



# *City of Apache Junction*

*Development Services Department*



## **PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT**

**DATE:** April 12, 2016

**CASE NUMBER:** CUP-1-16

**REQUEST:** This is a request by WGG Partners LLC, for approval of a Conditional Use Permit for the proposed comprehensive sign package for the approved Old West Marketplace commercial subdivision. The CUP application proposes to establish the overall sign concept theme and standards for building-mounted and free-standing signs.

**LOCATION:** Northeast corner of S. Idaho Road and E. Old West Highway.

**PROPERTY OWNER:** WGG Partners LLC

**REPRESENTATIVES:** Colby Fincham of Barclay Group and Andy Gibson of Bootz and Duke Sign Company

**GENERAL PLAN/  
ZONING DESIGNATION:** Downtown Mixed Use and Community Commercial; currently zoned B-3 (City Center District).

**SURROUNDING  
LAND USES/ZONING:**

**NORTH:** Vacant private properties, zoned B-3;

**SOUTH:** QT Gas Station and Convenience Mart, zoned B-1 (General Commercial); and CAC campus, zoned PI (Public Institutional);

**EAST:** Various single-family, multi-family and commercial properties, zoned RS-20M, RM-2 and B-1;

**WEST:** Medical offices and commercial strip center, all zoned B-3.

**PROPOSAL DESCRIPTION:**

This is a request by WGG Partners LLC, represented by Colby Fincham of the Barclay Group and Andy Gibson of Bootz and Duke Sign Company, requesting approval of a Conditional Use Permit ("CUP") for the comprehensive sign package for the proposed Old West Marketplace Shopping Center (an approved commercial subdivision), located on a 18.59-acre, B-3 (City Center District)-zoned property at the northeast corner of S. Idaho Road and E. Old West Highway. The CUP application proposes to establish the overall sign concept theme and standards for building-mounted and free-standing (or monument) signs at the shopping center, including some signs which may be larger, taller, greater in number, prohibited or located differently than the city's Sign Code would normally allow.

**SITE AND SURROUNDING AREA DATA:**

The property was very recently platted as a 7-lot commercial subdivision named Old West Marketplace ("OWM"). The development is designed to accommodate 153,000 square feet of commercial building space, with the new Fry's store taking up about 123,000 square feet and the rest being absorbed by another 5 lots. However, please note that lot #7, located at the very northeast corner of the property, is not part of the Marketplace and is not part of this CUP signs request. That lot will be developed separately and subject to standard B-3 zone and sign regulations. Developed and undeveloped commercial-zoned properties exist mostly to the north, south and west; and some residential-zoned properties exist to the east.

The OWM property is bordered by Old West Highway on the south, Idaho Road on the west, Junction Street on the north and Outpost Road on the east. Idaho Road and Old West Highway are major thoroughfares and will provide main access to the site and offer the best visibility to the proposed development. Junction is a mid-section line road and will provide some access to the subdivision. And Outpost is a local collector street with no access points planned, to minimize traffic and congestion in the residential neighborhood.

Small parts of the property were formerly developed with a gas station, a fence company, the old city library and water company building, and the old house on lot #7. All of those old structures have now been demolished to make way for the new shopping center.

**ANALYSIS:**

In addition to the application form and the vicinity map of the property, attached please also find the city's sign code and the applicant's narrative booklet. Staff has highlighted (with arrows) the sections of the sign code which are most relevant to this CUP request. The applicant's narrative booklet is fairly self-explanatory and full of graphics.

While some of the requested sign standards actually represent a more restrictive standard than our code normally allows, there are a couple of deviations being requested as part of this CUP request, as follows:

- 1) With regard to attached signs, the Fry's store is requesting more overall square footage as well as more signs (in number) than the code would normally allow on their building front. Code allows a maximum of 150 square feet of sign area, spread out over no more than three signs on a building front. Fry's is requesting at least 389 square feet of sign area for their signs, plus a couple of extra unspecified size tenant signs, for a total 7 signs on their building front. Given the nature of their very wide building however, the signs would appear to be evenly spaced and well balanced within the scale of the building front. We would recommend that the unspecified size extra tenant signs be no larger than their "D" style sign (34 square feet maximum).
- 2) The code normally allows one monument sign per street frontage for an individual property, and the monument sign must be located on the property to which it pertains. Old West Marketplace has 6 lots, 6 monument style signs are being requested (3 on Idaho, 3 on Old West Highway), but 5 of the signs (M1, M2 and M3-style signs) will be multi-tenant signs, possibly advertising businesses which are located on other lots within the subdivision. The remaining M4 sign is just for the Fry's gas station. The multi-tenant signs make a lot of sense for the subdivision, especially for businesses which may not have great street visibility, such as the shops building (lot #2). We would recommend that businesses located nearest the multi-tenant signs be given first choice on said signs. For example, that the businesses on lots 2 and 3 be given first choice

on the M3 sign nearest them and that the businesses on lot 5 and 6 be given first choice on the M2 and M3 signs nearest them, etc. This will hopefully deter those businesses from coming back to the city to request a CUP or CUP amendment for individual monument signs on their individual lots.

- 3) Lastly, the code normally limits the height of monument signs to 12 feet maximum above adjacent grade. The M2 sign is requested to be 12'-8" and slightly larger than 150 square feet per sign face. Given that the M2 sign will advertise Fry's, Fry's gas and other businesses on the sign, we have no objections to this minor deviation from the code.

We also have no issues with the gas canopy signs, the pharmacy signs, the menu board signs or the incidental directional signs that the sign package proposes.

**PUBLIC NOTIFICATION:**

The P&Z Commission public hearing was advertised in the paper 15 days prior to the meeting and letters were mailed to all property owners within 300 feet of the site. The property was also posted with signs notifying any interested parties of the CUP request and the public hearing date. No public comments or inquiry have been received by staff as of the writing of this report.

**PLANNING DIVISION RECOMMENDATION:**

Staff believes that the proposed sign package is a quality proposal which will complement the Old West Marketplace development and reflects the colors, textures and tones of the surrounding desert environment. Staff recommends in favor of the comprehensive sign package submittal, subject to the conditions listed under the recommended motion.

**RECOMMENDED MOTION**

I move that the Planning and Commission (APPROVE/DENY) case CUP-1-16, a request for a Conditional Use Permit by Colby Fincham of the Barclay Group and Andy Gibson of Bootz and Duke Sign Company, requesting approval of a Conditional Use Permit ("CUP") for the comprehensive sign package for the proposed Old West

Marketplace Shopping Center (an approved commercial subdivision), located on a 18.59-acre, B-3 (City Center District)-zoned property at the northeast corner of S. Idaho Road and E. Old West Highway, subject to the following conditions of approval:

- 1) That the proposed signs be properly permitted and constructed as depicted in the comprehensive sign package submitted with case file CUP-1-16, to include colors, textures, tones, architectural styling, heights, sizes, location and elevation concepts, all in substantial compliance and as presented in this CUP application.
- 2) That the unspecified size extra tenant signs on the front of the Fry's store be no larger than the "D" style sign (34 square feet maximum) depicted in the submittal and that the total number of signs on the Fry's store front not exceed 7 signs.
- 3) That attached signs to be located on future buildings on the various pads in the Old West Marketplace shopping center also be subject to the general sign concepts and limits as presented in the comprehensive sign package submittal.
- 4) That businesses located nearest the multi-tenant signs be given first choice to place their business names and/or logos on said signs. For example, that the businesses on lots 2 and 3 be given first choice on the M3 sign nearest them; that the business on lot 4 be given first choice on the M1 or M2 sign nearest it; and that the businesses on lot 5 and 6 be given first choice on the M2 and M3 signs nearest them.
- 5) That the Planning and Zoning Commission shall reserve the right to reconsider or overturn the Conditional Use Permit approval, at a new public hearing, for non-compliance with any condition prescribed as part of said CUP-1-16 permit approval.

**Please be advised that Commission's decision is final, unless it is appealed to the City Council by an aggrieved individual, in writing, subject to the appropriate fees, within 20 days of the Commission decision.**

**Prepared by:**

  
\_\_\_\_\_  
Rudy Esquivias, Senior Planner/Z.A.

**Attachments:**

- Application for CUP-1-16
- Zoning and vicinity map
- Zoning Ordinance, Sign Code Table 11-1: Permitted Sign Standards
- Applicant's Comprehensive Sign Package booklet with graphics



## EXHIBIT A: Planning and Zoning Application Form

Office Use Only: Filing Date \_\_\_\_\_  
Staff \_\_\_\_\_  
Fees Received \_\_\_\_\_  
Case \_\_\_\_\_

CUP-1-16/PLN 2016-00011

### TYPE OF APPLICATION

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Annexation                      | <input type="checkbox"/> Abandonment (Plat/Easement/ROW)    | <input type="checkbox"/> Board of Adjustment               |
| <input type="checkbox"/> Cargo Container Permit          | <input type="checkbox"/> Certificate of Legal Nonconformity | <input checked="" type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Development Agreement           | <input type="checkbox"/> Development Plan Review            | <input type="checkbox"/> General Plan Amendment            |
| <input type="checkbox"/> Lot Splits, Joins & Adjustments | <input type="checkbox"/> Ordinance Text Amendment           | <input type="checkbox"/> Planned Development Rezoning      |
| <input type="checkbox"/> Preliminary/Final Plat          | <input type="checkbox"/> Preliminary Development Review     | <input type="checkbox"/> Sign Permit                       |
| <input type="checkbox"/> Special Use Permit              | <input type="checkbox"/> Temporary Use Permits              | <input type="checkbox"/> Zoning Map Amendment              |
| <input type="checkbox"/> Other _____                     |   |  |

### SITE INFORMATION

SITE ADDRESS/LOCATION: NEC Old West Highway & Idaho Road      ASSESSORS PARCEL NUMBER: See attached

GROSS AREA: 21.21 acres      NET AREA: 18.59 acres      EXISTING ZONING: B-3

BRIEF DESCRIPTION OF THE PROPOSED PROJECT/USE: Conditional Use Permit for the attached comprehensive sign package for Old West Marketplace

### APPLICANT INFORMATION

Property Owner(s): WGG Partners, LLC

Address: 2269 Chestnut Street #569 San Francisco, CA 94123

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_ Email \_\_\_\_\_

Applicant Contact Person/Project Manager: Colby Fincham, Barclay Group

Address: 2390 E. Camelback Road, Suite 200 Phoenix, AZ 85016

Phone Number: 480-596-9339      Fax Number: 480-596-6366      Email: cfincham@barclaygroup.com

Architect/Engineer : Andy Gibson, Bootz & Duke

Address: 4028 W. Whittan Avenue Phoenix, AZ 85019

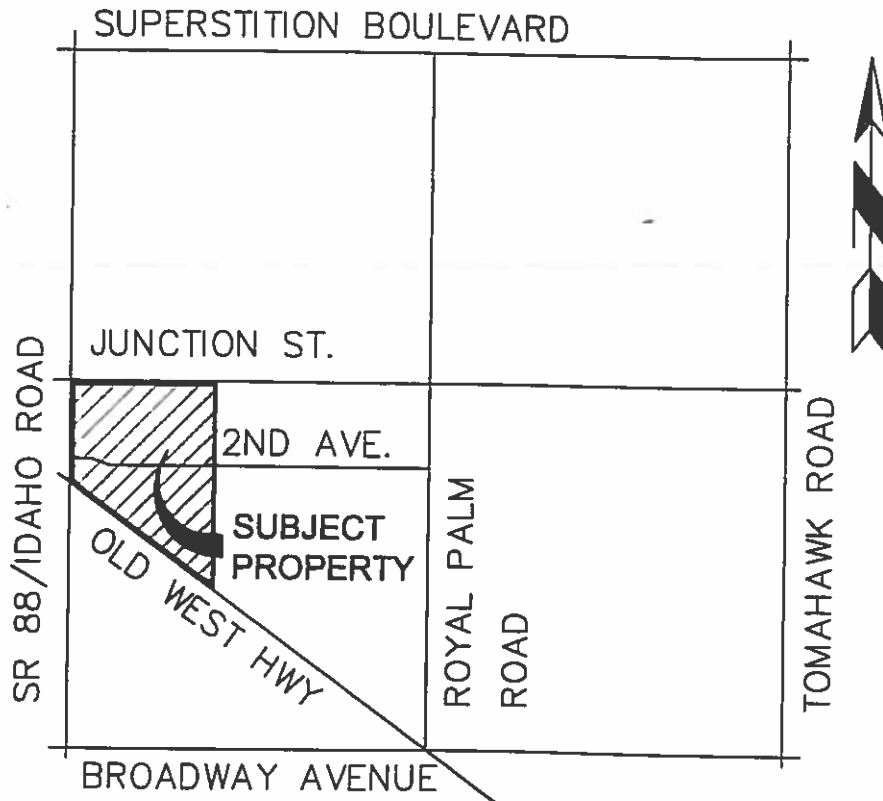
Phone Number: 602-272-9356      Fax Number 602-272-4608      Email: andy@bootzandduke.com

OWNERS SIGNATURE: See attached

DATE: 12/14/2015

# CUP-1-16

A REQUEST FOR A CONDITIONAL USE PERMIT TO ESTABLISH THE COMPREHENSIVE CONCEPT PLAN FOR ATTACHED AND DETACHED SIGNS AT "OLD WEST MARKETPLACE" SHOPPING CENTER



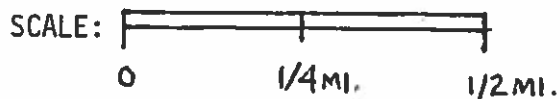
## VICINITY MAP

N.T.S.



SUBJECT SITE

ZONING: B-3 (CITY CENTER DISTRICT)





**TABLE 11-1: PERMITTED SIGN STANDARDS**

SIGN TYPE <sup>1</sup>	MAXIMUM SIGN SIZE <sup>2</sup>	MAXIMUM SIGN HEIGHT <sup>3</sup>	MAXIMUM QUANTITY	PERMIT NEEDED	PERMITTED LOCATION <sup>4</sup>	DISPLAY PERIOD	DESIGN	ZONING DISTRICTS
Freestanding Signs (non-freeway frontage)	1 sf. per 1 lineal ft. of parcel frontage up to a 150 sq. ft. max.	12 ft.	1 sign per street frontage	AUP	Min. 5 ft. front, side and rear setback	Continuous	Monument or Post & Panel signs only. Addresses must be visible from ROW. See Article 1-13	Non-Residential Zones
Freestanding Signs (freeway frontage)	1 sf. per 1 lineal ft. of parcel frontage up to a 500 sf. max. for single tenant and 150 sf. for multi-tenant	25 ft. above grade of closest freeway lane.	1 sign per property	AUP	Min. 5 ft. front, side and rear setback.	Continuous	Monument and pylon signs only. Addresses must be visible from ROW. See Article 1-13	Non-Residential Zones
Wall Signs and Wall Murals	2 sf. per 1 lineal ft. of tenant frontage up to a 150 sq. ft. max. <sup>5</sup>	No higher than building wall	3 signs/murals per tenant per street frontage	AUP	Building wall	Continuous	See Article 1-13	Non-Residential Zones
Hanging Signs	10 sf. <sup>5</sup>	Min. 8 ft. clearance to ground and no higher than 1 <sup>st</sup> floor.	1 hanging or projection sign per street frontage	AUP	Hanging either perpendicular or parallel to road	Continuous	See Article 1-13	Non-Residential Zones
Projecting Signs	10 sf. <sup>5</sup>	Min. 8 ft. clearance to ground and no higher than 1 <sup>st</sup> floor.	1 hanging or projection sign per street frontage	AUP	Hanging either perpendicular or parallel to road	Continuous	See Article 1-13	Non-Residential Zones
Window Signs	75% of window area	N/A	No limit	No	Inside of window	Continuous	N/A	Non-Residential Zones
Awning Signs	50% of awning area <sup>5</sup>	N/A	No limit	AUP	On awning	Continuous	Non-illuminated	Non-Residential Zones



SIGN TYPE <sup>1</sup>	MAXIMUM SIGN SIZE <sup>2</sup>	MAXIMUM SIGN HEIGHT <sup>3</sup>	MAXIMUM QUANTITY	PERMIT NEEDED	PERMITTED LOCATION <sup>4</sup>	DISPLAY PERIOD	DESIGN	ZONING DISTRICTS
Umbrella Signs	8 sf.	8 ft.	No limit	No	On umbrellas	Continuous	Non-illuminated	Non-Residential Zones
Banners and Fin Flags	30 sf.	12 ft. for fin flags and 10 ft. for banners	2 banners, or 2 fin flags, or 1 of each per business	No	Min. 5 ft. front, side and rear setback	Continuous	N/A	Non-Residential and Multi-Family Zones
A-Frame Signs (visible from road)	6 sf.	3 ft.	1 sign per business	No	Min. 2 ft. from ROW	During business hours only	Professionally manufactured	B-3 Zone
A-Frame Signs (not visible from road)	6 sf.	3 ft.	1 sign per business	No	Along store front	During business hours only	Professionally manufactured	Non-Residential Zones
Temporary Use Signs	50 sf.	8 ft.	1 per approved temporary business	AUP	Min. 5 ft. front, side and rear setback	As per AUP	Non-illuminated Wall or Post & Panel Sign	Non-Residential Zones
Grand Opening Signs (temporary)	100 sf.	No higher than building wall	1 sign per business	AUP	Min. 5 ft. front, side and rear setback	30 days before and 90 days after opening	N/A	Non-Residential and Multi-Family Zones
Balloons and Inflatable Signs (temporary)	N/A	20 ft.	1 inflatable sign per property	AUP	Min. 5 ft. front, side and rear setback	60 cumulative days/year	N/A	Non-Residential Zones
Pennants	2 sf. per pennant	No higher than top of roofline	200 ft. of string length	No	Min. 5 ft. front, side and rear setback	Continuous	N/A	Non-Residential Zones
Sign Walkers	12 sf.	N/A	1 sign walker per business	No	Min. 5 ft. from edge of pavement or curb, whichever is greater	During business hours only	N/A	Non-Residential Zones



SIGN TYPE <sup>1</sup>	MAXIMUM SIGN SIZE <sup>2</sup>	MAXIMUM SIGN HEIGHT <sup>3</sup>	MAXIMUM QUANTITY	PERMIT NEEDED	PERMITTED LOCATION <sup>4</sup>	DISPLAY PERIOD	DESIGN	ZONING DISTRICTS
Commercial Flags	15 sf.	20 ft.	2 flags per pole and 2 poles per property	AUP	Min. 5 ft. front, side and rear setback	Continuous	N/A	Non-Residential Zones
Menu Boards	30 sf./menu board	8 ft.	2 menu boards per business	AUP	To the side or rear of the building	Continuous	N/A	Non-Residential Zones
Emergency Hospital Sign	1 sf. per 1 lineal ft. of street frontage up to a 200 sf. maximum	20 ft.	1 sign per street frontage	AUP	Min. 5 ft. setback or within ROW with encroachment permit	Continuous	Monument Sign	Non-Residential Zones
Interim Business Signs	2 sf. per 1 lineal ft. of tenant frontage up to a 150 sq. ft. max. <sup>5</sup>	10 ft.	1 sign per street frontage	AUP	Min. 5 ft. front, side and rear setback	3 months	N/A	Non-Residential Zones
Statues	N/A	10 ft.	1 statue per business	No	Min. 5 ft. front, side and rear setback	Continuous	N/A	Non-Residential Zones
Parking Lot Directional Signs (on-site)	2 sf. per sign	5 ft.	As per AUP	AUP	Min. 5 ft. front, side and rear setback	Continuous	N/A	Non-Residential Zones
Private Light Pole Banners	10 sf.	15 ft.	1 per light pole	No	Min. 5 ft. front, side and rear setback	Continuous	N/A	Non-Residential Zones
Gas Station Canopy Signs	15 sf. per canopy side	Shall not extend above or beyond canopy	1 sign per canopy side	AUP	On canopy	Continuous	N/A	Non-Residential Zones
Contractor Project Signs	50 sf.	10 ft.	1 sign per construction site	AUP	Min. 5 ft. front, side and rear setback	During construction	Non-illuminated	All Zones



SIGN TYPE <sup>1</sup>	MAXIMUM SIGN SIZE <sup>2</sup>	MAXIMUM SIGN HEIGHT <sup>3</sup>	MAXIMUM QUANTITY	PERMIT NEEDED	PERMITTED LOCATION <sup>4</sup>	DISPLAY PERIOD	DESIGN	ZONING DISTRICTS
Garage Sale Signs	6 sf.	3 ft.	3 off-site signs and 1 on-site sign	No	Min. 2 ft. from pavement edge or curb, whichever is greater	During sale hours only	N/A	All Zones
Real Estate Open House Signs (off-site)	6 sf.	3 ft.	5 off-site signs per property being marketed	No	Min. 10 ft. from edge of pavement or curb, whichever is greater	6 pm Friday to 8 am Monday or during holidays	N/A	All Zones
Real Estate Yard Signs	12 sf.	8 ft.	1 sign per street frontage	No	Min. 5 ft. front, side and rear setback	During listing period	Non-illuminated	All Zones
Religious Institution Signs (on-site)	1 sf. per 1 lineal ft. of street frontage up to a 120 sf. max.	12 ft. for monument signs and 8 ft. for wall signs	1 monument and 1 wall sign per frontage	AUP	Min. 5 ft. front, side and rear setback	Continuous	N/A	All Zones
Wayfinding Signs (off-site)	Per City Council approval.	Per City Council approval.	Per City Council approval.	AUP	Per City Council approval	Continuous	N/A	All Zones
Developer and Builder Signs (temporary)	50 sf.	10 ft.	1 sign per street frontage	AUP	Min. 5 ft. front, side and rear setback	During marketing period	Monument or Post & Panel Sign	All Zones
Residential Subdivision or Multi-Family Sign	50 sf.	8 ft.	1 sign per entryway	AUP	Min. 5 ft. front, side and rear setback	Continuous	Monument or Post & Panel Sign	All Zones
Ranch Gate Sign	20 sf.	16 ft. if mounted on overhead gate, 8 ft. if ground mounted	1 sign per property	AUP	Min. 5 ft. front, side and rear setback	Continuous	Exterior illumination allowed	Residential Zones

SIGN TYPE <sup>1</sup>	MAXIMUM SIGN SIZE <sup>2</sup>	MAXIMUM SIGN HEIGHT <sup>3</sup>	MAXIMUM QUANTITY	PERMIT NEEDED	PERMITTED LOCATION <sup>4</sup>	DISPLAY PERIOD	DESIGN	ZONING DISTRICTS
Billboards	See § 1-11-9 (E)							
Vehicle Signs	See § 1-11-9 (D)							
Changeable Letter Signs (Digital)	See § 1-11-9 (B)							
Changeable Letter Signs (manual)	See § 1-11-9 (A)							
Political Campaign Signs	See § 1-11-9 (C)							

1. See § 1-11 for additional regulations regarding signs.
2. The area of a sign is calculated as the entire area within a single contiguous perimeter composed of parallelograms, circles, ellipses, trapezoids and/or triangles which enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space of a similar nature, together with any frame of other material, color or condition which forms an integral part of the display and is used to differentiate the sign from the structure, wall or background against which it is placed. Only one face of a double faced sign shall be included in determining the area of the sign.
3. The height of freestanding signs shall be measured as the vertical distance between the top of the curb, or crown of the roadway where no curb exists, to the top of the sign. The total sign height includes any monument base or other structure erected to support the sign.
4. The location of freestanding signs is subject to the City's intersection visibility requirements in § 1-6-13 of this Ordinance. The setback for freestanding signs is measured from the edge or face of sign which is closest to the right-of-way or property line. Additionally, the location of certain temporary signs within the public road rights-of-way may be subject to Public Works Director approval and encroachment permit.
5. If the business has a combination of wall, awning, projecting and/or hanging signs, the combined square footage of all such signage cannot exceed 2 square feet per lineal foot of tenant frontage or 150 square feet, whichever is less.