

**TAB 3**

**Staff Report**  
**Conditional Use Permit (CU-08-05)**  
**Value Pawn Electronic Message Sign**

**BACKGROUND:**

Value Pawn and Jewelry currently has an existing 72 square foot double-faced pylon sign at the northeast corner of 8<sup>th</sup> Avenue West and 10<sup>th</sup> Street West. The sign currently requires the manual changing of messages with plastic lettering. The proposed sign will transmit messages electronically. All electronic message center signs require the approval of a conditional use permit.

**GENERAL LOCATION/PARCEL SIZE:**

Location: 908 8<sup>th</sup> Avenue West

**EXISTING LAND USE/ZONING CATEGORY:**

Future Land Use: COMC (Commercial Core)  
Zoning: CC (Commercial Core)

**REQUESTED APPROVAL**

A conditional use permit may be issued for the establishment of an electronic message sign pursuant to Section 3-66 of the Land Development Code. The proposed sign will not create an unsafe condition or be detrimental to health safety and welfare of the general public. The following conditions have been analyzed in reviewing this request:

- (1) The proposed use shall be consistent with the purpose and intent of the applicable zoning district regulations, this article, and the comprehensive plan. **The proposed request is consistent with the Comprehensive Plan and Land Development Code review criteria. The application is inconsistent, however, with the recently adopted Downtown Design Guidelines (DDG). See attached.**
- (2) The proposed use shall be compatible with surrounding land uses and the general character of the area, considering, without limitation, such factors as traffic, lighting, appearance, and effect on surrounding property values. **The approval request will replace an existing manual copy change sign. The DDG criteria were designed to identify what the downtown core should look like in the future. Future compatibility guidelines will identify this sign as being inconsistent. Despite the existence of four electronic**

**message center signs in the DDG area, this is the first application since the adoption.**

- (3) The conditional use will not adversely impact on the public interest or adjacent property and all necessary alternative measures shall be taken by the applicant to prevent any such impact. **There are always potential adverse impacts with these types of signs. Flashing or scrolling letters can be a distraction for passing motorists. These concerns can be mitigated through stipulations.**
- (4) The conditional use is not discriminatory, considering similar situations in the general area and in past decisions under this article. **This request is not discriminatory. There are other electronic message center signs in the general vicinity. CVS, Walgreens, and Horizon Bank all had approval for similar signs within the past several years. None, however, were approved since the adoption of the DDG.**
- (5) The purpose of the requirement is otherwise fully achieved, or more important purposes of this article will be served thereby, or the requirement serves no valid public purpose in the particular case. **The existing sign achieves the purpose of the requirement.**
- (6) The proposal shall be consistent with the stated purpose and intent of the applicable district regulations and this article. **The proposal is inconsistent with the DDG. The Walgreens and CVS signs are located in the CG zoning district. The proposed value pawn sign is located in the CC zoning district.**
- (7) The proposal shall comply, where applicable, to the regulations of the zoning district in which the proposed use is most commonly permitted. **A sign is supportive of the use of land as a retail establishment in the CC zoning district. The type is sign is called into question due to the inconsistency with the adopted DDG.**
- (8) The proposal shall not create hazardous vehicular or pedestrian traffic conditions or any other type of unsafe condition. **It is not anticipated that any hazardous or pedestrian traffic conditions shall arise from the approval of this request.**

#### **STAFF RECOMMENDATION:**

Although the proposed electronic message center sign is similar to others in the nearby vicinity, the other signs were approved prior to the adoption of the DDG. The Riverside Plaza electronic message center sign has been the topic of several follow-

up discussions at previous Planning and Zoning and City Commission meetings. Limitations were placed on that sign which restricted scrolling and flashing. In discussing amendments to the sign ordinance, there has been specific reference to the validity of the other electronic message center signs, particularly the Horizon Bank sign. The DDG provisions were adopted after careful thought and substantial public input. It was determined during that process that the City of Palmetto should deem these types of signs inappropriate within the DDG area. As such, staff recommends denial of this request.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board recommended **APPROVAL WITH ONE CONDITION** – **that the sign remain static with wording changes occurring on 5 minute intervals** - by a vote of 5 to 1.

**CITY COMMISSION**

The City Commission shall **APPROVE, APPROVE WITH CONDITIONS or DENY** the proposed conditional use permit.

Attachments: Downtown Design Guideline (DDG) pgs. 73 - 75  
Sign Detail  
Ariel

way or on the primary and corner façades.

- Visible, permanent or roll-down security bars/gates.
- Awnings made of high-gloss fabrics which appear to be plastic.

### **Signs and Miscellaneous**

#### **Signs**

*Signage is a vital component of any commercial establishment and many multifamily developments providing identification of a particular use. There are two basic types of Signs: attached and freestanding. Attached signs are physically attached to a building whereas freestanding signs are self-supporting. There are a variety of types of attached signs such as wall, projecting, hanging, awning and window. Due to the pedestrian nature of Downtown, attached signs are the most appropriate type for the area. Changeable copy is primarily oriented towards vehicular traffic; therefore, its use in an urban pedestrian environment should be limited. Monument-style freestanding signs may be appropriate within certain areas of the Downtown where building placement warrants their use. The appropriate scale and placement of signs on a façade should contribute greatly to the appearance of a building and the character of an area. Every sign should be designed as an integral architectural element of the building and site and should compliment that building with regard to materials, color, texture, finish, scale and design and architectural context. Existing, historic signage should be repaired when possible and replaced only when repairs are not feasible. Should the replacement of historic signage be necessary a replica is encouraged provided it is compatible with the architecture of the building. Signage should not obscure architectural details.*

**Appropriate:**

- Signs on a building and/or site designed as part of an overall theme that respect, enhance and contribute to the architectural style, detailing and elements of a building.
- Signs whose design, colors, materials, size, shape and methods of illumination reinforce the overall design of the façade.
- Letter size, letter and word spacing, font style and other design elements of a sign that create an overall high quality aesthetic appearance.
- Attached signs proportional to the space to which they are attached.
- Attached signs installed so the method of installation is concealed or made an integral part of the design of the sign.
- Wall signs located on flat, unadorned parts of a façade such as the horizontal band between the storefront and second floor or on windows, awning valances, fascia, etc.. Wall signs located immediately adjacent to secondary entrances.
- Projecting signs located adjacent to the building entrances or tenant space(s) which they serve.
- Hanging signs positioned perpendicular to the façade of the building and located adjacent to the building entrances or tenant space(s) which they serve.
- Awning signs which are permanently affixed (sewn to or screened on) to the valance of the awning as part of the overall awning design.
- Window signs consisting of paint or decals, etchings/engravings, and/or three-dimensional lighted signs.
- Buildings with multiple tenants accessed from the interior of the building which include a directory sign immediately adjacent to that entrance.
- Existing, historic signs that are preserved or restored.
- Lighted signs should be considerate of facing residential units.
- Historically accurate reproduced signage documented by physical, documentary and/or pictorial evidence.
- Changeable copy which matches the sign to which it is attached with regard to style, size and color.

**Inappropriate:**

- Box/cabinet style signs.

- Signs utilizing LED or any other electronic changeable copy.
- Signs painted directly on the façade of a building unless documented by physical/historical, documentary and/or pictorial evidence.
- Attached signs that cover windows or other architectural features.
- Projecting signs higher than the top of second story windows.
- More than one hanging or projecting sign per business.
- Awning signs which are affixed to the awning material by adhesive backed letters or other non-permanent methods.
- Window signs which are affixed by tape or other non-permanent methods.
- Monument signs on sites where the primary building is located 20 feet or closer to a front property line.
- Changeable copy area greater than 25 percent of the sign area (with the exception of theater marquees).
- Sandwich board signs.

### **Lighting**

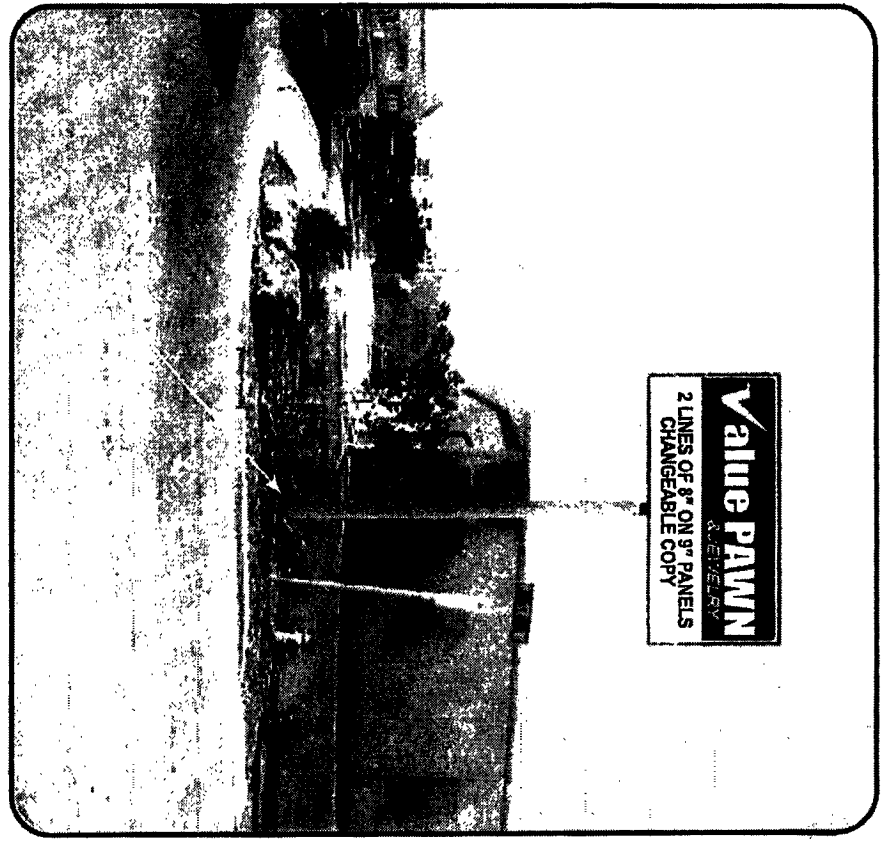
*Lighting and light fixtures should be part of an overall design plan and their design and placement appropriate to the building to which they will serve. When unlit, lighting fixtures can impact a building or space through the physical form of the fixture. At night, lighting can create atmosphere through the level of intensity and color of the light emitted.*

#### **Appropriate:**

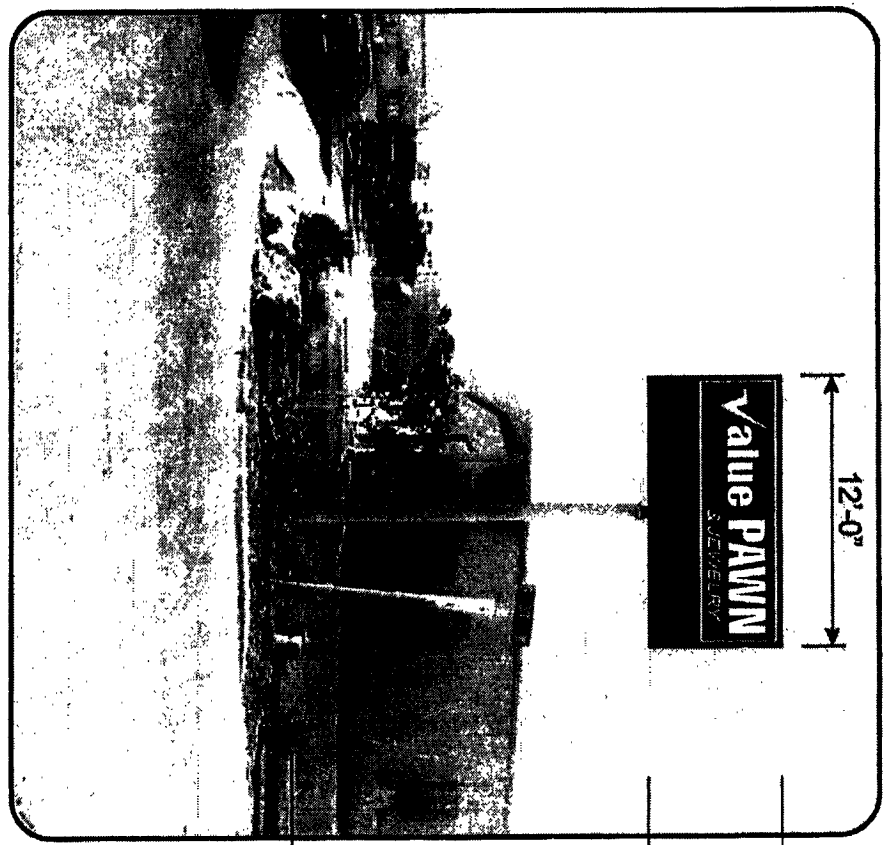
- Light fixtures that are designed to respect, enhance and contribute to the architectural style, detailing and elements of a building.
- Light fixtures that reinforce the overall composition of the façade with regard to color, material, size, scale and shape.

CU-08-05

# NEW FACES AND ELECTRONIC MESSAGE CENTER



EXISTING: 72 sq ft



PROPOSED: 72 sq ft

## SPECIFICATIONS:

- \* Remove pan faces and manual reader board from existing D/F pylon.
- \* Manufacture new pan faces & install with new electronic message center. Message center has two lines of 6" copy.

**Majorie Baly**  
**INCORPORATED**

**SIGN CONSULTANTS**  
**INCORPORATED**

**SIGN CONSULTANTS**  
**INCORPORATED**

2578 Enterprise Rd. #337  
 Orange City, FL 32763  
 Phone: (386) 668-0258  
 Fax: (386) 668-0319

**CUSTOMER INFORMATION**

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_  
 STATE: \_\_\_\_\_  
 CONTACT: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_

ZIP: \_\_\_\_\_

**JOB INFORMATION**

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_  
 STATE: \_\_\_\_\_  
 ZIP: \_\_\_\_\_

Original Draw Date: 09/12/08  
 Revised Draw Date: 09/15/08

Sign Drawing by:

LB     NB  
 LS     EN

\_\_\_\_\_

**NOTES:**

**Value Pawn**  
**Palmetto, FL**

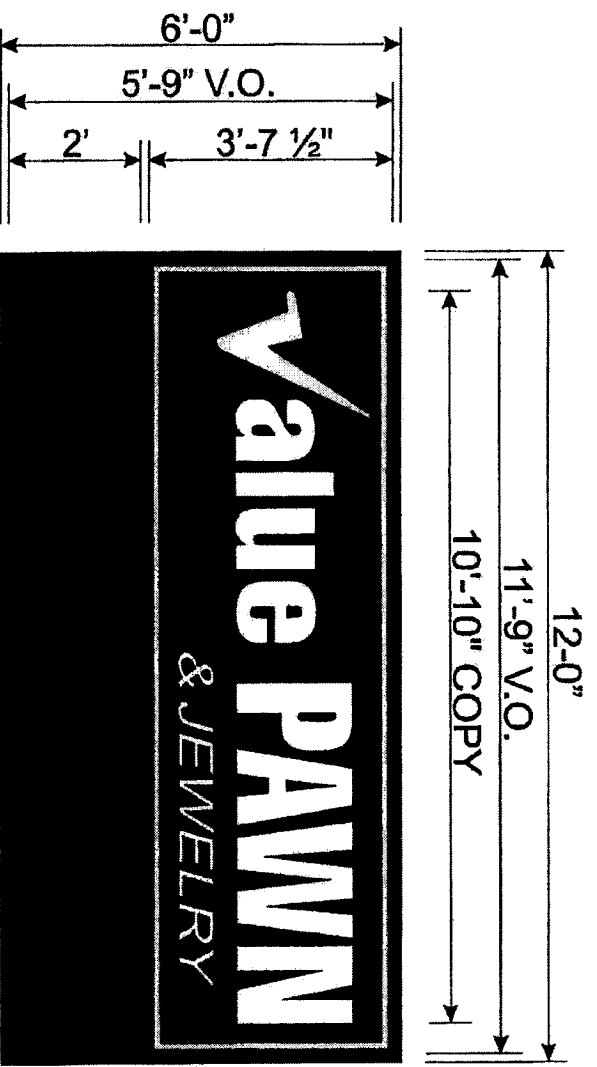
File Name: VP Palmetto Pylon Electronic Reader R1  
**SHEET 1 OF 2**



# NEW FACES AND ELECTRONIC MESSAGE CENTER FOR EXISTING D/F PYLON

## 72 sq ft

Cabinet V.O. is 5'-9" x 11'-9"  
 1 1/2" Retainers all sides  
 Scale: 3/8" = 1'-0"







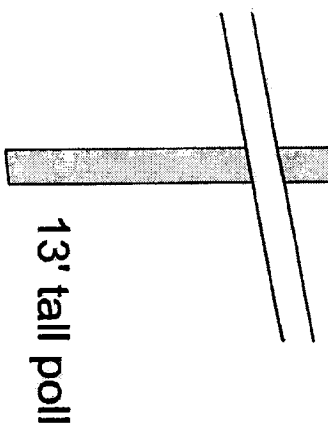
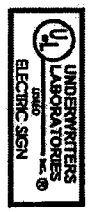
### GENERAL SPECIFICATIONS:

REMOVE EXISTING PAN FACES & MANUAL READER BOARD.  
 FABRICATE NEW PAN FACES AND INSTALL WITH NEW  
 ELECTRONIC MESSAGE CENTER.

MESSAGE CENTER HAS TWO LINES OF 6" COPY.

### Color Scheme

-  White
-  Yellow:  
PMS# 109  
3M vinyl # 3630-015
-  Black
-  Green:  
PMS# 349  
3M vinyl # 3630-26



**Marjorie Baly**

**SIGN CONSULTANTS INCORPORATED**

**SIGN CONSULTANTS INCORPORATED**

2578 Enterprise Rd. #837  
 Orange City, FL 32763  
 Phone: (386) 868-0258  
 Fax: (386) 868-0319

### CUSTOMER INFORMATION

NAME:  
 ADDRESS:  
 CTRY:  
 STATE:  
 CONTACT:  
 PHONE:  
 FAX:

ZIP:

### JOB INFORMATION

NAME:  
 ADDRESS:  
 CITY:  
 STATE:  
 ZIP:  
 Original Draw Date: 09/12/08  
 Revised Draw Date: 09/15/08

Sign Drawing by:

- LB  NB
- LS  EN
- \_\_\_\_\_

### NOTES:

**Value Pawn  
 Palmetto, FL**

File Name: VP Palmetto Pylon Electronic Reader R1  
**SHEET 2 OF 2**

MANATEE COUNTY  
PROPERTY APPRAISER

Other Counties | Links | Manatee County | State

Main Property Search

Owner Address Account Advanced Map Search

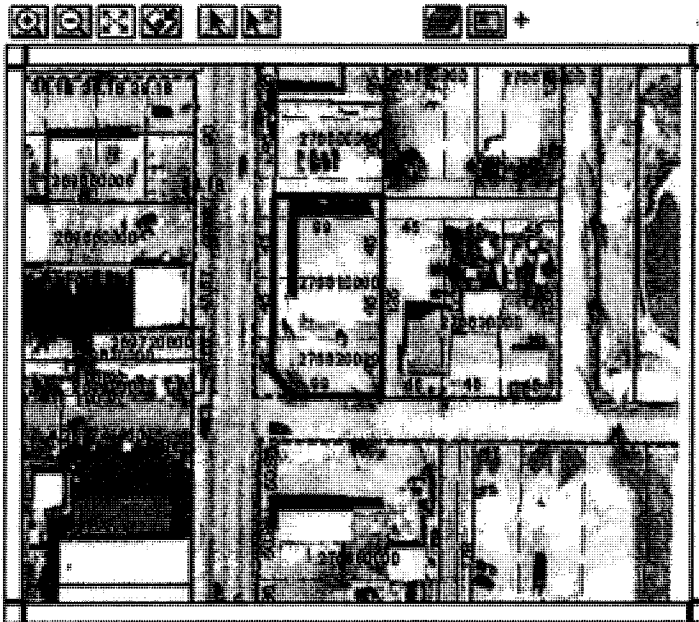
- Profile
- Values
- Sales
- Residential
- Commercial
- Out Buildings
- Permits
- Land
- Agriculture
- Sketch
- Exemptions
- Full Legal
- ▶ Map

PARID: 2766100059  
HATOUM HANA

908 8TH AVE W

CURRENT RECORD

1 of 1



REPORTS

CSV Report  
Parcel Information Report

GO

Printable Version

Manatee County  
Last GIS Data Update: 23-Sep-2008

City of Palmetto  
Development Review Committee  
Meeting Minutes  
October 8, 2008

**PRESENT**

Bob Schmitt, City Planner  
Duane Kinn, Deputy Director of Operation  
Frank Woodard, Deputy Director Engineering  
Dick Clarke, ZNS Engineering  
Matt Bloome, Stormwater Manager  
Ken Hawkins, Planner 1  
Linda Butler, Planning Tech

Meeting started at 9:00 am

**ORDER OF BUSINESS:**

1. Discussion/Distribution of Plan:
  - a. 7<sup>th</sup> Ave Cottages (Rezone, Plan Amendment, GDP-08-05)
    - Revised plans are in
    - Number of units reduced by 1
    - Need agreement regarding pavers replacement
    - Install 4 way stop
    - Project consistent with Palmetto Riverside Bed & Breakfast
    - Land condominiums
  
2. Comments Due
  - Riviera Beach Townhomes comments due in two weeks
  
3. Plan Revision/Pre-Application Meeting:
  - a. Race Trac Expansion (07-536), Billy Hampton, Jim Vandercrake
    - Need approval from Manatee County
    - Need SWFWMD permit to move/modify pond
    - Remove driveway once new one is ready
    - Line up driveway with Lincoln Park entrance
    - Add parking in different location

- Traffic survey

4. Plan Sign Off Review

- a. None

5. Team Inspection

- a. None

6. New Business

- a. Value Pawn Conditional Use Permit (Sign)

- Request to change sign to a strolling marquee sign
- Stipulation to include limit letter size to 6 inches and no flashing lights

7. Old Business follow-up Discussions

- a. South Pullen Tract right-of-way and deed issues
- b. Community Sign Workshop scheduled for November 12, 13, 19, 20 and 24<sup>th</sup>, 2008

8. Adjourned: 10:50 a.m.

CITY OF PALMETTO  
PLANNING AND ZONING BOARD  
516 8<sup>TH</sup> Avenue West  
Palmetto, Florida 34221

MEETING MINUTES  
NOVEMBER 10, 2008 – 6:15 P.M.

**BOARD MEMBERS PRESENT**

Barbara Jennings, Chair  
Charlie Ugarte  
Jon Moore  
Christopher Moquin

Robert Smith  
Devin Harms

**BOARD MEMBER ABSENT**

Michael Burton  
Ed Bennett

**ALTERNATE BOARD MEMBER ABSENT**

Emilio Morales

**SCHOOL BOARD APPOINTEE ABSENT**

Mike Pendley

**STAFF AND OTHERS PRESENT**

Bob Schmitt	Lucienne Gaufillet
Ken Hawkins	Sandi Bargfrede
Linda Butler	Steve Haeffele
Michele Hall	

The regular meeting of the Palmetto Planning and Zoning Board was called to order by Chair Jennings, in the Palmetto City Hall Commission Chambers, 516 8<sup>th</sup> Ave. W., Palmetto, Florida at 6:15 p.m. pursuant to notice being sent to the public and the Board members in accordance with Palmetto's City Code.

Bob Schmitt, Ken Hawkins, Michele Hall, Lucienne Gaufillet, Sandi Bargfrede, Steve Haeffele, Ann Marshall, Michael Strink, Bill Horton, Frank Fitzpatrick are sworn in.

## **ORDER OF BUSINESS**

1. Approval of Minutes for the October 13, 2008 meeting.

MOTION: Mr. Smith moved and Mr. Moquin seconded the motion to approve the October 13, 2008 meeting minutes. **MOTION CARRIED UNANIMOUSLY.**

2. Value Pawn and Jewelry CU-08-05

Chair Jennings opened the public hearings.

Mr. Hawkins gave a brief overview of the project referring to the staff report. Mr. Hawkins stated staff recommends denial of the conditional use permit. The location of Value Pawn is within the Downtown Design Guidelines (DDG) area, therefore does not meet the guideline.

Ms. Bargfrede displayed pictures of several signs that are located in the city, Horizon Bank, CVS, Manatee Civic Center and Walgreens and stated they are the same type signs as she is requesting. The sign is being requested to alleviate change copy and save time. Ms. Bargfrede shows pictures of the existing sign and the proposed sign. Ms. Bargfrede stated she is willing to accept conditions put on the sign. If the sign is not allowed to scroll, flash or pop they will abide by the conditions.

Mr. Moquin asked why the signs are not allowed in the DDG, is it because of trying to maintain the character of Palmetto?

Mr. Hawkins stated the signs that are erected now were approved before the DDG was adopted. The flashing lights are restricted due to safety, and it takes away for the aesthetic of downtown Palmetto.

Mr. Harms stated in the past, the Board denied the Horizon Bank sign and the Commissioners passed it.

Ms. Hall asked if Value Pawn was a tenant or owner. Ms. Bargfrede stated they are tenants with a 15 year lease with two 5 year options and has invested approximately \$250,000 in renovating the building.

- Ms. Marshall, citizen, stated she is concerned, it is past time this Committee and the Department Heads get a sign ordinance. It is time to stop talking and get a sign ordinance in place.

Mr. Ugarte asked if the intention of the applicant was to have the sign a copy sign or have movement. Ms. Bargfrede stated she just wants to be able to advertise the merchandise. If the Board conditions the sign the store will abide. Mr. Ugarte stated he is not opposed to a static sign, but does not support the flashing signs.

Chair Jennings closed the public hearing.

Discussion ensued regarding the need to develop and implement a sign ordinance.

**MOTION:** Mr. Moore moved to recommend approval of Value Pawn and Jewelry Conditional Use permit, CU-08-05 to City Commission. Mr. Smith seconded. **DISCUSSION ENSUED:** Mr. Morquin motion to amend: move to recommend approval of a static electronic message sign to change after 5 minutes intervals. Mr. Harms seconded. **MOTION CARRIED** 5 to 1.

3. Beach Townhomes @ Riviera Dunes GDP-08-06

Chair Jennings opened the public hearings.

Mr. Hawkins gave a brief overview of the project referring to the staff report. The project is located at 136 Riviera Dunes Way. Mr. Hawkins stated staff recommends approval of the plan as designed with the following stipulations:

1. The townhomes on the site shall not exceed 40 feet in height from the first floor elevation to the top of roof.
2. Emergency access is granted to the North River Fire Department through the Bel-Mare parking garage at the north end of the project driveway.
3. A community trash collection area needs to be identified on the construction plans.

Mr. Schmitt stated for the record this application has nothing to do with the commercial square footage. It is strictly 8 townhomes.

Ms. Gaufillet provided a review of the project and showed graphics on overhead.

Chair Jennings asked the height of the buildings. Ms Gauffillet stated 40 ft.

Mr. Harms asked if the GDP differs from the old GDP and has North River Fire District (NRFD) approved the plans. Mr. Hawkins stated NRFD has reviewed the project and given a letter of approval.

Mr. Michael Strink, Board Member of Bel-Mare, yearly resident voiced concerns regarding the following:

- Freshwater lake/pond
- Maintenance of lake
- Fire access
- Creating safety hazard

Mr. Bill Horton, citizen, voiced concerns regarding the following:

- Agrees with Mr. Strink
- 40ft height
- View
- Security

Steve Haeffele, citizen, was sworn in and voiced concerns regarding

- The approved GDP was approved before any tenant was there, with no representation; it was done in a vacuum.

Mr. Hawkins read into the record a letter from Mr. James V. Meads, owner of unit 2-402 and Mr. Vincent Eurice, owner, unit 2-502 dated November 7, 2008 (see attached). The letter voiced concerns regarding the following:

- Height of 40 ft
- Negative aesthetic presence
- Security issue
- Style type of roof
- Environmental impact
- Direct conflict to what was told to prospected owners
- Impact of property value

Ms. Gauffillet addressed the concerns voiced by the public that spoke.



Mr. Ugarte asked if the original site development plan had a maximum height of 40 ft. and if so, was the 40 ft height to the flat roof of the structure or to the elevator? Ms. Gaufillet stated the 40 ft height was to the top of the elevator. Mr. Schmitt stated the GDP did not provide elevations and the construction plans were never submitted.

Chair Jennings closed the public hearing.

**MOTION:** Mr. Harms moved to recommend approval of Beach Townhomes @ Riviera Dunes GDP-08-06 to City Commission. Mr. Ugarte seconded. **MOTION DENIED 2 to 4.**

4. Old Business:

- a) Mr. Bill Strollo, Code Enforcement, provided a slide presentation of issues faced by code enforcement. The code enforcement process was also reviewed.
- b) Mr. Hawkins provided an update of stockpile of dirt in Palmetto.

5. New Business

- Mr. Harms stated Walgreens is using strobe lights on their building and were we aware of it. Staff is not aware of the use of strobe lights at Walgreens but will investigate it.

6. Adjournment: 8:30 pm

**MOTION:** the Board unanimously moved to adjourn the meeting. Next Planning and Zoning Board meeting will be held on December 08, 2008.

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Barbara Jennings, Chairman