



PIMA COUNTY

DEVELOPMENT SERVICES

MEMORANDUM

DATE: June 19, 2014
TO: BOARD OF ADJUSTMENT, District 1
FROM: Terrill L. Tillman, Assistant Executive Secretary
SUBJECT: **Co10(1)14-02 PACIFIC INCOME PROPERTIES, LLC**
Scheduled for public hearing on July 7, 2014

LOCATION:

The subject property is located at the southeast corner of Thornydale Road and Hardy Road. The property is zoned CB-1 (Local Business) zone.

SURROUNDING ZONING / LAND USES:

North	CR-3	Developed Residential
South	CR-5	Developed Residential
East	CR-5	Developed Residential
West	SR	Tucson Audobon Society Nature Preserve/Vacant

PUBLIC COMMENT:

To date, no public comments have been received.

PREVIOUS CASES ON PROPERTY:

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

REQUEST:

The applicant requests the following variances:

1. **To reduce the front yard setback to 0 feet for a freestanding identification development complex sign.** Section 18.79.110.E of the Pima County Zoning Code requires a minimum front yard setback of 10 feet.
2. **To increase the maximum height of a freestanding identification development complex sign to 10 feet.** Section 18.79.110.E of the Pima County Zoning Code allows a maximum height of 8 feet.

TRANSPORTATION AND FLOOD CONTROL REPORT:

Transportation and Flood Control will review this proposed sign at the time of permitting. It should be noted that staff's recommendation includes a suggested condition for the sign to be located outside of the sight visibility triangle.

BACKGROUND:

The subject property is approximately 5.73 acres and zoned CB-1. The subject property was rezoned (Co9-92-7) in 1992 from the SR (Suburban Ranch) zone to the CB-1 (Local Business)

zone. A Development Plan (P1200-014) for the Sunnyvale Plaza was approved in 2000. The project was built out in conformance with the approved development plan with permits beginning in 2002 and continuing for a period of five years. The center contains predominantly professional office uses which include architects, general medical, and dentistry.

These variance requests address the proposed *freestanding development complex identification sign* to be located at the northernmost driveway of the Sunnyvale Plaza adjacent to Thornydale Road. The Pima County Zoning Code allows for freestanding development complex identification signs when a business has a frontage greater than 500 feet. The signs may not exceed 50 square feet and have a maximum height of 8 feet with a 10 foot front and side yard setback. There are two permitted, existing freestanding development complex identification signs at each entry way adjacent to Thornydale Road, and one permitted, existing freestanding identification sign located at the northeast corner entry to the development adjacent to Hardy Road. If the variance is approved, the applicant will remove and replace the sign at the northernmost driveway entrance along Thornydale Road.

The Sunnyvale Plaza contains a variety of much needed services in the local area which are predominantly professional office uses to include architects, general medical, and dentistry. The center abuts Thornydale Road, designated as a major street and scenic route with a planned right-of-way width of 150 feet. The Sunnyvale Plaza dedicated 45 feet of right-of-way with the development plan for Thornydale Road. The existing edge of pavement is 45 feet from the property boundary where the proposed sign will be located. The existing sign to be replaced is setback 10 feet from the property boundary. As such, the sign is difficult to see until a driver is upon the location of the driveway creating hazardous driving conditions to access the site. (See attached aerial photo). The requested variances serve to properly notify users of the availability of services at the Sunnyvale Plaza. One physical therapy tenant has stated that new patients have been late or missed appointments because the existing sign is not easily visible from Thornydale Road and has received many patient complaints.

Staff supports these requests due to the need to clearly identify the provision of services to vehicles traveling along the major corridor. The reduced setback and increase in height allows visibility for co-located businesses to have adequate exposure of services offered at the site.

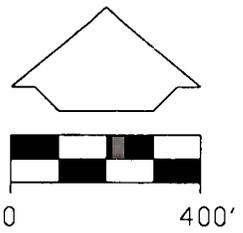
RECOMMENDATION:

Staff recommends **APPROVAL WITH A CONDITION** of variance requests 1 and 2. The reduction in the front yard setback and the increased height for the *proposed freestanding development complex identification sign* does not allow a use which is not permitted in the zone by the Code and appears to be the minimum to afford relief. Staff recommends the addition of the following condition:

1. The sign may not be located within the roadway sight visibility triangle unless approved by the Department of Transportation. Future road widening improvements may change the location of the sight visibility triangle. If the location of the sign becomes non-compliant with the sight visibility triangle, it shall be removed.

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

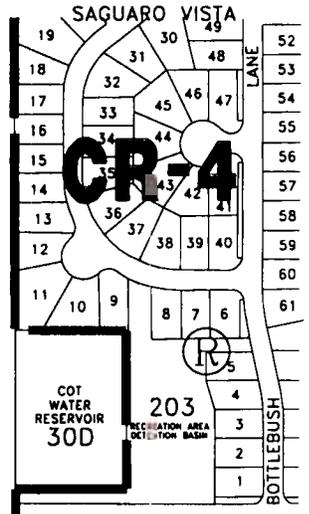
1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;
3. The unnecessary hardship does not arise from a condition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



PIMA COUNTY
22

29C

SR



T12S R13E
HARDY ROAD

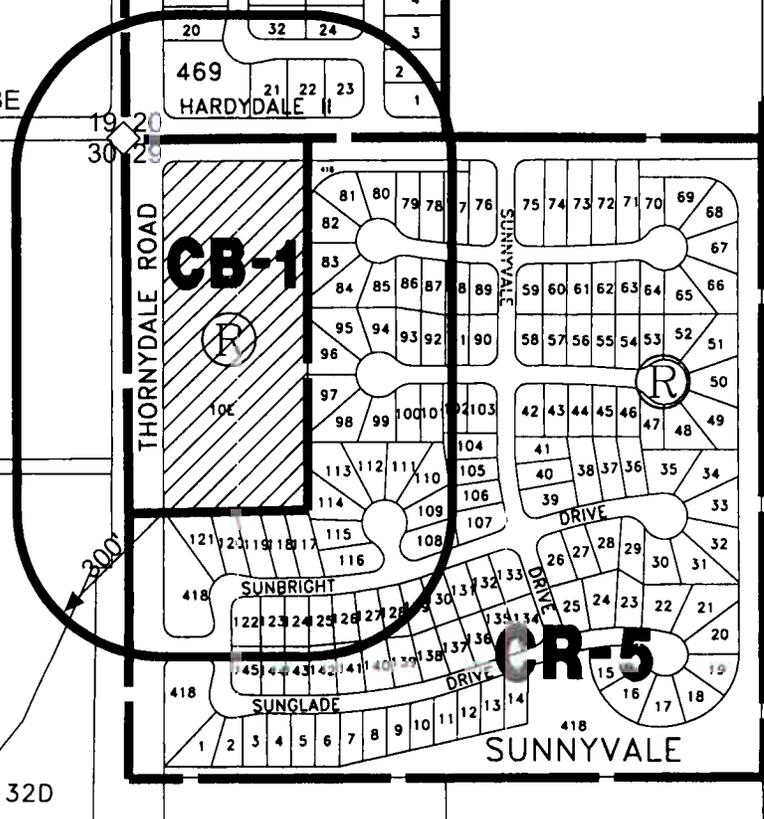


33

34G

32A

SR



9D

SR

32D

Petition area

Notification area

BASE MAP 14-161

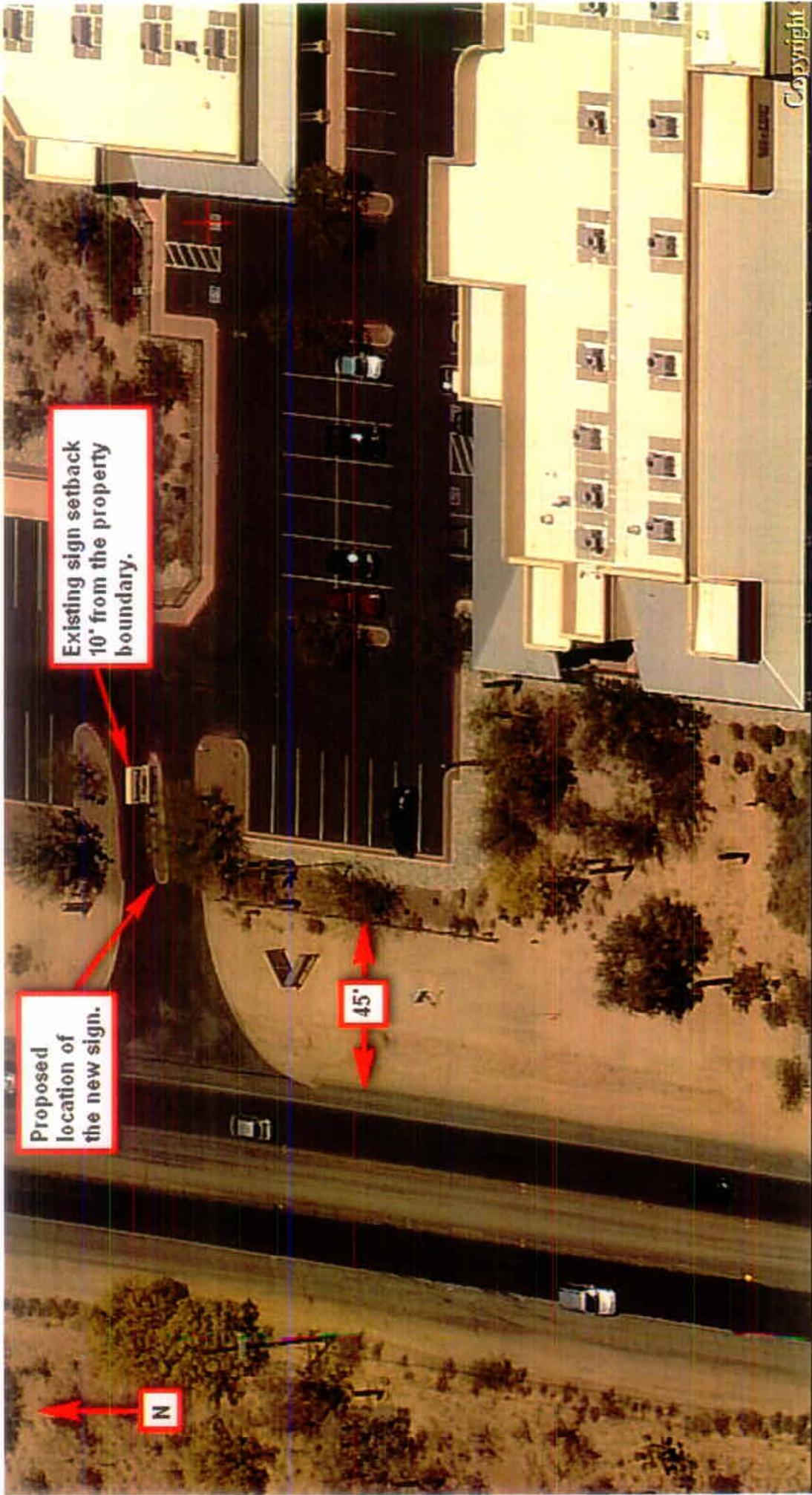
Notes REF: C09-92-07

Tax codes 225-29-010E

Date 05/26/14
Drafter DS

File no. C010(1)14-02
PACIFIC INCOME PROPERTIES LLC
NORTH THORNYDALE ROAD

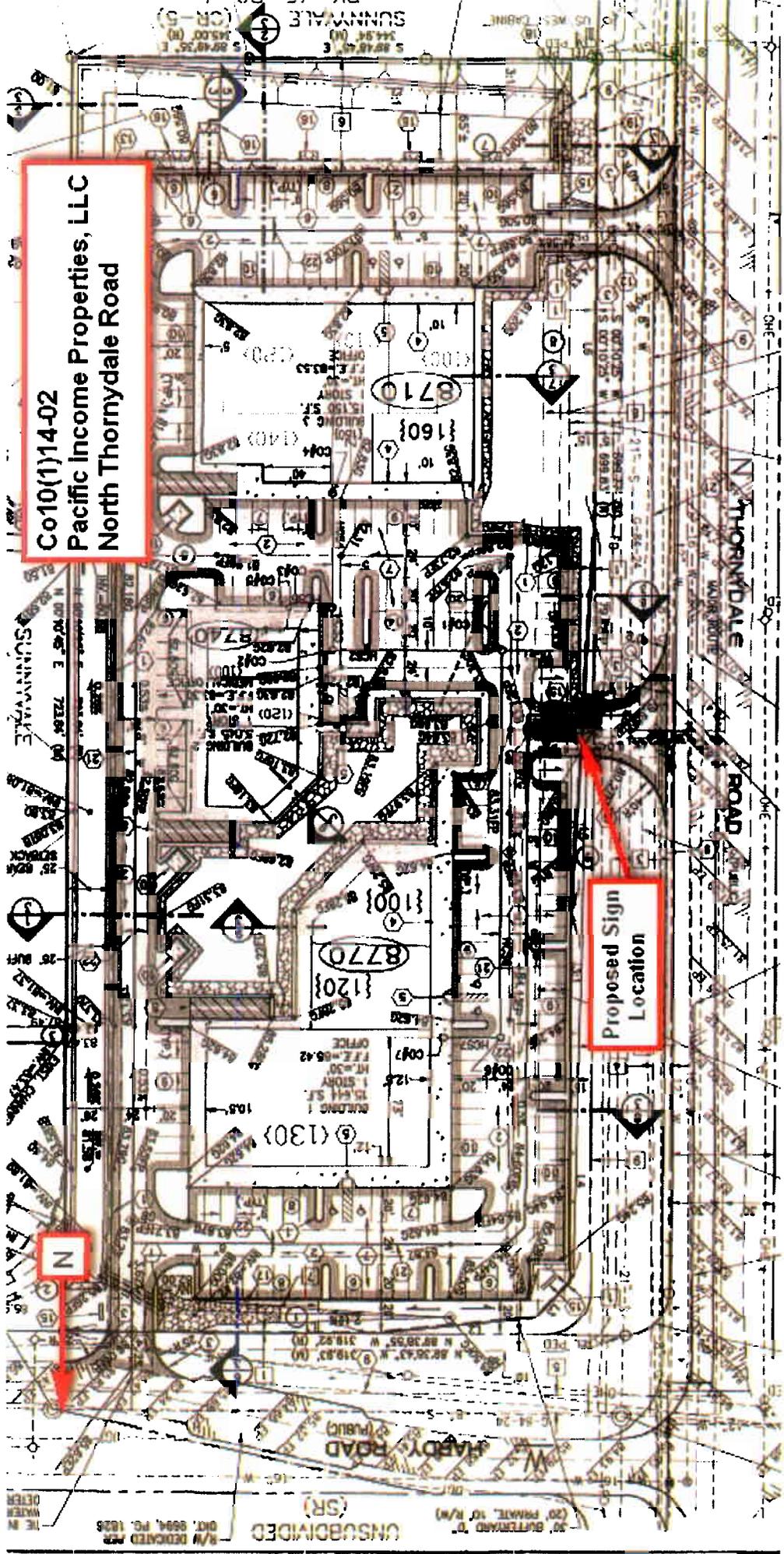
PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

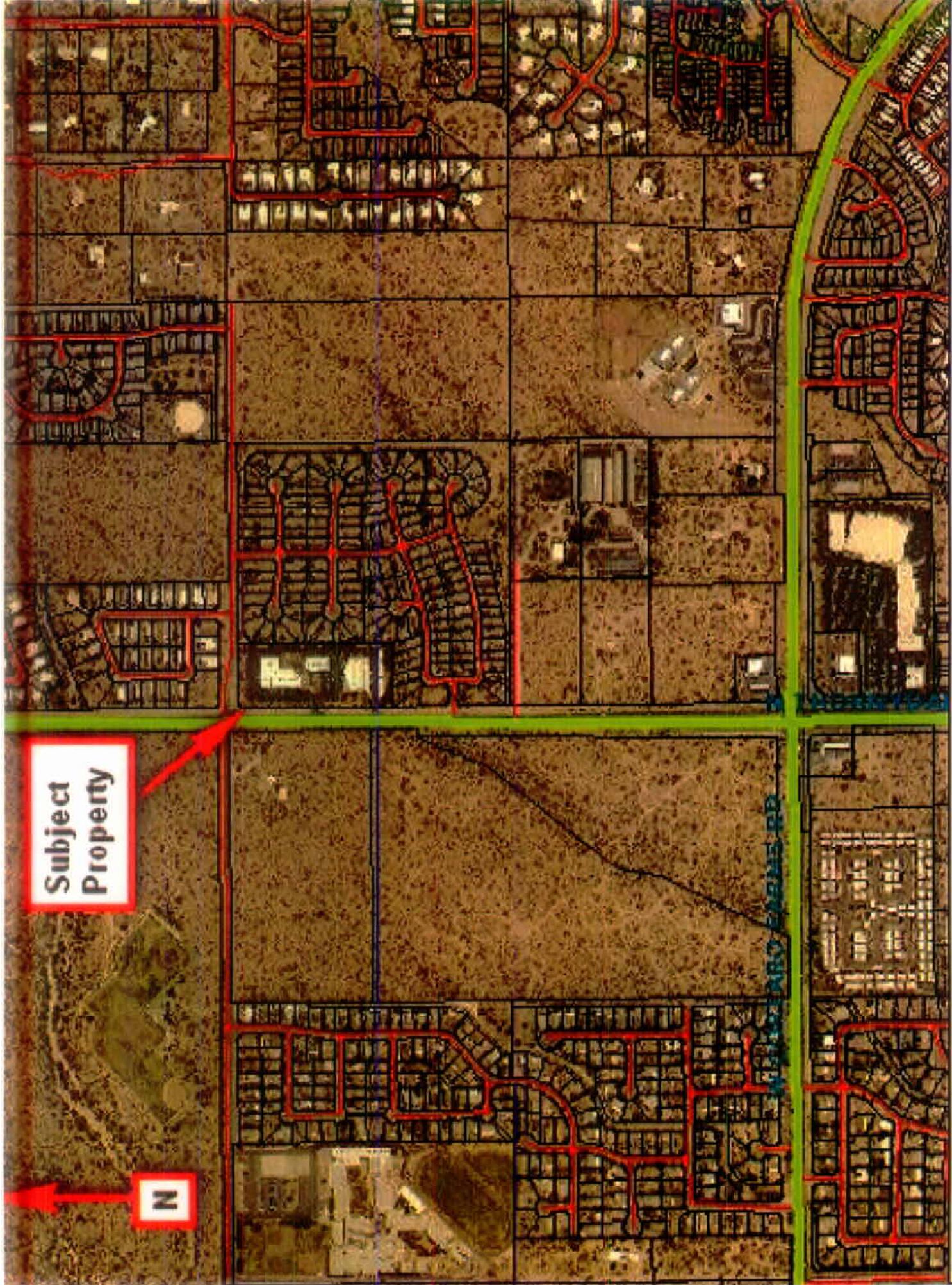


Co(10)14-02 Pacific Income Properties, LLC - North Thornydale Road

Co10(1)14-02
Pacific Income Properties, LLC
North Thornydale Road

Proposed Sign
Location





Subject
Property

N

**VARIANCE
SUNNYVALE PLAZA
8750 N. THORNYDALE ROAD**

REQUEST

1. TO ALLOW A FREESTANDING SIGN TO HAVE A 0' SETBACK FROM PROPERTY LINE.

INDEX	
1	COVER PAGE
2	SIGN INFO
3	SITE PLAN
4	STREET VIEW
5	VISUAL IMPACT INFO

VARIANCE COPY

FILE NAME: 5077[PRO]SUNNYVALE PLAZA[MONUMENT]
JOB NAME: RED POINT DEVELOPMENT
JOB ADDRESS: 8750 N. THORNYDALE RD.
CITY: TUCSON
SUITE: N/A
ZIP: 85742

ACCEPT DATE: _____ BUYER SIGNATURE: _____ ADDISONS: _____ SHOP APPROVAL 1: _____ SHOP APPROVAL 2: _____

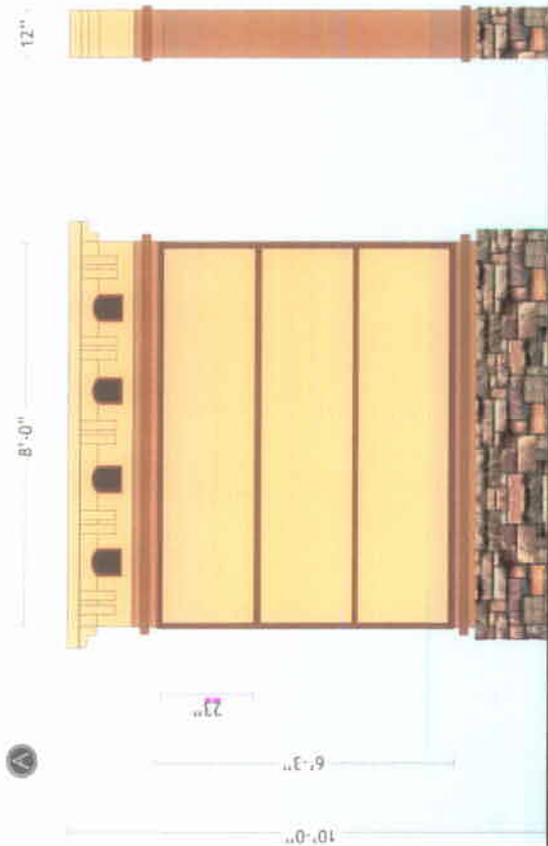


3808 E. 38TH STREET
TUCSON, ARIZONA 85713
520.748.1540
520.571.9120 Fax

SIGN INFO

SCALE 3/8"=1'-0"

SIDE VIEW



FABRICATE AND INSTALL ONE (1) ILLUMINATED DOUBLE FACE MONUMENT SIGN.

SIGNS TO BE 12" DEEP ALL ALUMINUM EXTRUSION CONSTRUCTION WITH A STUCCO & PAINTED FINISH. 1.5" RETAINERS AND DIVIDER BARS.
FACES: TO BE 3/16" WHITE UV TREATED LEXAN WITH HIGH PERFORMANCE VINYL APPLIED FIRST SURFACE.
POLE COVER: TO BE ALUMINUM CONSTRUCTION WITH A STUCCO & PAINTED FINISH.
LIGHTING: TO BE INTERNALLY ILLUMINATED WITH HIGH-OUTPUT FLUORESCENT LAMPS.

SUBJECT TO CODE AND LANDLORD APPROVAL. CUSTOMER TO PROVIDE LABELED, DEDICATED CIRCUIT(S) THAT MEETS CODE REQUIREMENTS TO THE SIGN LOCATION. IF CUSTOMER NEEDS PHOTO CELLS OR TIME CLOCKS PLEASE REQUEST FROM ADDISIGNS THAT THESE ITEMS BE ADDED TO YOUR ORDER.

*PHOTOS REQUIRED UPON COMPLETION OF INSTALLATION.

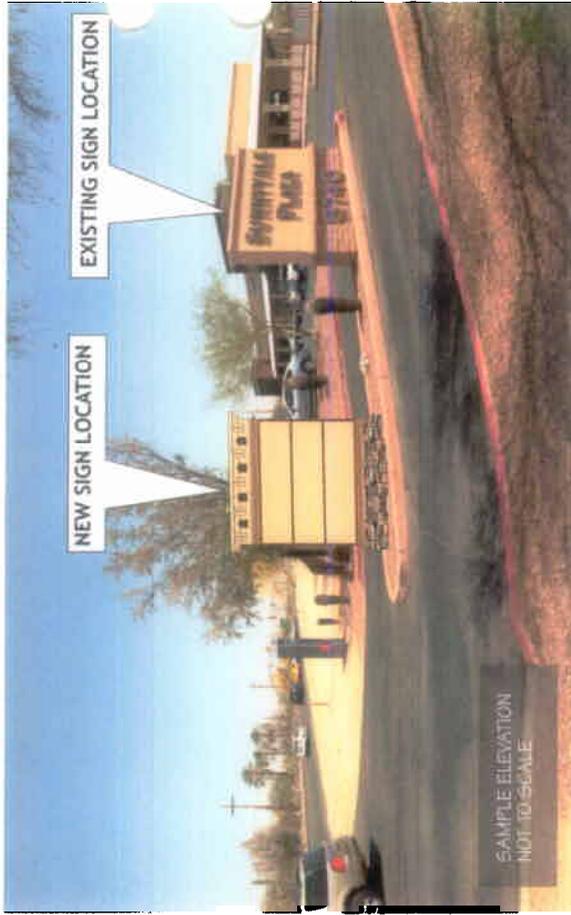
* THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND THE BONDING OF THE SIGN AND CURRENT ILL STANDARDS.

FILE NAME:	5072[PRO]SUNNYVALE PLAZA(MONUMENT)
JOB NAME:	RED POINT DEVELOPMENT
JOB ADDRESS:	8750 N. THORNYDALE RD.
CITY:	TUCSON
SUITE:	N/A
ZIP:	85742

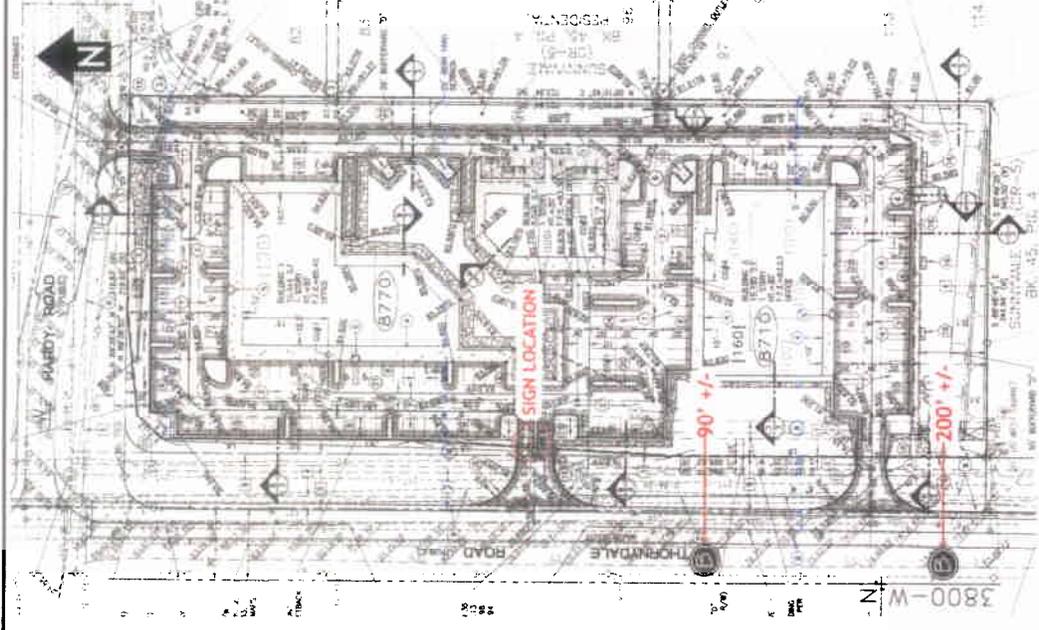
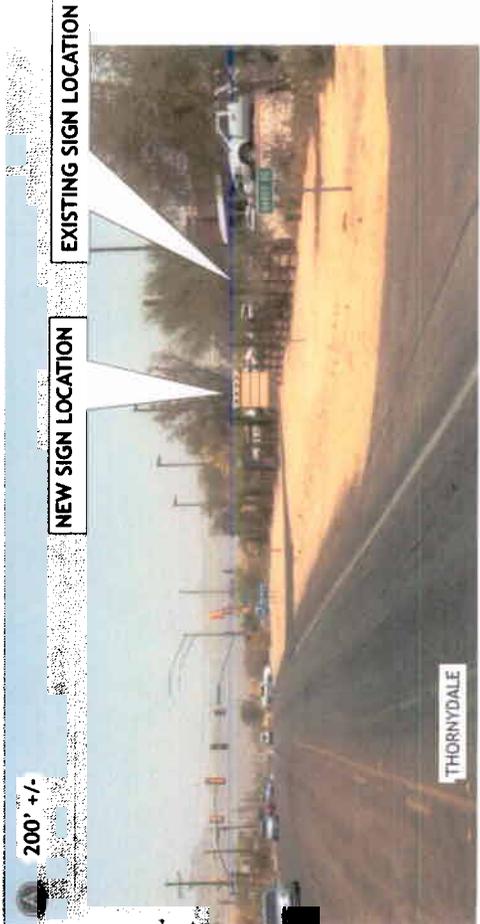
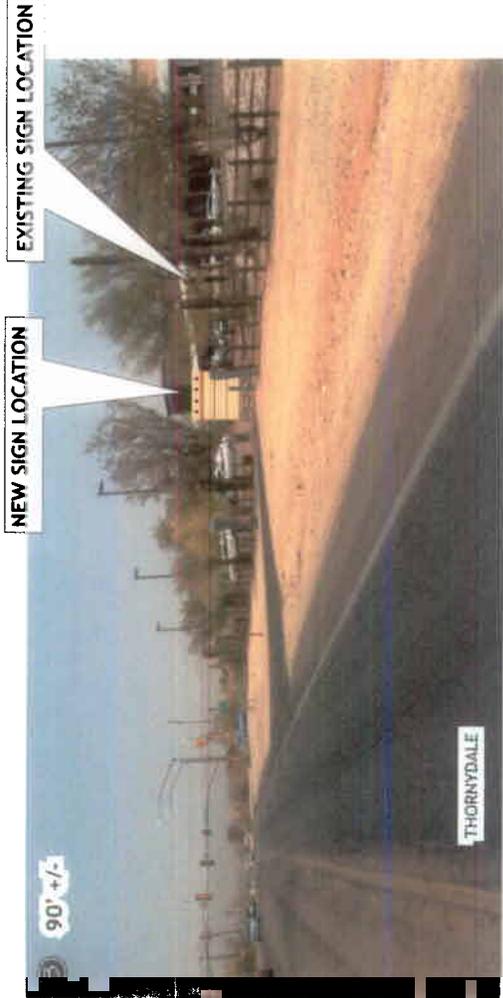
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ACCEPT DATE: _____ BUYER SIGNATURE: _____ ADDISIGNS: _____ SHOP APPROVAL 1: _____ SHOP APPROVAL 2: _____

VARIANCE COPY



STREET VIEW



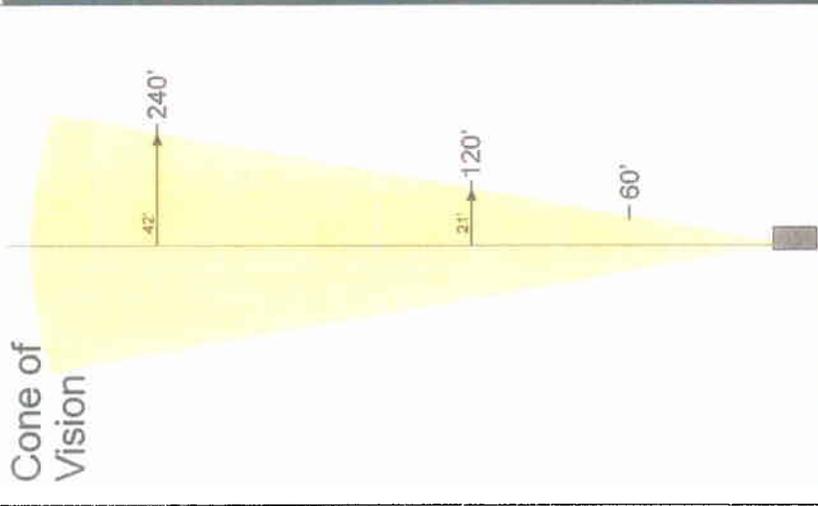
FILE NAME: 5072[PROJSUNNYVALE PLAZA(MONUMENT)]
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 ACCEPT DATE: _____ BUYER SIGNATURE: _____ ADDSIGNS: _____ SHOP APPROVAL 1: _____ SHOP APPROVAL 2: _____

VISUAL IMPACT INFORMATION



Studies have revealed that a drivers primary view while driving is focused in a 20 degree "Cone of Vision".

Duration of Readability (sec.)

	Letter Size		
	4"	6"	8"
25	5.5	8.2	10.9
35	3.9	5.8	7.8
45	3.0	4.5	6.1
55	2.5	3.7	5.0
65	2.1	3.1	4.5

M.P.H.

Optimum Readability is 5 seconds

Distance (Ft.)

Maximum Viewability	Maximum Impact	Letter Height
350	80	8"
450	100	10"
525	120	12"
630	150	15"
750	180	18"
1000	240	24"

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Sunnyvale Plaza variance request 5-8-14

Sunnyvale Plaza represented by Addisigns, on property 8750 N. Thornydale Rd., requests a variances to allow a freestanding sign a zero feet setback from property line.

- Variance request for zero setback from property line will help visibility of the sign for patrons to identify the plaza. With the required 10 foot setback the landscape of the property will block a lot of visibility. The extra 10 feet would make the sign visible from Thornydale road. The sign would already be 45 plus feet away from the Thornydale road with the zero setback from property line.



May 14, 2014

To The Board of Adjustment District 1, Board Members:

Thank you for your time and consideration. We are writing this letter regarding the issue of signage for ProActive Physical Therapy, located at the intersection of N Thornydale Rd and W Hardy Rd, in the Sunnyvale Plaza.

The poor visibility at our location is a problem that, with your help, we are hoping to fix for the benefit of our patients and our office. Sunnyvale Plaza is set far back from the road, and its position as, well as not having any signage, has put us at a disadvantage. As a physical therapy facility, many of our patients are referred by their doctor and coming to our office for the first time. Our patients have let us know on many occasions that they could not find our facility, and it has led to late and missed appointments.

We're asking our landlord, RedPoint Development, to improve this situation by building a tenant sign. The current plaza sign at the entrance is not easily visible from the road, traveling in either direction. We're requesting that the sign be moved closer to Thornydale Rd to improve visibility. We anticipate this new sign would have a huge impact on our office and benefit our patients greatly. Thank you so much for reviewing our request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Zeilinger', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

Scott Zeilinger
Executive Director