



**PLANNING DIVISION**  
**STAFF REPORT**

**Board of Adjustment**

**October 7, 2020**

CASE No.: <b>BOA20-00484</b>	CASE NAME: <b>Gallery Park</b>
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Owner's Name:	Power 202 Mixed-Use, LLC
Applicant's Name:	Jim Bacher, Trademark Visual
Location of Request:	Within the 4800 to 5200 blocks of South Power Road (east side) and the 6800 to 7000 blocks of East Ray Road (north side)
Parcel Nos:	304-30-063 and 304-30-064
Nature of Request:	Special Use Permit (SUP) to allow a Comprehensive Sign Plan (CSP) for an industrial development.
Zone District:	Limited Commercial (LC) with an Airfield (AF) and Planned Area Development (PAD) overlay and a Council Use Permit (CUP)
Council District:	6
Site Size:	40.2 ± acres
Existing Use:	Vacant
Hearing Date(s):	<b>October 7, 2020 / 5:30 p.m.</b>
Staff Planner:	Evan Balmer, Planner II
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **May 20, 2019**, the subject property was annexed into the City of Mesa and subsequently zoned LC-AF-PAD-CUP (Ord. No. 5508 and ZON18-00775).

## PROJECT DESCRIPTION

### **Background**

The applicant is requesting a Comprehensive Sign Plan (CSP) for a mixed-use development in the LI-AF-PAD-CUP Zoning District. The requested CSP would allow for modifications to the size and number of attached wall signs and the size of detached signs allowed per the City of Mesa Sign Ordinance.

Per Table 11-43-3(D)(1) of the MZO, the standard attached sign allowance for tenants with 80 front feet or less of building occupancy is a maximum of two signs with two square feet of sign area per front foot of building occupancy and a maximum sign area of 160 square feet. The applicant is requesting a maximum of three signs with the aggregate sign area of two square feet of sign area per front foot of building occupancy plus an additional ten square feet of sign area for each sign (up to a maximum of 30 square feet additional) resulting in a maximum aggregate area of 190 square feet. For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive, as indicated on the site plan, the applicant is requesting up to three tenants be allowed one additional sign facing the office, hotels, and multifamily on the rear of the building of an area equal to or less than their main building sign.

Per Table 11-43-3(D)(1) of the MZO, the standard attached sign allowance for tenants with 81 to 199 front feet of building occupancy is a maximum of three signs with a maximum aggregate sign area of 160 square feet and a maximum sign area of 160 square feet. The applicant is requesting a maximum of four signs with the aggregate sign area of 160 square feet plus an additional ten square feet of sign area for each sign (up to a maximum of 40 square feet additional) resulting in a maximum aggregate area of 200 square feet. For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive, as indicated on the site plan, the applicant is requesting up to three tenants be allowed one additional sign facing the office, hotels, and multifamily on the rear of the building of an area equal to or less than their main building sign.

Per Table 11-43-3(D)(1) of the MZO, the standard attached sign allowance for tenants with 200 to 249 front feet of building occupancy is a maximum of four signs with a maximum aggregate sign area of 80% of the lineal front foot of occupancy and a maximum sign area of 160 square feet. The applicant is requesting a maximum of five signs with the aggregate sign area of 80% of the lineal front foot of occupancy plus an additional ten square feet of sign area for each sign (up to a maximum of 50 square feet additional) resulting in a maximum aggregate area of 249 square feet. For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive, as indicated on the site plan, the applicant is requesting up to three tenants be allowed one additional sign facing the office, hotels, and multifamily on the rear of the building of an area equal to or less than their main building sign.

Per Table 11-43-3(D)(1) of the MZO, the standard attached sign allowance for tenants with 250 front feet or more of building occupancy is a maximum of five signs, plus one additional sign for every additional 50 feet of occupancy up to a maximum of seven signs, with a maximum aggregate sign area of 80% of the lineal front foot of occupancy up to a maximum of 500 square feet and a maximum sign area of 160 square feet. The applicant is requesting a maximum of six

signs, plus one additional sign for every additional 50 feet of occupancy up to a maximum of eight signs, with the aggregate sign area of 80% of the lineal front foot of occupancy plus an additional ten square feet of sign area for each sign (up to a maximum of 80 square feet additional) resulting in a maximum aggregate area of 580 square feet. For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive, as indicated on the site plan, the applicant is requesting up to three tenants be allowed one additional sign facing the office, hotels, and multifamily on the rear of the building of an area equal to or less than their main building sign.

Per Table 11-43-3(D)(3) of the Mesa Zoning Ordinance (MZO), the standard detached sign allowance per development in the LC zoning district is one-foot of sign height per 20 lineal feet of street frontage, one square foot of sign area per lineal foot of street frontage, a maximum height of 12 feet and a maximum sign area of 80 square feet. The applicant is requesting a total of nine detached signs along Power Road. Three signs are proposed to be 25'6" in height with 160.4 square feet of sign area and six signs are proposed to be 18' in height with 75.7 square feet of sign area. The applicant is also requesting one corner monument sign at the intersection of Ray Road and Power Road, which is proposed to 9' in height with a sign area of 67.8 square feet in sign area and one detached sign along Ray Road with a proposed height of 18' and a sign area of 79.5 square feet.

In addition to the detached signs along the perimeter of the site, the applicant is proposing seven detached signs internal to the site that will serve as street identification signs. Six of the proposed internal identification signs will be 12' in height and have a sign area of 8.5 square feet, which meet the detached sign allowance from Table 11-43-3(D)(3) of the MZO. The seventh internal identification sign will be 10' in height and have a sign area of 167 square feet. There are also several wayfinding signs throughout the site that are 6' in height and 10 square feet in sign area that will direct pedestrians to merchants within the site.

Per Section 11-43-2(B)(a) of the MZO, a sign shall be mounted so that the attachment device is not visible or discernible. In order to provide visibility to tenants in the more pedestrian oriented areas of the project, under canopy signage will be permitted in specific areas of the site. By their nature, under canopy signs will have visible attachments to the supporting canopy. However, these mounts will be integrated into the design of the sign to minimize the visual impact of these attachments.

Per Section 11-43-2(B)(b) of the MZO, a sign attached to a single tenant building shall not exceed more than 50% of the width of the building elevation upon which the attached sign is placed. For this project, the applicant is proposing a sign envelope for attached signage. A sign envelope is an area not to exceed 70% of the vertical and 80% of the horizontal background of the building surface upon which the sign is to be installed. A sign envelope does not define the total allowable sign area, rather it defines the outermost reaches that a sign can occupy. Sign area calculations based on lineal feet of leased space still apply.

Per Section 11-43-2(B)(c) of the MZO, a sign attached to a single tenant space of a multiple tenant building, as determined by the issuance of a separate Certificate of Occupancy for the specific tenant space, shall not exceed more than seventy-five percent (75%) of the width of the front of

the occupancy upon which the attached sign is placed. The sign envelope concept proposed for this project has a width of 80% of the horizontal background of the building. This does not necessarily mean that the sign itself will be the entire width of the sign envelope, rather the sign envelope establishes an area in which the sign shall be located.

The elevations submitted with the CSP show the scale of the proposed attached signs to be proportional to the size of the buildings. The elevations also show the attached signs placed on the east elevations provide identification at the main entries and on the west elevations to take advantage of the visibility of the buildings from Loop 202 Freeway frontage.

Tables 1 (Attached Signs), 2 (Detached Signs) and 3 (Design Standards for Permanent Signs), below, compare the MZO standards with the proposed CSP. **Bolded** entries denote where the CSP proposal differs or exceeds Code.

**Table 1: Attached Signs (MZO Table 11-43-3-D-1)**

Sign Standard	Allowed Per MZO	Applicant Proposed CSP
Maximum Number of Signs (80 feet or Less of Front Foot of Occupancy)	2	<b>3</b> <b>For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive as indicated on the site plan, up to three tenants shall be allowed one additional sign facing the office, hotels, and multifamily on the rear of the building of an area equal to or less than their main building sign.</b>
Maximum Aggregate Sign Area (80 feet or Less of Front Foot of Occupancy)	2 square feet of sign area per front foot of building occupancy	<b>2 square feet of sign area per front foot of building occupancy plus an additional 10 square feet of sign area for each sign (up to a max. of 30 square feet additional) resulting in a max. aggregate area of 190 square feet.</b>
Maximum Area Per Sign (80 feet or Less of Front Foot of Occupancy)	160 square feet	160 square feet
Maximum Number of Signs (81 to 199 feet of Front Foot of Occupancy)	3	<b>4</b> <b>For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive as indicated on the site plan, up to three tenants shall be allowed one additional sign</b>

		facing the office, hotels, and multifamily on the rear of the building of an area equal to or less than their main building sign.
(Maximum Aggregate Sign Area 81 to 199 feet of Front Foot of Occupancy)	160 square feet	160 square feet plus an additional 10 square feet of sign area for each sign (up to a max. of 40 square feet additional) resulting in a max. aggregate area of 200 square feet.
Maximum Area Per Sign (81 to 199 feet of Front Foot of Occupancy)	160 square feet	160 square feet
Maximum Number of Signs (200 to 249 feet of Front Foot of Occupancy)	4	5 For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive as indicated on the site plan, up to three tenants shall be allowed one additional sign facing the office, hotels, and multifamily on the rear of the building of an area equal to or less than their main building sign.
Maximum Aggregate Sign Area (200 to 249 feet of Front Foot of Occupancy)	80% of lineal front foot of occupancy	80% of lineal front foot of occupancy, plus an additional 10 square feet of sign area for each sign (up to a max. of 50 square feet additional) resulting in a max. aggregate area of 249 square feet
Maximum Area Per Sign (200 to 249 feet of Front Foot of Occupancy)	160 square feet	160 square feet
Maximum Number of Signs (250 feet or more of Front Foot of Occupancy)	5 signs, plus one additional sign for every additional 50 feet of occupancy up to a max. of 7 signs	Max. 6 Signs, plus one additional sign for every additional 50 feet of occupancy up to a max. of 8 signs. For multi-tenant retail/restaurant buildings between Power Road and the first north/south interior drive as indicated on the site plan, up to three tenants shall be allowed one additional sign facing the office, hotels, and multifamily

		on the rear of the building of an area equal to or less than their main building sign.
Maximum Aggregate Sign Area (250 feet or more of Front Foot of Occupancy)	80% of lineal front foot of occupancy	80% of the lineal front foot of occupancy plus an additional 10 square feet of sign area for each sign (up to a max. of 80 square feet additional) resulting in a max. aggregate area of 580 square feet
Maximum Area Per Sign (250 feet or more of Front Foot of Occupancy)	160 square feet	160 square feet

**Table 2: Detached Signs (MZO Table 11-43-3-D-3)**

Sign Standard	Allowed Per MZO	Applicant Proposed CSP
Number of Detached Signs Permitted	1 foot of sign height per 20 lineal feet of street frontage  (101.9 feet along Power Road and 39.9 along Ray Road)	184.5 feet of total sign height along Power Road (3 signs at 25'6" and 6 signs at 18')  28 feet of total sign height along Ray Road (1 sign at 18' and 1 sign at 10')  82 feet of total sign height internal to the site (6 signs at 12' and 1 sign at 10')
Maximum Aggregate Sign Area	1 square foot of sign area per lineal foot of street frontage  (2,037 square feet along Power Road and 797 square feet along Ray Road)	935.4 square feet along Power Road (3 signs at 160.4 square feet and 6 signs at 75.7 square feet)  147.3 square feet along Ray Road (1 sign at 79.5 square feet and 1 sign at 67.8 square feet)  218 square feet internal to the site (6 signs at 8.5 square feet and 1 sign at 167 square feet)
Maximum Sign Area	12 feet	25' 6"
Maximum Area Per Sign	80 square feet	167 square feet

**Table 3: Design Standards for Permanent Signs (MZO Table 11-43-2-B)**

Sign Standard	Allowed Per MZO	Applicant Proposed CSP
Sign Attachment	A sign shall be mounted so that the attachment device is not visible or discernible	Under canopy signs will have visible attachments to the supporting canopy. However,

		<b>these mounts will be integrated into the design of the sign to minimize the visual impact of these attachments.</b>
Single Tenant Building Sign Width	A sign attached to a single tenant building shall not exceed more than 50% of the width of the building elevation upon which the attached sign is placed.	<b>The sign envelope identifies the horizontal envelope being 80% of the building surface upon which the sign is installed.</b>
Single Tenant in Multiple Tenant Building Sign Width	A sign attached to a single tenant space of a multiple tenant building, as determined by the issuance of a separate Certificate of Occupancy for the specific tenant space, shall not exceed more than 75% of the width of the front of the occupancy upon which the attached sign is placed.	<b>The sign envelope identifies the horizontal envelope being 80% of the building surface upon which the sign is installed.</b>

#### **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.

#### **Gateway Strategic Development Plan:**

The site is also located within the Mesa Gateway Strategic Plan, and specifically located within the Inner Loop District. Per the Strategic Plan, the focus of the Inner Loop District is to provide a high-quality, mixed-use environment that is compatible with increasing overflight activities associated with Phoenix-Mesa Gateway Airport operations. The proposed mixed-use development is consistent with the goals of the Mesa Gateway Strategic Plan.

#### **Site Characteristics:**

The subject property is located south of the Loop 202 Freeway, on the east side of Power Road, north of Ray Road. The Gallery Park development is a 40± acre large scale mixed-use development that includes a variety of uses including restaurants, retail, office and residential uses. Access to the site is provided by four driveways on Power Road and one on Ray Road.

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

<b>Northwest Loop 202 Freeway</b>	<b>North Loop 202 Freeway</b>	<b>Northeast Loop 202 Freeway</b>
<b>West (Across Power Road)</b>	<b>Subject Property LI-AF-PAD-CUP</b>	<b>East LI-AF PAD Vacant</b>

Existing commercial development in the Town of Gilbert	Existing Industrial Development	
Southwest (Across Power Road) Existing commercial development in the Town of Gilbert	South LC-AF PAD Existing Commercial Development	Southeast LC-AF PAD Existing Commercial Development

**Mesa Zoning Ordinance Requirements and Regulations:**

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

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

**Gallery Park 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 residential components to this project. Additionally, the site features a large central area with a variety of commercial uses arranged around a park. This area is planned to develop at a pedestrian scale and the signage in this area would not be visible from the public right-of-way.**

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

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

**Gallery Park 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 2019 zoning approval to guide the architectural style of the development. The approved design guidelines include design themes, approved materials and required material percentages and landscape themes and plant palettes for Gallery Park. These design guidelines ensure a cohesive design theme for Gallery Park**

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



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 signage proposed as part of this CSP request is consistent with the approved Gallery Park design guidelines. The materials selected for the detached signage are consistent with the material palette approved by the design guidelines. This consistency between the building design and sign design creates a unified, high-quality design for the site.**

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

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

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 character type of the Mesa 2040 General Plan and in the Inner Loop District of the Gateway Strategic Development Plan. This mixed-use development is consistent with the goals and objectives of these plans. Approval of the CSP will advance the goals and objectives of the General Plan by allowing a customized sign plan for a mixed-use development with a unique design and physical scale.**

***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 Limited Commercial (LC) district with an Airfield (AF) and Planned Area Development (PAD) overlay and a Council Use Permit (CUP). Per Section 11-6 of the MZO, the mixed-use development is allowed in the LC-AF-PAD-CUP District and conforms to the goals of the General Plan character designation of Mixed-Use Activity District. The development also conforms to Inner Loop District of the Gateway Strategic Development Plan. The proposed CSP allowances for attached and detached signage is consistent with the location, size, design and operating characteristics of the property and the 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

**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 new multi-residence development.**

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

#### **Findings**

- A. The site is approved for the development of a mixed-use development.
- B. The aesthetic character of the signage is intended to complement the building design of the site.
- C. The design of the site is consistent with the Gallery Park Design Guidelines.
- D. The sign criteria within the proposed CSP will enhance the development of the property.
- E. The proposed CSP conforms to the criteria outlined in Section 11-46-3(D) of the MZO for approval of a CSP.
- F. The proposed CSP conforms to the criteria outlined in Section 11-70-5(E) of the MZO for approval of a SUP.
- G. The request is consistent with the goals of the General Plan, the use complies with the LC-AF-PAD-CUP zoning districts, the CSP will not be injurious or detrimental to adjacent or surrounding properties and there are adequate public services to support the use of the site as a residential subdivision.

#### **Neighborhood Participation Plan and Public Comments:**

The applicant sent 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 the request.

#### **Staff Recommendation:**

Based on the application received and the preceding analysis, staff finds the proposed CSP conforms to the review criteria for Comprehensive Sign Plans outlined in Section 11-46-3 and the review criteria 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 in the issuance of sign permits.

#### **Attachments:**

Exhibit 1-Vicinity Map  
Exhibit 2-Staff Report

Exhibit 3-Justification Compatibility Statement  
Exhibit 4-Comprehensive Sign Plan  
Exhibit 5-Site Plan