

AGENDA ITEM #: \_\_\_\_\_

DATE: October 28, 2019

CAR #: 2019-6794



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Harley-Davidson Comprehensive Sign Package and Use Permit

**CASE NUMBER:** 19-630-00005 and 19-300-00007

**STAFF PRESENTER(S):** Katie Wilken, Planning Manager

**APPLICANT:** Jack Alvord, Royal Sign Co.

**Summary:** Approve a comprehensive sign package and use permit to allow a freeway pylon sign for Harley-Davidson.

### **Recommendation:**

1. Approve the Harley-Davidson comprehensive sign package, dated September 5, 2019.
2. Approve a use permit for a freeway pylon sign for Harley-Davidson, subject to the following stipulations:
  1. The freeway pylon sign shall be in substantial conformance with the narrative and comprehensive sign package dated September 5, 2019;
  2. The sign shall adhere to the City of Goodyear Zoning Ordinance Article 10 (Outdoor Lighting Standards) Lighting Zone 2. The source of the sign's illumination shall not be visible from any street, sidewalk, or adjacent property;
  3. The sign shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger to the public safety or create visual blight as determined by the Development Services Director; and,
  4. The use permit approval is limited to a sign for Harley-Davidson. The freeway pylon sign may not advertise any other business except for Harley-Davidson. Should Harley-Davidson cease operations at this property, the freeway pylon shall be removed within 90 days from the time that Harley-Davidson has ceased operations at this location.

**Fiscal Impact:** Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the City. The development is responsible for construction of all infrastructure necessary to serve the site and

will generate one-time revenue for the City through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development.

## **Background and Previous Actions**

This request has not previously been considered by the Planning and Zoning Commission or City Council. Because the sole purpose of the comprehensive sign package is to facilitate the development of the freeway pylon sign, both the comprehensive sign package and use permit are being presented within a single staff report.

## **Staff Analysis**

### **Current Policy:**

A proposal for a new freeway pylon sign requires the existence of a Comprehensive Sign Package and approval of a Use Permit in accordance with Zoning Ordinance provisions adopted in 2006.

### **Details of the Request:**

The proposal is for a single-tenant freeway pylon sign for Roadrunner Harley-Davidson. The sign is proposed to locate at 402 N. 159<sup>th</sup> Avenue which is on the north side of I-10, just west of the 159<sup>th</sup> Avenue alignment. The site is 65-feet tall and internally illuminated.

### **Evaluation Criteria:**

Per the city of Goodyear Zoning Ordinance, the City's review and recommendation for a use permit for a freeway pylon sign shall be evaluated based on the following criteria:

- a. *Encourage development of property in harmony with the desired character of the City while providing due regard for the public and private interests involved.*

The property is designated as "Business and Commerce" by the Goodyear General Plan. The property is within the McDowell Road Business and Entertainment District. A freeway pylon sign is consistent with the character of the land use designation and the special district.

- b. *Promote the effectiveness of Freeway Pylon Signs by preventing their over concentration, improper placement, deterioration, and excessive size and number.*

The Zoning Ordinance requires that a property contain at least 30 acres, have 1,000 feet of freeway frontage, and have a minimum separation of ½ mile between freeway pylon signs in order to prevent over concentration or improper placement. The subject property includes about 6.2 acres of land and 700-feet of frontage adjacent to the freeway. The proposed sign is located about 2,400 linear feet from an already approved sign at PebbleCreek Marketplace

and so is short the requirement by about 225 feet. The applicant is requesting a deviation from these design standards.

Furthermore, the future development to the west known as Sarival East, would likely request a freeway pylon sign. The Sarival East development meets the size and freeway frontage requirement and would meet the separation requirement from the approved PebbleCreek Marketplace freeway pylon sign. Approval of the Harley-Davidson sign would cause the Sarival East development to not be able to meet the ½ mile separation design standard. It is recommended that if this sign is approved, the Sarival East development be allowed to also deviate from this standard. If approved, this would have the effect of having three freeway pylon signs along this stretch of I-10 (from Sarival Avenue to PebbleCreek Parkway).

The Zoning Ordinance gives authority to the City Council to approve modifications to the design guidelines, when it meets at least one of the conditions as detailed in the Zoning Ordinance, listed below:

- a. An individualized assessment reveals the existence of extraordinary conditions involving topography, land ownership, adjacent development, parcel configuration, or other factors relating to the development site; or,*
- b. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent a clear variation from conventional development; or,*
- c. The proposed Freeway Pylon Sign incorporates special design features, or unique architectural elements that represent superior quality; or,*
- d. Such modifications or alternatives are consistent with the intent of these Guidelines and will result in conditions that are commensurate with or superior to the Guidelines.*

In evaluating the Harley Davidson freeway pylon sign, extraordinary conditions have been found to exist. The majority of property along I-10 is part of commercial centers. This parcel is a stand-alone development for Harley-Davidson. It is not typical that a stand-alone commercial parcel be allowed a freeway pylon sign, which part of the reason the minimum development size is 30 acres. However, it is important to note that Harley Davidson has a similar economic impact as a commercial center 30 acres in size. Harley Davidson corporate franchising requirements does not allow the local Harley Davidson dealer to put the Harley Davidson logo on a multi-tenant freeway pylon sign. Due to the positive economic impact of the business and the franchising rules, extraordinary conditions exist.

In other unique situations, freeway pylon signs have been allowed to locate closer than ½ mile to each other such as the signs for Estrella Falls and the signs for the Airport Gateway at Goodyear development (a.k.a. Cancer Treatment Centers of America). In this case, given the nature of the Harley-Davidson sign, the three freeway pylon signs are not expected to have negatively impact each other.

- c. *Enhance the flow of traffic and the convenience, ease and enjoyment of travel along Goodyear's freeways.*

The Harley-Davidson business serves a regional market and conducts events at their locations. The freeway pylon sign will provide directional signage to the regional market customers who may not be familiar with Goodyear.

- d. *Protect travelers on Goodyear's freeways from injury or damage as a result of distraction or obstruction of vision attributable to large signs.*

The proposed 65-foot tall 242.2 square foot sign, is of reasonable size in comparison to other freeway pylon signs.

- PebbleCreek Marketplace – 58-foot tall, 450 square feet
- Goodyear Centerpointe – 80-foot tall, 504 square feet
- CTCA (existing sign) – 80-foot tall, 450 square feet, plus digital element

- e. *Regulate advertising distractions, which may contribute to traffic accidents.*

The proposed sign does not include a digital element or animation. The site is illuminated and stipulation #2 requires conformance to the City's lighting ordinance.

- f. *Assure that public benefits derived from expenditures of public funds for the improvement and beautification of freeways and other public structures and spaces shall be protected by exercising reasonable control over the character and design of large sign structures.*

No public funds are being expended with this project. The sign is not located in front of any existing or planned public artwork, public gathering spaces, sound walls, or similar structures/spaces.

- g. *Provide a pleasing visual environment for the citizens of and visitors to the City of Goodyear.*

The sign is not typical of other freeway pylon signs in that it is a single tenant sign and considered a pole sign which is typically not permitted. Because of Harley-Davidson franchising rules, the franchisee cannot place the Harley-Davidson logo on a multi-tenant sign and instead is required to use the design proposed in the comprehensive sign package. As detailed in item "b", the City Council may approve deviations. The sign matches the style and architecture of the Harley-Davidson building and the location of the sign does not create an over concentration. The sign will provide for a pleasing visual environment.

- h. *Require that signs are properly maintained for safety and visual appearance.*

Stipulation #3 requires that the sign be property maintained.

- i. *Ensure that the maximum sign height, sign area and the location approved for each individual Freeway Pylon Sign is the minimum required to provide for necessary business*

*identification while maintaining public view corridors and preventing an excessive number of freeway signs.*

This was addressed in detail under item “b”. The maximum sign height, sign area, and location is the minimum required to provide the necessary business identification.

### **Planning and Zoning Commission Meeting**

In accordance with the city’s Citizen Review Ordinance, a written notice of this application for use permit was mailed to all property owners within 500 feet of the subject property. To date, staff has not received any inquires as a result of this written notice. Notice for the public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice published in the Arizona Republic; and a notice of public hearing sign posted on the property. To date, staff has not received any inquiries as a result of this notice.

At the regular Planning and Zoning Commission meeting on October 16, 2019, staff made a presentation to the Commission regarding the amendment request. Based upon the staff findings presented in the Commission staff report, and repeated in this Council Action Report, the Commission recommended approval of the amendment by a vote of 5 to 0, subject to the stipulations in the staff report.

### **Attachments**

1. Aerial Photo
2. Narrative
3. Comprehensive Sign Package
4. Existing Freeway Pylon Signs