



**PLANNING DIVISION  
STAFF REPORT**

**Board of Adjustment**

**January 4, 2023**

CASE No.: <b>BOA22-01211</b>	CASE NAME: Bank of America Signage
------------------------------	------------------------------------

Owner's Name:	MW-G Mesa Tower LLC
Applicant's Name:	Gary Spinner
Location of Request:	1201 South Alma School Road
Parcel Nos:	134-23-005C
Nature of Request:	Requesting a Special Use Permit (SUP) to allow a Modification to a Comprehensive Sign Plan (CSP)
Zone District:	Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ)
Council District:	3
Site size:	6± acres
Existing use:	Commercial
Hearing date(s):	<b>January 4, 2023 / 5:30 p.m.</b>
Staff Planner:	Kwasi Abebrese
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **August 17, 1970**, the property was annexed into the City of Mesa (Ordinance No. 675)

On **December 19, 1983**, the City Council approved the development of a 12-story financial center with adjacent 2-story parking facility (Case No. HRZ83-002).

On **February 4, 1986**, the Board of Adjustment approved a variance to allow for a 2,376 square foot of attached signage to exceed the maximum allowed by the sign code (Case No. BA86-012).

On **October 2, 1990**, the Zoning Administrator approved a request to modify the previous sign plan to allow for one building mounted tenant sign, other than the building name, to be placed on a building over 3 stories in height (Case No. ZA90-091).

On **October 5, 1999**, the Board of Adjustment approved a Special Use Permit that allowed for a modification of the existing Bank of America signage in the C-2-BIZ district (Case No. BA99-034).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant, on behalf of Bank of America, is requesting a Special Use Permit (SUP) to modify an existing Comprehensive Sign Plan (CSP) to allow for the installation of two attached wall signs in the Limited Commercial zoning district with a Bonus Intensity Zone overlay (LC-BIZ). The existing CSP which was approved in 1986 and modified in 1999 allowed for the installation of a 12.5 square foot pan channel letters with a logo of approximately 27 inches in height at the west elevation of an existing drive-through canopy on the site.

The requested modifications to the existing CSP include an increase in the maximum sign area of the attached wall sign from 12.5 square feet to 38.71 square feet and the addition of a new sign at the north elevation of the existing drive-through canopy structure. The proposed signs consist of internally illuminated pan channel letters with LED modules that will be diffused with plexiglass faces and vinyl overlay. The proposed modification to the existing CSP will enhance the visibility of the existing financial institution which will contribute towards improving business and economic activities in the area.

Table 1 shows a comparison between the CSP request, the existing CSP and current Mesa Zoning Ordinance (MZO) requirements without a CSP per Section 11-43-3.

**Table 1: Standard Attached Signs**

<b>Sign Requirements</b>	<b>Allowed per MZO</b>	<b>Approved CSP</b>	<b>Proposed CSP</b>	<b>Staff Recommendation</b>
Maximum area per sign	160 square feet	12.5 square feet	38.71 square feet	As proposed

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

The General Plan character area designation on the property is Mixed Use Activity District. Per Chapter 7 of the General Plan, the primary focus of the Mixed Use Activity Districts is large scale (typically over 25 acres) community and regional activity areas that usually have a significant retail commercial component including shopping areas such as malls, power centers or lifestyle centers that are designed and developed to attract customers from a large radius. The proposed use conforms to the purpose and intent of the Mixed Use Activity District.

The subject site is also located within the Transit Corridor. The Transit Corridor designation applies to development of corridors between stations and stops. It is intended to create urban patterns such as a pedestrian-oriented urban environment that results in development within walking distance to and from transit stops. The proposed CSP promotes visibility to a financial institution in a Mixed Use Activity District setting that provides strong pedestrian connections for walkability.

The site is located in Mesa's Fiesta District, which is envisioned as a hub for advanced business and financial services, health care, and retail industry. Development within the Fiesta District should contribute to a pedestrian-friendly environment with an integrated mix of land uses.

The proposed CSP advances the goals and objectives of the Mixed Use Activity District, Transit Corridor area designation and the Fiesta District Economic Activity District by allowing a greater visibility for an existing financial institution to improve business activities within the area.

**Site Characteristics:**

The subject property is located on the east side of South Alma School Road and on the south side of West Southern Avenue. The site is approximately 5.83± acres in size and is zoned Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ). The drive-through canopy proposed for the installation of the two signs is located in the northeast corner of the site. The structure is approximately 71 feet from the Southern Avenue right-of-way and is 984 square feet in area.

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

<b>Northwest</b> LC Limited Commercial (Across Alma School Road and Southern Avenue)	<b>North</b> LC Limited Commercial (Across Southern Avenue)	<b>Northeast</b> LC Limited Commercial (Across Southern Avenue)
<b>West</b> LC Limited Commercial (Across Alma School Road)	<b>Subject Property</b> LC-BIZ Existing Financial Institution	<b>East</b> LC Limited Commercial
<b>Southwest</b> LC Limited Commercial (Across Alma School Road)	<b>South</b> LC Limited Commercial	<b>Southeast</b> LC Limited Commercial

**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

**The subject site has frontage on Southern Avenue. The new signs are proposed to be installed on the existing drive through canopy with a setback of approximately 71 feet from Southern Avenue. The proposed modification to the existing CSP will**

allow the existing development to add a new sign on the north elevation of the drive through canopy facing West Southern Avenue as well as increase the sign area. There is no limited visibility onto the site from Southern Avenue, which serves as the close public street access to the site.

*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

The subject site is zoned Limited Commercial; and therefore, is subject to sign criteria meant for commercial developments. The approval of the subject CSP modifications would allow for signage that is consistent with commercial uses as well as compatible with the adjacent commercial developments surrounding the property. The proposed design of the signs on the existing drive through canopy with a setback of 71 feet from Southern Avenue, creates a unique site location for the signs to increase visibility of the existing financial institution.

*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 proposed signs which consist of internally illuminated pan channel letters with LED modules are integrated with the design of the drive through canopy structure as well as the architecture of the existing building and at the same time represents the corporate identity of the existing financial institution.

*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 existing financial institution is located within the Mixed Use Activity District as well as the Transit Corridor area designation and the Fiesta Economic Activity District of the Mesa 2040 General Plan. The subject request is consistent with the goals and objectives of the General Plan by allowing for an additional sign as well as

increase in the sign area to provide greater visibility for the existing financial institution to promote business and economic activities in the 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 subject site is located in the Limited Commercial zoning district with a Bonus Intensity Zone overlay (LC-BIZ). Per Section 11-6-2 of the MZO, a financial institution is allowed in the LC-BIZ zoning district and conforms to the goals of the 2040 Mesa General Plan. Moreover, the proposed CSP allowance for the attached signs are consistent with the location, size, design and operating characteristics of the site and surrounding area.

*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

There will be no injurious or detrimental impacts to surrounding properties with the proposed addition and modifications in signage and will only promote visibility of the existing development and growth for the surrounding area. The proposed installation of another sign and increase in the sign area will not be overbearing in size. Also, the signs will not flash, blink, animate or emit any noise. Furthermore, the proposed signs will be located 71-feet away from the right-of-way along Southern Avenue. 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 criterion.*

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 existing development.

*The request meets this criterion.*

### **Findings:**

- A. The subject site is located in a LC-BIZ zoning district and is 6± acres in size.
- B. The applicants are proposing to modify the existing Comprehensive Sign Plan to increase the sign area for an approved 12.5 square foot pan channel letters to 38.71 square feet on the west elevation of the existing drive through canopy as well as install an additional sign on the north elevation of the structure.
- C. The CSP specifies design guidelines for the lighting, materials and craftsmanship for the proposed signs, which integrates with the drive through canopy and the architecture of the existing building.
- D. The subject site is located within the Mixed Use Activity District character area designation as well as the Transit Corridor sub-type of the 2040 General Plan.
- E. The proposed CSP advances the goals and objectives of the of the General Plan and character areas by allowing for the installation of an additional sign as well as increase in the sign area to enhance visibility of the existing financial institution to support the mixed use character of the area, including the adjacent and nearby commercial developments within the Fiesta District.
- F. 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 site. As of writing this report, staff has not been contacted by any resident or property owner to express support or opposition to this request.

### **Staff Recommendation:**

Based upon the application received and preceding analysis, Staff find that the requested Special Use Permit to modify an existing Comprehensive Sign Plan complies with the review criteria for a Comprehensive Sign Plan 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; and therefore, recommends approval of the request with the following conditions.

### **Conditions of Approval:**

- 1. Signage to be reviewed and approved through a separate permit application.
- 2. Compliance with the sign plan documents submitted.
- 3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

### **Exhibits:**

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Staff Report
- Exhibit 3 – Narrative and Justification Statement
- Exhibit 4 – Site Plan
- Exhibit 5 – Elevations