

City of Newport News Planning Commission

June 2, 2021

Conditional Use Permit CU-2021-0004

Applicant: Denbigh Presbyterian Church

Location: 302 Denbigh Boulevard

Acreage: 8.41 acres



CONDITIONAL USE PERMIT NO. CU-2021-0004

DENBIGH UNITED PRESBYTERIAN CHURCH

| | | | |
|------------------------|---|----------------------------------|--|
| OWNER/APPLICANT | Denbigh United Presbyterian Church | ZONING | R3 Single-Family Dwelling (Appendix A-2) |
| LOCATION | 302 Denbigh Boulevard | ONE CITY, ONE FUTURE 2040 | Community Facilities (Appendix A-3) |
| PRESENT USE | Church | ACREAGE | 8.41 acres |
| REQUEST | Installation of an electronic display sign in conjunction with a community facility in a residential district | | |



FACTS

- North** Denbigh high school and single-family homes on properties zoned P1 Park and R3 Single-Family Dwelling
- South, East & West** Single-family homes on properties zoned R3 Single-Family Dwelling (See Appendix A-2.)
- Zoning History** The property has been zoned R3 Single-Family Dwelling since the citywide comprehensive rezoning in August, 1997.
- Regulatory Review** The sign ordinance allows a community facility to install an electronic display sign in residentially zoned districts with the approval of a conditional use permit. No more than one electronic display sign is allowed on a developed site.

The proposal is to retain the existing brick sign structure and replace the internally illuminated (3'-3" X 8'-3") reader board with a new smaller (3'-0" X 7'-0") electronic message center. At 21 square foot the electronic display portion of the sign is significantly less than the permitted 32 square foot

electronic display area, thus meeting area requirements of the sign ordinance. (See Appendix A-5.)

The sign ordinance stipulates that any electronic sign that is visible at a distance of 250 feet from any portion of a single-family or multiple-family dwelling district shall not be illuminated between the hours of 10:00PM and 6:00AM. The property is located within a single-family dwelling district and must meet this requirement.

The departments of Codes Compliance, Engineering, Public Works, Waterworks, Fire, Police, Parks, Recreation and Tourism and Development have no objection to the request.

Comprehensive Plan Review The *One City, One Future 2040 Comprehensive Plan* land use map designates community facilities uses for the property. (See Appendix A-3.) The church use is a community facility and is compatible with this designation.

ANALYSIS

The church has been in operation on this site since the early 1960's when the original structure was built. The existing sign brick structure dates to the 90's when an addition to the church was built. The electronic message center will be 3-feet by 7-feet, which is smaller than the existing 3.3-feet by 8.3-feet reader board. The church sign on top of the reader board will also be replaced with a new cabinet sign that will retain the existing size and design.

The church property is in a residential neighborhood with single-family homes directly adjacent on 3 sides and Denbigh High School and single family homes across Denbigh Boulevard. The proposed sign will be clearly visible to many homes in the neighborhood. In order to mitigate potential adverse impacts of the electronic display sign on the surrounding residences, the applicant is proposing a 21 square foot electronic message center that is significantly smaller than the 32 square feet allowed by the sign ordinance. The sign location is set approximately 27.5 feet back from Denbigh Boulevard and 125 feet from the closest residence to the north, directly across Denbigh Boulevard. (See Appendix A-1.) By placing the electronic portion on the lower half of the sign, the impacts of the lights on the surrounding properties will be further diminished. In addition, consistent with the sign ordinance, recommended conditions for approval will address the brightness of illumination and hours of operation.

CONCLUSION

The proposed electronic message center meets all the regulatory requirements cited in the sign ordinance for electronic display signs, it will be smaller than the existing reader board sign, and significantly smaller than what is permitted by the sign ordinance in order to minimize impact on nearby residences. The sign operation will observe the required lighting schedule.

STAFF RECOMMENDATION

Recommend approval of conditional use permit CU-2021-0004 to allow for the installation of an electronic display sign in conjunction with a community facility in a residential district at 302 Denhigh Boulevard with the following conditions:

1. The design, size, height and illumination of the sign shall be in accordance with the submitted rendering prepared by Scotty Signs dated April 13, 2021 and identified as Appendix A-5. The sign shall conform to this conditional use permit and the sign ordinance.
2. The electronic display portion of the sign shall not exceed 21 square feet and the overall height of the sign shall not exceed 6.3 feet.
3. The electronic portion of the sign shall not be illuminated between the hours of 10:00 PM and 6:00 AM.
4. All electronic displays shall remain static for a period of at least 5 seconds, and automatic change sequences shall be accomplished by means of instantaneous re-pixelization. Flashing, scrolling, blinking or any other type of intermittent illumination of elements of the display shall be prohibited.
5. Audio speakers on, or electronically connected to, the sign shall be prohibited.
6. The illumination of the electronic portion of the sign shall be no greater than 10,000 foot candles from sunrise to sunset, nor 700 foot candles between sunset and sunrise; however, illumination of the electronic sign shall, under all circumstances conform to condition 3 of this conditional use permit. The sign shall be equipped with automatic brightness control which shall always be operational when the sign is illuminated.
7. The electronic service lines providing power to the sign shall be underground.
8. If approved, the ordinance approving this conditional use permit shall be prominently displayed within the establishment at all times, until the use is abandoned.
9. Violation of any of the above conditions and safeguards attached thereto shall be deemed a violation of the zoning ordinance, and, in addition, shall serve as grounds for revocation of the conditional use permit by the City Council.
10. The applicant, as well as successors, assigns, and agents, shall comply with all codes, ordinances and regulations of federal, state and local

government.

11. The applicant, as well as his successors, assigns, and agents, shall obtain all necessary licenses, approvals, or conditional approvals, and permits prior to commencing any use, which is authorized by this conditional use permit or law. The applicant, as well as successors, assigns, and agents shall maintain all necessary licenses, approvals, and permits for the entire period of time during which the real property, whether improved or otherwise is put to a use which is authorized by this conditional use permit.
12. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; therefore, the conditions contained in this conditional use permit are not severable; in the event that any condition contained herein, of part thereof, is found by a court of competent jurisdiction to be invalid, unconstitutional or otherwise unenforceable, then the use permitted by this conditional use permit shall be void and the use permitted by this conditional use permit shall be invalid. If this conditional use permit becomes void as a result of a condition or a part thereof, or conditions there in, being ruled invalid, unconstitutional or otherwise unenforceable, the property owner shall be afforded the right to reapply for a conditional use permit.
13. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition contained herein; as such, in the event of an amendment to the zoning of the property is produced by a comprehensive implementation of a new or substantially revised zoning ordinance, the conditions imposed by the conditional use permit shall continue in effect.

APPENDIX

A-1 AERIAL MAP

A-2 ZONING MAP

A-3 *ONE CITY, ONE FUTURE 2040 COMPREHENSIVE PLAN* LAND USE MAP

A-4 SITE PLAN

A-5 SIGN DESIGN

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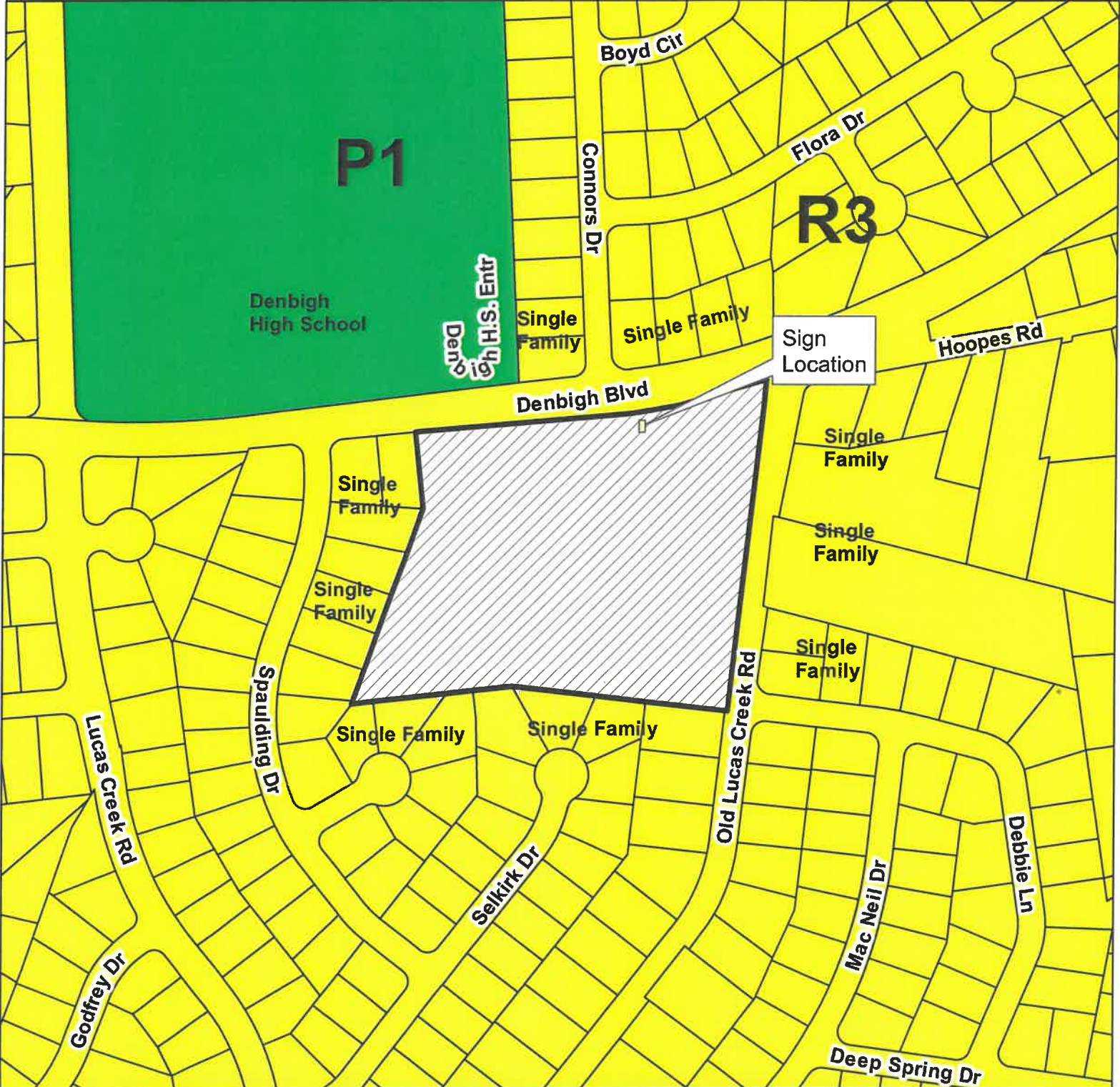
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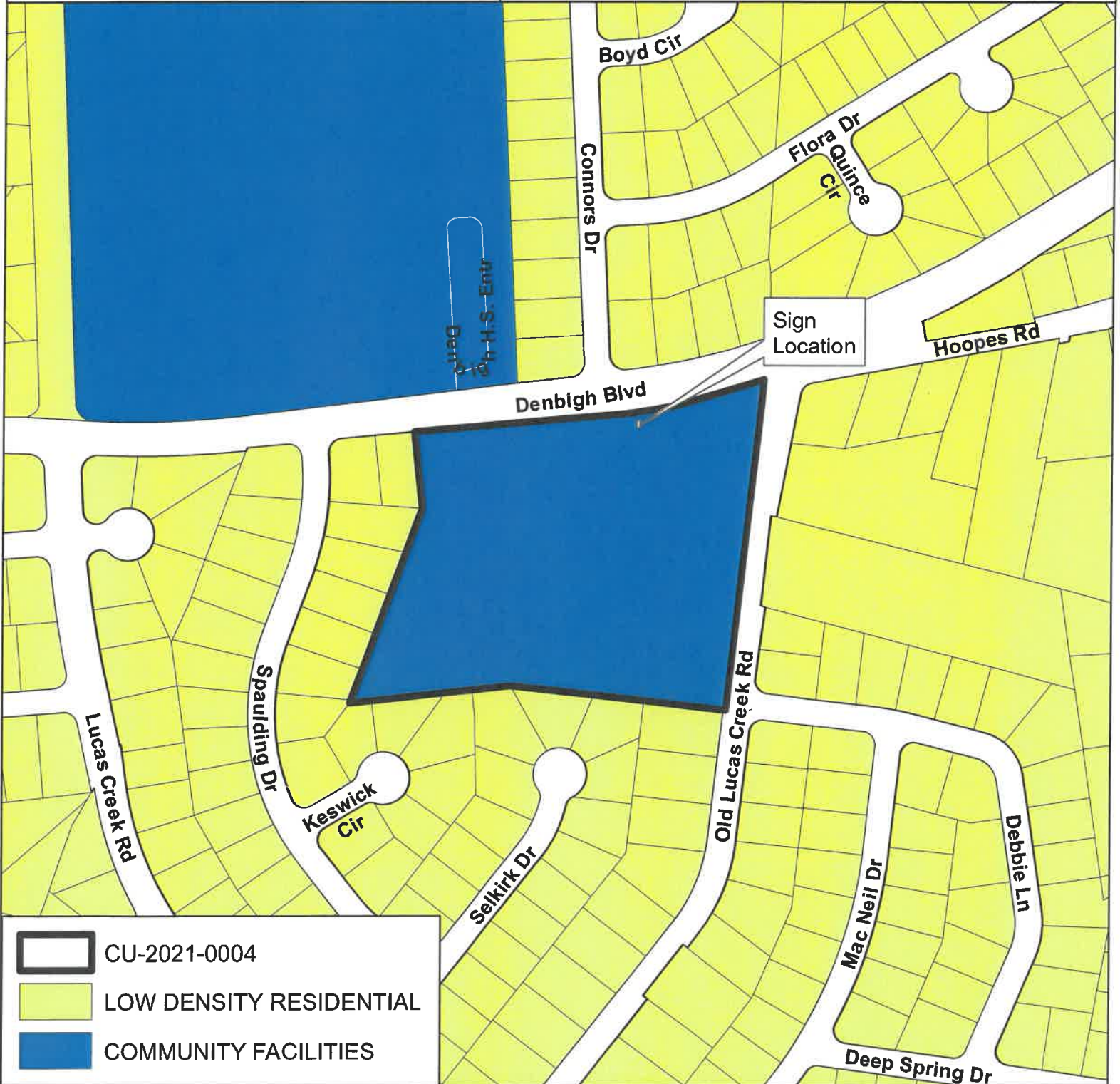
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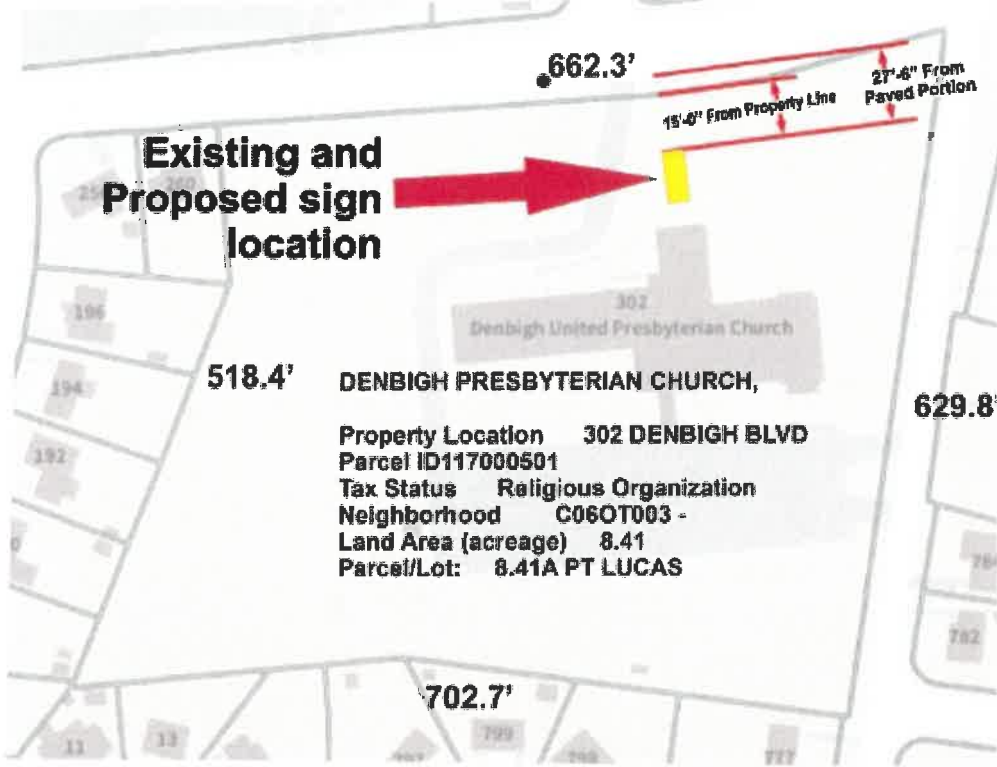
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EMC 21 Sq Ft

7'-0" Viewing Area

**DENBIGH UNITED
PRESBYTERIAN CHURCH**



**SUNDAY SCHOOL
9:15AM
WORSHIP
10:30AM**

1'-0" Viewing Area

SPECIFICATIONS:

- 1. Remove existing sign cabinets from D/F Erick Monument
- 2. Fabricate & install
- 3. Type: 3-7 Full Color Electronic LED Reader Board
- 4. Supply & install
- 5. Type: Electronic Reader Board is not to be illuminated between the hours of 10:00pm - 6:00am

COLORS:

Sign Cabinet: Blue
Signposts: Blue



Building Signs that Build Your Business

Office: 757-345-7129
National: 800-728-8887
Fax: 757-928-1868
340 Ed Wright Ave
Newport News, VA 23606
www.scottysigns.com

Client: DENBIGH UNITED PRESBYTERIAN CHURCH

Driving to: 4329 - Denbigh United Presbyterian Church

Location:



Existing

8'-3"

7'-0"



Proposed

4" Scale

Sign Type: D/F MONUMENT SIGN WITH ELECTRONIC READER BOARD

Scale: 1/2" = 1'-0"

Scale: 1/4" = 1'-0"

Scale: 1/8" = 1'-0"

Scale: 1/16" = 1'-0"

Scale: 1/32" = 1'-0"

Scale: 1/64" = 1'-0"

Scale: 1/128" = 1'-0"

Scale: 1/256" = 1'-0"

Scale: 1/512" = 1'-0"

Scale: 1/1024" = 1'-0"

Scale: 1/2048" = 1'-0"

Scale: 1/4096" = 1'-0"

Scale: 1/8192" = 1'-0"

Scale: 1/16384" = 1'-0"

Scale: 1/32768" = 1'-0"

Scale: 1/65536" = 1'-0"

Scale: 1/131072" = 1'-0"

Scale: 1/262144" = 1'-0"

Scale: 1/524288" = 1'-0"

Scale: 1/1048576" = 1'-0"

Scale: 1/2097152" = 1'-0"

Scale: 1/4194304" = 1'-0"

Scale: 1/8388608" = 1'-0"

Scale: 1/16777216" = 1'-0"

Scale: 1/33554432" = 1'-0"

Scale: 1/67108864" = 1'-0"

Scale: 1/134217728" = 1'-0"

Scale: 1/268435456" = 1'-0"

Scale: 1/536870912" = 1'-0"

Scale: 1/1073741824" = 1'-0"

Scale: 1/2147483648" = 1'-0"

Scale: 1/4294967296" = 1'-0"

Scale: 1/8589934592" = 1'-0"

Scale: 1/17179869184" = 1'-0"

Scale: 1/34359738368" = 1'-0"

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