



CITY OF TUCSON PLANNING & DEVELOPMENT SERVICES

**Sign Code Advisory & Appeals Board  
County-City Public Works Building  
201 N. Stone Avenue  
Basement Conference Room "C"  
Tucson, AZ 85701**

**\*\*\*CORRECTED  
NOTICE OF DECISION  
Case No. T15SA00006  
Mr. Carwash  
4941 N. Oracle Road**

<b><u>Public Hearing:</u></b>	February 11, 2015
<b><u>Board Members Present:</u></b>	Art Coppola, Michael Marks, Andrea Kennedy, Dan Santa Maria
<b><u>Board Members Absent:</u></b>	Mike Finkelstein, Jim Ayres,
<b><u>Staff Present:</u></b>	Stacy Stauffer, Andy Connor, Sue Montes, Glenn Moyer, Brian Wiese
<b><u>Owner:</u></b>	National Retail Properties LP
<b><u>Applicant:</u></b>	Burton & Associates Architects
<b><u>Speakers:</u></b>	Sarah Mendez, Richard Burton

Issue – This is an appeal of a Sign Code Administrator’s Determination (T15SA00002). The applicant is Burton & Associates Architects on behalf of National Retail Properties LP/Mister Carwash. The plans submitted in support of the request depict a 128 square foot illuminated sign cabinet on the north face of a wall perpendicular to the front of the building and Oracle Road. The Sign Code Administrator has determined the proposed sign is a prohibited roof sign.

Should the determination be upheld, the applicant is requesting approval of a special permit to allow the sign as an integrated architectural feature sign. The plans submitted in support of the request for the Sign Code Administrator’s determination also require two variances; 1) to allow an increase in allowed sign area for signage attached to the building and canopies, and 2) a variance for mounting a sign in a manner not compatible with SCZ district requirements.

Applicable Sign Code Regulations:

**Article V, Sec. 3-53. Prohibited signs enumerated.**

No person shall erect, alter, or relocate any sign of the type specified in this section, or of the types specified in sections 3-54 and 3-55.

...

G. *Roof signs:* Signs that are erected upon, against, or directly above a roof, or on top of or directly above the parapet of a building, except as allowed as a canopy sign per Sec. 3-59, or a historic landmark sign (HLS) per Sec. 3-71.

**Article IV, Section 3-42. Integrated architectural features.**

To encourage and promote a harmonious relationship between buildings and signs, the Sign Code Advisory and Appeals Board (SCAAB) is authorized to approve a special permit in accordance with Article XI of this sign code for signs that are designed into and constructed as part of an integrated architectural feature of a building where strict application of the provisions of this sign code would otherwise prohibit such signs.

**Article VI, Division 3, Sec. 3-83 Scenic corridor zone (SCZ) district.**

A. *Location:* The scenic corridor zone (SCZ) district includes any portion of property or parcels within four hundred (400) feet, measured in any direction, of the future right-of-way lines of a scenic route, as designated on the Major Streets and Routes (MS&R) Plan map. If any portion of a development is within the SCZ district, the entire development will be treated, for sign purposes only, as though it were entirely within the SCZ district.

B. *Maximum total attached sign area.*

1. For commercial or industrial uses: one and one-fourth (1.25) square feet per foot of building frontage with a minimum allowance of not less than twenty-five (25) square feet and a maximum of two hundred fifty (250) square feet per tenant. Signs must be oriented toward a scenic route, arterial street, collector street, or the interior of the premises.

**Mrs. Kennedy made a motion to uphold the Sign Code Administrator's Determination. The motion was seconded by Mr. Santa Maria. Mr. Coppola said that he objected to the motion, and the board discussed the motion. A roll call vote was taken and the motion passed with a 4-0 vote.**

**Mr. Coppola made a motion to approve a Special Permit to allow the sign as an integrated architectural feature sign, with the condition that the signage on the north face of the was align with the building on the south side of the wall it encloses. The motion was seconded by Mr. Santa Maria. The motion passed with a 4-0 vote.**

**The variance to increase the allowed sign area was withdrawn by the applicant during the hearing.**

**Mr. Santa Maria made a motion to approve the variance for orientation with findings A-F applying to the property. The motion was seconded by Mr. Coppola. The motion fails with a 3-1 vote. Ms. Kennedy voted in opposition of the motion.**

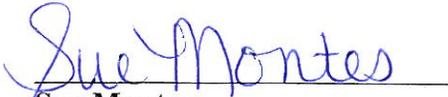
**\*\*\*DECISION – SIGN CODE ADMINISTRATORS'S DETERMINATION (T15SA00002) UPHELD, REQUEST FOR SPECIAL PERMIT GRANTED, VARIANCE #1 WITHDRAWN, VARIANCE #2 DENIED.**

**IMPORTANT NOTICES:** "APPLICANTS ARE ADVISED TO WAIT THIRTY (30) DAYS BEFORE ACTING IN RELIANCE ON THIS DECISION. The decision reflected herein is subject to appeal by any interested party. A permit may be requested and issued prior to the expiration of applicable time limits for reconsideration or appeal. Applicants who receive a permit less than thirty (30) days after a variance is granted [or less than thirty days after such other date as provided by the Board] do so at their own risk. Issuance of a permit or reliance thereon does not ensure that this decision will not be reversed within the appeal period."

(1) IN CASES GRANTED THAT REQUIRE A SIGN PERMIT, PERMIT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS FROM THE DATE OF THIS MEETING. THE DSD DIRECTOR MAY

GRANT AN ADDITIONAL 180 DAYS EXTENSION FOR GOOD CAUSE. (2) THE DECISION OF THE BOARD MAY BE APPEALED TO THE MAYOR AND COUNCIL BY FILING AN APPEAL WITH THE CITY CLERK WITHIN 15 DAYS AFTER THE DECISION OF THE BOARD, OR BY FILING A COMPLAINT FOR SPECIAL ACTION IN THE SUPERIOR COURT WITHIN 30 DAYS AFTER THE DECISION OF THE BOARD.

**(A CASSETTE RECORDING OF THIS MEETING IS AVAILABLE UPON REQUEST AT THE CITY CLERK'S OFFICE.)**



**Sue Montes**

**Secretary**

**Development Services Department**