

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

May 13, 2010

7:00 PM

City Commission Chambers
22 South Beach Street
Ormond Beach, FL 32174

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

Members Present

John Adams
Patricia Behnke
Al Jorzak
Patrick Opalewski
Rita Press
Doug Thomas

Staff Present

Randal Hayes, City Attorney
Ric Goss, AICP, Planning Director
Steven S. Spraker, AICP, Senior Planner
Chris Jarrell, Recording Technician

Members Absent

Doug Wigley

II. INVOCATION

Mr. Jorzak led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING BOARD AFTER 10:00 PM UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. ITEMS WHICH HAVE NOT BEEN HEARD BEFORE 10:00 PM MAY BE CONTINUED TO THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. APPROVAL OF THE MINUTES

The minutes of the April 8, 2010 Planning Board meeting were unanimously approved, as presented.

VI. PLANNING DIRECTOR'S REPORT

Mr. Goss stated that there were no new issues on which to report.

VII. PUBLIC HEARINGS

A. PBD 10-95: 500 West Granada Boulevard (Ormond Park Plaza) PBD Amendment

Mr. Spraker stated that this was a request for a PBD (Planned Business Development) amendment for the property at 500 W. Granada, located just west of Orchard Street. He pointed out the nearby constructed in 2006. He recalled that in 2008, the owner applied for and was granted a rezoning to PBD to allow a greater percentage of retail, not allowed by right within the B-9 zoning district. He said that their approval included Type A & B restaurants with less than 15 seats, as well as retail and offices, already allowed under the B-9 zoning district.

Mr. Spraker advised that the applicant had reported some limited success in leasing the center. He said that since the rezoning to PBD, the owner has been approached by potential tenants for uses not specified in the prior approval. He said that the applicant would like to:

- Be permitted the uses that were allowed by the B-9 (original) zoning district.
- Be permitted a retail wine store (similar to the Vino 100, previously approved for Nova Shoppes), which would be included as part of the overall retail space allocation (57%) approved for the center.
- Eliminate the seating maximum for the center and let the parking spaces determine the number of allowable seats.

Mr. Spraker said that staff had reviewed the uses, had no objections and recommended approval. He confirmed for Mr. Jorczak that the prior Board approval was for a sandwich shop operation, but explained that it had limited the seating to 15. He recalled that it had been limited based on what Dr. Gonzalez thought the use would require, but that he had later realized that the development order prohibited a larger restaurant, even though it might have met the parking calculations. He pointed out that the request would not waive parking or any of the other standards.

Mr. Jorczak questioned the number of units currently vacant.

Mr. Spraker responded that there were currently three unoccupied units of 1,200 square feet each, but pointed out that tenants come and go. He said that the applicant was not requesting a restaurant of a certain type, but was instead requesting to let the parking calculations in the Land Development Code (LDC) dictate the number of seats allowed in a particular restaurant in the center.

Mr. Jorczak inquired as to the number of seats that would be allowed based on the parking requirements in the Code.

Mr. Spraker explained that it would depend upon the mixture of uses. He said that the calculation for retail components was 1:250, i.e., one space for every 250 square feet of retail space); for restaurants, the calculation was 1: 3 (one space for every three seats), plus one space for each two employees). He said there would have to be a parking analysis for every new tenant in order to make sure that the center complied with the parking regulations. The applicant also had the ability to secure a shared parking agreement with the adjacent bank for off-peak hour parking, Mr. Spraker said, and pointed out that the bank had additional parking at their South Orchard Street lot.

Mr. Jorczak clarified that the applicant simply wanted the capability of utilizing the space for the restaurant use if he could secure a tenant.

Mr. Spraker concurred and said that if he could, staff would do a parking analysis based on what was proposed in order to determine if he already had sufficient parking spaces or if he needed to pursue a shared parking agreement.

Mr. Jorczak questioned the difference between a 2COP and a 4COP alcohol license.

Mr. Spraker explained that a 4COP allows full alcohol, whereas a 2COP allows only beer and wine.

Mrs. Press commiserated with Dr. Gonzalez, who she said had been before the Board several times, and she hoped that the current application would take care of his issues. She thought that the city should perhaps revisit the Type A restaurant classification for a sit-down restaurant, noting that 15 seats, or four tables, would not be financially feasible.

Mr. Spraker explained that the LDC definition requires a minimum of 150 seats for a Type A, typically a larger restaurant or a bar. He said that a Type B restaurant was required for anything less than 150 seats and that the 150-seat threshold reflected the State's threshold for full alcohol licensure. He stated that the applicant was requesting to be permitted a small sit-down type of restaurant.

Mrs. Press said she had no problem recommending approval.

Dr. Gonzalez, 355 Oceanshore Boulevard, said he appreciated the opportunity to try to improve the situation at the center and approved of Mr. Spraker's presentation. He agreed that the 15-seat maximum requirement was a problem; he said that they needed more than 15 seats to attract a viable tenant.

Mr. Adams made a motion to approve PBD 10-95, as recommended by staff.

Mrs. Behnke seconded the motion, which was approved by unanimous (6-0) vote.

Chair Thomas, on behalf of the Board, declared the public hearing to be closed.

B. SE 10-100: Murals at 45-49 West Granada Boulevard (Caffeine's)

Mr. Spraker said that the item was a request for a Special Exception to allow existing murals located at Caffeine's restaurant on West Granada Boulevard. He advised that the property was unique, because their building at 15 New Britain Avenue (and their north and south parking areas) blocks visibility of the murals on the rear of the restaurant building.

Mr. Spraker explained that the applicants had made some improvements, including the mural series, without pulling any permits. He said that the applicant subsequently received a determination from the planning director that the mural was not signage, but pointed out that the Code is silent on murals. He said that the city of Ormond Beach had some history concerning murals, but that the Special Exception process allowed for uses not identified by the Code.

Staff had received letters of support, Mr. Spraker stated, from Brian Hanson and from Dr. Rodriguez (Granada Arts), as well as a telephone call from Mr. Chris Quarles in support of the application. He further reported that on Monday night, the Ormond Beach Design Committee discussed murals and considered the scope of the existing murals at Caffeine's. He said that the president of the Design Committee had provided the Board members with a letter summarizing their deliberations at that meeting and advised that the Committee members had been very supportive of the murals, since they felt that the murals provided interest, encouraged outdoor seating and allowed for a "cool" environment for their patrons, so that they would not have to stare at a blank wall, all things that had been identified as good for the Downtown. He added that the Design Committee had expressed interest not only in allowing the existing mural, but in additional studies to allow other murals in the future that could not readily be seen from the rights-of-way.

Mr. Spraker explained that city staff was not necessarily opposed to murals, but was concerned that they would not be able to guarantee the result if every mural request was simply reviewed as a Special Exception without standards having been established. He said that staff would recommend establishing evaluation criteria and amending the Land Development Code if the Board members wanted to allow murals. He further explained that if the Planning Board and the City Commission, in review of the application before them, could:

- deny the application
- deny the application and recommend an LDC amendment prohibiting all murals

- approve the application and require any subsequent requests for murals to go through the Special Exception process
- approve the application and amend the LDC to allow murals, or
- recommend that the current application be put on hold until the LDC amendment process is completed and then make the current application comply to whatever regulations are adopted.

Mr. Jorczak asked Mr. Spraker to provide the Board with some insight as to why the city had elected not to proceed with standards for murals when they had addressed the issue a few years ago.

Mr. Spraker replied that the concern had been that by attempting to regulate art, the city would lose some of its control. He recalled a quote from one of the then-planning board members, who had stated that it was just one more thing that had to be regulated and that the city might still not get what it wanted. He advised that the Design Committee thought that murals could provide interest, if done right and done well, and that the question was how to do so while consistently applying the standards. He said that staff's concerns had been 1) that either way, there would be no standards for the next person if the Land Development Code (LDC) was not amended, and 2) if the current application was approved, a guideline had already been established. He summarized that the concern had essentially been one of regulating art.

Mr. Spraker said that the City Commission had asked for an ordinance to be prepared and remembered that staff had taken the issue to the Quality of Life Board, Ormond Beach MainStreet and the Planning Board. He recalled that all of those entities recommended not approving the use of murals at that time, and the City Commission acquiesced; the Commission did not indicate a dislike for murals, but rather decided not to pursue any further action.

Chair Thomas asked if the Board would be setting a legal precedent if they approved the current application and then subsequently decided to address murals in the Land Development Code.

Mr. Spraker responded that if the Board wanted to approve the current application, the Board could defend it based on the fact that it was not visible from a right-of-way and that it is located in an interior corridor. He reasoned that if another application had the same set of circumstances, the Board could simply outline the criteria and reasoning, but advised that staff would recommend that they begin the process of establishing conditions for murals if they decided to approve the application before them.

Chair Thomas asked what the ramifications would be if the Planning Board approved the application before them and worked out murals criteria at a later time.

Mr. Spraker reiterated that staff believed that the application was a unique situation with unique characteristics. He pointed out that anyone could apply for a Special Exception and reported that he was not aware of a great demand for murals. He thought that there was sufficient time to establish conditions afterwards if the Board was inclined to approve the application, noting that if approved, the property owners would have the right to keep the existing murals regardless of

subsequent regulations. He said that an alternative would be to table the application until the standards were established and then require the applicants to adhere to the new regulations.

City Attorney Hayes stated that he was not concerned that approving the application would set a legal precedent. He recalled that the current process for dealing with murals was by means of a Special Exception application, which he referred to as a negotiating tool, and felt that the standards mentioned by Mr. Spraker were good principles by which the current application could be evaluated. He explained that regardless of the action taken by the Board on the current application, any subsequent Special Exception application for a mural would have to be evaluated on the merits of that particular application and that the Board could use their experiences in determining whether or not to grant the Special Exception.

Mr. Hayes advised the board members that the application before them was a separate issue from whether or not to recommend amending the LDC to establish objective criteria for murals. He added that they might or might not want to continue to use the Special Exception process as the vehicle for review. He agreed that the difficulty in dealing with art was that it was very difficult to establish objective criteria or standards because evaluating artistic work could lead to many other ancillary issues and was the reason that the Code did not currently address the issue. He acknowledged that the issue had been reviewed in the past, but thought the complexity of the subject matter and the lack of high demand was the reason that the Commission and/or the Planning Board had not felt the need to amend the Code to include standards for murals. He reiterated that approval of the item before the board would not establish a precedent, since each application was evaluated on its own merits.

Mr. Spraker confirmed for Mrs. Press that the only other request for a mural had come from the owner of Julian's restaurant.

Mrs. Press opined that the reason that there had not been applications for the use of murals was that it was well known throughout the community that murals were not permitted. She said that as soon as one mural was allowed, other requests would follow.

Ms. Dorian Burt, 203 Pine Cone Trail, stated that she was the project coordinator for the Highlander Corporation, owner of the subject property. She asked the Board to approve the Special Exception, noting that the mural was not visible from any roadway. She pointed out that the Land Development Code addressed colors for building exteriors, but did not address the exterior wall of an interior courtyard, and informed the Board that the Highlander Corporation would eventually apply for a Special Exception to enclose their courtyard area. She said that as part of the re-design of the carriage house, which blocks the view, the courtyard area would become accessible only from the restaurant or carriage house. She added that the Special Exception would also include a request for two additional apartments downstairs.

Ms. Burt apologized profusely and advised the Board that they would never again do work without a valid city permit, adding that their general contractor would refuse to work without those permits. She confirmed that the neighbors who had written letters of support, Brian Hanson and Michael Rodriguez, were both adjoining property owners who, along with their tenants, could see the murals and were fine with them.

Mrs. Press asked if Highlander Corp. anticipated painting any other murals in any of the other properties they owned in the MainStreet area.

Ms. Burt said that they did not at present. She said that the 31 On The Boulevard restaurant was being constructed with an already-approved courtyard, which she thought would be decorated in a tropical outdoor theme. She noted that although she did not foresee the décor with a mural, she could not speak for the creative ideas of the owner, but promised to apply to the city before doing any work if he decided he wanted a mural. She pointed out to the Board members that Ormond MainStreet supported murals and said that murals were a large part of Main Streets throughout Florida. She acknowledged that it was separate issue, but advised that she had researched city ordinances governing murals and would be assembling a packet of information for Ormond MainStreet, remarking that the Downtown needed all the help it could get. She felt that except for Mr. Jones, the downtown area would already be blighted.

Mr. Jorczak asked if a mural would require permitting if it were in a screened (enclosed) courtyard under hard roof.

Mr. Spraker replied that they could, but said that they would have other issues to deal with since they could not meet setbacks and other standards. He confirmed that it would be considered an internal structure once screened with a hard roof.

Mr. Bill Partington, 1284 Fernway Drive, spoke in favor of murals in the Downtown. He likened Fountain Square to the subject property in that it has two buildings with a space in between and as a good example of where murals could be located. He pointed out the two existing murals at Ormond Elementary and stated that even though the city has no jurisdiction over those murals, the public had obviously accepted them. He recalled wondering at the time of the previous murals discussions why people in Ormond Beach were not smart enough to regulate murals as were the people in St. Petersburg, DeLand, Eustis, or New Port Richey, all of which have wonderful murals. He thought that Ormond could find a Board willing to act as the authority to regulate murals.

Ms. Margaret Hodge, 36 North Ridgewood Avenue, said that she frequented Caffeine's and liked the fact that the mural was hidden from the street, since artwork was so subjective. She stated that she had been one of the proponents of "back door" MainStreet and that it was important; she said that people entered the businesses through the rear doors and the rear entrances needed to be more attractive. She pointed out that people who smoke often sat outside because of the regulations and thought the murals helped to make those people feel more a part of the festivities happening inside the buildings. She encouraged the Board to approve the Special Exception.

Mrs. Behnke said that regardless of whether or not she liked the murals or whether or not the neighbors liked the murals, the fact was that two violations of city regulations had occurred in the process: the murals were done without permits and the murals utilized colors that were not permitted. She pointed out that the applicants were not novice business people, but rather people who knew the business regulations. She stated that the city had codes and laws for a reason, which was to give everyone an opportunity to discuss the request, look at the facts and then try to make a qualified decision. She therefore thought that the violations were unacceptable.

Mrs. Press said she was unhappy to be in the position of either saying that the applicants should paint over the mural, or accepting the mural because there were people who enjoyed it. She thought it would reflect badly on the city if the citizens wanted the murals and the Board felt compelled to recommend denial. She said the issue went beyond the murals at Caffeine's. She also recalled the many discussions regarding murals and remembered that the consensus for not allowing them was because the city would be opening a Pandora's Box.

Mrs. Press said an internet search indicated that every jurisdiction that had allowed outdoor paintings had experienced controversy and in many cases, costly lawsuits. She said that the right for artistic expression becomes impossible to deny to anyone and that the terminology "regulated art" was an oxymoron because art and artistic expression could not be regulated. She cited the expression, "Art is in the eye of the beholder" and questioned the group in the city that would be the arbiters of subjective standards such as good taste, pornography, obscenity and questioned who would be the group to judge an artist's talent or ability. She questioned who would decide whether or not to allow religious depictions, historic depictions or political expressions. She cited the example of a very large mural of General Robert E. Lee in Richmond, Virginia that had to be removed because some people in that city said he represented a period of oppression. She also cited the case of a mural in Fresno, California; she said vandals struck a controversial mural that pitted neighbors against neighbors because some called it art, others said the designs were evil. In Chicago, she said, an immigration-themed mural being painted by Latino youths, was vandalized amidst the controversy of immigration reform and in St. Louis, a property owner, angry against the city and its regulations, had an "End Eminent Domain Abuse" painting put on his building. She stated that in Plant City, Florida, residents thought they saw an objectionable likeness to a man's anatomy in Norman Rockwell-style mural.

Mrs. Press reminded the board members that the Planning Board was a quasi-judicial branch of city government and that they were tasked with the responsibility of examining the ramifications of their actions on the city's look, character and future. She said that she had suggestions to offer if the Board decided to discuss restrictions on murals.

Mr. Jorzak echoed some of Mrs. Press' comments regarding the subjective nature of art, including the subject matter, context, colors, style, text, size, location, and who would be responsible for determining the appropriateness of murals. He agreed that if it was decided to allow murals, the city would have to establish objective standards as a way to determine what is, and is not, acceptable. He thought that, in spite of the city attorney's opinion that it would not set a precedent, any time something new is allowed, a base line is established. He also thought that if staff wanted to set such murals standards, they should be established prior to allowing any murals by Special Exception.

Mr. Adams pointed out that the board was dealing with two separate issues that should not be mixed. He said that the first was the application specific to 45-49 West Granada Boulevard and the second was the bigger question of whether or not to allow murals in the city. He felt that Mr. Partington had expressed some great points and remarked that he also thought that having the murals in downtown DeLand did not entitle everyone in DeLand else to have murals.

Mr. Adams said that the Board needed to focus on the application at hand, i.e., Caffeine's. He stated that 1) the situation was unique because it was a mural painted on interior walls not visible by passersby from either Granada Boulevard or New Britain Avenue and could only be seen if someone specifically wanted to see it, and 2) the business would only be harming itself if the patrons did not like the mural or found it objectionable, and 3) everyone seemed to be in favor of allowing the murals to remain. He said that the few people who could see the murals, other than patrons, had expressed their support. In fact, he said, he had never before received the number of positive telephone calls, letters and e-mails that he had gotten regarding Caffeine's application.

Mr. Opalewski agreed that the issue before the Board was the Caffeine's application. He said that he had no problem with the request, given that the view of the murals was blocked by the house on New Britain and, more importantly, the business people with a vested interest in the downtown had voiced support for it. He said that Attorney Hanson, Dr. Rodriguez, Ormond MainStreet and La's Bistro were all in favor of allowing the Special Exception.

Chair Thomas commented that as a business person whose business pulls 10-100 permits per week, he found it reasonable that the applicants could have easily and inadvertently neglected to get the necessary permits. He added that the reason he was willing to accept that it was just a mistake and rely on the old adage of "Do it once shame on you; do it twice, shame on me" was that no one in the last 35+ years has had a more positive effect on, or has invested more in, the Downtown than the applicant.

Chair Thomas said he drove along New Britain Avenue from both directions and although he had to really look for it, he could see the mural. He stated, however, that during the foray, he found many things on New Britain that were a lot more offensive, such as dilapidated buildings, carports and awnings. He said that the mural was not his style, but acknowledged that he would prefer the mural to looking at a blank wall if he was sitting outside. He said his reason for inquiring about setting a precedent was because he had no intention of punishing the applicant for what he assumed was an innocent mistake, given that the applicant had invested so much in the Downtown. He agreed with Mr. Adams and Mr. Opalewski that he would not tell them to paint over the mural. He suggested listening to Mrs. Press' solutions and moving forward with the item before the Board.

Mrs. Press agreed that everyone felt that what Mr. Jones had done was fantastic. She said she also thought that the city had been quite flexible in allowing the Art Deco style, not one of the stated architectural styles. She took exception to the use of the word "entitlement" used by Mr. Hanson in his letter of support, saying that no one was entitled to anything when going before the Planning Board; she said everyone had to be treated equally.

Chair Thomas pointed out that the word had not been used by either Mr. Jones or anyone connected with his organization. He stated that the applicants had no control over what someone else expressed.

Mrs. Press said it would be a mistake if the city did not create [review] criteria before they had another request. She suggested criteria such as: murals cannot be seen from the street, murals are applicable for the [Downtown] Overlay District only, murals must adhere to the District's rules

and regulations, no murals allowed on historic buildings. She also thought there should be color standards for murals.

Mr. Adams thought that Mrs. Press had some valuable suggestions and thought that the Board should coordinate such efforts with the Quality of Life Board, planning staff, and others. He agreed that standards were needed and a process should be established, but pointed out that in the case at hand, an approval would not mean that the Board had to approve all future Special Exception applications for murals. He reiterated that they were two different issues.

Chair Thomas restated Mr. Adams comments that the Board should make a recommendation on the item before them and then staff to present some mural review recommendations at another time, i.e., whether to amend the Land Development Code or retain the current Special Exception process.

Mrs. Press said that murals had been discussed by Planning Board several times in years past, but that it was time to establish some standards and regulations before someone applied for something that they thought inappropriate. She remarked that the applicants knew the rules and should be ashamed.

Mr. Opalewski made a motion to accept SE 10-100 (Caffeine's Special Exception for Murals at 45-49 West Granada Boulevard).

Mr. Adams seconded the motion.

City Attorney Hayes clarified with Mr. Opalewski that the motion was for the murals currently in existence. Mr. Hayes said that he did not know if the property owner was contemplating any additional murals, so wanted to ensure that the motion was only for the existing murals.

Mrs. Press wanted the record to reflect that she was voting to approve on the condition that the courtyard would be enclosed.

Ms. Burt pointed out that they would apply for that, but could not guarantee that the city would grant their request.

City Attorney Hayes asked that the motion include the reasons for the approval (as indicated by Mrs. Press), in order to have a complete written record.

Mr. Opalewski restated the motion, saying that his reason for his making the motion was that the mural could not be seen from the street right-of-way, there was no written objection from adjoining residents or businesses, and that the applicants had plans to enclose the courtyard area.

Chair Thomas pointed out that the Board could not dictate that the applicants would have to paint over the murals if the applicants were denied their request to enclose the area in question. He stated for the record that the Planning Board was under the impression that the applicants would ask for that, but that there was no guarantee that it would happen.

Mrs. Press did not think the language needed to be in the motion, but did want to minutes to reflect her reasoning for her vote to approve.

Mr. Adams seconded the motion, as amended.

Ms. Jarrell called the vote.

Pat Behnke	No
Al Jorczak	No, because the issue of standards and regulations for murals should first be established, heard by the Planning Board and approved by the City Commission.
Patrick Opalewski	Yes
John Adams	Yes
Chair Thomas	Yes
Rita Press	Yes

The motion was approved by a 4-2 vote.

Chair Thomas declared the public hearing to be closed.

VIII. OTHER BUSINESS

There was no other business to be discussed.

IX. MEMBER COMMENTS

Ms. Behnke said she wanted to make clear that she voted to deny the murals application because of the lack of existing standards. She thought that without some guidance there was the potential for things the city did not want.

Mrs. Press said that she believed the applicants had known that they needed permits, but was not punishing them for the violations. She thought that establishing standards for murals would prevent unwanted problems.

Mr. Jorczak thought that the consensus of the Board was that they would like the planning department, on behalf of the city, to take action on the murals issue.

Mr. Goss responded that staff was already working on it, since they had another person interested in a mural.

Mrs. Press questioned the electronic sign at the Performing Arts Center that had a changing message and different colors; she asked how it was allowed.

Mr. Goss explained that the sign had been approved under the provisions of the previous code, which allowed government buildings to have those signs. He said that the changeable copy language was subsequently deleted from the Code when the City Commission heard the request

to allow churches to have such signs. He said that staff had then scheduled a workshop (to occur the following Tuesday night) and would have a sign set up as a way to show everyone what it is. He advised that the PAC sign was being tested by city staff and that they were trying out different variables with the accompanying software. He also responded to Mr. Jorczak that they were not required to turn the sign off at night, but noted that it could be a criterion.

Mr. Opalewski felt it important to establish standards for murals.

Mrs. Behnke stated that she thought the sign at the PAC to be a distraction and that driving by, she only saw a portion of the information on the sign.

Mr. Goss reiterated that city staff was trying to learn the software and the system, and were also testing the look and timing increments. He asked for patience with staff while they learned to program the sign.

Chair Thomas said that the Leisure Services Board (of which he is Vice Chairman) was comprised of 12 people, all of whom considered having such a sign a very high priority. He said it would be a great help in disseminating information for parents and participants regarding registration dates, schedules and deadlines. He informed the board members that there was currently a request for another such sign for the Airport Sports Complex for informational purposes. He acknowledged that it could be distracting and that some had concerns with the signs, but thought that the benefit outweighed the negative and stated that the Leisure Services Board felt strongly about the use of those signs for the benefit of the community. He pointed out that Port Orange had utilized a changeable copy sign for years to inform the public. He also stated that he was not opposed to murals if they were hidden.

Mrs. Press remarked that given the current trend, Ormond Beach could become a city of signs.

Mr. Thomas commented that it was now the electronic age.

Mr. Jorczak thought that from an informational standpoint, the sign at the PAC seemed small and asked how size was determined.

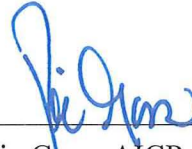
Mr. Spraker explained that the size was based on the linear frontage of the property. He said that the city could have utilized a larger sign at that location.

Chair Thomas recalled that the sign cost \$45,000 and confirmed that it had come out of the Leisure Services budget. He said the PAC sign was 43" off the ground, the maximum height allowed. He responded to Mrs. Behnke that even though it was the responsibility of the parents to stay informed, they sometimes needed help in getting the information they needed. He foresaw controversy with the electronic signs, saying that he was in favor of it and thought it was long overdue.

X. ADJOURNMENT

The meeting was adjourned 8:10 p.m.

Respectfully submitted,



Ric Goss, AICP, Planning Director

ATTEST:



Doug Thomas, Chair

Minutes transcribed by Betty Ruger