



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

March 3, 2021

CASE No.: BOA20-00696	CASE NAME: Love of Christ
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Owner's Name:	Love of Christ Lutheran Church
Applicant's Name:	Frank Quinn, Brilliant LED Sign, LLC.
Location of Request:	1525 N Power Road
Parcel Nos:	218-04-001, 218-01-001B, and 218-01-003
Nature of Request:	Requesting a Special Use Permit (SUP) to allow a Comprehensive Sign Plan (CSP) for a church in the RS-35 district.
Zone District:	Single Residence 35 (RS-35)
Council District:	5
Site size:	8± acres
Proposed use:	Church
Existing use:	Church
Hearing date(s):	March 3, 2021 / 5:30 p.m.
Staff Planner:	Kellie Rorex
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **September 6, 1983**, the City Council annexed approximately 1,382± acres, including the subject site, into the City of Mesa (Ordinance No. 1737).

On **July 16, 1984**, the City Council approved a rezone of approximately 221 ± acres, including the subject site, from Maricopa County R1-35 and R1-18 zoning to City of Mesa Single Residence 35 (RS-35) and Single Residence 15 (RS-15), establishing comparable zoning on the recently annexed land. Specifically, the subject site was rezoned to RS-35.

On **July 25, 2006**, City staff approved a sign permit for two monument signs on an existing church campus in the RS-35 zoning district.

PROJECT DESCRIPTION

Background:

The applicant is requesting a Comprehensive Sign Plan (CSP) to modify two (2) existing monument signs in the Single Residence 35 (RS-35) zoning district. The proposed signs would exceed the maximum height and sign area allowed per the City of Mesa sign ordinance, one (1) of the signs would be closer than 15 feet to the front of the curb off Power Road, and both monument signs would contain electronic message panels that would be illuminated 24 hours a day.

The existing monument signs were permitted in 2006 under a previous sign code that allowed the monument signs to be seven feet and six inches (7'6") tall with 32 square feet of sign area. The current sign code, Mesa Zoning Ordinance (MZO) Section 11-43-3(A), allows a detached sign in the RS districts to be a maximum four feet (4') in height and have four (4) square feet of sign area. Additionally, Section 11-43-2(C)(1)(c) of the MZO states that no detached permanent sign shall be allowed within 15 feet of the face of curb when located on a street with three (3) or more traffic lanes. When the existing signs were permitted, the northern monument sign was placed 13 feet from the front of the curb on Power Road to the base of the sign. Because of these changes to the zoning ordinance the existing monument signs are presently legal nonconforming.

The proposed modifications would replace the existing signage copy with an electronic message panel that will be on for 24 hours a day and new sign copy below the electronic panel with the church name, "Love of Christ Lutheran Church". Per Table 11-43-3(A) of the MZO, attached and detached signage in the Single Residential (RS) districts may not be illuminated. Furthermore, per Section 11-43-5(B)(2) electronic message panels may not be illuminated between 11:00 pm and sunrise if located within 150 feet of a Single Residence (RS) district. The base of the signs will be as close as 60 feet from the nearest residential property line, however, the nearest residential dwelling unit is approximately 155 feet across Power Road.

The purpose of a Comprehensive Sign Plan, per Section 11-46-3(B) of the MZO, is to allow for sign criteria that are tailored to a specific development or location, and which may vary from specific Sign Ordinance provisions. The intent is to provide for flexible sign criteria that promotes superior design through architectural integration of the site, buildings, and signs. The proposed CSP is scaled to match the size of the church campus and is compatible with the public/semi-public use. Staff is recommending approval of the request conditioned on compliance with MZO Section 11-43-5(B)(1), which requires the brightness of electronic panels to be reduced in the evening and at night (see condition no. 2).

Table 1, Residential Signs, below compares the MZO standards, existing signage measurements, and the proposed CSP. **Bolded** entries denote where the CSP proposal exceeds Code.

Table 2: Residential Signs

Sign Standards	Allowed Per MZO	Existing Signage Measurements	Applicant Proposed CSP
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Max number of permitted signs	1 sign per a lot or parcel	1 sign per a lot or parcel	1 sign per a lot or parcel
Maximum area per a sign	4 square feet	32 square feet	48 square feet
Maximum height per a sign	4 feet	7 feet and 6 inches	7 feet and 6 inches
Additional Requirements	Non illuminated	Non illuminated	Illuminated
Electronic Message Panels	Sign shall not be illuminated between 11PM and sunrise when within 150 feet of a single residence	Non illuminated sign	Illuminated 24 hours a day
Design Standards for Permanent Signs	For roads with three or more traffic lanes, no sign shall be closer than 15 feet to the front of curb	North sign is 13 feet from base of sign to front of curb on Power	North sign is 13 feet from base of sign to front of curb on Power

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a Large Lot/Rural Sub-type. Per Chapter 7 of the Plan, the primary focus of the Neighborhood Character Area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Neighborhood areas can contain a wide range of housing options and often have associated nonresidential uses such as schools, parks, places of worship, and local serving businesses. Additionally, the Large Lot/Rural Sub-type lists places of worship as a permitted secondary land use. The church is an existing use and conforms to the goals of the Mesa 2040 General Plan.

Site Characteristics:

The Love of Christ Church is located on the east side of Power Road, between McKellips and Brown Road. The church campus is made up of three parcels, all zoned RS-35 and totaling just under 8 acres in size. The church's street frontage along Power Road is over 590 feet. The two existing monument signs are located along Power, one at the northwest corner, the other at the southwest corner of the campus. The locations of the monument signs are outside of the future right-of-way (ROW) for Power Road, Indigo Street, and Hobart Street.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Power Road) RS-9 Residential	North (Across Indigo Street) RS-35 Residential	Northeast (Across Indigo Street) RS-35 Residential
West (Across Power Road) RS-9	Subject Property RS-35 Love of Christ Church	East RS-35 Residential

Residential		
Southwest (Across Power Road) RS-9 Residential	South (Across Hobart Street) RS-35 Vacant	Southeast (Across Hobart Street) RS-35 Residential

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

With over 590 feet of street frontage along Power Road, visibility is not restricted, however, the applicants feel that the larger sign area will allow passerby's to see that the entire block, between Indigo and Hobart Street, along Power, is part of one large church campus.

The request does not meet 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 residential; however, it is used for a church which is a public/semi-public use. Because the use is non-residential the applicants feel that the site should not be limited to the residential sign allowances in the zoning code. Additionally, the site is quite large and larger sign area will allow for better visibility from Power Road, as well as identify the entire church property as one development. The proposed CSP allowances are more in line with the use and size of the development than the sign allowances for a single residence district.

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 monument sign structures are existing and are well integrated with the building design.

The request meets this criterion.

Special Use Permit MZO Section 11-70-5

Per Section 11-70-5 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 Neighborhood character type of the Mesa 2040 General Plan, with a Large Lot/Rural Sub-type. The church is consistent with the goals and objectives of the General Plan and approval of the CSP will advance the goals and objectives of the General Plan by allowing a customized sign plan for a large church campus.

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 existing church is a permitted use in the RS-35 zoning district per MZO Chapter 11-5. The proposed CSP allowance for monument signs is consistent with the size, design, and operating characteristics of the property.

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 electronic sign portion on the monument signs will comply with MZO Section 11-43-5(B)(1), Electronic Message Panels, where the brightness of the sign will be reduced in the evening and at night (see condition no. 2).

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 existing and available to serve the proposed project.

The request meets this criterion.

Findings:

- A. The Church of Christ is made up of three parcels, totaling just under 8 acres in size, with over 590 linear feet of street frontage on Power Road.
- B. The three parcels that make up the Church of Christ campus are zoned RS-35.
- C. The applicants are proposing to modify two existing legal nonconforming monument signs located along Power Road.
- D. The existing monument signs were permitted in 2006 with a sign area allowance of 32 square feet, a height of seven feet six inches (7'6"), and the placement of one sign 13 feet from the front of the curb on Power Road.
- E. The modifications include increasing the sign area for both signs to be 48 square feet, to allow a portion of both monument signs to be electronic, and for the electronic portions to be on 24 hours a day, with auto dimming that conforms with the Mesa Zoning ordinance requirements.
- F. Both existing sign structures will be maintained.
- G. Today's sign code does not allow illuminated signs in the RS district and all detached signs are limited in height to four feet (4') with 4 square feet (4') of sign area.
- H. The requested modifications of the CSP are consistent with a Public/Semi-public use, and the size of the site.
- I. The existing use of the site as a church is consistent with the Neighborhood Character Area and the goals of the Mesa 2040 General Plan.
- J. The monument signs will meet the requirements of MZO Section 11-43-5 and reducing the brightness of the electronic message panels in the evening and at night.
- K. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

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 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 a Comprehensive Sign Plan outlined in Section 11-46-3 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 the lighting control standards of MZO Section 11-43-5(B)(1).
- 3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
- 4. All signage to be reviewed and approved through a separate permit application.

Exhibits:

Exhibit 1 – Vicinity Map
Exhibit 2 – Staff Report
Exhibit 3 – Narrative and Justification Statement
Exhibit 4 – Sign Plan