

TAB 12



# City of Palmetto Agenda Item

**Meeting Date**

9/12/11

**Presenter:** Lorraine Lyn

**Department:** Planning

**Title:**

**Conditional Use Permit (CU-2011-02)  
Electronic Sign for Manatee School of the Arts  
700 Haben Boulevard**

Manatee School of the Arts is replacing its existing sign face of approximately 62 sq. ft. which was permitted in 2001. MSA is requesting a Conditional Use (CU) Permit for a freestanding 20 foot high modern, artistic, pole-supporting sign containing 26 sq. ft. of identification surface area and 28.6 sq. ft. of electronic message surface area totaling 54.6 sq. ft. of surface area located at the north side of the main entrance of the school. The major difference between the existing and proposed signs is the electronic message portion which could have an impact on motorists driving along Haben Boulevard.

The City's sign ordinance does not permit animated signs but it permits electronic message signs as a Conditional Use. This CU will also consider the size of the proposed sign which exceeds the maximum surface area of 40 sq. ft. permitted by the sign ordinance in commercial districts. The City's proposed sign ordinance would allow the size of the proposed sign.

The following were taken into consideration by staff from the Planning and Building Departments on the proposed sign:

- a) The general character of the immediate area including proximity and orientation of residential uses in the immediate area.
- b) Haben Boulevard is a 4-lane divided arterial. A round-about is proposed approximately 560 feet south of the proposed sign where Haben Boulevard curves at the entrance of the Hammocks at Riviera Dunes. The proposed round-about will result in slower traffic thereby increasing the required change time necessary to avert a traffic hazard.
- c) Other conditional use approvals in the City for electronic signs.
- d) Applicable regulations in nearby jurisdictions.

The Planning and Zoning Board held its public hearing on August 18, 2011 and recommended approval with the following conditions:

- 1. Signage shall be automatically programmed not be illuminated between the hours of 11pm to 6am.
- 2. The brightness of the sign on the south side shall not exceed 5000 lumen during the day time and 1500 lumen at night time. Brightness of the sign on the north side shall not exceed 6000 lumen in the daytime and 1800 lumen at night time. Brightness of the sign shall be subject to the discretion of the Building Official.
- 3. Changeable copy display shall not change more than once every 5 seconds.
- 4. The sign shall be in substantial conformance with the rendering dated 7/6/11 that was presented at the hearing.
- 5. No video, animation or scrolling.

<b>Budgeted Amount:</b>	\$0.00	<b>Budget Page No(s):</b>		<b>Available Amount:</b>	\$0.00	<b>Expenditure Amount:</b>	\$0.00
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**Additional Budgetary Information:**

<b>Funding Source(s):</b>		<b>Sufficient Funds Available:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Budget Amendment Required:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Source:</b>	
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<b>City Attorney Reviewed:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<b>Advisory Board Recommendation:</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> N/A	<b>Consistent With:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
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**Potential Motion/Direction Requested:** The City Commission shall APPROVE, APPROVE WITH CONDITION(S) or DENY the proposed Conditional Use Permit

**Staff Contact:** Lorraine Lyn, City Planner, 723-4580 Ext. 2135

**Attachments:** Staff report, sign location map and sign rendering

**Staff Report**  
**Conditional Use Permit (CU-2011-02)**  
**Electronic Sign for Manatee School of the Arts**  
**700 Haben Boulevard**

**REQUEST:**

Renaissance Arts and Education, Inc./DBA Manatee School for the Arts (MSA) is requesting a Conditional Use (CU) Permit for a freestanding 20-foot high modern, artistic, pole-supporting sign containing 26 sq. ft. of identification surface area and 28.6 sq. ft. of electronic message surface area totaling 54.6 sq. ft. of surface area located on the south side of the main entrance of the school. During the Planning and Zoning public hearing on August 18, 2011, the applicant agreed to move the sign from the south to the north side of the school entrance per the Board's recommendation.

The City's sign ordinance does not permit animated signs but it permits electronic message signs as a Conditional Use. For purposes of this Conditional Use petition, a proposed request for any type of electronic signs including animated signs will be considered an electronic message sign. In addition to the type of sign, this Conditional Use petition will also consider the size of the proposed sign which exceeds the maximum surface area of 40 sq. ft. permitted by the sign ordinance in commercial districts.

**OWNER:** Renaissance Arts and Education, Inc. /DBA Manatee School for the Arts (MSA)

**LOCATION/PARCEL SIZE/EXISTING USE OF SUBJECT PROPERTY**  
700 Haben Blvd./School/21.587 acres

**PLAN/ZONING OF SUBJECT PROPERTY**  
PC (Planned Community)/PD-MU (Planned Development-Multi Use)

**PLAN/ZONING/USES OF SURROUNDING AREA**  
North: PC/ PD-MU/SF house; PC/CHI/Riviera Palms nursing home; PC/CG & PD-MU/vacant commercial  
South: PC/PD-MU/Riviera Dunes (Hammocks)  
East: COUNTY: RES-6/RSF-4.5/SF houses along 15<sup>th</sup> Ave Drive  
West: PC/ PD-H/Courtney Assisted Living

**OTHER APPLICATIONS**

MSA also petitioned the City to vacate its primary ingress and egress onto Haben Boulevard for overall control of its circulation plan. The City owns the rights-of-way and MSA owns the median. MSA will move the existing sign from the median to the north corner of the main entrance on Haben Boulevard.

**BACKGROUND:**

Manatee School of the Arts recently revised its adopted General Development Plan (GDP 2011-01) to expand its boundaries (currently 21.6 acres) and buildings (approved for 213,370 sq. ft.) As part of this expansion plan, the school would like to replace its existing sign located in the median at the entrance into the school property off Haben Boulevard. The existing sign face which was permitted in 2001 is approximately 62 sq. ft.

The City's sign ordinance defines an electronic message sign as:

*"any sign which conveys one or more messages by means of electronically controlled lights, light-emitting diodes or similar devices"*

The City's code does not include details relating to brightness levels, audio and video levels or average change time for messages. For purposes of comparison, Section 724.15 of the recently adopted Manatee County's sign ordinance contains the following definitions which more closely reflect the proposed sign:

*Animated Sign shall mean any sign which changes physical position by any action, motion or gives the optical illusion of action or motion, or color changes of all or part of the sign area, requiring electrical energy, or set in motion by movement of the atmosphere.*

Sec. 724.15 (b) Changeable Copy Signs

*3) The display shall not change more than once every five (5) seconds...*

*4) Changeable Copy Signs shall be limited to one (1) per premise and cover not more than sixty-five (65) percent of the erected freestanding or wall sign area.*

Manatee County does not allow animation, flashing or any appearance of movement. However, they do not limit the color and they allow scrolling; when the scrolling stops, it must display for 5-seconds. The display area for LED signs must be 8 foot above grade.

At 54.6 sq. ft., the proposed MSA sign would meet the City of Palmetto's proposed draft ordinance described below which would allow would a maximum of 125 sq. ft. since MSA has approximately 1,021 feet of frontage along Haben Boulevard.

*3.03.01.02. Single establishment premises shall be allowed one (1) ground sign per frontage, provided there is fifty (50) feet of street frontage, except lots of record. Premises with one hundred and fifty (150) feet or less of road frontage shall be allowed seventy five (75) square feet of sign area. Premises with more than one hundred and fifty (150) feet of road frontage shall be allowed seventy five (75) square feet of sign area plus one (1) square foot for each additional six (6) feet of road frontage not to exceed a total of one hundred and twenty-five (125) square feet.*

*Businesses with less than 50 linear feet frontage are not permitted freestanding signage*

### **REQUESTED APPROVAL**

A Conditional Use permit may be issued for the establishment of an electronic message sign pursuant to Section 3-66 of the City's code. The applicant is proposing to replace the existing sign with a sign containing 28.6 sq. ft. of electronic message surface area which is 3 times brighter (6000 lumens) than an automobile headlight during the daytime and 1800 lumens during the night (30% of daytime brightness). During the Planning and Zoning Board hearing, the applicant indicated that this type of technology is being proposed because the school wishes to be able to play a video clip on the signage. No flashing or scrolling is proposed.

Applying Manatee County's standards, the changeable copy portion of the proposed sign consists of 52% of the proposed sign area that meets Manatee County's regulations which requires less than 65%. The display area for the LED sign also meets Manatee County's requirement of 8 foot above grade.

Although the sign can be set to change at any interval, a static display for 5 seconds is considered standard by the sign industry. Manatee County's ordinance allows the display to change no more than once every five (5) seconds essentially making the sign a changeable copy sign instead of an animated sign which connotes continuous motion or action such as a video.

The city has not approved animated signs over concerns that they create an unsafe condition for motorists and would have a negative impact on the health, safety and welfare of the general public.

The City has granted Conditional Use approvals for electronic signs in other locations of the City. Examples are Space Box located in a commercial area, Manatee Convention Center located in a mixed use area and Palmetto High School located in the Public zoning district.

- A) Space Box was granted a CU in March 2010 for an electronic sign with conditions limiting hours of operation, eliminating flashing and continuous scrolling and limiting message changes to no more than one-minute intervals.
- B) Manatee County Convention Center (24.5 acres) was granted a CU for an electronic sign in 2007 for approximately 264 sq. ft. of sign surface area of which 53% was electronic. The conditions of approval for Convention Center's sign are:
  - a) The sign shall not be illuminated between 11:00 pm and 6:00 am;
  - b) Messages shall be limited to County and Municipal services and events;
  - c) The sign may be used to identify public service messages during emergencies.
- C) Palmetto High School was granted a CU on November 5, 2007 for an electronic message sign with City access for emergency use and a 90 day temporary lighting to

be on 24 hours pending complaints from the 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 use of a sign is consistent with the PD-MU zoning district and the adopted Future Land Use Element and PC plan category. The secondary request for additional sign surface area is consistent with the use as a school and proportional to the 21.587 acre size of the property.**

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 involves the replacement of an existing 62 sq. ft. pole sign with a 54.6 sq. ft. free-standing sign containing 26 sq. ft. of identification surface area and 28.6 sq. ft. of programmable full color LED displays which could be illuminated to a maximum of 6000 lumens. This level of brightness equates to a level that is three times brighter than an automobile headlight which is considered to be 2000 lumens.**

**Although the proposed level of brightness is considered standard by the sign industry, consideration should be given to the surrounding land uses which are primarily residential as well as the orientation of these buildings. Riviera Palms nursing home is approximately 750 feet north of the proposed sign, the Hammocks at Riviera Dunes is approximately 670 feet south of the proposed sign, and Courtney Assisted Living facility is approximately 267 feet west of the proposed signage across Haben Boulevard which has a R-O-W width of approximately 70 feet.**

**Consideration of the sign's brightness and average change time for messages should also be given to the passing motorists as constant motion could be a distraction to traffic conditions.**

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.

**The major difference between the existing and proposed signs is the electronic message portion which could have an impact on motorists driving along Haben**

**Boulevard. Based on the precedence set in similar approvals, the application of conditions related to hours of operation and brightness levels can be used to mitigate adverse impacts on the public.**

4. The Conditional Use is not discriminatory, considering similar situations in the general area and in past decisions under this article.

**The Conditional Use is not discriminatory. There have been other electronic signs approved, some with conditions. Examples are electronic signs for Manatee County Convention Center and Palmetto High School which were granted CU permits in 2007 and Space Box which was granted a CU in 2010.**

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.

**Consideration of the new electronic sign as a Conditional Use achieves the purpose of the requirement, mostly because it elicits discussion of factors not necessarily covered in the applicable regulations.**

6. The proposal shall be consistent with the stated purpose and intent of the applicable district regulations and this article.

**The proposal is consistent with the stated purpose and intent of the PD-MU zoning district regulations which permit consideration of a Conditional Use permit.**

7. The proposal shall comply, where applicable, with the regulations of the zoning district in which the proposed use is most commonly permitted.

**Electronic message signs require a Conditional Use approval in commercial and industrial districts and are prohibited in residential districts. This Conditional Use application for the proposed sign complies with the PD-MU zoning district for an existing school.**

8. The proposal shall not create hazardous vehicular or pedestrian traffic conditions or any other type of unsafe condition.

**Concurring with Manatee County's requirements, animated signs can provide additional distraction to drivers at night and distracting glare through reflecting sunlight during the day creating hazardous vehicular traffic conditions on City streets.**

Subsequently, if the proposed sign contained an electronic changeable portion, it should not create negative vehicular or pedestrian traffic conditions. The proposed location of this sign complies with the visibility triangle requirements of the City Code.

**STAFF RECOMMENDATION:**

The following were taken into consideration by staff from the Planning and Building Departments regarding the proposed electronic sign at MSA:

- a) The general character of the immediate area including proximity and orientation of residential uses in the immediate area.
- b) Haben Boulevard is a 4-lane divided arterial. A round-about is proposed approximately 560 feet south of the proposed sign where Haben Boulevard curves at the entrance of the Hammocks at Riviera Dunes. The proposed round-about will result in slower traffic thereby increasing the required change time necessary to avert a traffic hazard.
- c) Other conditional use approvals in the City for electronic signs.
- d) Applicable regulations in nearby jurisdictions.

Staff recommended approval of the proposed Conditional Use permit for an electronic sign and the sign size subject to the following conditions for the changeable copy portion of the sign:

1. Brightness shall not exceed 5000 lumens in the daytime and 1500 lumens at nighttime;
2. Changeable copy display shall not change more than once every thirty (30) seconds.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board recommend **APPROVAL WITH THE FOLLOWING CONDITION(S)** the proposed Conditional Use permit.

1. Signage shall be automatically programmed not be illuminated between the hours of 11pm to 6am.
2. The brightness of the sign on the south side shall not exceed 5000 lumen during the day time and 1500 lumen at night time. Brightness of the sign on the north side shall not exceed 6000 lumen in the daytime and 1800 lumen at night time. Brightness of the sign shall be subject to the discretion of the Building Official.
3. Changeable copy display shall not change more than once every 5 seconds.
4. The sign shall be in substantial conformance with the rendering dated 7/6/11 that was presented at the hearing.
5. No video, animation or scrolling.



**LED Pylon Sign**

A1.1

B: 2 Rectangular internally illuminated logo cabinets with white plex face and yellow painted aluminum returns and trim caps. 26 SF total.

C: 2 43" x 96" Programmable full color LED Displays with aluminum cabinet housing painted yellow. 28.6 SF total.

D & E: Blue and yellow painted 8" deep pylon support pole with decorative angled housing.

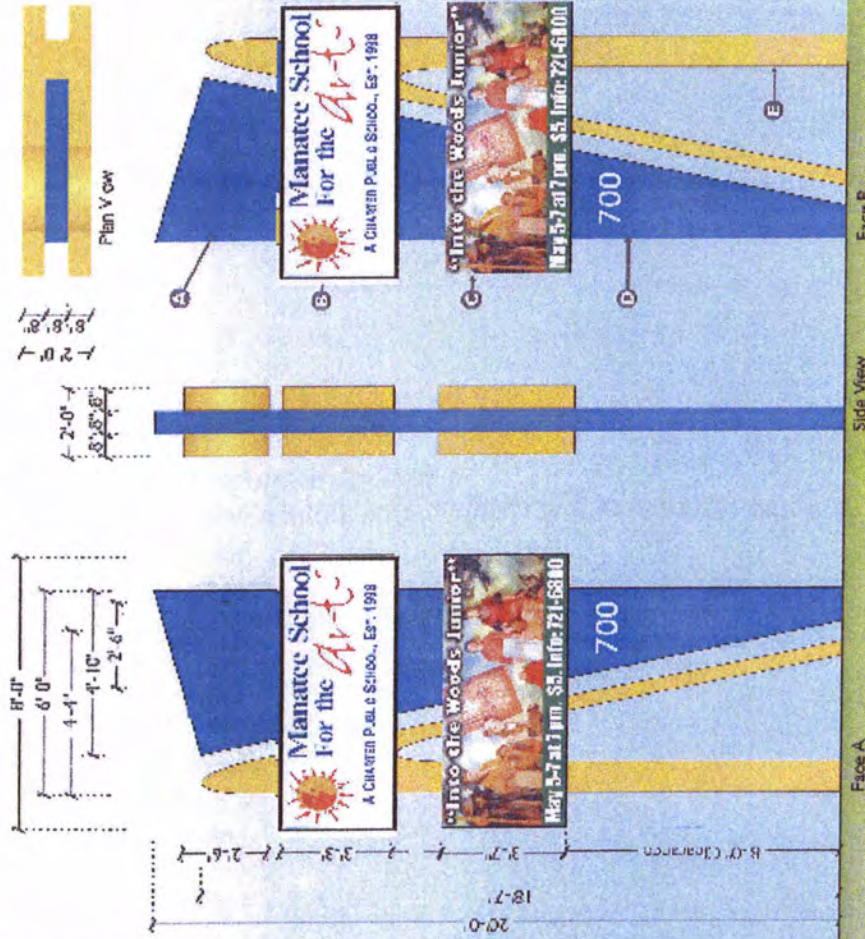
**LED NOTES:**

The sign can be set to change at any interval allowed per the City. We recommend a static display for 5 seconds at a time.

No flashing or scrolling.

Proposed daytime brightness not to exceed 6000 Lumens. Proposed night time brightness not to exceed 1800 Lumens. During the day, the sign should be set to 90% brightness, and in the evenings set to 30-40%.

The sign has automatic and manual dimming capabilities and 256 levels of Brightness Control.



**West Coast Signs**  
 2071 EBW Ave. Galesburg, IL 62531  
 Phone: 618-283-5655  
 Fax: 618-283-0030



DATE: 7/6/11  
 REQUESTED BY: Barry Kriestfelder  
 CUSTOMER: Manatee School for the Arts  
 LOCATION: Palmetto, FL  
 TENANT APPROVAL  CHANGED AS NOTED   
 LANDLORD APPROVAL  CHANGED AS NOTED

F.L.E.

DRAWN BY: Rebecca

SCALE: 1" = 1'

FILE # OF REVISIONS  
 1. 07/21/11  
 2. 07/21/11  
 3. 07/21/11  
 4. 07/21/11  
 5. 07/21/11  
 6. 07/21/11  
 7. 07/21/11  
 8. 07/21/11  
 9. 07/21/11  
 10. 07/21/11  
 11. 07/21/11  
 12. 07/21/11

REVISION:

## West Coast Signs LED Technical Specs for Manatee School of the Arts

Please reference technical specifications for P-12 being installed at Manatee School of The Arts.  
Pixel LED - LED ( 2 x red, 1 x green, 1 x blue )  
Pixel Pitch - P-12  
Total number of LED - 18,432  
Double Faced (d/f) - yes  
Matrix - 96 x 192  
Dimensions - 3' 9 11/32 " x 7' 1 21/32 "  
Auto sensing - yes  
Viewing Angle - 150 degrees  
NIT Maximum - 7500 NIT Max  
Control Computer and software - yes  
Wireless communication - WiFi yes  
Time and Temperature - yes  
Auto & manual dimming - yes  
Thermostatically controlled fans used for cooling - yes  
LED Lifetime Warranty - 120,000 hrs  
Brightness Control - 256 levels  
Graphic Compatible - yes - text and full color graphics, live stream and multi font  
Windows 7 Pro Series 32 Bit Software Controller



MANATEE SCHOOL OF THE ARTS

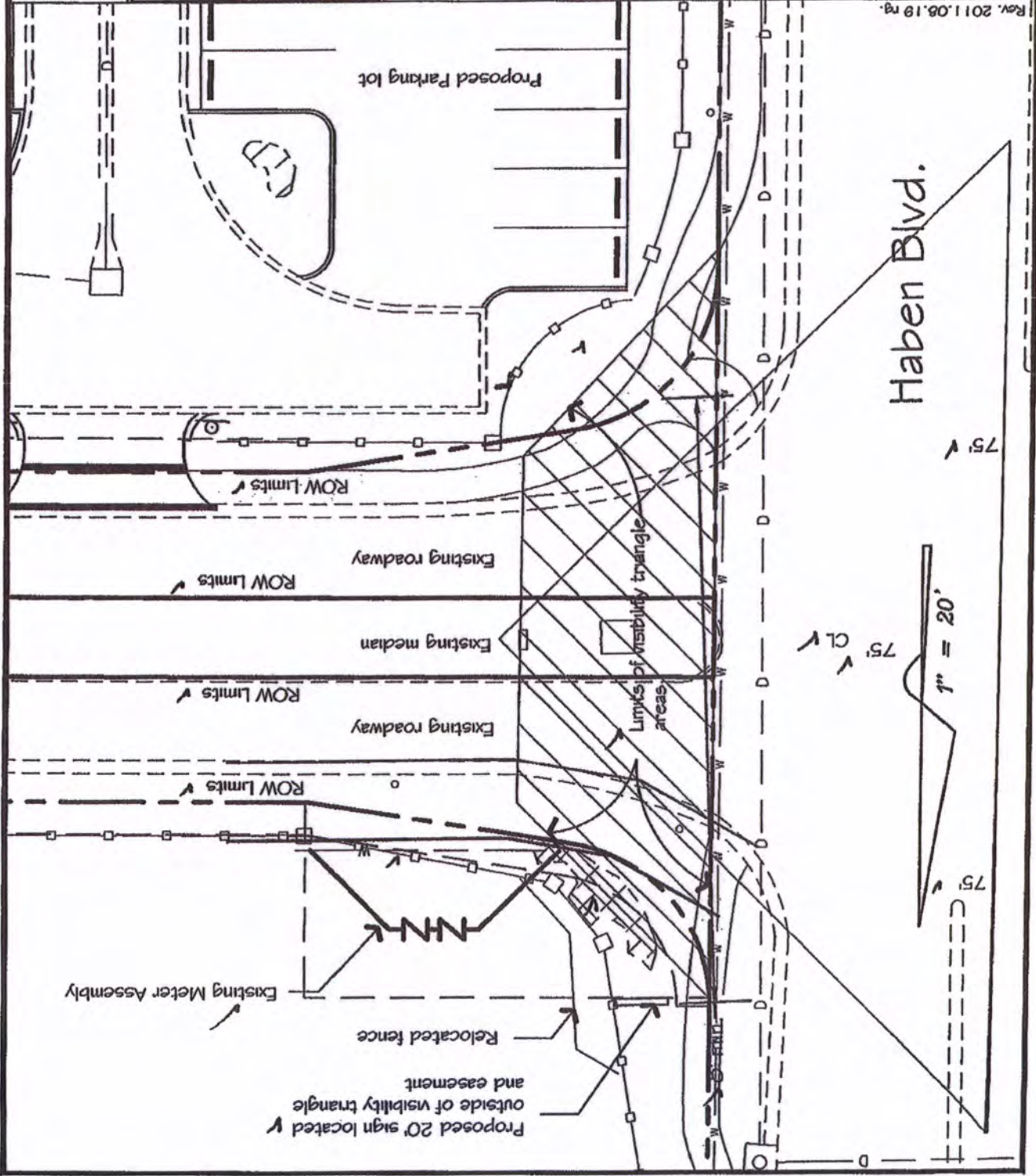
LOCATED IN:  
SECTION 13, TOWNSHIP 34 SOUTH, RANGE 17 EAST  
MANATEE COUNTY, FLORIDA

SIGN LOCATION DETAIL

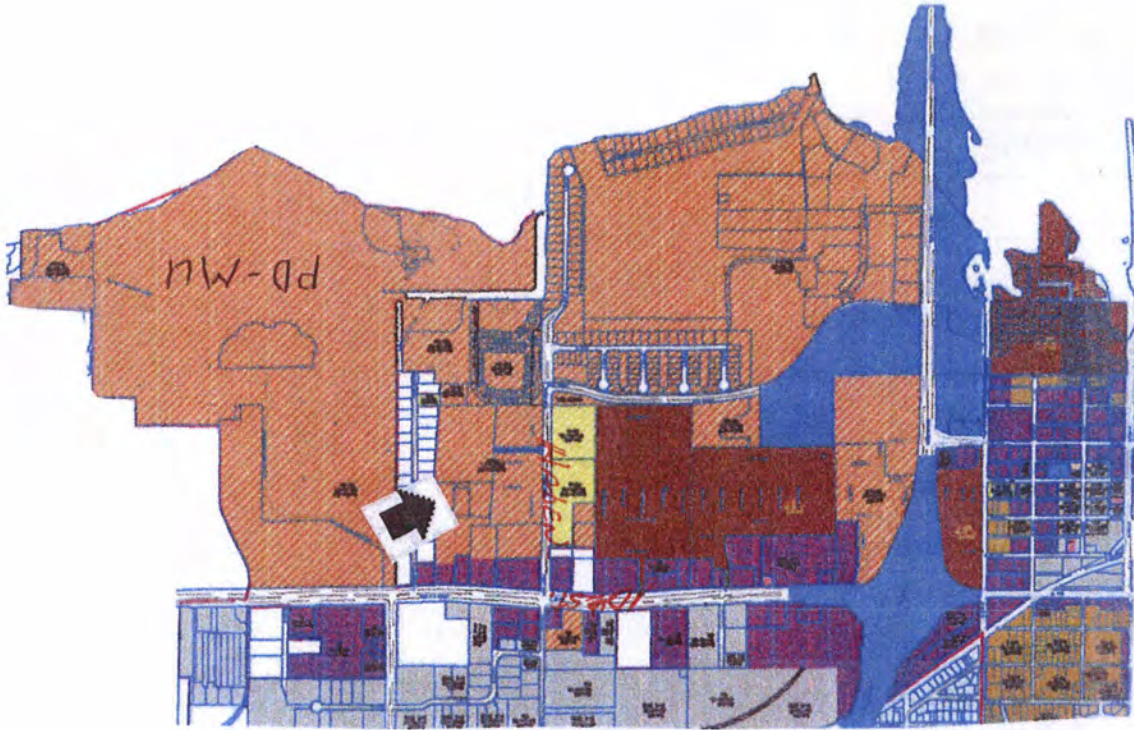


SHEET

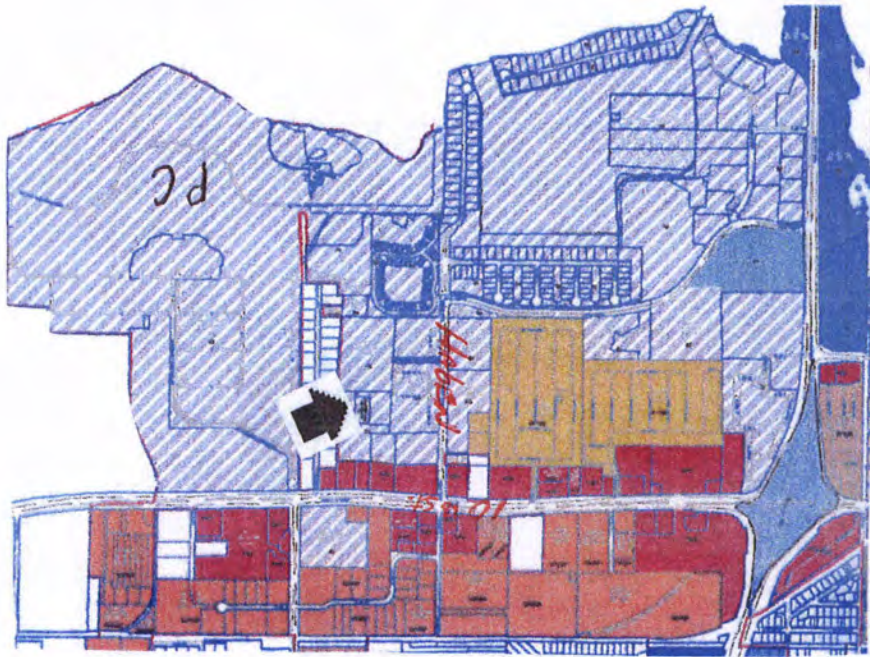
Rev. 2011.08.18 mg.







CITY OF PALMETTO ZONING MAP



CITY OF PALMETTO LAND USE PLAN MAP