

# Board of Adjustment

## *Staff Report*

**CASE NUMBER:** BA14-043  
**STAFF PLANNER:** Lisa Davis  
**LOCATION/ADDRESS:** 1445 West Southern Avenue  
**OWNER:** Macerich Fiesta Mall  
**APPLICANT:** Crypt Illusions Inc-Keith Rich

### SUMMARY OF APPLICANT'S REQUEST

Special Use Permit (SUP) to allow a Special Event to exceed the number of special events and days allowed in a calendar year and in the LC zoning district. This SUP is proposed to allow this event to occur each year for a total of five years. The site is located at the southeast portion of the Fiesta Mall property.

### STAFF RECOMMENDATION

Staff recommends approval of case BA14-043, conditioned upon the following:

1. *Compliance with the site plan and operation plan submitted except as modified by the conditions below.*
2. *Signage shall be contained to the boundaries of the Special Event area. Signage visible from outside the boundaries of the site shall not be displayed prior to nor after the dates of the Special Event (may include construction and break down days), as specified in the Special Event license.*
3. *Compliance with all requirements of the Development Services Division in the issuance of building permits.*
4. *Compliance with all requirements of the Business Services Department regarding application for and issuance of a Special Event License.*
5. *The Special Use Permit will expire November 2018. The Special Use permit is non-transferable. Each year shall comply with provided operation plan details, minor changes in dates from year to year may occur.*

### SITE CONTEXT

**CASE SITE:** Existing paved parking lot – zoned LC  
**NORTH:** Existing office development and Fiesta Mall – zoned LC  
**EAST:** Existing retail center (across Alma School Road) – zoned LC w/BIZ Overlay  
**SOUTH:** Existing ADOT property, pump house, then Hwy 60  
**WEST:** Existing Fiesta Mall – zoned LC

### STAFF ANALYSIS AND FINDINGS

1. Cryptic Illusions, Inc. specializes in the development of haunted attractions. Since 1999, the company has operated haunted attractions at a number of locations, including Fiesta Mall in 2010 (ZA10-028), 2012 (BA12-031) and 2013 (BA13-034). Planning Staff discussed the proposal with Mesa's Crime Prevention Officer for the Fiesta Mall area, Jerry Quarles, and he stated in the past he does not recall any issues with any of the previous events. To be sure, police calls collected for the time periods the event was at Fiesta Mall over the past few years were reviewed and show no police issues have occurred in relation to the Crypt Illusions event. Mr. Quarles also stated that he meets with the event coordinators every year, prior to the event opening, to discuss safety and security measures.

2. The proposed Special Event will be located at the southeast corner of Fiesta Mall, which is currently a paved overflow parking lot (sheet C). All event parking will be located at the west side and will not have a negative impact on the parking areas for adjacent properties based on the established patterns for the previous events. In addition, Cryptic Illusions staff will be utilized as parking guides.
3. As noted in the operation plan provided by Keith Rich of Cryptic Illusions (sheets A & B), the event will be entirely contained by a security fence. Security and crowd control will be accomplished with the use of Cryptic Illusions staff and off-duty City of Mesa police officers. There are no adjacent residential properties.
4. The event will be open a total of 26 nights starting September 26 and finishing November 1<sup>st</sup>. This is the yearly plan for the event, with anticipated changes to exact dates. Typically, a Special Event is given two days for construction of the event and two days to break down. Also, the Fiesta Mall SUP for Special Events limits the duration of events to 10 days. The applicant proposes construction starting August 15<sup>th</sup> with clean up completed by November 15<sup>th</sup>.
5. The event will consist of two haunted houses and one maze as indicated on site plan (sheet D). All are housed in separate open-air structures within a fenced perimeter (pictures on sheet E). The entry gate and ticket booth are at the northeast corner of the site. Pedestrian traffic will occur on the north side of the site as shown on the attached site plan and pictures (sheets F & G). The layout is similar to last year and the year before.
6. The event will be closed Mondays and Tuesdays and will operate Wednesday through Sunday. Except the last week before Halloween the event will be open every day of the week. Sundays through Thursdays the hours of operation will be from 7 p.m. until 10:00 p.m. On Fridays and Saturdays, the attractions will be operated from 7 p.m. until midnight. The properties adjacent to the event are used for commercial purposes, and the closest development to the event is an office building, which would be closed by the time the event commences at 7 p.m.
7. The applicant has provided a site plan with placement of signs indicated on the security fence, the ticket booth and the attractions. As part of the requirements for a special event all signs must be contained within the boundaries of the event area. Signage for events is limited to event duration, plus construction and break down days. Staff has proposed a condition of the Special Use Permit to ensure signage is restricted to these terms.
8. Other than the adjacent office building north of the proposed location, the Special Event is isolated from other uses by the expansive parking lot between it and the Fiesta Mall tenants to the west, and by the US 60 freeway and Alma School Rd to the south and east. Further, the applicant does have a plan in place for security, crowd control and use of parking guides. They also have experience with the event at this location for at least three years. The choice of location and these precautions make it unlikely the event will become a safety hazard or public disturbance. The amount of time needed for set-up and tear-down as well as the duration of the event are consistent with other Special Use Permits approved for similar events. Therefore, the proposed Special Event will be compatible with, and not detrimental to, surrounding properties.

## ORDINANCE REQUIREMENTS

### Zoning Ordinance, Sec 11-31-27: Special Events

- A. Special events as defined in Chapter 87 of this Title are permitted in all zoning districts, provided that:
1. The event is licensed in accordance with the provisions of Title 5 of the Mesa City Code;
  2. The duration of the event does not exceed the time period specified in the special event license or a maximum of 4 consecutive days, whichever is less;
  3. No more than 4 events are conducted on the same premises during the calendar year;
  4. The site of the event is adequately served by utilities and sanitary facilities; and
  5. The event will not present a safety hazard or public disturbance and will not cause substantial adverse impacts on surrounding properties or land uses by creating excessive noise, glare, heat, dust, odors, or pollutants as determined by the Director and Fire Marshal.
- B. Special events shall be conducted only on a lot that has an approved dust proof parking surface with permanent driveway access. Decomposed granite or Aggregate Base Course (ABC) gravel surfacing may be substituted for paving subject to approval by the Director and Fire Marshal.
- C. Facilities, structures, and utilities shall be installed and maintained in conformance with all applicable building, fire, traffic, and zoning regulations.
- D. The time periods specified in A(2) and (3) of this Section may be exceeded:
1. Outside of the Downtown Events Overlay District: Only as authorized by approval of a Special Use Permit in accordance with Article 7 of this Ordinance.
  2. Within the Downtown Events Overlay District, without limit to the number of events that may occur in a calendar year. Events that exceed the maximum of 4 days per event shall require a Special Use Permit in accordance with Article 7 of this Ordinance.

## FINDINGS

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;
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 with any other applicable City plan or policies;
3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the Fiesta Mall area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

**Special Use Permit for Cryptic Illusions Inc.**

The Crypt Haunted Attractions is looking at moving back to Fiesta Mall. In 2010, 2012, and 2013 the Crypt Haunted Attraction was at Fiesta Mall with great success. Before that the event has been part of Doomtwn/Rawhide Halloween event, and at Superstition Mall in Mesa. At Fiesta mall we will be utilizing the event parking lot located on the south side of the mall, adjacent to the US 60 freeway. All event parking will be confined to event parking lot behind the haunt; with Cryptic Illusions staff utilized as parking guides. Security and crowd control will be Cryptic Illusions staff and off-duty Mesa police. Since location of haunt is located in an adjacent parking lot to the mall center, self controlled and entire event is fenced in from surrounding streets and freeway. There are no adjacent residential properties, and events will only be held after 6:30 PM. The haunts are all open air, with no buildings being constructed.

The event will be open 26 nights in September/October/November, starting the September 26th and finishing November 1st. Construction of event will take place starting August 15th, and the will be packed up before November 15th.

All event signage will be contained within the perimeter fencing. We will be utilizing banners, an event searchlight, as well as a hearse wrapped in graphics-all contained in event parking lot.

Will be at same location for multiple years-Bringing a great Halloween Haunt back to Mesa  
Multi year-Special Event at Fiesta Mall-August through November

**CASE SITE:** Existing paved parking lot – zoned C-2  
**NORTH:** Existing office development and Fiesta Mall – zoned C-2  
**EAST:** Existing retail center (across Southern Avenue) – zoned C-2  
**SOUTH:** Existing Fiesta Crossing retail center – zoned C-2  
**WEST:** Existing Fiesta Mall – zoned C-2

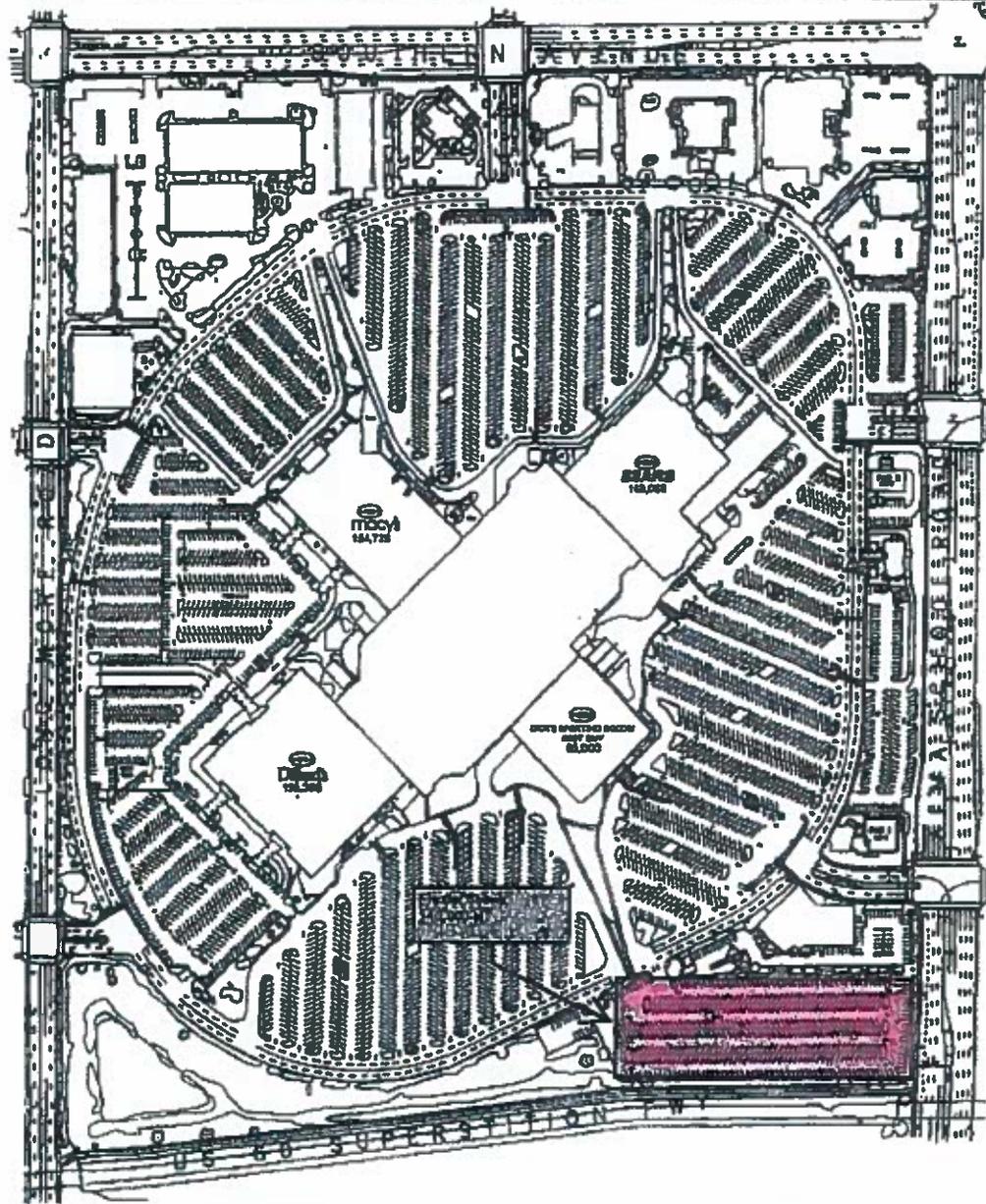
Thanks Again,

Keith Rich/Mark Anderson  
Cryptic Illusions Inc.  
[www.HauntedAZ.com](http://www.HauntedAZ.com)  
480-332-8095

## Amendments 7/21/14

1. This year and forthcoming years will be open around 26 days from the last weekend of September to Halloween weekend October 31-or November 1<sup>st</sup>.
  - Open Every day but Monday and Tuesdays until last week before Halloween then event will be open every day.
  - Sunday-Thursdays hours are 7pm-10pm
  - Friday and Saturdays 7pm-12am
2. One event held on site, The Crypt Haunted Attractions. Within this event we have two haunted houses and one maze that patrons can enter.
3. All trailers and cargo boxes listed on site plan are used for storage only-at no time are any patrons in them.
4. Patrons park all to west of event. Entrance and Exit is north of event along our outside fence. Main event entrance is towards the east of event by ticket office. (see map)
5. 5' Black box represents scale on site plan. Every square is equal to 5 feet.
6. Pictures are attached-includes front facades of the 2 haunted houses and 1 maze. As well view from parking lot of back of haunt and side view of pedestrian walkway. (see pictures)

# .Crypt Haunted Attraction - Fiesta Mall



## FIESTA MALL

**Mail Address:**  
**FIESTA MALL**  
 1448 W. Southern Ave.  
 Mesa, AZ 85202  
 Phone: (480) 833-8597  
 Fax: (480) 834-8482

**For Leasing  
 Information Contact:**  
 Mark Eriksson  
 Bob Switzer  
 SAACE/FCH-1  
 11411 North Tatum Blvd.  
 Phoenix, AZ 85028  
 Phone: (602) 853-8280  
 Fax: (602) 853-1964

Note:  
 This is a schematic plan only  
 intended to show the general layout  
 of the shopping center or part  
 thereof. This plan is not to be used.

LAST UPDATED: 04.21.10  
 BY: M

**westcor**

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[www.westcor.com](http://www.westcor.com)

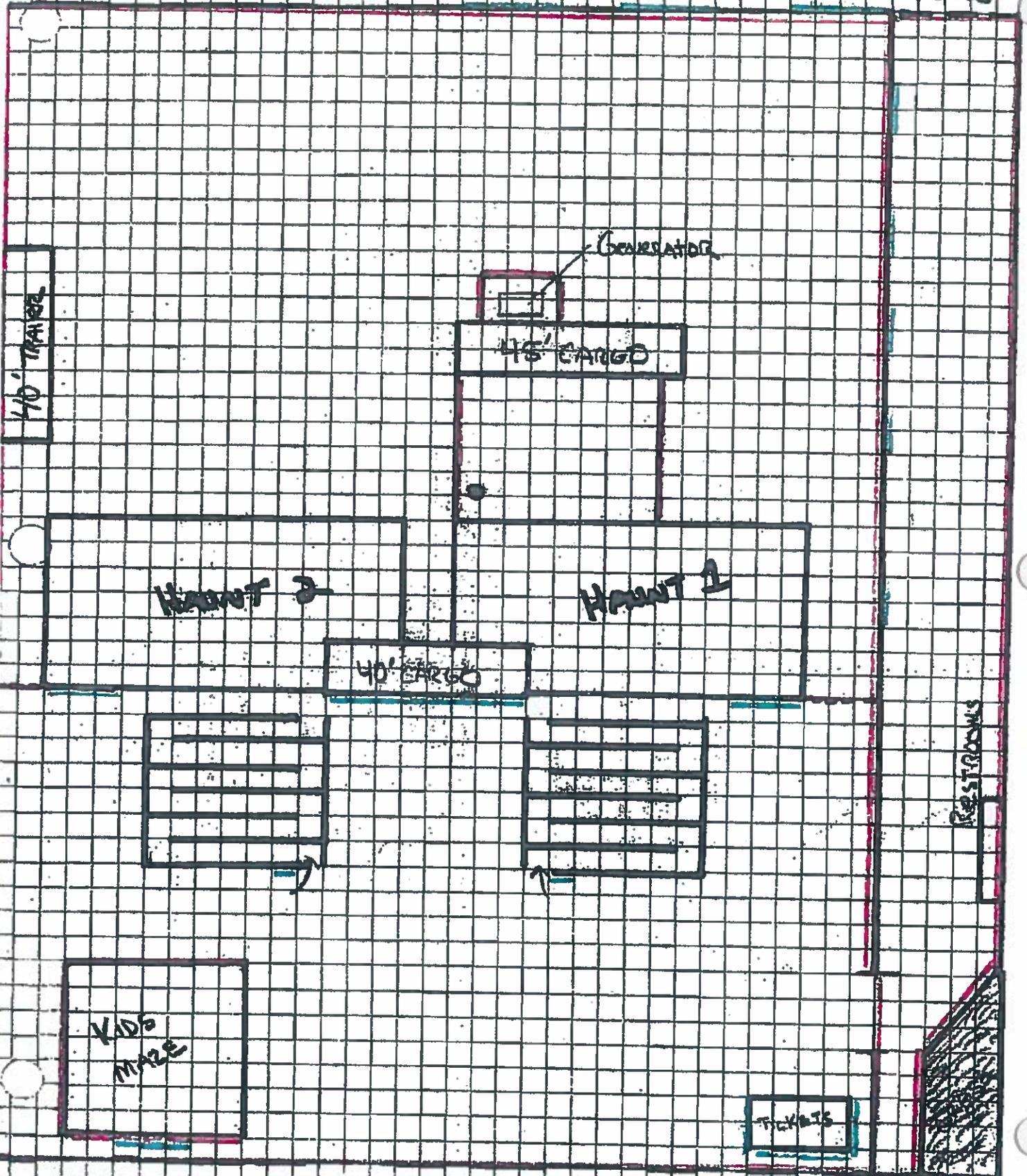
**SITE PLAN**



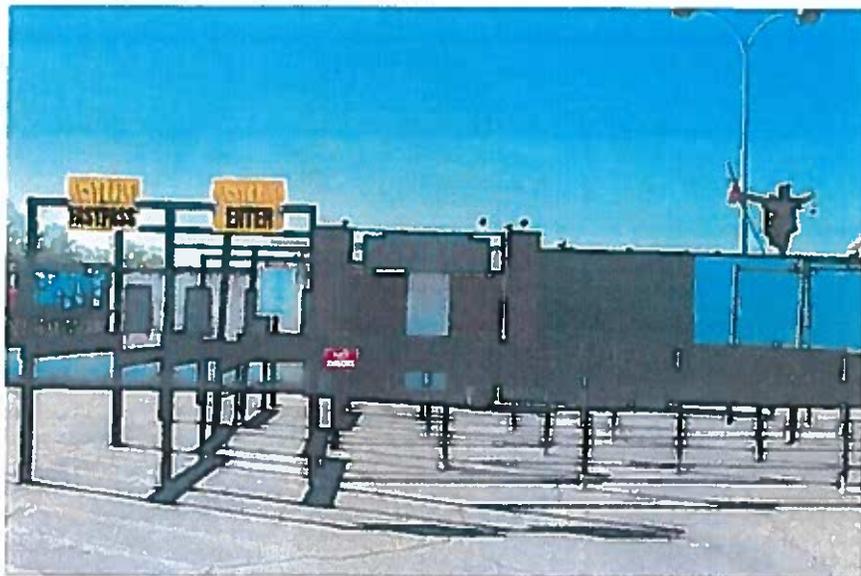
**NORTH**

↑ PARKING ↑

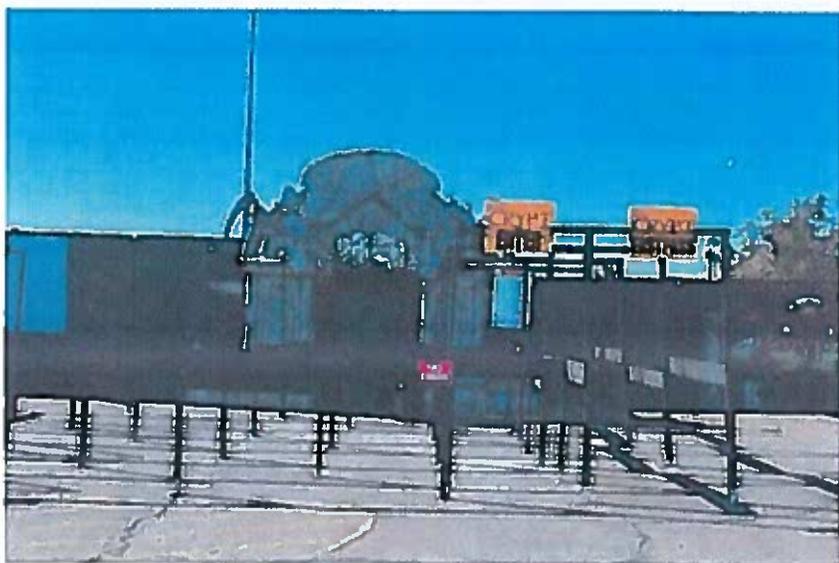
— Signage  
■ - 5'  
— FENCE



Asylum Front Facade



Crypt Front Facade



Chaos Maze



PARKING

PEDESTRIAN TRAFFIC

Back of Attractions-with parking



Pedestrian Walkway on North Side of Attraction

