



**PLANNING DIVISION  
STAFF REPORT**

**Board of Adjustment**

**March 3, 2021**

CASE No.: **BOA20-00869**

CASE NAME: **H-Mart**

Owner's Name:	BK Arizona, LLC.
Applicant's Name:	Andrew Chi, Andrew Chi Planning Consultants
Location of Request:	1919 W. Main Street
Parcel Nos:	134-32-028B
Nature of Request:	Requesting a Special Use Permit (SUP) to allow modifications to an existing Comprehensive Sign Plan (CSP) in the LI-CUP District.
Zone District:	Light Industrial with a Council Use Permit Overlay (LI-CUP)
Council District:	3
Site size:	5.65 ± acres
Proposed use:	Grocery Store
Existing use:	Grocery Store
Hearing date(s):	<b>March 3, 2021 / 5:30 p.m.</b>
Staff Planner:	Kellie Rorex
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **January 4, 1967**, the City Council annexed approximately 399± acres, including the subject site, into the City of Mesa (Ordinance No. 538).

On **July 19, 1976**, the City Council approved a rezone of 149± acres, including the subject site, to Agricultural (AG), to establish City of Mesa Zoning (Ordinance No. 1011, Case No. Z76-039).

On **October 18, 1982** the City Council approved a rezone of 50± acres from AG to Light Industrial (M-1), which included the subject site (Ordinance No. 1652, Case No. Z82-061).

On **June 20, 1988**, City Council approved a site plan for the development of a 104,436 square foot neighborhood shopping center on an 11± acre site (Case No. SPR88-002).

On **August 28, 1989**, the Board of Adjustment approved a Special Use Permit (SUP) to allow a Comprehensive Sign Plan for an existing neighborhood shopping center (Case BA89-051).

On **November 18, 1997**, the Zoning Administrator approved a modification to an existing CSP to allow an additional attached sign on a grocery store within the neighborhood shopping center (Case No. ZA97-134).

On **August 29, 2016**, the City Council approved a Council Use permit (CUP) to allow Large Format Retail in the Light Industrial (LI) zoning district. The CUP was required to permit a previously existing grocery store to come into compliance with current code as a new user, H-Mart, took over occupancy (Ordinance No. 5347, Case No. Z16-031).

## PROJECT DESCRIPTION

### **Background:**

The applicant is requesting to modify an existing Comprehensive Sign Plan (CSP) to allow for an increased number of attached signs for the shopping centers major tenant and to swap the design criteria for two of the monument signs within the center. The previous CSP allowed major tenants, which includes the subject grocery store, a maximum of two (2) attached signs with a maximum sign area of 180 square feet per a sign. The applicants are requesting seven (7) total attached signs for the major tenant, with a maximum aggregate sign area of 390 square feet. Additionally, the applicants are requesting to modify the existing CSP to switch the monument sign along the entrance of Dobson Road from a “type A design” to a “type B design”. All other detached signage locations and sign types will remain the same.

The purpose of a Comprehensive Sign Plan, per Section 11-46-3(B) of the MZO, is to provide for the establishment of signage 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 modifications are more in line with todays sign code. Additionally, the extra sign area and attached signage, which includes traditional Asian symbols, will aid in welcoming visitors to the Asian District which will help implement the goals of the area and the General Plan.

Table 1 below compares the MZO standards, existing signage measurements, and the proposed CSP. **Bolded** entries denote where the proposed CSP is being modified.

**Table 1: Attached Signs**

<b>Sign Standards</b>	<b>Allowed Per MZO</b>	<b>Existing CSP</b>	<b>Proposed CSP Modifications</b>
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Number of Permitted Signs	5 signs, plus one additional sign for every additional 50-feet (over 250 feet) of occupancy up to a max. of 7 signs	Major Tenants (15,000+ sq. ft.) = 2 signs Sub-Major Tenants (5,000 – 15,000 sq. ft.) = 2 Minor Tenants (5,000 sq. ft. or less) = 70% maximum width of building frontage	<b>Major Tenants (15,000+ sq. ft.) = 7 signs</b> Sub-Major Tenants (5,000 – 15,000 sq. ft.) = 2 Minor Tenants (5,000 sq. ft. or less) = 70% maximum width of building frontage 1.4 sq ft of sign area per 1 feet of building frontage
Maximum Aggregate Sign Area Calculation	80% of lineal front foot of occupancy up to a max of 500 square feet	silent	<b>390 square feet</b>
Maximum Area per a Sign	160 square feet	Major Tenants (15,000+ sq. ft.) = 180 square feet Sub-Major Tenants (5,000 – 15,000 sq. ft.) = 165 sq. ft. Minor Tenants (5,000 sq. ft. or less) = 1.4 sq ft of sign area per 1 feet of building frontage	Major Tenants (15,000+ sq. ft.) = 180 square feet Sub-Major Tenants (5,000 – 15,000 sq. ft.) = 165 sq. ft. Minor Tenants (5,000 sq. ft. or less) = 1.4 sq ft of sign area per 1 feet of building frontage

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

The Mesa 2040 General Plan Character Area designation on the property is Mixed-Use Activity District with a Community Scale sub-type. Per chapter 7 of the General Plan, the focus of the Mixed-Use Activity District is large-scale 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. Per the General Plan, the Community Scale Sub-type is intended to primarily serve the population within a 4-mile radius and typically contains one or two big box buildings and associated shops and pad sites.

The subject site is also located within the Transit Corridor and Station Area character designation of the General Plan. The Transit Corridor character type applies to development of corridors between transit stations and stops. The Transit Corridor Character Area should develop into a more urban pattern with buildings brought up close to the front of the property lines and parking located to the side or rear of the site. Station Areas are intended to have more intense

development than the associated corridor and are expected to transition into an urban building form.

#### West Main Street Area Plan/ Asian District

The site falls under the West Main Street Area Plan. The West Main Street Area Plan lays out a planning vision for the area which includes creating a pedestrian and transit friendly environment and one that is economically and socially diverse. This area of the West Main Street Area Plan is also a part of the City of Mesa's Asian District. The Asian District pays homage to Asian history and traditions while promoting a dense cluster that integrates many Asian cultures, communities, and commerce. The District focuses on the life, growth, and health of residents and visitors, and the prosperity of businesses within the district – creating a welcoming environment that offers nourishment for mind, body, and soul and a sense of belonging for people of diverse backgrounds.

#### Site Characteristics:

The existing grocery store is a part of an existing neighborhood shopping center that is located at the southeast corner of Main Street and Dobson Road and adjacent to 1<sup>st</sup> Avenue, south of the site, which adds to the 1,400 feet of street frontage the shopping center has. The grocery store itself is over 63,000 square feet and can be accessed through several existing drives from Main Street, Dobson Road or 1<sup>st</sup> Avenue. Parking is also existing and is located northwest of the grocery store.

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

<b>Northwest</b> LI Existing restaurant (Across Main Street) GC Commercial	<b>North</b> (Across Main Street) GC Existing Commercial	<b>Northeast</b> (Across Main Street) T5MS Vacant
<b>West</b> (Across Dobson) GC Existing Commercial Center	<b>Subject Property</b> LI Existing Commercial Center	<b>East</b> LI Existing Industrial Complex
<b>Southwest</b> LI Existing Commercial (Across Dobson) GC Existing Commercial Center	<b>South</b> (Across 1 <sup>st</sup> Avenue) LI Existing Industrial	<b>Southeast</b> LI Existing Industrial (Across 1 <sup>st</sup> Avenue) LI Existing Industrial

#### 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

**The grocery store has over 270 feet of front occupancy and can be seen from Main Street, Dobson Road, and 1<sup>st</sup> Avenue. There are no site conditions that would limit or restrict normal sign visibility.**

***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 over 63,000 square feet in size and can be seen from each street the parcel has frontage on. The site is also located within the Asian District; the proposed signs and signage location will help create an entryway into the Asian 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 proposed signage will include Asian writing which will add to the design theme and sense of place within the Asian District. The signage also is compatible with the building design and architecture.**

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

#### **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 existing and is located in the Mixed-Use Activity District (MUAD), Station Area, and Transit Corridor Character Areas discussed in chapter seven (7) the General Plan. The site also falls within the West Main Street Area Plan and the Asian District. The proposed signage will further the goals of these area plans by creating diversity and paying homage to Asian history and traditions, while also promoting a dense cluster that integrates many Asian cultures, communities, and commerce.**

***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 commercial center is permitted to be in the LI zoning district through the approval of a previous Council Use Permit (Ordinance No. 5347, Case No. Z16-031). The proposed signage is justified based on the size of the grocery store and the location of the site within the Asian District.**

***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, nor the general welfare of the City.**

***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 site is existing and has an approved Comprehensive Sign Plan that is being modified.
- B. Per Section 11-43-3(D)(1) of the MZO, the development is allowed five (5) attached signs with a maximum aggregate sign area of 500 square feet and a maximum 180 square feet of sign area per a sign.
- C. The applicant is proposing seven (7) attached signs with a max aggregate sign area of 390 square feet and 180 square feet of sign area per a sign.
- D. The applicants are also Requesting to modify the existing CSP to switch the monument sign along the entrance of Dobson Road from a type A design to a type B design.
- E. The site is located within the Asian District and the proposed signage will contribute to a sense of place and signal to visitors that they have entered the district.
- F. The materials and design of the proposed signs will be well integrated with the theme and architecture of the building.
- G. The subject CSP will advance the goals and objectives of the General Plan. The sign area allowances are also consistent with the location, size, design and operating characteristics of the property and 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 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 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 Case BA89-051, except as modified by this request.
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