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# MEMORANDUM

## PUBLIC WORKS - DEVELOPMENT SERVICES

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DATE: October 3, 2014

TO: BOARD OF ADJUSTMENT, District 2

FROM: Terrill L. Tillman, Assistant Executive Secretary 

SUBJECT: **Co10(2)14-04 Freightliner Flagstaff Acquisition, LLC – East Travel Plaza Way**  
Scheduled for public hearing on October 15, 2014

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**LOCATION:**

The subject property is located approximately 900 feet east of the northeast corner of Craycroft Road and Benson Highway (North side of the I-10 Frontage Road). The property is zoned CB-2.

**SURROUNDING ZONING / LAND USES:**

North	CB-2/CR-3	Future Commercial/Predominantly Residential
South	CB-2/CR-3/CMHI	Vacant Commercial/Residential/Vacant Res
East	R-1	COT Residential Subdivision
West	CB-2/CI-1	Triple T Truck Stop/Auto Auction

**PUBLIC COMMENT:**

To date, no public comments have been received.

**PREVIOUS CASES ON PROPERTY:**

There have been no previous Board of Adjustment cases on the subject property.

**REQUEST:**

The applicant requests the following variances:

- 1. To increase the number of freestanding identification signs to three and to allow two on the highway street frontage.** Section 18.79.110 of the Pima County Zoning Code allows for two, and no more than one on each street frontage.
- 2. To increase the allowable square footage of a freestanding freeway style identification sign to 687 square feet.** Section 18.79.110 of the Pima County Zoning Code allows an increase of .83 square feet per foot of setback from the freeway right of way but may not exceed a maximum of 300 square feet.
- 3. To increase the maximum height of a freestanding freeway style identification sign to 50 feet.** Section 18.79.110 of the Pima County Zoning Code allows an increase of one half a foot per foot of setback from the

freeway right of way but may not exceed a maximum of 25 feet above the freeway grade.

4. **To allow a freestanding freeway style identification sign to have unequally sized tenant panels.** Section 18.79.110 of the Pima County Zoning Code requires tenant panels to be equally sized.
5. **To reduce the side yard setback to 10 feet for a freestanding freeway style identification sign.** Section 18.79.110 of the Pima County Zoning Code requires a minimum setback of 30 feet.
6. **To allow a sign to be located within a bufferyard.** Section 18.79.030E4 of the Pima County Zoning Code states approval is required for signs placed within a bufferyard.
7. **To increase the maximum square footage allowed for wall signage to 882 square feet on the south elevation and 513 square feet on the west elevation.** Section 18.79.110 of the Pima County Zoning Code limits the total area of wall signs to 150 square feet.
8. **To increase the allowable square footage of incidental signs to 768 square feet on the south elevation and 288 square feet on the west elevation.** Section 18.79.110 of the Pima County Zoning Code allows a maximum of 40 square feet per side.
9. **To increase the height of incidental signs to 25 feet.** Section 18.79.110C (Table) of the Pima County Zoning Code allows for a maximum height of 15 feet.

#### **TRANSPORTATION AND FLOOD CONTROL REPORT:**

Flood Control will review this proposed sign at the time of permitting. This request does not require transportation review.

#### **BACKGROUND:**

The subject property is approximately 15.01 acres and zoned CB-2 and part of a larger site 23.52 acres rezoning site. The rezoning site includes the recently built Pilot Travel Center. A portion of the subject property was rezoned (Co9-64-79) in the 1960's from CR-3 (Single Residence Zone) to CB-2 (General Business Zone). The remainder of the parcel was rezoned (Co9-09-05) from CR-3 to CB-2 in 2009. Pilot Travel Center was built with an approved development plan and a development plan/construction plan for Freightliner (P13BS00006) was approved in January 2014. The Freightliner building and site infrastructure is under construction and is near completion. There are additional proposed buildings to be located on site that will be built out in a second phase of the project.

These variance requests are to allow the proposed signage to be permitted and located on site. The agent for the applicant has stated that, the grade of the property sets approximately 10 feet below Interstate 10 and residents and travelers will be able to identify the Freightliner site from the east bound traffic if the variances are approved. The requested variances serve to properly notify users and provide visibility of the dealership and its availability of services.

Freightliner is a truck dealership with sales, parts, and service located on site. The dealership will not be operating 24 hours a day, but from 7 a.m. to midnight for the parts sales and service. Restricted hours of operation should help to keep noise from patrons, vehicles, and deliveries to less-disturbing hours of the day. The sales and service department will maintain evening hours, but mostly for the sales and delivery of parts. Privately owned semi-trucks will not be parked on site overnight unless scheduled for maintenance or repair service. While semi-trucks traversing the subject property may

have the potential for greater noise and light trespass to adjacent residences, direct beams should mostly be contained by the six foot high wall to the north and the wall to the east. The bufferyards adjacent to the north and east should help to ameliorate the effects of the noise and light trespass into the adjacent residential neighborhoods.

Variance requests 1 - 6 address the proposed *freestanding freeway style identification sign* to be located approximately 1,000 feet east of the northeast corner of Craycroft Road and Benson Highway (North side of the I-10 Frontage Road) adjacent to Interstate 10 to advertise Freightliner, Western Star, and a future tenant panel. The Pima County Zoning Code allows for two Freestanding Identification Signs and no more than one on each street frontage. The *freestanding freeway style identification sign* may not exceed 300 square feet and have a maximum height of 25 feet above freeway grade with a minimum 30-foot side yard setback. The freeway grade is at 10 feet. The applicant requests to increase the number of freestanding identification signs to three, to increase the square footage to 687 square feet, increase the height to 50 feet and decrease the setback to 10-feet and to allow the sign to be located in a bufferyard. The zoning code also requires that the tenant panels be of equal size.

***Analysis 1, 3, 4, 5, & 6:*** Staff supports these requests due to the size of vehicles that traverse the site and the need to clearly identify the provision of services to vehicles traveling at a high rate of speed. Since the Pilot Travel Center and Freightliner are considered a site for zoning purposes (under the same ownership and rezoned together as a site), the two freestanding identification signs for Pilot are accounted into the Freightliner request. It is rational for Freightliner to have its own sign considering the site locale. The increase in height allows for adequate exposure for east bound traffic to clearly locate the site and the services offered and appears to be the minimum to afford relief. Typically, businesses' will request for the freestanding identification signage to be located within a required bufferyard closer to the property boundary. The reduction in the side yard setback for the proposed freestanding identification sign does not appear to create any traffic hazards and allows for the signage to be visible from I-10. The variance does not allow a use which is not permitted in the zone by the Code. The unequal sized tenant panels are not unreasonable.

***Analysis 2:*** Staff does not support request 2 to increase the square footage of the proposed sign to 687 square feet. Staff can cite several Board of Adjustment cases that allowed for an increase of square footage for freeway style freestanding identification signs. Pilot Travel Center was given a maximum square footage of 326 square feet in January of 2013. The La Mesa RV site was approved for 316 square feet in July of 2011. It is staffs opinion that those existing freeway style freestanding identification signs are very visible and adequately advertise the location of a business or service and were the minimum to afford relief. As such, staff is recommending that the Board of Adjustment consider a maximum of 350 square feet for the proposed freeway style freestanding identification sign. The adjacency of the site to the neighbors poses additional concern for an illuminated 687 square foot sign at a height of 50 feet as proposed.

Request 7 is to increase the maximum square footage allowed for wall signage to 882 square feet on the south elevation and 513 square feet on the west elevation. The zoning code allows for a maximum of 150 square feet. This is the total of main wall and incidental wall signage in the front of the building (west elevation) adjacent to Pilot Travel Centers and Interstate 10 (south elevation).

***Analysis 7:*** Staff supports these requests. Main wall identification signs would be allotted 1.5 square feet per building frontage with a maximum of 150 square feet. These

*requests do not seem to be unreasonable given the size of the building, will provide a pictorial visual break in the expanse of the building, and are in harmony with the general intent and purposes of the Code and the provision from which the variance is requested.*

Requests 8 - 9 are related to the proposed incidental wall signage. The zoning code allows a maximum of 40 square feet per side with a maximum height of 15 feet. The request is to allow 228 square feet of incidental signage (west elevation) to be located on the front of the building facing Pilot Travel Centers/Craycroft Road and to allow 768 square feet on the south elevation facing I-10 at an elevation of 25 feet.

*Analysis 8-9: Staff has supports this request with a condition. Because of the increased elevation and possible light trespass to the adjacent neighbors, staff is recommending the following condition related to the incidental pictorial signage: No outside illumination is allowed. The pictorial signage is very large and the illumination is purposed for night time hours. Freightliner will have adequate exposure with their illuminated freeway style freestanding identification sign and illuminated main wall identification sign. This request does not appear to cause injury to or adversely affect the rights of surrounding property owners and residents as long as the lighting condition is imposed, nor does the variance allow a use which is not permitted in the zone by the code.*

**RECOMMENDATION:**

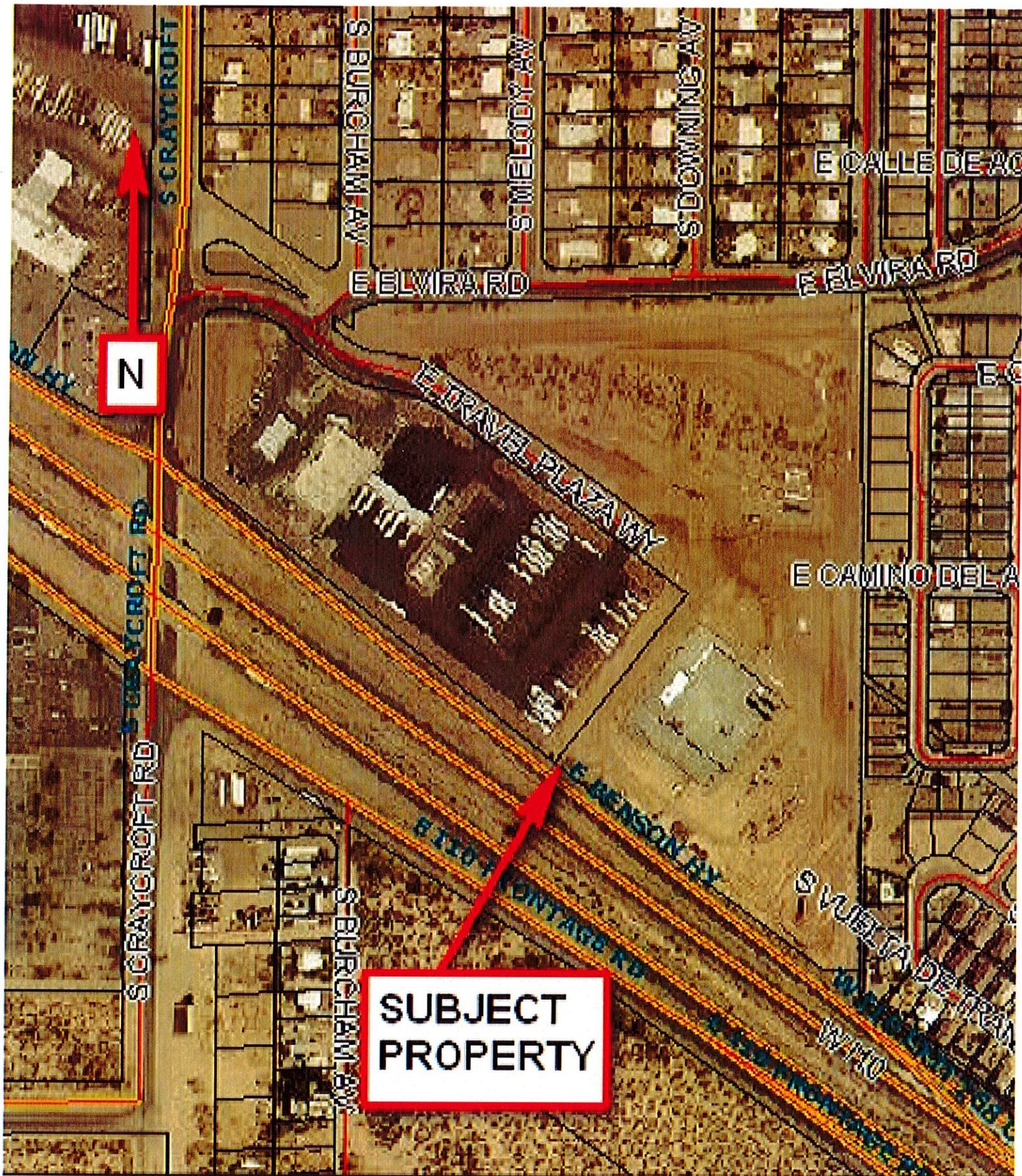
Staff recommends **APPROVAL WITH CONDITIONS** of variance requests 1, 3 - 9; staff recommends **DENIAL** of variance request number 2 as advertised but will support a maximum square footage of 350 feet. The applicant should be prepared to demonstrate to the Board of Adjustment that the proposed square footage is the minimum to afford relief. The proposed conditions should be considered by the Board of Adjustment:

1. The maximum square footage of the freeway style freestanding identification sign is limited to 350 square feet.
2. No outside illumination for the pictorial incidental wall signage is allowed.

**Standards that must be considered by a board of adjustment when considering a variance request include:**

1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;
3. The unnecessary hardship does not arise from a condition created by an action of the owner of the property;
4. The variance is the minimum necessary to afford relief;
5. The variance does not allow a use which is not permitted in the zone by the Code;
6. The variance is not granted solely to increase economic return from the property;
7. The variance will not cause injury to or adversely affect the rights of surrounding property owners and residents;
8. The variance is in harmony with the general intent and purposes of the Code and the provision from which the variance is requested;
9. The variance does not violate State law or other provisions of Pima County ordinances;

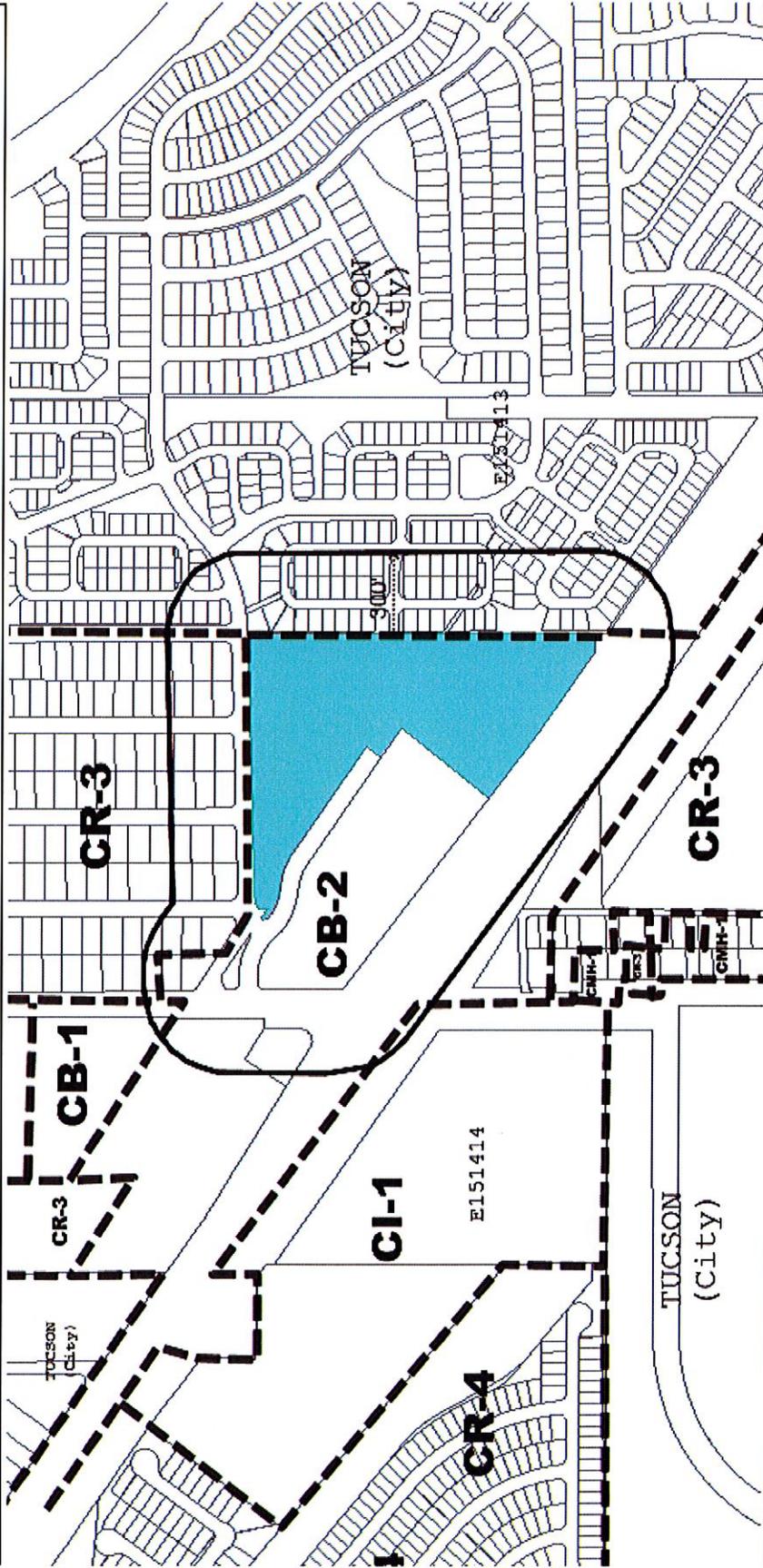
10. The hardship must relate to some characteristic of the land for which the variance is requested, and must not be solely based on the needs of the owner;
11. If the variance is from a sign or advertising structure area limitation, no reasonable use of the property can be made unless the variance is granted;
12. If the variance is from a height limitation, no reasonable use of the property can be made unless the variance is granted.



**Co10(2)-14-04 Freightliner Flagstaff Acquisition, LLC  
East Travel Plaza Way Variance Request**

# NOTIFICATION MAP

FREIGHTLINER FLAGSTAFF ACQUISITIONS LLC—E. TRAVEL PLAZA WAY



**LEGEND**

- Petition Area
- Notification Area

**NOTES**

<b>File no.:</b>	Co10(2)14-04	<b>Tax Code(s):</b>	140-37-068H
<b>Application:</b>	Variance	<b>Base Map:</b>	59
	 0 300'	<b>Drafter:</b>	A.H.



9/14/2014



**PIMA COUNTY**  
DEVELOPMENT SERVICES

**Variance Application**

Revised 12/2013

(Please print or type) **NO PENCIL**

Property Owner: FREIGHTLINER FLAGSTAFF ACQUISITION LLC Phone: 623-907-9900

Owner's Mailing Address: 9899 W ROOSEVELT ST. City: TUCSON Zip: 85352

Authorized Representative: SCOTT MEHLHOFF Phone: 602-279-9268

Rep's Mailing Address: 10027 N. 12TH STREET City: PHOENIX Zip: 85020

Property Address: 5650 E. TRAVEL PLAZA WAY City: TUCSON Zip: 85756

Tax Code Number(s): 140 - 37 - 068H Zone: \_\_\_\_\_

Does the subject parcel have an active building or zoning code violation? NO

Owner or Applicant's Email Address: scott@identitysign.net

I, the undersigned, swear that all the facts in this application are true to the best of my knowledge, that I will appear in person at public hearing to present the request, that I have read and understood the board of adjustment guidelines and procedure for granting a variance, and that I am able and intend to apply for all necessary county permits for construction and use of the property within nine months of receiving an approval of my variance request.

Signature: [Signature] Date: 9-12-2014

**INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED**

\*\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*\*

Case Title: \_\_\_\_\_ Co10( ) \_\_\_\_\_  
OWNER'S NAME - STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) \_\_\_\_\_ of the Pima County Zoning Code which requires \_\_\_\_\_

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY \_\_\_\_\_ DATE \_\_\_\_/\_\_\_\_/\_\_\_\_.



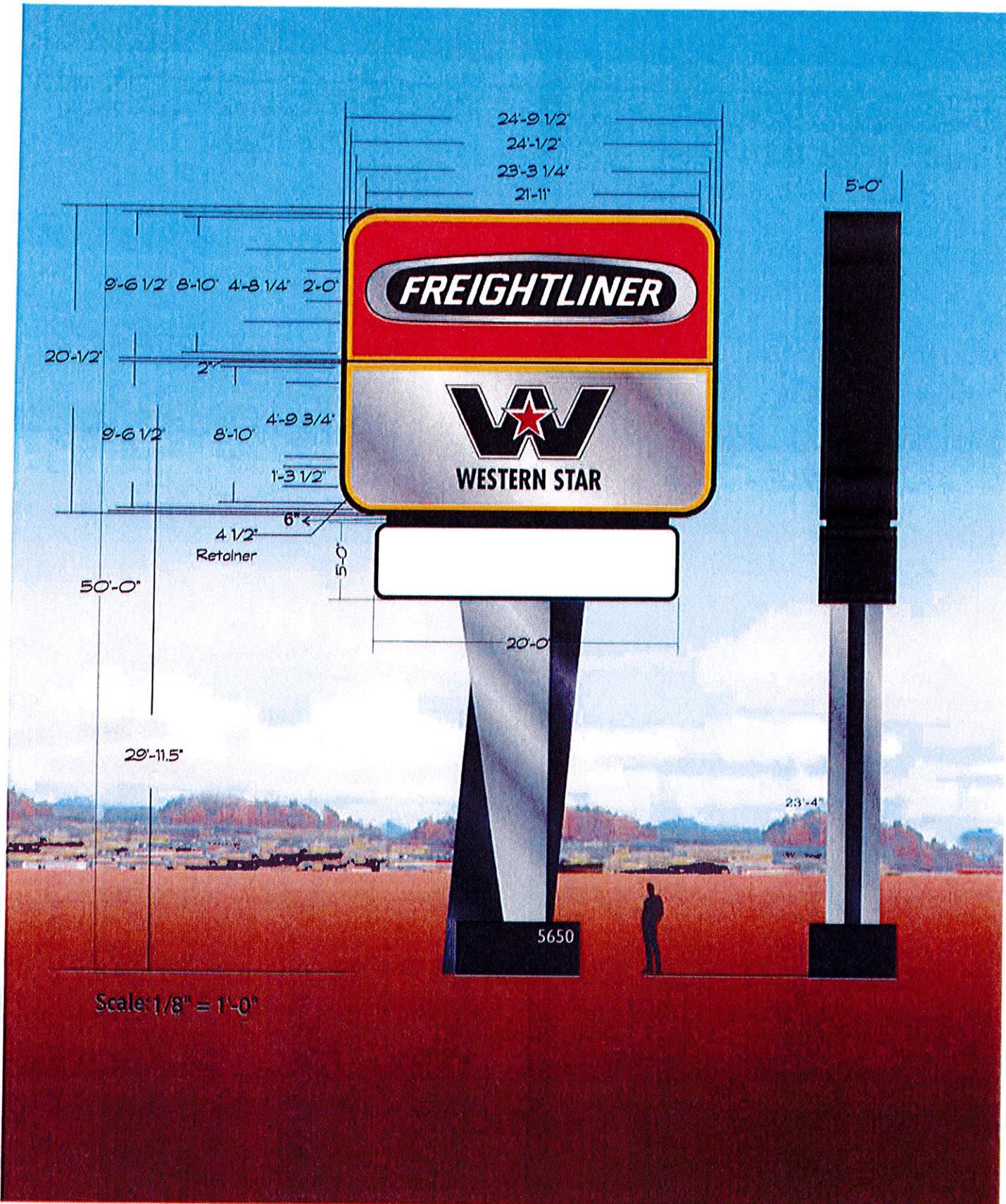
9-19-14

**FREIGHTLINER**

TUCSON, AZ



Identity Sign  
S I G N I N C.  
Scott Melhoff  
10027 N. 12th Street  
Phoenix, AZ 85020  
(Phone) 602.278.9268  
(Cell) 602.751.0706  
Email: scott@identitysign.net



CLIENT: Freight Liner	DESIGNER: TW	DATE: 3/3/14	SCALE: 600 drawing	PROJECT: 133	DATE: 3/3/14
ADDRESS: Tucson, AZ	DESIGN # 14-1717	SCALE: 600 drawing	PROJECT: 133	DATE: 3/3/14	
SALESMAN: Scott					
ADDRESS: 15017 N. 15th Street Phoenix, AZ 85020					
TEL: 602 955 8888					
FAX: 602 955 8888					
WEBSITE: www.isg.com					

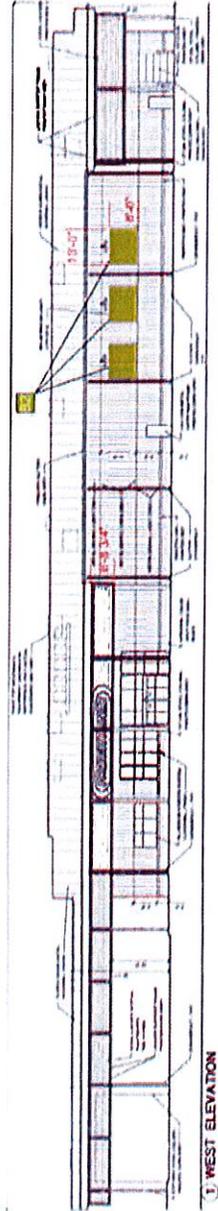
CUSTOMER: \_\_\_\_\_

LAND LORD: \_\_\_\_\_

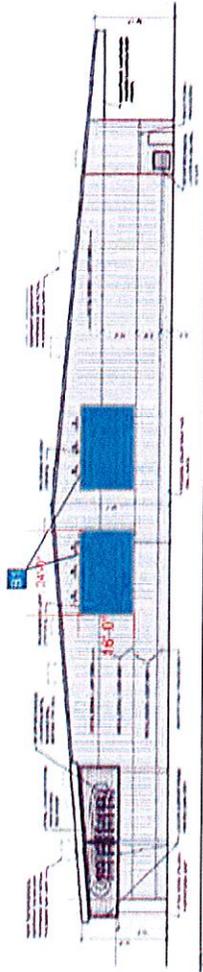




SIGN TYPES	
BUILDING SIGNS	
<b>B1</b>	Billboards - type 1
<b>B2</b>	Billboards - type 2



1 WEST ELEVATION



2 SOUTH ELEVATION

Scale: 1/32" = 1'-0"

CLIENT: Freightliner ADDRESS: 1000 N. 10th Street, Phoenix, AZ 85006 PHONE: (602) 998-1111 FAX: (602) 998-1112 EMAIL: info@identitysign.com WEBSITE: www.identitysign.com	DATE: 02/14/14 DRAWING NO.: 14-1717 SCALE: 1/32" = 1'-0" PROJECT: Freightliner DESIGNER: [Redacted] CHECKER: [Redacted]
LANDLORD: [Redacted] CUSTOMER: [Redacted]	APPROVED BY: [Redacted] DATE: [Redacted]

**SIGN TYPES**

**BUILDING SIGNS**

- B1** Billboards - Type 1
- B2** Billboards - Type 2
- PS** Pylon Sign

