

1624 North Academy

Appeal the Planning Commission Denial of the Appeal of a Notice and Order

CPC AP 17-00104

September 26, 2017

Meggan Herington, AICP

Kurt Schmitt, Sign Specialist



Subject Property



1624 North Academy

Sign Code Violations



North elevation



East elevation



West elevation



Background



- City Sign ordinance updated in 2012
 - Sign enforcement program was established
 - Proactive site inspections are performed
 - Site inspection at 1624 North Academy on June 14, 2017
 - Multiple temporary banner signs displayed on the north, east and west elevations of the tenant space
 - Notice and Order issued on June 23
- **Per current code 7.4.409(B)(3)(g) – Commercial Centers or properties that incorporate an Electronic Message Center (digital sign) are prohibited to display temporary signs such as banners, inflatables or a-frame signs.**

Property Permit History

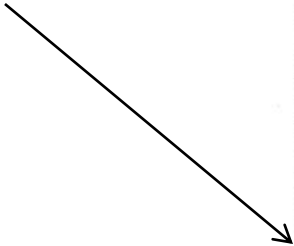


- Polo Center legally permitted 2 EMC's in August 2012
- EMC approval requires submittal of an Electronic Message Center Compliance Affidavit
 - Criteria that must be maintained for the approval of EMC's
 - Affidavit notes that temporary signage is prohibited on any property that has an approved EMC
 - Signed by the property owner
- City Code regulates signage based on placement and property as a whole.

Required Compliance Affidavit



Banners and inflatable displays shall be prohibited on any property that has an approved EMC



POLD CENTER

LETTER OF COMPLIANCE FOR ELECTRONIC MESSAGE CENTERS

1512 Academy LLC 1512 Academy LLC
Business Name Owner of Sign

Shopping Center
Use of Property Assessor Parcel Number(s)

I certify compliance with the following standards for electronic message centers (EMCs) mandated by City of Colorado Springs Municipal Code Section 7-4.409 (initial each line that applies):

- An EMC shall come equipped with an automatic dimming photocell, which automatically adjusts the display's brightness based on ambient light conditions.
- the brightness level shall not increase by more than 0.3 foot or 500 NITS as measured at a pre-set distance.
- Brightness measurement process for EMCs shall be as follows:
 - At least 30 minutes past sunset, use a foot candle meter to record ambient light reading for the area. This is done while the EMC is off or displaying all black copy.
 - The reading should be taken with the meter aimed directly at the EMC at the appropriate pre-set distance. The measurement distance criterion is as follows:
 - 0-100 square foot signs to be measured 100 feet from source
 - 101-350 square foot sign to be measured 150 feet from source
 - 351-650 square foot sign to be measured 200 feet from source
 - 651-1000 square foot sign to be measured 250 feet from source
- EMCs shall display static messages for not less than 10 seconds before transitioning in less than one second to another static message. Transitions may utilize the frame effects of fade or dissolve but flashing and animated signs are prohibited.
- The EMC is limited to on-premise advertising only. On-Premise Advertising is defined as a sign used for promoting a business, individual product or service available on the premises where the sign is located or any sign promoting businesses within a prescribed sign plan.
- Banners and Inflatable displays shall be prohibited on any property that has an approved EMC.

1512 Academy LLC
Property Owner Signature EMC Operator/sign owner Signature (if differs from property owner)

8/2/12
Date Date

1512 Academy LLC by Alex G. Smith, 9055
Property Owner (print name) EMC Operator/sign owner (print name)

165 CAL # 107 Denver, Co 80202
Address Address

303 525 9192
Phone Number Phone Number

Issued Notice and Order



- 15 banners displayed at the Aim Inc. tenant space:
 - Five banners per elevation
 - A total combined area of **996 square feet**
- City Code Section 7.4.409(B)(3)(g)
 - Square footage of allowable temporary signage
 - When no EMC sign on-site
 - Up to **242.25 square feet** of temporary banner signage
 - Aim is 3X over standard sign allowance if the site was not permitted for an EMC
- Options for Aim:
 - Permit permanent signage
 - Window signage allowed up to 25% of each window per elevation
 - 277 square feet allowed which exceeds any standard banner allowance
 - (IF this tenant was not in a center with an EMC)

Recommendation



- City Planning Commission Appeal heard on August 17th.
 - CPC voted 5-0 to deny the appeal and uphold the Notice and Order
- Staff recommends denial of the appeal, thus upholding the notice and order
 - Note that as of the Council hearing the banners have been displayed 104 day
 - Code stipulates 90 days when temporary signs are permitted

QUESTIONS?



Western frontage



Eastern frontage

