

AN ORDINANCE NO. 20-4

To grant a special use permit, with conditions, to the Colonial Heights School Board to upgrade existing signage to allow for a 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 Avenue.

WHEREAS, the Colonial Heights School Board (the "School Board") has filed an application for a special use permit to upgrade existing signage at Lakeview Elementary School, located at 401 Taswell Avenue, to allow for an internally illuminated sign consisting of 11 square feet and an electronic message board consisting of 15.28 square feet; and

WHEREAS, 401 Taswell Avenue is also known as parcel identification number 1900010N024 and is zoned RL – Residential Low District; and

WHEREAS, after due consideration, the Planning Commission approved Planning Commission Resolution No. 20-4, a copy of which is attached hereto and made a part of this ordinance; and

WHEREAS, the Planning Commission recommended that City Council approve this ordinance; and

WHEREAS, City Council has held a public hearing to receive citizen comment on the issuance of the special use permit; and

WHEREAS, upon recommendation of the Planning Commission, the City Council finds that the public necessity, convenience, general welfare, and good planning and zoning practice require that this special use permit be granted; and

WHEREAS, City Council further finds, after investigation by the Colonial Heights' Planning Commission, that issuance of the requested special use permit to the School Board for property located at 401 Taswell Avenue will not be detrimental to the safety, health, morals, and general welfare of the community involved; will conform to the principles of good planning; 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; NOW, THEREFORE,

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That the School Board is granted a special use permit to upgrade existing signage at Lakeview Elementary School, 401 Taswell Avenue, to allow for an internally illuminated sign consisting of 11 square feet and an electronic message board consisting of approximately 15.28 square feet.

2. That the following conditions are part of Council's approval of the special use permit: (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 of the electronic message board, including flashing and scrolling, is prohibited; (iii) The minimal interval between messages on the electronic message board shall be 10 seconds; (iv) The maximum brightness allowed for the electronic message board is 5,000 nits – day and 500 nits – night; (v) The illuminated sign must be programmed to dim and brighten automatically in response to changes in ambient light; and (vi) The illuminated sign must either freeze or go blank if there is a malfunction.

3. That this permit shall be subject to review and revocation by Council, at Council's discretion, in the same manner and under the same conditions as required by law for the granting of such permits.

4. That this ordinance shall be in full force and effect upon its approval on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Michael A. Cherry, Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable John E. Piotrowski, Councilman: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable T. Gregory Kochuba, Mayor: _____.

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Michael A. Cherry, Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable John E. Piotrowski, Councilman: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable T. Gregory Kochuba, Mayor: _____.

City Clerk

Approved as to form:

City Attorney