



MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

DATE: December 27, 2013

TO: BOARD OF ADJUSTMENT District #1

FROM: Tom Drzazgowski – Deputy Chief Zoning Inspector

SUBJECT: **Co10(1)13-13 J FOOTHILLS LLC – NORTH LA CHOLLA BL.**
Scheduled for public hearing on January 6, 2013.

LOCATION:

The subject site is located in the Foothill's Mall which is location northwest of the intersection of Ina Rd. and La Cholla Bl. The Foothill's Mall property is zoned a combination of CB-1 (Local Business) and CB-2 (General Business).

SURROUNDING ZONING / LAND USES:

North -	TR	Business
North -	CB-1	Business
West -	CR-5	Residential
West -	TR	Residential
South -	CB-1	Business
East -	CB-1	Business
East -	TR	Business

PUBLIC COMMENT:

To date *no public comment* has been received on this case.

PREVIOUS CASES ON PROPERTY:

This property is part of the Foothill's Mall. There have been numerous variance requests for this complex over the years. In addition, many of the requests have dealt with relief from the sign code requirements. It should also be stated that the Board has approved a numerous number of these requests. Some of the requests that have been approved by the Board of Adjustments for signs involve the movie marquee and other freestanding signs, signs for businesses on the building walls of the mall and on satellite pads and the food court sign at the entrance to the mall. Not all the requests for variances at the mall have been approved. One recent request was to increase the allowable main wall identification signage allowed for the Wal-mart located at the northern end the site. This request was heard by the Board in 2012 and the request was denied.

REQUEST:

The applicant requests the following variance:

- 1. To increase the maximum area allowed for interior tenant signage from 16 square feet per sign to 145 square feet per sign.**

TRANSPORTATION AND FLOOD CONTROL REPORT:

The Department of Transportation and the Flood Control District will not review this project. These requests involve signs that are located on a building wall. Neither department's requirements will be affected by the request.

BACKGROUND:

The subject site is the Foothills Mall located in northwest Tucson. The mall and surrounding area can be classified as commercial in nature. The mall is bound by two major roadways to the south and east side. Ina Rd. runs to the south of the mall and La Cholla Bl. is to the east. The location of the variance request is on the east side of the mall to the north of the Barnes and Noble bookstore. These signs are proposing to replace two existing signs that are located on the north and east sides of the business. The original signs were permitted in 2003 when Famous Footwear occupied the space.

The applicant provided a justification letter for granting the approval of the variance request. In the letter the applicant states "I am requesting the variance to replace the existing Famous Footwear exterior elevation signs at the Foothills Mall, 7401 N. La Cholla Boulevard, with new updated signs with square footages less than that of the existing signs." The applicant has further provided an email which refines the square footage calculation which shows the north elevation square footage at 92.94 and the east elevation square footage at 76.69.

RECOMMENDATION:

Staff has **NO OBJECTION** to the variance requests. It appears that some of the standards listed below are being met.

The signs proposed appear to be smaller in size and have less of an impact on surrounding businesses. The applicant has provided additional information which shows the square footage of the signs are less than the existing signs which were permitted. The reason that a variance was submitted is because the exterior access to the building that permitted larger signage has been closed and only used as an emergency access point. This change greatly restricts the type and size of signage permitted on a building. If the exterior access point was restored the signage proposed would easily fall under the restrictions of the code and would be permitted without a variance being required. In staff's review if the exterior access point was restored approximately 140 square feet of signage would be permitted on the northern side of the building and 120 square feet would be permitted on the eastern side.

To date no public comment has been received. Since no public comment has been received it appears that neighboring property owners will not be adversely affected by the request. These signs are located on the east side of the mall. Businesses located on the east side of the mall do not abut neighboring residential properties.

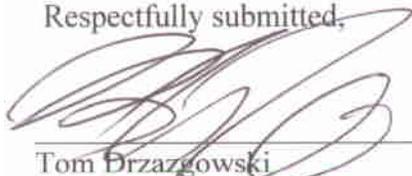
Staff recommends that the Board of Adjustment add the following condition should the Board decide to approve the request:

“The signage shall not exceed 92.24 square feet on the northern side of the building and 76.69 square feet on the eastern side of the building.”

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

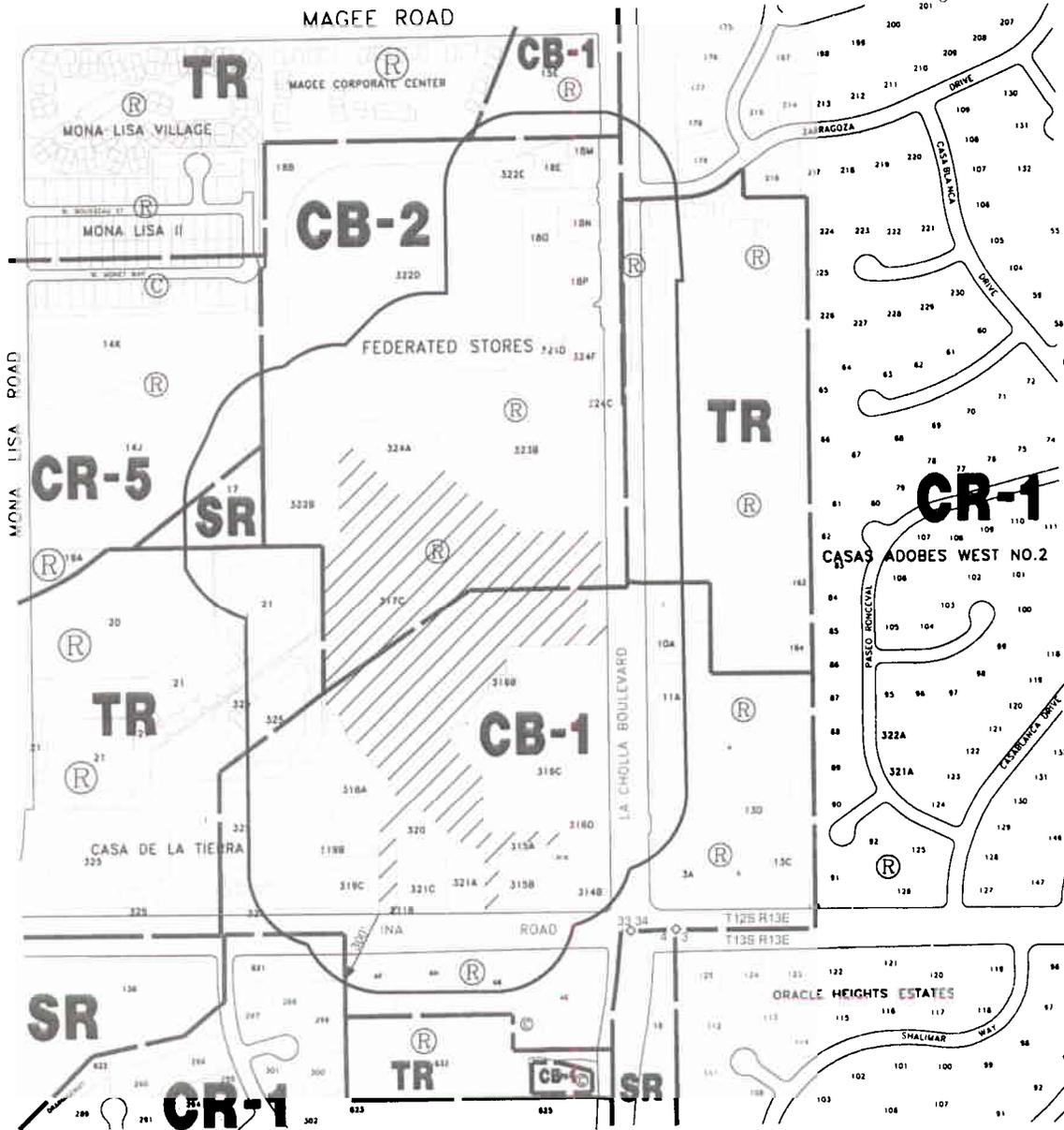
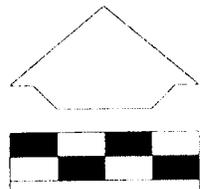
1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;
3. The unnecessary hardship does not arise from a condition 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.

Respectfully submitted,



Tom Drzazgowski
Deputy Chief Zoning Inspector

Co10(1)13-13 J FOOTHILLS LLC – NORTH LA CHOLLA BL. Anchor Sign Inc., for the property owner, J Foothills LLC, on the property located at 7401 N. La Cholla Bl., in the CB-1 zone, requests a variance to increase the maximum area allowed for interior tenant signage from 16 square feet per sign to 145 square feet per sign. Section 18.79.110E13 of the Pima County Zoning Code allows 16 square feet per interior tenant sign.



Petition area

Notification area

BASE MAP

Notes _____

Tax codes 200-113-4

Date 12/2/2017
 Drafter _____

File no. 17-000000000-0000
17-000000000-0000

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION

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N



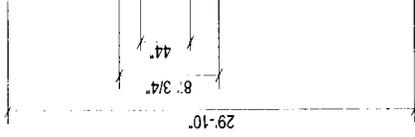
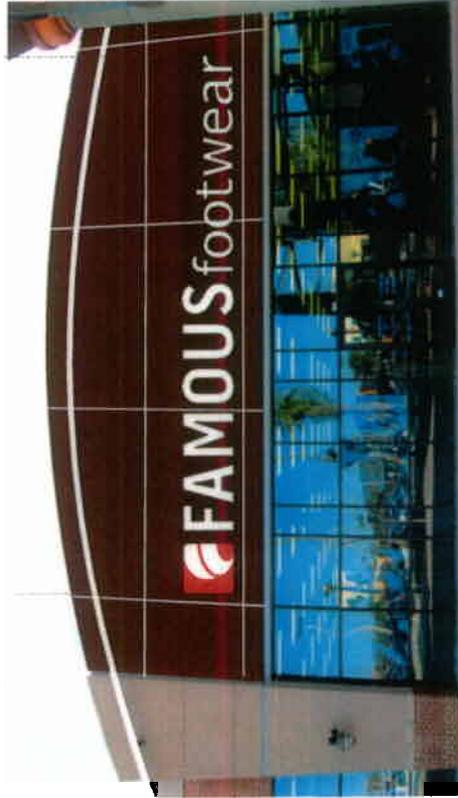


Location of proposed signs. Replaces existing signs.



SIGN A	44" Famous Footwear
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	144.78
To Grade:	Top of Sign To Grade = 20'-1 1/2" Bottom of Sign To Grade = 16'-5 1/2"

Existing



Notes:

- Facade to be painted to match BM 2099-10 Dark Brown

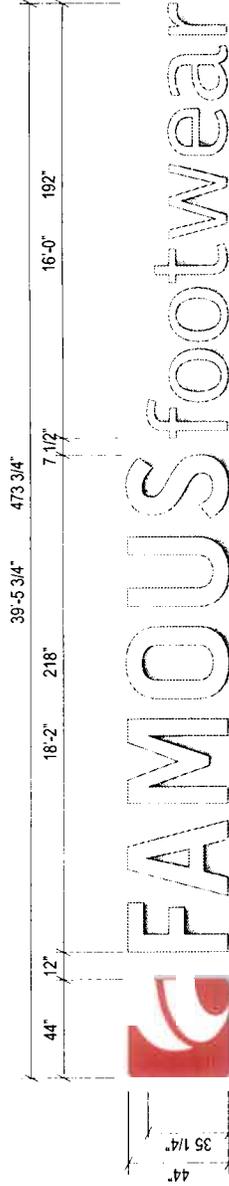
Front Exterior Elevation (North)

Scale: 3/32" = 1'-0"

Actual Square Footage this Elevation: 144.78

	Client: Famous Footwear Site #: FF-2338 Address: 7401 North La Cholla Boulevard, Suite 1 Tucson, AZ 85741 Foothills Mall	11/22/2013 Original Rendering	SD
	REVISION INFO		
<p><small>This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of the client and is not to be reproduced, modified, or distributed without the prior written consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.</small></p>			

SIGN A	4-F Famous Footwear
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Sign Footage:	144.76
To Grade:	Top of Sign To Grade = 20'-1 1/2" Bottom of Sign To Grade = 16'-5 1/2"



Sign Layout Detail

Scale: 3/16" = 1'-0"

Electrical Detail:

White LEDs
(11) 60w Transformer
Total Amps: 3.35
(1) 20 amp 120V Circuit Req.

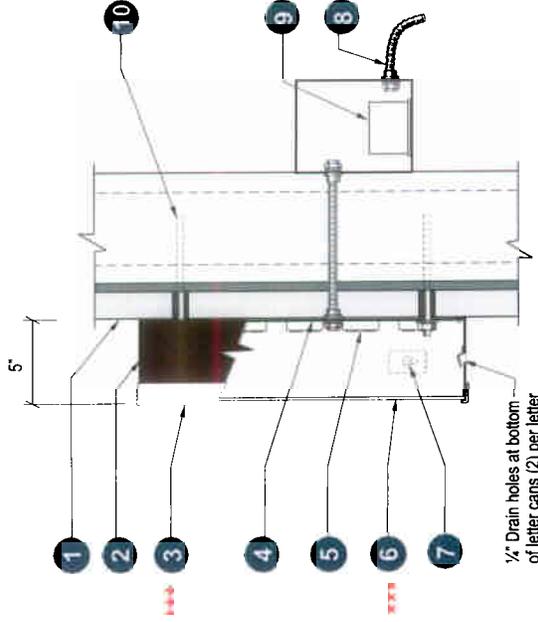


General Notes:

This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.
 1) Grounded and bonded per NEC 600.7/NEC 250
 2) Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
 3) Sign is to be UL listed per NEC 600.3
 4) UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer*
 *For multiple signs, a disconnect is permitted but not required for each section

Specifications:

- Existing Facade: EIFS/Plywood/Metal Studs
- .040 Aluminum letter returns painted to match BM 2099-10 Brown
- 0.125" x 1" trim caps, White for letters LOGO: Painted to match PMS 187C Red.
- 3mm Signabond Lite composite backs (interior of sign can painted white for maximum illumination)
- JT 1.1 White LED
- Letters: White acrylic faces
LOGO: White acrylic face with applied Red 3M#3630-83 vinyl
- Waterproof disconnect switch per NEC 600-6
- Primary electrical feed
- Transformers
- Mounting hardware to suit



Section @ LED Channel Letter

Scale: N.T.S

	Client: Famous Footwear	11/22/2013	Original Rendering	SD
	Site #: FF-2339	REVISION INFO		
Address: 7401 North La Cholla Boulevard, Suite 1				
Tucson, AZ 85741				
Foothills Mall				

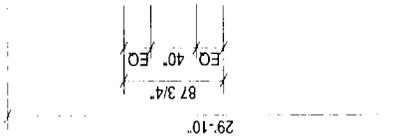
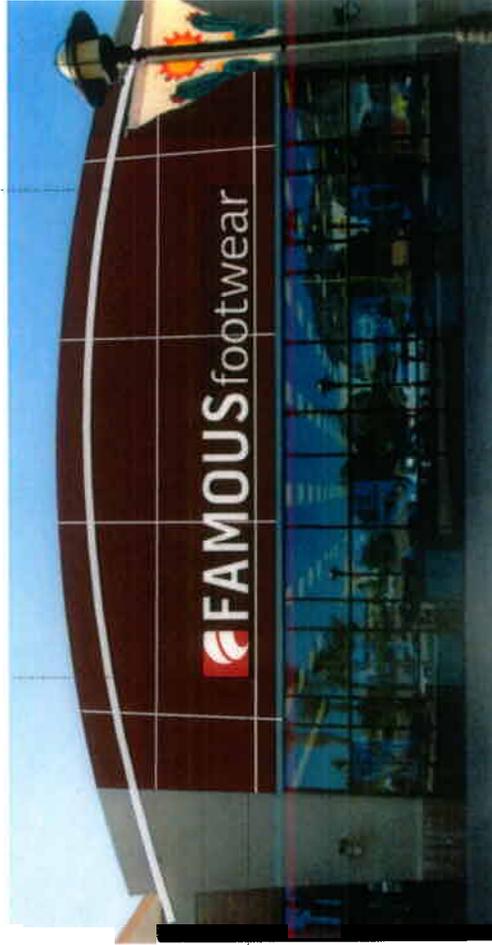
AnchorSign
 1.800.213.3331

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SIGN B	40" Famous Footwear
Sign Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	119.58
To Grade:	Top of Sign To Grade = 19'-3 1/2" Bottom of Sign To Grade = 15'-11 1/2"



Existing



Notes:
 - Facade to be painted to match BM 2099-10 Dark Brown

Left Exterior Elevation (East)
 Scale: 3/32" = 1'-0"

Actual Square Footage this Elevation: 119.58

	Client: Famous Footwear	11/22/2013	Original Rendering	SD
	Site #: FF-2339	REVISION INFO		
Address: 7401 North La Cholla Boulevard, Suite 1 Tucson, AZ 85741 Foothills Mall				
<p><small>This rendering is the property of Anchor Sign, Inc. and the party which requested the rendering. It is an informational original drawing not to be used for construction without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.</small></p>				
1-800-213-3331				



Pima County Development Services – Planning Division

Variance Application

Revised 11/2007

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

Property Owner: **J Foothills, LLC** Phone: **(520) 742-7191**

Owner's Mailing Address: **P.O. Box 24550** City: **Columbus, OH**
Zip: **43224**

Authorized Representative: **Anchor Sign, Inc. (Brad Frazier)** Phone: **(843) 576-3287**

Rep's Mailing Address: **2200 Discher Avenue** City: **Charleston, SC** Zip: **29405**

Property Address: **7401 North La Cholla Boulevard, Suite 1** City: **Tucson, AZ** Zip: **85741**

Tax Code Number(s): **225 - 44 - 317C** Zone: _____

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

Owner or Applicant's Email Address: **bfrazier@anchorsign.com**

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:  Date: **11/21/2013**

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

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

Case Title: J Foothills LLC - N. La Cholla Bl Co10() B - B
OWNER'S NAME – STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) 18.79.110E13 of the Pima County Zoning Code which requires increase sign area

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY  DATE 12/03/13



November 21, 2013

Dear Members of the Board of Adjustment,

I am requesting a variance to replace the existing Famous Footwear exterior elevation signs at the Foothills Mall, 7401 North La Cholla Boulevard, with new updated signs with square footages less than that of the existing signs. The existing signs were permitted at the time of application, because the exterior entrance was in use, in addition to their interior mall corridor entrance. Due to safety and security reasons, the exterior entrance has been deemed an emergency exit only. The current signs are outdated and in need of replacement. If the replacement of signs was not to be granted, it would be detrimental to the store as these signs have served as exposure for the tenant for over 10 years now. The removal and non-replacement would suggest the business has closed and could hurt the success of the business. This variance would not cause detriment to or adversely affect the surrounding property owners and residents, as these signs have never been deemed a nuisance or out of harmony with the general intent and purpose of the code.

Thank you for your consideration in this request.

A handwritten signature in black ink, appearing to read "Brad Frazier", with a long horizontal flourish extending to the right.

Brad Frazier
2200 Discher Street
Charleston, SC 29405

P.O. Box 22737 · Charleston, SC 29413
Charleston 843.747.5901 · Toll Free 1.800.213.3331 · Fax 843.747.5907
www.AnchorSign.com

Thomas Drzazgowski

From: Brad Frazier <bfrazier@anchorsign.com>
Sent: Tuesday, December 24, 2013 8:32 AM
To: Thomas Drzazgowski
Subject: RE: Famous Footwear Variance

Follow Up Flag: Follow up
Flag Status: Flagged

Tom,

Both Existing signs area is 145.25 square feet.

The New North elevation sign area by calculating individual letter area is: **92.94 square feet**

The New East elevation sign area by calculating individual letter area is: **76.69 square feet**

Please confirm receipt and let me know if you need anything else.

Thank you,

Brad Frazier | Team Leader | [Anchor Sign, Inc.](#)
(P) 843.576.3287 | (F) 843.576.7284 | (C) 843.693.2402 bfrazier@anchorsign.com | www.anchorsign.com

From: Thomas Drzazgowski [mailto:Thomas.Drzazgowski@pima.gov]
Sent: Monday, December 23, 2013 6:25 PM
To: Brad Frazier
Subject: Famous Footwear Variance

Brad,

I am review the variance and starting on my staff report. It looks like the existing signs were permitted at 104 square feet. The new signs are around 145 and 120 square feet. This is substantially larger square footage then the existing signs. Is there some reason for this. It seems that the signs look similar in the pictures and supporting documentation provided. The reason I ask is that it is hard for me to recommend approval when the signs are larger. Can you provide any additional information.

Tom Drzazgowski
Deputy Chief Zoning Inspector
Pima County Development Services
(520)724-6675