



**SUP – 20-3**  
**Special Use Permit**  
**401 Taswell Avenue, Parcel ID 1900010N024**  
**Electronic Message Board**

Lakeview Elementary School is requesting a special use permit to upgrade existing signage and allow for an 11 square foot internally illuminated sign and a 15.28 square foot electronic message board on the existing freestanding sign structure at Lakeview Elementary School, 401 Taswell Ave, also known as parcel identification number 1900010N024 and being zoned RL – Low Density Residential District.

Below, you will find more detailed information regarding the location, zoning, land use, and staff analysis.

**Location**

Lakeview Elementary School is located at 401 Taswell Avenue, also known as parcel identification number 1900010N024. The 9.6 acre parcel is bounded by CSX railroad tracks to the south and east and Taswell Ave to the north.

**Zoning**

The official zoning map shows this property zoned as RL – Residential Low Density.

**Surrounding Zoning**

West: RL – Residential Low Density

South: RL – Residential Low Density

East: RL – Residential Low Density

North: RL – Residential Low Density (Northeast corner is Residential Medium Density)

**Existing Land Use**

The existing land use is “Public.” The City’s Land Use Plan identifies the parcel as “Public.”

**Surrounding Land Use**

**Existing Land Uses:**

West: Residential-Single Family

South: Residential-Single Family

East: Commercial

North: Residential-Single Family

**Land Use Plan:**

West: Residential-Multi-Family

South: Residential-Single Family  
East: Commercial  
North: Residential-Single Family

### **Analysis of Request**

The applicant for this Special Use Permit request is Lakeview Elementary School, represented by Patrick Neuman, principal of Lakeview Elementary School.

Currently, Lakeview Elementary School has a freestanding sign structure that houses an approximately 4' x 8' square foot sign that is not internally illuminated. The sign advertises the name of the school and includes a marquee with 5 lines of changeable lettering. The sign structure is located in the front yard and setback approximately 16' from the front property line.

Lakeview Elementary School requests a 21.47 square foot internally illuminated sign to advertise the name of the school and a 26.65 square foot electronic message board to replace the changeable letter marquee, utilizing the existing freestanding sign structure.

This request necessitates a Special Use Permit for two reasons. First, electronic message boards are not permitted in RL-Residential Low Density zoning district. Second, signs accessory to residential uses may only be illuminated by a white light shining on the sign.

This is the sixth Special Use Permit application for an electronic message board for a civic use in a residentially zoned area. In 2015, an Ordinance No. 15-28, Mount Pleasant Baptist Church at 3110 Greenwood Avenue requested a 27 square foot electronic message board on the Conduit Road side of the property. An Ordinance No. 15-30, the City of Colonial Height requested an approximately 19.29 square feet electronic message board at the Library located at 1000 Yacht Basin Drive. Both of the ordinances were passed and the electronic message boards exist today. For both ordinances, six conditions were placed on the special use permit. These same conditions are recommended below for this electronic message board request.

In accordance with City Charter §17.11-1 Uniformity of Regulations within a District—Special Use Permits, the City Council has the authority to issue a special use permit by adopting an ordinance; however, prior to such adoption, the planning commission must investigate the circumstances and conditions and hold a public hearing. Once this occurs, “The city planning commission may recommend and the council may impose such conditions upon the use of the land, buildings and structures as will, in its opinion, protect the community and area involved and the public from adverse effects and detriments that may result therefrom”. As provided in this same section of the Charter, the Commission should investigate the circumstances and conditions to determine whether the “special use will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public

requirements, conveniences and improvements, and will not interfere with adequate light and air”.

The following documentation is attached:

- Special Use Permit application
- Image of existing signage
- Image of proposed signage

### **Recommendation**

The recommendation from staff is for the Planning Commission to approve Planning Commission Resolution 20-4 which recommends passage of Ordinance Number 20-4 with the following conditions:

- (i) The electronic message board shall not be in use prior to 7:00 a.m. or after 10:00 p.m. on any day, except in an emergency situation;
- (ii) Any movement including flashing and scrolling is prohibited;
- (iii) The minimal interval between messages is no less than 10 seconds;
- (iv) The maximum brightness allowed is 5,000 nits – day and 500 nits – night;
- (v) The sign must be programmed to dim and brighten automatically in response to changes in ambient light; and
- (vi) The sign must either freeze or go blank if there is a malfunction.