



COUNCIL MINUTES

November 20, 2003

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on November 20, 2003 at 7:30 a.m.

COUNCIL PRESENT

Mayor Keno Hawker
Dennis Kavanaugh
Rex Griswold
Kyle Jones
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

1. Discuss and consider possible amendments to the Freeway Landmark Monument ordinance.

Zoning Administrator John Gendron and Senior Planner Gordon Sheffield addressed the Council relative to this agenda item.

Mr. Gendron reported that at the September 4, 2003 Study Session, the Council reviewed a revised Freeway Landmark Monument draft ordinance and directed staff to arrange a meeting with developers, business operators and sign manufacturers for the purpose of soliciting input relative to freeway signage. He explained that at the October 2, 2003 public meeting, consisting of approximately 20 attendees, staff provided an overview of Mesa's sign regulations and the current ordinance. He advised that the participants were subsequently provided with a "ballot" containing various freeway landmark monument options and asked to vote for their preferred choices. (See Attachment 1.) Mr. Gendron provided a brief synopsis of the attendees' responses and noted that staff is seeking Council direction relative to the preparation of a final draft ordinance for possible adoption.

Mr. Gendron outlined the following alternatives:

- 1.) Introduce the currently drafted Freeway Landmark Monument ordinance which was previously recommended for approval by the Planning & Zoning Board (P & Z) at its May 15, 2003 meeting. (See Attachment 2.)
- 2.) Amend the draft ordinance by choosing options from the seven categories listed in the "ballot" discussed with stakeholders at the October 2nd meeting.

- 3.) Change the approval process. Currently, all sign plans are approved by the Board of Adjustment as a component of a Comprehensive Sign Plan. The ordinance could be amended to permit a freeway landmark monument subject to the approval of a Council Use Permit.
- 4.) Do not adopt an ordinance. Adopt "Freeway Landmark Monument Guidelines" by resolution.

Discussion ensued relative to the fact that the Board of Adjustment currently lacks clear Council policy and specific criteria with regard to granting approval of large freeway signs; that if freeway landmark monuments were subject to the issuance of a Council Use Permit, the Board of Adjustment's processing timeline would increase from six to eight weeks and the Council's timeline from four to six months; that the adoption of guidelines would offer the Board of Adjustment greater flexibility in terms of strictness and leniency; and the approval process for a freeway landmark monument that has been included as a proposed land use component of an approved Planned Area Development (PAD) overlay district.

Councilmember Walters stated that she is inclined to support the adoption of guidelines relative to this matter. She commented that the guidelines would provide greater flexibility in instances, for example, where the City owns a parcel of land located at the intersection of two freeways and it may be appropriate to allow signs to face both freeways.

Mayor Hawker voiced a series of concerns including the fact that he would prefer that a sign be attached to or in close proximity to the building in which a business is located as opposed to using freeway signage; that he would be displeased to see a proliferation of freeway landmark monuments dotting the landscape along the Red Mountain Freeway; and that although it is important that Mesa remain competitive with surrounding communities, he would prefer that the potential number of signs along the Superstition Freeway be limited to three or four instead of 10 as previously suggested by staff.

Councilmember Whalen commented that in order to boost the City's sales tax revenues, it is essential that prospective Mesa business owners have the ability to advertise their services/products in an effective and up-to-date manner. He also expressed concerns regarding Mesa's inability to control the placement of multiple freeway signs on County land along the 101/202 corridor. Councilmember Whalen added that streaming video is the wave of the future, and noted that if the Council does not approve the option today, it may be appropriate to do so in the future.

Mayor Hawker stated that he would prefer that the Council "set the standard" relative to approval of the first round of freeway landmark monument applications instead of delegating the responsibility to the Board of Adjustment. He added that once a pattern has been established and the criteria set, appropriate modifications can be made in the future.

Councilmember Griswold concurred with Mayor Hawker's comments.

Further discussion ensued relative to the adoption of guidelines and the legal ramifications associated therewith; the manner in which the Council Use Permit process would occur; and that freeway landmark monuments could incorporate electronic message changer signs in accordance with current City regulations.

Councilmember Thom questioned whether the approval of a freeway landmark monument merits the same lengthy and restrictive process as a zoning case. She requested staff to research whether guidelines could be adopted to remove the Planning & Zoning Board and the Design Review Board from the process, whereby an applicant would notify the public regarding the proposed signage, and the case subsequently forwarded on to the Council for consideration.

Mayor Hawker suggested that the Council refer to the "Freeway Landmark Monument Options" document and provide staff with direction relative to each category.

A. Parcel/Development Site Size

1. Minimum 30 acres.
2. No minimum.
3. Other.

Councilmember Whalen voiced a preference for the adoption of "Freeway Landmark Monument Guidelines" that would provide the Council with greater flexibility with regard to the issuance of a Council Use Permit for freeway signage.

Councilmember Thom suggested that the "Minimum 30 acres" language be eliminated from the guidelines to encourage applicants with smaller parcels to submit applications.

In response to Councilmember Thom's comments, Mr. Sheffield assured the Council that staff could draft language in the guidelines to convey the fact that the Council may consider parcel/development sites of less than 30 acres under certain conditions.

Councilmember Walters concurred with Mr. Sheffield's suggestions.

Mayor Hawker stated that it is the consensus of the Council that staff draft guidelines that would include language with regard to a parcel/development site that has a minimum of 30 acres.

B. Location of Signs

1. General Plan designations "Regional Commercial" and "Public/Semi Public."
2. No minimum.
3. Other.

Discussion ensued relative to the fact that if a 30-acre minimum development site included designations other than "Regional Commercial" and "Public/Semi Public," (i.e. residential and office), staff would assess the entire site and determine whether the development meets the 30-acre criteria, and if so, it would be eligible for a freeway sign; that under the draft ordinance, proposed freeway landmark monuments not within the General Plan designations can be allowed as a component of an approved PAD overlay zone; and that adding other General Plan designations or eliminating the General Plan designation restriction would allow the possibility of more freeway landmark monument signs advertising a greater variety of uses along the City's freeways.

Vice Mayor Kavanaugh stated the opinion that the existing process for sign approval works well; however, he cautioned that if guidelines are adopted, this Council and future Councils could potentially be asked to "push the envelope" beyond the guidelines in certain cases relative to location, the type of businesses and the size of signs. He also stressed that consideration must be given to citizens residing adjacent to freeways and the impact that freeway signage may have on those residents.

Councilmember Thom stated that because at least 50% of the customers who shop at east Mesa retail establishments come from cities outside of the Phoenix metropolitan area, she urged that City business owners be allowed to advertise in a nonrestrictive manner.

Further discussion ensued relative to the fact that under the City's current regulations, the Board of Adjustment can approve a freeway landmark monument as a component of a Comprehensive Sign Plan; that because of the Council's policy for many years not to permit large signs along Mesa's freeways, such information has been conveyed to applicants; and that if the sign approval process remains with the Board of Adjustment, the Board would request policy guidelines from the Council as well as possible criteria modifications relative to the "Public/Semi Public" designation.

Mayor Hawker commented that it is his impression that his fellow Councilmembers would be opposed to the location of freeway signs on every 20 to 30 acre parcel along the freeway. He added that the General Plan designations of "Regional Commercial" and Public/Semi Public" would be considered as policy guidelines, and noted that if there was a significant reason why a particular land use designation should be expanded, an applicant could bring that to the Council's attention.

Councilmember Walters stated that she would prefer that freeway landmark monuments remain located on property which have a General Plan designation of "Regional Commercial" or "Public/Semi Public."

Mayor Hawker concurred with Councilmember Walters and noted that that is the consensus of the Council as well.

C. Number of Signs per Development Site

1. One.
2. No limit.
3. Other.

Discussion ensued relative to the fact that if the Council adopted "Freeway Landmark Monument Guidelines" as a resolution and not as an ordinance, it could consider special circumstances to allow for the placement of, for example, two 40-foot signs as opposed to one 80-foot sign; that it is estimated that large freeway signs cost approximately \$250,000 each; that the Design Review Board could review sign applications and make recommendations to the Council who, in turn, would make the ultimate decision; and the potential placement of signs on the convergence of the 101 and 202 freeways.

Mayor Hawker requested that staff research this option further due to a lack of consensus among the Council.

Further discussion ensued relative to the drafting of the guidelines to address the issue of one freeway landmark monument sign per freeway frontage, with the possibility that additional signs may be considered and adopted by the Council should special circumstances be warranted.

D. Height of Signs

1. Minimum height needs to be seen from Freeway.
2. No maximum height.
3. Other.

Mayor Hawker stated that he would prefer that the signage be located only on the side of the freeway in which motorists are traveling.

Councilmember Whalen commented that in his opinion, it would be more effective to display signs for drivers traveling in both directions on the freeway.

Councilmember Griswold concurred with Councilmember Whalen's comments.

Councilmember Walters expressed concerns regarding the language "Minimum height to be seen from Freeway" and the negative impact of a sign displayed 180 feet in the air that is not architecturally pleasing to the eye.

Discussion ensued relative to the manner in which business owners determine the proper height of a sign; a tentative sign proposal for Fiesta Mall; and staff's efforts to encourage business owners to design more visually pleasing signs.

Mayor Hawker advised that a majority of the Council is supportive of signs that are of a minimum height and can be seen from the freeway in either direction.

E. Separation of Signs

1. 1,320 feet (1/4 mile).
2. None required.
3. Other.

Mayor Hawker stated that it is the consensus of the Council that there be a 1,320 foot separation of signs along the freeway.

F. Design Quality

1. Architectural Quality.
2. Basic (i.e. "can-on-a-stick").
3. Other.

Mayor Hawker commented that it is the consensus of the Council that the design of the freeway landmark monuments be of architectural quality.

G. Sign Options

1. Static display of brand, product or development only.
2. Electronic changeable advertising message, moveable panels, full animation.
3. Other.

Mayor Hawker commented that at the present time, he is somewhat supportive of the electronic changeable message signs, but would require additional input from staff regarding the intensity of the lights and the type of technology that is currently available.

Councilmember Walters expressed concerns that the electronic changeable messages may not only be used to advertise a specific business, but also products that are currently being sold at the establishment.

Discussion ensued relative to the fact that an ordinance adopted by the Council last fall allows an advertiser to change a sign by right, but not to change the message more than once an hour; and that if a business wishes to change a message more frequently than once an hour or display a scrolling/crawling message, a Special Use Permit must be obtained through the Board of Adjustment.

Mayor Hawker requested that the City Attorney's Office issue a legal opinion relative to the concerns expressed by Councilmember Walters regarding electronic changeable advertising messages and also that staff provide the Council with additional information relative to the light intensity of digital/full animation signs.

Councilmember Whalen suggested that it may be appropriate for representatives from the sign industry to make a presentation to the Council at a future Study Session regarding current sign technology.

H. Approval method

Mayor Hawker stated that the Council is "leaning in the direction" that the approval method for freeway signage be subject to the issuance of a Council Use Permit by the City Council following review by the Planning & Zoning Board and Design Review Board, and also the adoption of "Freeway Landmark Monument Guidelines" by resolution.

Ms. Chimel requested input from the Council regarding whether they would prefer pending freeway signage cases to proceed separately through a Council Use Permit process or, in the alternative, to be considered as a proposed land use component of an approved PAD overlay district.

Vice Mayor Kavanaugh suggested that although there are many issues to consider regarding this item, in his opinion, any proposals that are currently within the approval process be considered on their own merits.

Ms. Chimel further advised that the Council currently considers these issues as zoning cases and that it can look at the specifics of a sign as a condition of approval or review the sign as a separate application.

Mayor Hawker concurred with Vice Mayor Kavanaugh's comments and urged staff to bring such cases to the attention of the Council when they are placed on the agenda for action.

Mayor Hawker thanked staff for the presentation.

2. Acknowledge receipt of minutes of boards and committees.

- a. Board of Adjustment meeting held November 4, 2003.
- b. General Development Committee meeting held November 6, 2003.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Walters, that receipt of the above-listed minutes be acknowledged.

Carried unanimously.

3. Appointments to boards and committees.

Mayor Hawker recommended the following appointments to Boards and Committees:

Ad Hoc Committee to Study Police Oversight

Councilmember Rex Griswold

Vice Mayor Dennis Kavanaugh

City Manager Mike Hutchinson stated that the meeting schedule is as follows:

Thursday, November 20, 2003, 6:00 p.m. – Museum of Youth Grand Reopening

Monday, December 1, 2003, TBA – Study Session

Monday, December 1, 2003, 5:45 p.m. – Regular Council Meeting

Thursday, December 4, 2003, 7:30 a.m. – Study Session

Thursday, December 4, 2003, 9:30 a.m. – Police Committee Meeting

6. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

7. Items from citizens present.

There were no items from citizens present.

8. Adjournment.

Without objection, the Study Session adjourned at 9:08 a.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 20th day of November 2003. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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attachments (2)

FREEWAY LANDMARK MONUMENT OPTIONS

1. Parcel/ Development Site Size
 - * Minimum 30 acres
 - No minimum
 - Other _____

2. Location of Signs
 - * General Plan designations "Regional Commercial" and "Public/Semi-Public"
 - No minimum
 - Other _____

3. Number of Signs per Development Site
 - * One
 - No limit
 - Other _____

4. Height of Signs
 - * Minimum height need to be seen from Freeway
 - No maximum height
 - Other _____

5. Separation of Signs
 - * 1,320 feet (1/4 mile)
 - None required
 - Other _____

6. Design Quality
 - * Architectural Quality
 - Basic (i.e. "can-on-a-stick")
 - Other _____

7. Sign Options
 - * Static display of brand, product or development only
 - Electronic changeable advertising message, moveable panels, full animation
 - Other _____

* Current draft proposal

Name (optional) _____

Representing _____

SUMMARY
DRAFT ORDINANCE
10-2-03

- Permitted in all zoning districts. Minimum parcel size of 30 acres at the intersection of an arterial street and a freeway.
- General Plan designation of ""Regional Commercial" or ""Public/Semi-Public" [This is a new provision intended to reduce the number of potential locations along the Superstition Freeway from 17 to 10.]
- A separation of at least 1320' (1/4 mile) between Freeway Landmark Monuments on the same side of freeway.
- * Maximum height limited to that necessary to be seen in time to take the appropriate exit. [This was added in response to Council concerns about no stated height limit.]
- * Must be no greater than 200' from the freeway. [This was added to minimize overall height.]
- Approved as a component of a Comprehensive Sign Plan by the Board of Adjustment.
- Reviewed by the Design Review Board for compliance with design standards.
- Can display only product, brand, or development identification with no advertising messages.
- No scrolling, crawling, animation or moving parts. Cannot be used as a "billboard" (off-site) sign.