



Board of Adjustment

Staff Report

CASE NUMBER: BA14-061
STAFF PLANNER: Kim Steadman, Planner II
LOCATION/ADDRESS: 2215 N. 56th Street
COUNCIL DISTRICT: Council District 5
OWNER/ APPLICANT: Apache Wells Homeowners Association, Inc./Annie Colegrove, Manager

REQUEST: *Requesting a Special Use Permit to allow an Electronic Message Display to change more frequently than once per hour in the Limited Commercial (LC) zoning district.*

SUMMARY OF APPLICANT'S REQUEST

This requested Special Use Permit (SUP) would allow an electronic message display to change more frequently than once every hour. The applicant is requesting the ability to change the static message once every 30 seconds on a currently existing Electronic Message Display (EMD).

STAFF RECOMMENDATION

Staff recommends approval of case BA14-061, *conditioned upon following:*

1. *Compliance with the sign plan submitted, except as modified by the conditions listed below.*
2. *Compliance with all requirements of the Development Services Division in the issuance of sign permits.*
3. *Each message shall remain static for a minimum of thirty (30) seconds.*
4. *The transitions between messages and the light intensity level of the electronic message display shall comply with the requirements of Section 11-41-8(D)17.*

SITE CONTEXT

CASE SITE:	Existing Community Center	- zoned LC
NORTH:	Existing Apache Wells HOA offices	- zoned LC
EAST:	Existing Golf Course	- zoned RS-7 PAD AS
SOUTH:	Existing Softball Field	- zoned LC
WEST:	(Across N. 56 th St.) Existing multi-residential	- zoned RM-3 PAD

STAFF ANALYSIS – Special Use Permit (SUP)

Limiting the frequency of changes to Electronic Message Displays (EMD) is intended to reduce distractions to drivers while allowing time to read a message. A driver should have time to quickly read the message, then return their attention to the road. A Special Use Permit to increase the frequency of changes can be granted, per Section 11-41-8(D)17(c), if the proposed sign is found to be compatible with and not detrimental to surrounding properties through the consideration of these specific factors:

1. The speed and volume of the vehicular traffic visually exposed to the sign;
2. The presence of other signs or distracting influences in proximity to the sign location; and
3. The extent to which the design of the sign is compatible with other signs located on the premises.

The Apache Wells community buildings are located along the east side of N. 56th St., north of McKellips Rd. The Electronic Message Display sign is placed in front of the Community Center and is located so as to be seen by people traveling north or south along 56th St. This is a local street within a residential neighborhood. The street is divided by a landscape median and has a posted speed limit of 25 MPH. Other existing monument

signs along this street are spaced well away from this EMD sign. The closest of these is the Apache Wells HOA sign 160' north of the subject sign. This is more than three times the 50' minimum separation required by code. The sign has been installed in an existing masonry monument sign which incorporates architectural elements of the community.

Message duration of 30 seconds will allow drivers moving at 25 MPH along this residential street adequate time to read the message. Distractions in this location are limited, and the sign is compatible with the design of the surrounding buildings.

FINDINGS:

1. The current Sign Ordinance requires electronic message displays to remain static for a minimum of one hour unless a Special Use Permit (SUP) is granted. Such SUP may be granted if the proposed sign is found to be compatible with and not detrimental to surrounding properties through the consideration of the following factors: 1) the speed and volume of the vehicular traffic visually exposed to the sign, 2) the presence of other signs or distracting influences in proximity to the sign location, and 3) the extent to which the design of the sign is compatible with other signs located on the premises.
2. A 30 second message display is within the range of past Board of Adjustment decisions. The basis for these decisions has been the idea of having one message visible for approximately a quarter mile as a vehicle approaches the sign. A static message for 30 seconds ensures the message is static long enough for the driver to read whatever it says quickly, in a single display, and then return their attention to the roadway. It also avoids distracting drivers by creating the appearance of signs being in motion.
3. The proposed monument sign is approximately 160' from the nearest monument sign.
4. As required, a sign permit was granted for the installation of the electronic sign per Section 11-41-8.E. of the zoning code. (Permit #BLD2012-03200)

ORDINANCE REQUIREMENTS:

Zoning Ordinance, Section 11-41-S – Definition of Terms:

SPECIAL USE PERMIT (S.U.P.): A discretionary authorization issued by the Zoning Administrator/Board of Adjustment only upon finding, through a public hearing, that the proposed activity permitted by such Special Use Permit is in conformance with the intent of this Code, the General Plan and/or other specified plans or Council policies; and will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general; and may be limited by specific conditions, restrictions, terms or time periods.

Zoning Ordinance, Section 11-41-8 (D) – Supplemental Provisions:

17. Electronic message displays are permitted in accordance with the following:
 - (b) Displays of static messages, where the message change sequence is accomplished immediately or by means of fade or dissolve modes, shall be permitted as a matter of right, subject to the sign size limitations otherwise applicable for the site, provided each message is displayed for a minimum period of one hour.
 - (c) A Special Use Permit under the Administration and Procedures Chapter of this Title shall be required for approval of the display of static messages displayed for a minimum period less than

one hour, and changed by any mode, or for message changes accomplished by the means of travel or scrolling modes. The Zoning Administrator/Board of Adjustment may attach conditions to the approval of such Electronic Message Displays, including limitation on the minimum time period for the display of each message, to the extent necessary to ensure that the granting of the Special Use Permit will not have a detrimental effect on the surrounding area or the public welfare, and will be consistent with the purpose and intent of this Chapter. In making this determination, the Zoning Administrator/Board of Adjustment shall consider the following factors:

1. The speed and volume of the vehicular traffic visually exposed to the sign;
2. The presence of other signs or distracting influences in proximity to the sign location; and
3. The extent to which the design of the sign is compatible with other signs located on the premises.

Apache Wells Homeowners Association, Inc.
2223 N. 56th St.
Mesa, AZ 85215
(480) 832-1550

November 19, 2014

City of Mesa – Planning & Development

Re: Case # BA14-061 (PLN2014-00567)

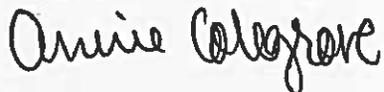
To Whom It May Concern,

This electronic message display (EMD) sign was installed in May, 2012. The Mesa Zoning Ordinance allows messages to change "provided each message is displayed for a minimum period of one (1) hour." Without realizing there was a one-hour limit, the Home Owners Association changed the messages at various rates for about 18 months, without complaints from residents or neighbors, until it was pointed out to us that a Special Use Permit was required. We are now requesting a Special Use Permit to change the EMD message as frequently as every 30 seconds.

The design of the sign is compatible with the style of architecture in the community. It is located within our community, on N. 56th Street which is a divided local street with landscaping in the center median. The sign is approximately 0.2 miles from McKellips Rd., the nearest arterial outside our community. Based on our "trial run" of changing the message more frequently we can attest that community members and neighbors did not complain, and the sign was compatible with, and not a detriment to the community.

Please feel free to contact me if you have any questions or concerns. I can be reached at (480) 832-1550 or annie@apachewells.com.

Thank you,

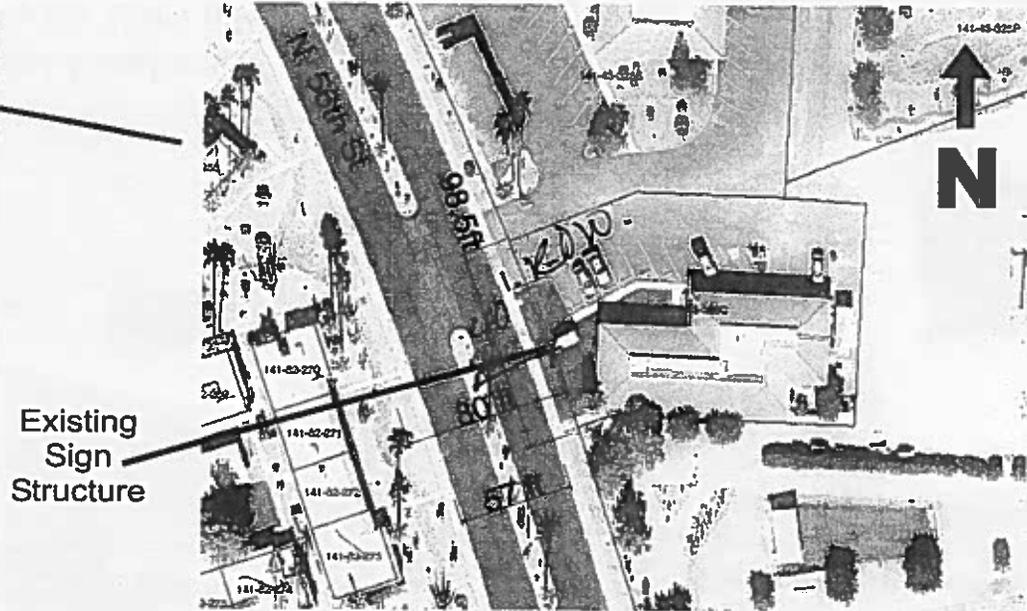
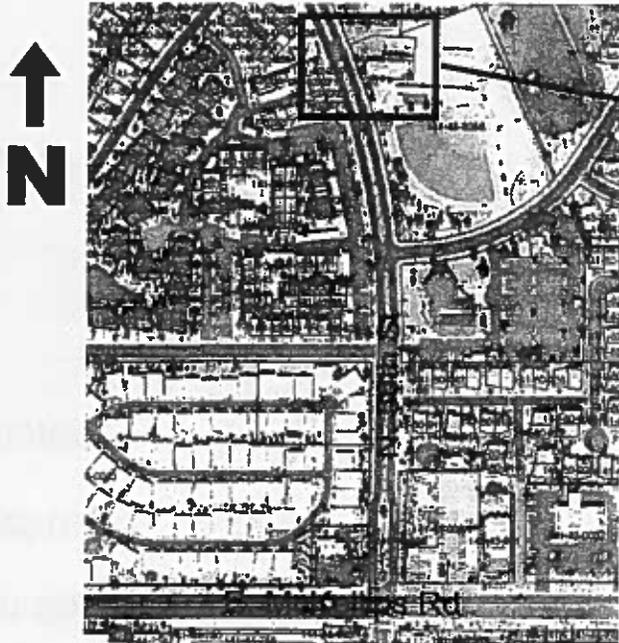


Annie Colegrove, CAAM®, CMCA®, AMS®
Community Manager

Sign Location

Leading edge of the existing structure is 12'6" from the back of curb at the edge of the ROW. The digital sign to be attached will not protrude outside the original structure in any dimension.

Blue ROW/property lines as shown are per Maricopa County Maps.



Existing
Sign
Structure

Apache Wells

THIS ARTWORK HAS BEEN CREATED BY CITY SIGNS, LLC., TO ASSIST YOU IN VISUALIZING OUR PROPOSAL
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CITY SIGNS LLC
 480-982-6552
 1879 E. APACHE TRAIL
 APACHE JUNCTION, AZ.

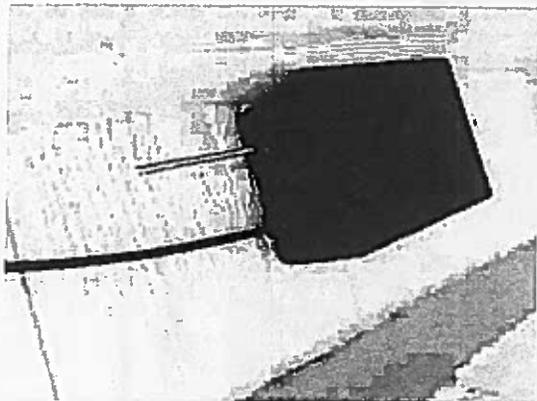
PROJECT: APACHE WELLS
 CLIENT: APACHE WELLS
 PHONE: 480-832-1550
 APPROVED:

LAYOUT DATE:
 FILE: APACHE WELLS.fs
 FAX:
 DATE:

by noting on the sign plans/elevation that animation, motion picture, flashing or intermittent displays, and video are prohibited and that the sign will meet the following intensity levels:

Intensity levels (NITS)

	Daytime	Nighttime
Red only:	3,150	1,125
Green only:	6,300	2,250
Amber only:	4,690	1,675
Full color:	7,000	2,500

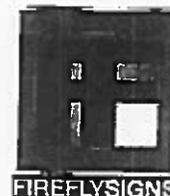


Digital Readboard sign for Apache Wells Community 33.25" x 93.6875"
Up to six lines of copy_Monochrome, red, mounted on existing structure, not exceeding current size of structure.

Sign area: 21.8 Sq.ft. _ Property Frontage: 98.5Ft.

CITY OF MESA-REVIEWED
FOR CODE COMPLIANCE
WITH STIPULATIONS
DATE 4/1/14 BY [signature]

All necessary components shall be UL listed & installed per NEC 2005.

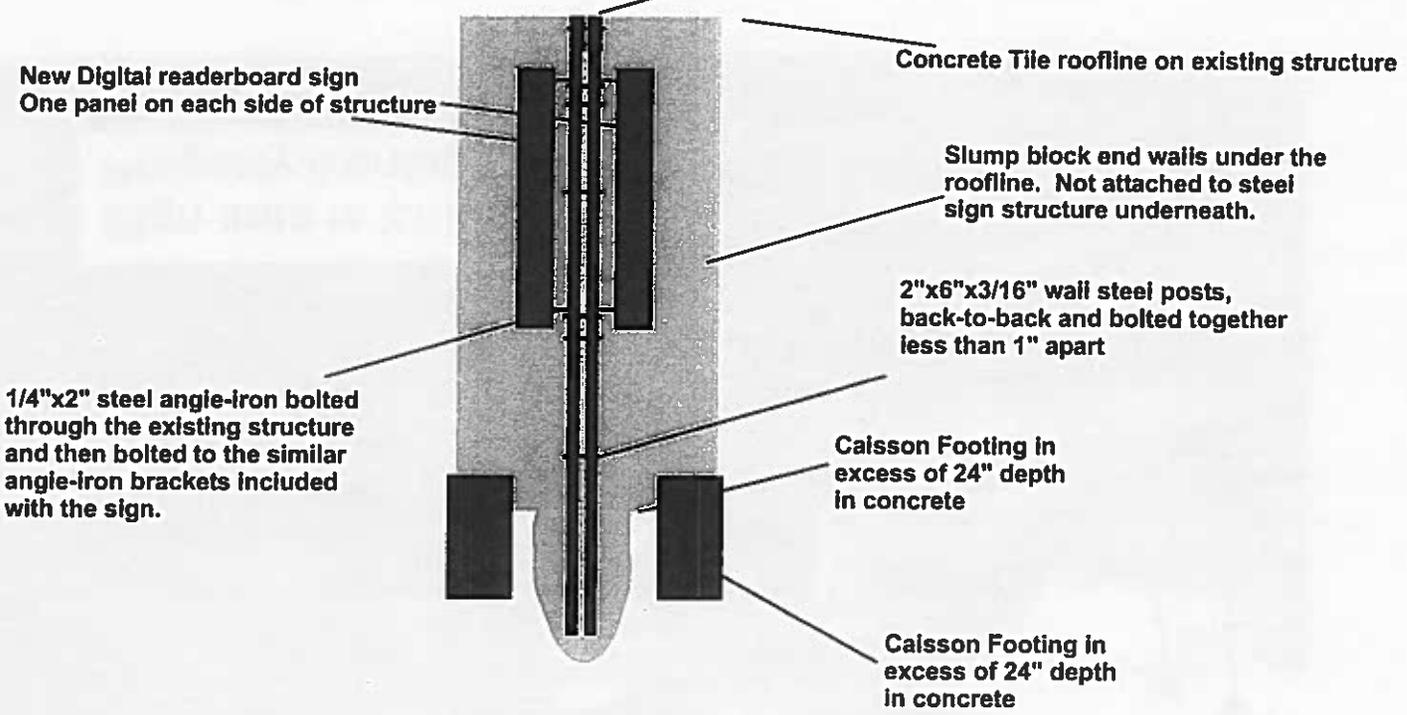


VANTAGE

Descriptions on this side are of new sign and attachment method.

The width of the two readerboards plus the support structure is approximately 22".
 Were it to exceed 24", the frontage of 98.5lf would still allow for up to 98.5 sf of sign area and the total sign area calculated as two faces would only be 43sf.

Descriptions on this side are of existing sign structure.



Apache Wells

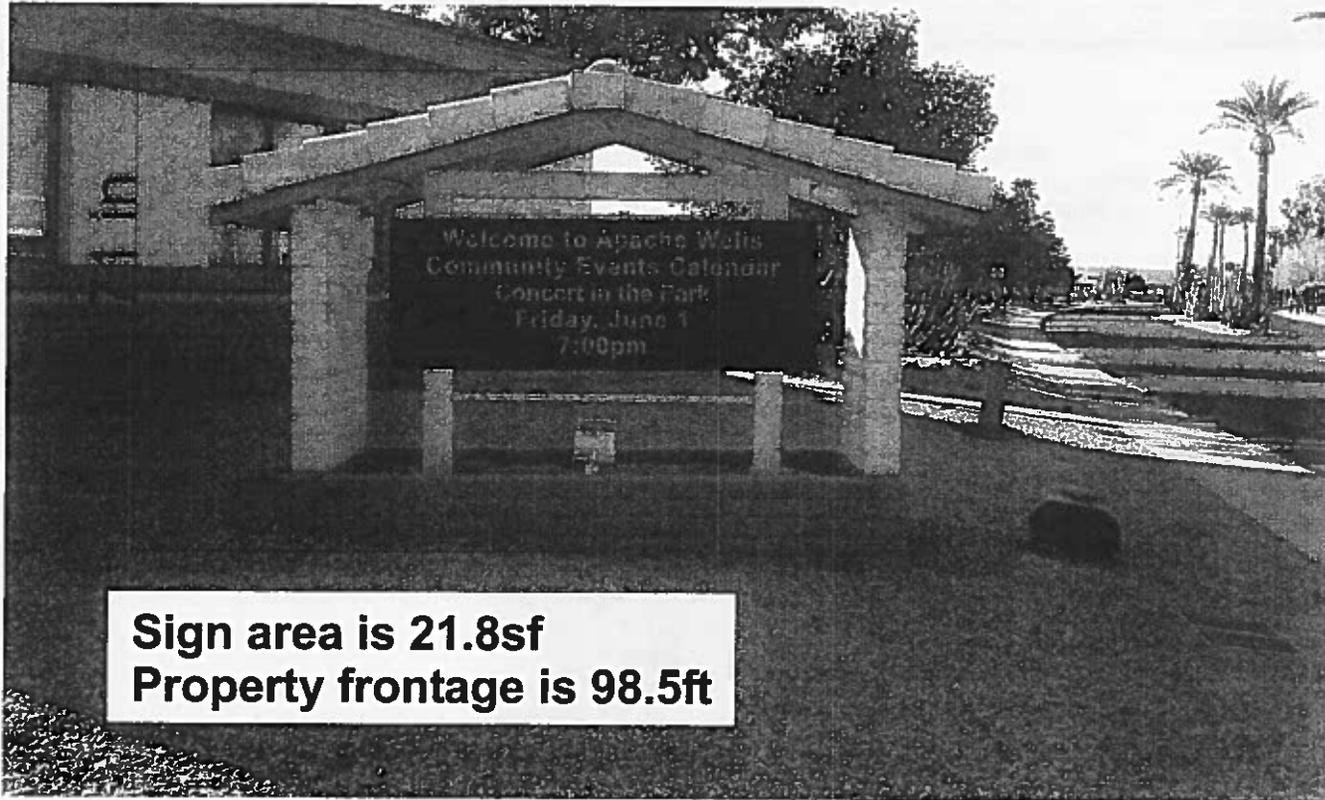
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**Digital Readboard sign for Apache Wells Community
 33.25" x 93.6875", up to six lines of copy
 Monochrome, red, mounted on existing structure, not
 exceeding current size of structure.**



**Sign area is 21.8sf
 Property frontage is 98.5ft**

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