



## Board of Adjustment

### *Staff Report*

**CASE NUMBER:** BA14-071 (PLN2014-00637)  
**LOCATION/ADDRESS:** 2836 S. Signal Butte  
**COUNCIL DISTRICT:** District 6  
**PLANNER:** Lisa Davis, Planner II  
**OWNER:** The Brown Group, Inc.  
**APPLICANT:** Bootz & Duke Sign-Andy Gibson

**REQUEST:** Requesting a Special Use Permit for a Comprehensive Sign Plan in the Limited Commercial (LC) Zoning District for Mulberry Marketplace.

#### **SUMMARY OF APPLICANT'S REQUEST**

Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) in the Limited Commercial (LC) zoning district for Mulberry Marketplace. The site is located at the northwest corner of Signal Butte Road and Guadalupe Road. The proposed Comprehensive Sign Plan would allow three detached signs along Signal Butte Road and three detached signs along Guadalupe Road, all of which have an aggregate sign area and height less than allowed by current Code. Attached signage for the Anchor tenant and Major Tenant are proposed to have an aggregate sign area greater than would be allowed by current Code. Pad tenants and shops tenants will have attached sign areas consistent with that allowed by current Code.

#### **STAFF RECOMMENDATION**

Staff recommends approval of case BA14-071, conditioned upon the following:

1. Compliance with the sign plan submitted, except as modified by the conditions listed below.
2. Any additional signage not identified with this Sign Plan will require modification to this Special Use Permit.
3. Compliance with all requirements of the Development Services Division with regard to the issuance of sign permits.
4. The Anchor Tenant, Fry's Marketplace, shall be allowed a maximum of 320 square feet of attached signs. All attached signs shall be consistent in size placement with the architectural design of the project as determined by Planning Division staff.
5. Additional 'modifier' signs may be utilized on the Fry's Marketplace front (east) elevation and will not be included in the overall attached sign area provided the letters are no larger than 12" in height and placement of the modifier sign shall be no higher than 8' in height from the adjacent foundation base sidewalk.
6. The Major Tenant (defined as a tenant space other than the Fry's/Anchor tenant space, and a minimum of 60,000 square feet GFA) shall be allowed a maximum of 160 square feet of attached sign area, consistent with present Sign Ordinance requirements.

#### **SITE CONTEXT**

**CASE SITE:** Vacant– Zoned LC PAD  
**NORTH:** Vacant (currently being subdivided for Mulberry) - Zoned RSL 2.5 PAD  
**EAST:** (across Signal Butte Road) Vacant–13.5 acres zoned LC and a church site-zoned AG  
**SOUTH:** (across Guadalupe Road) Existing single residences (Santa Rita Ranch) – zoned RS-6 PAD and vacant 12.5 acres-zoned AG  
**WEST:** Vacant (currently being subdivided for Mulberry) – Zoned RSL 4.5 PAD

**PROJECT DESCRIPTION**

**Site Area:** 17 acres ±

**Building Gross Floor Areas (GFA)**

Proposed Fry’s Marketplace : 123,000 sqft  
 Fry’s Self-service Gas Station Canopy: 6,880 sqft  
 Shops: 12,040 sqft  
 Pad A: 4,700 sqft  
 Pad B: 4,200 sqft  
 Pad C: 4,200 sqft

**Parking:** 620 spaces proposed, 524 spaces required

**STAFF ANALYSIS/FINDINGS**

The applicant is requesting a Special Use Permit (SUP) to establish a comprehensive sign plan (CSP) on a vacant commercial site that will be developed as Mulberry Marketplace. The 17± acres is zoned LC-PAD and was developed in conjunction with the residential subdivision of Mulberry, a 172± acre residential project with potential for 1,056 dwelling units. The proposed commercial center includes Fry’s Marketplace (123,000-sqft), 12,040-sqft of attached shops, including another 5,000-sqft of restaurant space. There are three pads, pads A, B and C, and the Fry’s gas canopy with 9 fuel dispensers on the site.

**Detached Signs-Table 1**

Street	Frontage	Code Aggregate Sign Area allowed	Code Aggregate Sign Height allowed	Proposed Aggregate Sign Area	Proposed Aggregate Sign Height
Signal Butte Road Proposing 3 signs	860 feet	430 SF	43 feet	144 SF	26 feet
Guadalupe Road Proposing 3 signs	1059 feet	520 SF	52 feet	144 SF	26 feet

- The proposed Comprehensive Sign Plan (CSP) sets sign specifications and requirements for Mulberry Marketplace, a group commercial center anchored by a Fry’s Marketplace that also includes an attached shops building, 3 pad buildings, and a gas canopy. The CSP proposes three detached signs adjacent to Signal Butte Road and three adjacent to Guadalupe Road. As shown in Table 1, the total aggregate sign height and area proposed for detached signs along Signal Butte Road and Guadalupe Road are less than are allowed under current Sign Ordinance maximums. No proposed detached sign exceeds the maximum allowed 12 feet in height or 80 square feet in area.
- A total of six detached signs are proposed, three adjacent to each arterial. The proposed detached signs consist of two, 12-foot tall Fry’s monument signs. One on each arterial street frontage. The design does include identification of gas prices and a small amount of multi-tenant area for the shops tenants within Mulberry Marketplace. The remaining four detached signs will be utilized by pad tenants and a height of 7 feet each. Pad B has a possible option to include multiple tenants. All proposed detached signs utilize a coordinated design theme consistent with the centers architecture. No deviations from code for the detached signs are requested with the CSP.

**Attached Signs-Table 2**

<b>Building</b>	<b>Maximum Sign Area per Code</b>	<b>Maximum Number of Signs per Code</b>	<b>Proposed Maximum Sign Area</b>	<b>Proposed Maximum Number of Signs</b>
Anchor Tenant (100,000 SF or greater – Fry’s Marketplace)	2.0 SF/linear foot of building frontage (Max. 160 SF aggregate)	> 100 feet building frontage – 3 signs	2 SF/linear foot of building frontage (Max. 500 SF aggregate)	Six signs/building elevation
Major Tenant (60,000 SF or more)	2.0 SF/linear foot of building frontage (Max. 160 SF aggregate)	> < 100 feet building frontage – 2 signs 100 feet building frontage – 3 signs	2 SF/linear foot of building frontage (Max. 425 SF aggregate)	Nothing specific proposed at this time
Shop Tenants (less than 30,000 SF)	2.0 SF/linear foot of building frontage (Max. 160 SF aggregate)	< 100 feet building frontage – 2 signs > 100 feet building frontage – 3 signs	2.0 SF/linear foot of building frontage (Max. 160 SF aggregate)	One sign per building elevation/Maximum of 3 signs
Gas Canopy (9 pumps) & kiosk building	Max. 160 SF aggregate	5 signs total	51 SF total with logos and letters (not including west elevation)	One sign per building elevation/Maximum of 4 signs
Pad Tenants (3 buildings)	2.0 SF/linear foot of building frontage (Max. 160 SF aggregate)	< 100 feet building frontage – 2 signs > 100 feet building frontage – 3 signs	2.0 SF/linear foot of building frontage (Max. 160 SF aggregate)	3 signs on any elevation

- Proposed attached signage will comply with the requirements of the CSP in regards to design, sign area, and numbers allowed. As shown on Table 2, related to attached signage the CSP is requesting: 1) a maximum aggregate sign area 340 square feet greater than could be allowed by current Code between six signs for the Anchor Tenant (Fry’s Marketplace); 2) Future Major tenant defined as greater than 60,000 SF (would not be in addition to the Fry’s, it would have to take the place of the Fry’s) is requesting 265 square feet greater than could be allowed by current Code. 3) Pad Tenants and inline shops tenants are requested to have 2 square feet of signage for each 1 foot of linear frontage for a maximum of 160 SF which is consistent with code requirements.
- Staff is not in support of the 500 SF total attached signs requested for Fry’s Marketplace or the 425 SF for the Possible Major Tenant if Fry’s does not develop. As proposed with the elevations of the Fry’s Marketplace, staff can support a maximum of 320 SF of attached signs. This is double the amount that is allowed by Code. In the case of the 425 SF of attached sign for a Major Tenant, staff is not in support of any additional sign area allowed, therefore is recommending this be limited to the 160 SF as required by code. At this time there are no elevations, site plan or landscape plan proposed for a 60,000 SF Major Tenant and therefore any adjustments to code cannot be supported.
- Slight reductions to the letter height of the ‘F’ in ‘Fry’s’ (from 7’ to 6’), and to the letter height of the ‘M’ in ‘Marketplace (from 5’-2” to 4’-6”), will result in a significant reduction in the overall attached sign area for the primary identification sign, to an amount less than 160-sqft (assuming letter height to width proportions remain identical). Very slight reductions elsewhere in the sign

plan may therefore result in similar reductions to the aggregate sign areas, as is being proposed in the recommended conditions of approval.

- The Design Review Board has previously reviewed and approved the building architecture for the overall development. Included in this review were proposed attached sign bands similar to the elevations provided with the CSP and the Pad Tenant monument signs. The monument sign design is required to make additional changes to be consistent with comments from the Design Review Board. At this time changes to the sign design have not been submitted to staff. As per the Design Review approval letter dated November 18, 2014, the CSP cannot be approved without the monument sign design being approved by staff. Staff does anticipate that the applicant will be submitting a revised monument sign design that is more consistent with the architecture of the project. If the design is not approved by staff prior to the Board of Adjustment meeting then the case will need to be continued to allow staff to work with the applicant.
- With the exception of the attached signs proposed for Fry's Marketplace and the Major Tenant, the proposed CSP is generally consistent with the Sign Ordinance. As justification for the increased attached sign area the applicant has noted: 1) the establishment of signage criteria is tailored to the development; 2) the size of the Anchor and amount of floor area; 3) the need to direct traffic and provide proper visibility; and 4) the upscale design of the overall shopping center.

Findings:

- 1.1 The CSP proposes three detached signs adjacent to Signal Butte Road and three adjacent to Guadalupe Road. As shown in Table 1, the total aggregate sign height and area proposed for detached signs along Signal Butte Road and Guadalupe Road are much less than are allowed under current Sign Ordinance maximums. No proposed detached sign exceeds 12 feet in height or 80 square feet in area.
- 1.2 The detached sign height allowance for this center along Signal Butte is 43' and 26' is proposed. Sign area for this same frontage is allowed at 430 square feet with 144 square feet proposed. The height allowed adjacent to Guadalupe is 52' feet and 26' is proposed. Sign area for this same frontage is allowed at 520 square feet with 144 square feet proposed.
- 1.3 The additional attached sign area for the Fry's Marketplace can be further justified by the distance of the building from Signal Butte Road (approx. 600 feet) and the need for attached signs in proportion to the scale of the building and complementary to the building architecture. There are two identified public entrances to the Fry's Marketplace. The upscale architecture and scale have been tailored for the site as a result of the developer working in harmony with the adjacent residential developer.
- 1.4 The aggregate sign areas that exceed current Code maximums are balanced by the reduced amount of detached sign numbers, height, and areas allowed by code. Sufficient justification has been provided for an increase in aggregate attached sign area
- 1.5 Save for the anchor tenant and the yet-to-be-designed major tenant, the proposed CSP is largely consistent with current Code requirements, and the deviations requested related to the number and size of attached signs result in a plan that is complimentary to adjacent development and consistent with the use of the property. Therefore, the CSP, with the recommended conditions, will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general.

**ORDINANCE REQUIREMENTS:**

Zoning Ordinance, Sec. 11-41-5 – Definitions of Terms:

**Sign:** Any device conveying either commercial or noncommercial messages or both commercial or noncommercial messages for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public; but not including any lawful display of merchandise.

The term “sign” shall also mean and include any display of one (1) or more of the following:

Any letter, numeral, figure, emblem, picture, outline, character, spectacle delineation, announcement, trademark, logo; or

Multiple colored bands, stripes, patterns, outlines or delineations displayed for the purpose of commercial identification; or

Anything specified above in part or in combination by any means whereby the same are made visible from beyond the boundaries or the lot or parcel of property on which the same are displayed for the purpose of attracting attention outdoors to make anything known.

**Sign Area:**

The area of a sign is the entire area within a single continuous perimeter composed of parallelograms, circles, ellipses, trapezoids, and triangles, or a combination of 2 of the above or regular portions thereof per sign panel which encloses the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed: excluding the necessary supports or uprights on which such sign is placed. Where a sign has 2 faces, the area of both faces shall be included in determining the area of the sign, except that only one (1) face of a double-faced sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet (2'). Where a sign has 3 or 4 faces, the area of the sign shall be calculated as 50% of the total area of all faces, provided the interior angle between adjacent faces is 90° degrees or less.

Where statuary, either genuine or simulated, is used as a sign, the area of said sign shall be the 3 vertical sides of the smallest right rectangle enclosing the figure that are most visible from the public right-of-way.

Embellishment, as defined in this Section, does not constitute sign area.

Zoning Ordinance, Sec. 11-41-6 – Signs Permitted By Zoning District:

(E) NC, LC, GC, PEP, LI, GI, HI and PS Districts

1. Attached Signs:

- (a) Occupancies with less than one hundred (100) front feet: Two (2) signs for each occupancy not to exceed two (2) square feet of total sign area for each front foot of building occupancy.
- (b) Occupancies with more than one hundred (100) front feet: Three (3) signs for each occupancy not to exceed two (2) square feet of total sign area for each front foot of building occupancy.
- (c) Total attached signage shall not exceed one hundred sixty (160) square feet per occupancy.
- (d) Attached signage shall not extend horizontally a distance greater than fifty percent (50%) of the width of the building wall on which it is displayed, except for buildings containing multiple occupancies.
- (e) Each occupancy shall be permitted at least twenty-four (24) square feet of attached signage.

- (f) Occupancies having no exterior wall parallel to a fronting street shall be permitted signage based on two (2) square feet of sign area for each lineal foot of exterior wall of the front of such occupancy.
  - (g) Occupancies having an exterior building wall parallel to more than one fronting street shall be permitted signage based on the longer parallel wall. Signage placed on the shorter parallel exterior wall shall not exceed two (2) square feet of area per front foot of building occupancy of such shorter parallel wall, and this area shall be subtracted from the total allowable sign area.
  - (h) Attached signage shall be located on the specific occupancy identified therein and is not transferable from one occupancy to another.
2. Detached Signs:
- (a) One (1) square foot of total sign area per lineal foot of street frontage.
  - (b) One (1) foot of total sign height per each ten (10) feet of street frontage.
  - (c) Developments, including group C-O-I developments, displaying more than one (1) detached sign per street frontage shall be permitted fifty percent (50%) of total aggregate sign area and sign height specified in (a) and (b) above.
  - (d) No detached sign shall exceed eighty (80) square feet in area or twelve feet (12') in height.

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

13. A Comprehensive Sign Plan for a proposed or existing development/building may be approved by the Zoning Administrator/Board of Adjustment in conjunction with the granting of a Special Use Permit under Title 11, Administration and Procedures Chapter of the Mesa City Code. The purpose of a Comprehensive Sign Plan is to provide for the establishment of signage criteria that are tailored to a specific development or location, and which may vary from specific Ordinance provisions. The intent is to provide for flexible sign criteria that promote superior design through architectural integration of the site, buildings and signs.

A Comprehensive Sign Plan shall include the location, size, height, construction material, color, type of illumination and orientation of all proposed signs, either permanent or temporary.

A Comprehensive Sign Plan containing elements which exceed the permitted height, area and number of signs specified in this Chapter may be approved by the Zoning Administrator/Board of Adjustment only upon a finding that:

- (a) 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
- (b) 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
- (c) The proposed signage incorporates special design features such as logos, emblems, murals or statuary that are integrated with the building architecture.

The construction and placement of individual signs contained in the approved Comprehensive Sign Plan shall be subject to the issuance of sign permits in accordance with 11-41-8 (E).