consistent with the location, size, design and operating characteristics of the site and surrounding area.**

***The proposal meets this criteria.***

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

**There will be no injurious or detrimental impact to surrounding properties with the proposed modifications in signage and will only encourage harmonic growth for the surrounding area. The proposed increase in the height and sign area will not be overbearing in size, and will not flash, blink, animate or emit any noise – thus, the signage itself will not be injurious or detrimental to the neighborhood or to the general welfare of the City of Mesa. The proposed CSP will not be injurious or detrimental to the surrounding properties.**

***The proposal meets this criteria.***

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

**The City of Mesa utilities and public infrastructure are available to serve the approved Canon Beach development.**

***The request meets this criterion.***

**Findings:**

- A. The Cannon Beach development is approved for the development of a variety of uses including a water park, restaurants, retail, offices, a gym and hotel.
- B. The aesthetic character of the proposed signage is intended to complement the building design of the site.
- C. The design of the site is consistent with the Cannon Beach Design Guidelines.

- D. The proposed CSP provides modifications to detached sign heights and sign area to adequately advertise the multiple services offered and establish a consistent place-making theme within the development.
- E. The CSP specifies design guidelines for the lighting, materials and craftsmanship for the proposed signs, which integrate with the building architecture.
- F. The Canon Beach development is located in the GC-PAD-CUP and LI-PAD-CUP districts, within the 2040 General Plan character area designations of Mixed Use Activity District and Employment.
- G. The proposed CSP advances the goals and objectives of the of the General Plan and character areas by authorizing an increase to detached signage that will increase visibility to the services offered by this business along a busy roadway.
- H. 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.

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Comprehensive Sign Plan, including the Narrative and Justification Statement and Site Plan