

ISSUE: Certificate of Appropriateness (signage)

APPLICANT: Old Town #2, LLC

LOCATION: Old and Historic Alexandria District
815 ½ King Street

ZONE: KR/King Street Retail

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness, as submitted.

BOARD ACTION: Approved, as Amended, 5-0, February 20, 2019

On a motion by Ms. Neihardt and seconded by Mr. Conkey, the Board of Architectural Review voted to approve portions and defer portions of BAR #2020-00032 & BAR #2020-00030, as amended. The motion carried on a vote of 5-0.

CONDITIONS OF APPROVAL

1. Approve the storefront modifications.
2. Defer, at the request of the applicant, the removal of the Old Town sign, pending additional staff research on its age and whether it could be designated a landmark sign.

REASON

The Board supported the new storefront because it has been changed several times in the past and was architecturally undistinguished, but deferred action on the Patagonia sign and removal of the Old Town sign pending additional research by staff.

SPEAKERS

Welsh Lyles, representing property owner and Patagonia, spoke in support of the application and answered questions.

Dillon Colligan, representing the Alexandria Archaeological Commission, read a statement from the commission stating that the Old Town sign should remain in its current location to retain the historic character of the block.

DISCUSSION

The Board had no objection to the storefront improvements because the existing storefront and ticket booth were later alterations that were not historically or architecturally significant. They did not support the removal of the Old Town sign without additional research by staff to determine the age of the sign. Mr. Cox told the Board that they could determine that the sign itself was a historic resource and, therefore the retention of the sign would not count against the owner's maximum allowable signage. Mr. Sprinkle suggested that the applicant explore alternative locations for the

Patagonia sign, such as the angled sides of the marquee, and asked staff to put the sign research in the context of movie theaters in the 20th center. A motion to make the sign a historic landmark was replaced by a substitute motion (Ms. Neihardt made the motion, Mr. Conkey seconded the motion) to direct staff to study the historic nature of the Old Town sign, as well as the previous Richmond sign, and return to the BAR with a report.

GENERAL NOTES TO THE APPLICANT

1. **APPEAL OF DECISION:** In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board's decision to City Council on or before 14 days after the decision of the Board.
2. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
3. **BUILDING PERMITS:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Department of Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-746-4200 for further information.
4. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a copy of the Certificate of Appropriateness or Permit to Demolish PRIOR to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriava.gov for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B), 10-206(B) and 10-307 of the Zoning Ordinance, any Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.
6. **HISTORIC PROPERTY TAX CREDITS:** Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.

UPDATE:

Following the BAR hearing in February the applicant decided to retain the Old Town sign on the marquee and proposes an internally illuminated letter sign above the entrance to the store.

I. APPLICANT'S PROPOSAL

The applicant requests a Certificate of Appropriateness to install an internally illuminated sign at the entrance to 815 ½ King Street.

Certificate of Appropriateness

Internally illuminated individual letters measuring 1'-5" tall, 4" deep and approximately 7'-6" long will be centered above the storefront entrance under the existing canopy. The letters will have translucent white faces and will be internally illuminated.

II. HISTORY

The Old Town Theater began as the Richmond Theater in **1914** and was the first permanent theater constructed in Alexandria.¹ The original Permit to Build, dated April 16, 1914, was for the purpose of "moving pictures, bowling alleys and billiards." The owners, Mr. Steele and Mr. Reed, hired a Mr. Atkinson as architect and R.G. Steele as contractor to construct the theater at a cost of \$7500. A circa 1929 (Figure 1) photograph shows a metal marquee with illumination and a blade sign added at the second story. The owners reportedly operated a vaudeville theater on the first floor and a dance hall on the second floor until around 1932.² At that time, the theater closed for renovation, the dance hall was removed, and the balcony added.



Figure 1: Circa 1929 photo showing an earlier marquee, storefront and large sign perpendicular to the facade

¹ History from cinematreaasures.org/theaters/77

² History Section www.OLDTOWNTHEATER.COM

Previous BAR Approvals

In 1956 the Board approved unspecified alterations (January 11, 1956); however, staff believes that the alterations may have consisted of the canopy and sign shown in the 1950s photos shown in Figure 2. On March 19, 1980 the BAR approved the existing Old Town sign. In 2001, the Board approved alterations for ADA compliant access to the theatre (BAR Case #s 2001-0101 and 0102, May 16, 2001). In 2007, the Board approved an after-the-fact Permit to Demolish for removal of a section of brick on the front façade and alterations to the underside of the marquee with conditions for repair (BAR Case #s 2007-0119 and 0120, July 18, 2007). The BAR reviewed applications for changes to the historic theater and signage in 2012 at numerous hearings (BAR 2011-0364, 2011-0365, January 18 and April 4, 2012; and BAR 2012-0264, Sept. 5 and 19, 2012). Staff notes that, although the BAR initially approved demolition of the later marquee, the final proposal approved by the BAR retained and repaired the marquee based on historic photographic evidence. The BAR also approved the partial demolition of a portion of the flat roof for the installation of skylights (BAR Case #2014-00398).

Although many members of the community expressed concern during the previous meetings and in the local press about the loss of the historic theater use for a potential conversion to retail in 2011, the BAR is only empowered to review exterior architectural features and agreed that the storefront existing at that time was a later, undistinguished framing system. The BAR felt more strongly about the 1950s era marquee and did not want to lose this distinctive architectural feature on King Street. Finally, while the “Old Town” sign on top of the marquee was a later replacement for the “Richmond” theater sign, it had been in place for a significant period of time and was embedded in the cultural memory and considered historic in its own right, so the previous owner was convinced to retain a slightly modified version of that sign. Staff also notes that the BAR approved internally illuminated LCD tv screen signs specifically to advertise upcoming theatrical performances and stated at that time that this type of sign was only appropriate on a theater and not for general retail use anywhere else in the district. The signs were not animated and were only allowed to change content twice each day, as regulated by the zoning ordinance throughout the city.



Figure 2: Circa 1950s photograph showing a new marquee and signs

III. ANALYSIS

Staff is pleased that the applicant has agreed to retain the culturally significant Old Town sign. While internally illuminated individual letter signs are not typically approved in the historic districts, staff finds it appropriate in this location for a couple of reasons. The theater has a history of BAR approved internally illuminated signs – starting with “Richmond” in the 1950s and “Old Town” in 1980. Furthermore, staff also supports the illuminated sign due to its location under the marquee because the canopy keeps the first floor of the building in shadow nearly all the time and the moderate illumination will identify the store entrance.

STAFF

Stephanie Sample, Historic Preservation Planner, Planning & Zoning
Tony LaColla, Planning & Zoning

IV. CITY DEPARTMENT COMMENTS

Legend: C- code requirement R- recommendation S- suggestion F- finding

Zoning

F-1 The proposed signage complies with zoning.

C-1 While the parcel’s existing marquee sign that says “Old Town” exceeds the allowed maximum size of a sign on this parcel, based on its cultural significance, and past precedent for culturally significant signs, it shall not count against the area allowed for permanent signage.

Code Administration

C-1 A building permit and plan review are required prior to the start of construction.

Transportation and Environmental Services

R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (T&ES)

R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)

R-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)

F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)

F-2 If the alley located at the rear of the parcel is to be used at any point of the construction

process the following will be required:

For a Public Alley - The applicant shall contact T&ES, Construction Permitting & Inspections at (703) 746-4035 to discuss any permits and accommodation requirements that will be required.

For a Private Alley - The applicant must provide proof, in the form of an affidavit at a minimum, from owner of the alley granting permission of use. (T&ES)

- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec. 5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C-6 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)
- C-7 A sign may be erected or displayed flat against a building wall or at an angle thereto, so long as the sign does not project more than four feet from the building wall or within one foot of an established curb line and the bottom of the sign is at least eight feet above a sidewalk or parking area and at least 14.5 feet above any alley. (Sec. 5-2-29(c)) (T&ES)
- C-8 If any portion of the signage encroaches in the right of way, the owner shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000 which will indemnify the owner (and all successors in interest); and the city as an additional named insured. (Sec. 5-29 (h)(1)) (T&ES)
- C-9 The owner shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000 which will indemnify the owner (and all successors in interest); and the City as an Additional Insured, against claims, demands, suits and related costs, including attorneys' fees, arising from any bodily injury or property damage which may occur as a result of the encroachment. (Sec. 5-29 (h)(1)) (T&ES)

Please submit Insurance Certificate:

**City of Alexandria
T&ES**

Attn: Development Services
301 King Street, Room 4130
Alexandria, VA 22314

Alexandria Archaeology

F-1 No archaeology oversight necessary for this project.

V. ATTACHMENTS

1 – Application for BAR 2020-00275: 815 ½ King Street
2 –Supplemental Materials

ADDRESS OF PROJECT: 815.5 King Street - Alexandria, VA 22314

DISTRICT: ☒ Old & Historic Alexandria ☐ Parker – Gray ☐ 100 Year Old Building

TAX MAP AND PARCEL: 11514000 ZONING: KR

APPLICATION FOR: *(Please check all that apply)*☒ CERTIFICATE OF APPROPRIATENESS☐ PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH*(Required if more than 25 square feet of a structure is to be demolished/impacted)*☐ WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)☐ WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT
*(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)***Applicant:** ☒ Property Owner ☐ Business *(Please provide business name & contact person)*

Name: Old Town #2, LLC

Address: 1616 Camden Road, Suite 210

City: Charlotte State: NC Zip: 28203

Phone: 704.423.1721 E-mail: wiles@asanapartners.com

Authorized Agent *(if applicable)*: ☐ Attorney ☒ Architect ☐ _____

Name: Epoch Design Group - PM : Shawn Vance Phone: 314.721.1340, x111

E-mail: vance@edgstl.com

Legal Property Owner:

Name: See above

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

- ☐ Yes ☒ No Is there an historic preservation easement on this property?
- ☐ Yes ☒ No If yes, has the easement holder agreed to the proposed alterations?
- ☐ Yes ☒ No Is there a homeowner's association for this property?
- ☐ Yes ☒ No If yes, has the homeowner's association approved the proposed alterations?

If you answered yes to any of the above, please attach a copy of the letter approving the project.

NATURE OF PROPOSED WORK: *Please check all that apply*

- ☐ NEW CONSTRUCTION
☐ EXTERIOR ALTERATION: *Please check all that apply.*

☐ awning
☐ doors
☐ lighting
☐ other _____

☐ fence, gate or garden wall
☐ windows
☐ pergola/trellis

☐ HVAC equipment
☐ siding
☐ painting unpainted masonry

☐ shutters
☐ shed

☐ ADDITION
☐ DEMOLITION/ENCAPSULATION
☒ SIGNAGE

DESCRIPTION OF PROPOSED WORK: *Please describe the proposed work in detail (Additional pages may be attached).*

Installation of new internally illuminated storefront signage under existing canopy, at face of storefront.
 Existing "Old Town" signage on canopy to remain as-is.

SUBMITTAL REQUIREMENTS:

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Demolition/Encapsulation : *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- N/A
- ☐ ☒ Survey plat showing the extent of the proposed demolition/encapsulation.
☐ ☒ Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
☐ ☒ Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.

☐ ☒ Description of the reason for demolition/encapsulation.
☐ ☒ Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

Additions & New Construction: *Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. Check N/A if an item in this section does not apply to your project.*

- ☐ ^{N/A} ☒ Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- ☐ ☒ FAR & Open Space calculation form.
- ☐ ☒ Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- ☐ ☒ Existing elevations must be scaled and include dimensions.
- ☐ ☒ Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- ☐ ☒ Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- ☐ ☒ Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- ☐ ☒ For development site plan projects, a model showing mass relationships to adjacent properties and structures.

Signs & Awnings: *One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.*

- ☒ ^{N/A} ☐ Linear feet of building: Front: 43'-6" Secondary front (if corner lot): _____.
- ☒ ☐ Square feet of existing signs to remain: 19'-0". Photograph of building showing existing conditions. Dimensioned drawings of proposed sign identifying materials, color, lettering style and text. Location of sign (show exact location on building including the height above sidewalk). Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable). Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

Alterations: *Check N/A if an item in this section does not apply to your project.*

- ☒ ^{N/A} ☐ Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- ☐ ☒ Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- ☐ ☒ Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- ☐ ☒ An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- ☐ ☒ Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

ALL APPLICATIONS: *Please read and check that you have read and understand the following items:*

- ☒ I have submitted a filing fee with this application. (Checks should be made payable to the City of Alexandria. Please contact staff for assistance in determining the appropriate fee.)
- ☒ I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- ☒ I, the applicant, or an authorized representative will be present at the public hearing.
- ☒ I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and revised materials.

The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Signature: Shawn Vance

Printed Name: Shawn Vance

Date: 06/24/2020

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
^{1.} Old Town #2, LLC	1616 Camden Road - Suite 210, Charlotte, NC, 28203	100%
^{2.} Old Town #2, LLC		
^{3.} Old Town #2, LLC		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 815.5 King Street, Alexandria, VA (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
^{1.} Old Town #2, LLC	1616 Camden Road - Suite 210, Charlotte, NC, 28203	100%
^{2.} Old Town #2, LLC		
^{3.} Old Town #2, LLC		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
^{1.} Old Town #2, LLC	None	None
^{2.} Old Town #2, LLC		
^{3.} Old Town #2, LLC		

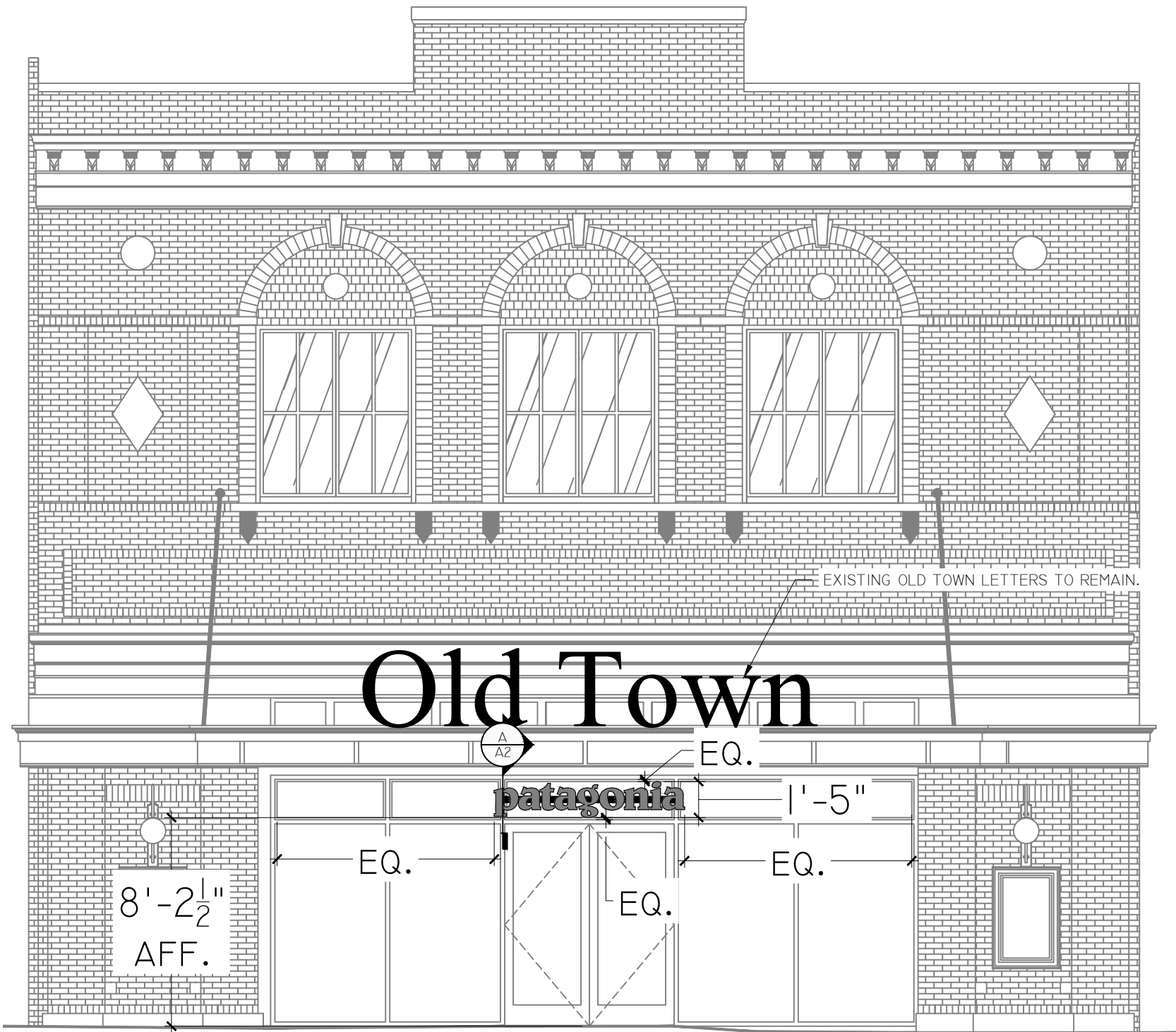
NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

1/17/20 REGO KNAACK [Signature]
Date Printed Name Signature

1

1'-5" HIGH X 4" DEEP ALUMINUM "PATAGONIA" INTERNALLY ILLUMINATED LETTERS, 0.050" ALUMINUM RETURNS AND BACKERS WITH 1" BLACK TRIMCAP AND $\frac{3}{16}$ " 7328 WHITE TRANSLUCENT FACES. LETTERS MECHANICALLY FASTENED TO 3" X 4" X $\frac{1}{8}$ " ALUMINUM REC TUBE WIRE WAY MECHANICALLY FASTENED TO STOREFRONT MULLIONS PAINTED MATTHEWS BLACK WITH SATIN FINISH, INTERIOR OF LETTERS TO BE PAINTED MATTHEWS WHITE WITH SATIN FINISH. ILLUMINATION BY PRINCIPAL STREET FIGHTER MINI 3500K WARM WHITE LED MODULES ON SELF CONTAINED LED DRIVER INSIDE ALUMINUM WIRE WAY. LETTERS AND STRUCTURE TO BE PERMITTED AND INSTALLED BY CHOSEN LOCAL LICENSED SIGN CONTRACTOR.



NOTE: *ALL SIGNAGE, INTERIOR OR EXTERIOR REQUIRES WEEP HOLES IN ACCORDANCE WITH UL MANUFACTURING STANDARDS.

NOTE: *THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

NOTE: *ALL SIGNAGE REQUIRES A DEDICATED CIRCUIT TO INCLUDE AND INDEPENDENT HOT, NEUTRAL & GROUND. SHARED NEUTRALS ARE UNACCEPTABLE



7981 Mainline Pkwy. Ft. Myers, FL 33912
PH: 239-936-9154 FX: 239-936-2899

CLIENT: **patagonia**
JOB NO.: 20-1064

ADDRESS:
8151/2 KING STREET
ALEXANDRIA, VA 22314

PROJECT MANAGER:
MARCI AULD

DRAWN BY:
MPD

DATE:
01/21/20

REVISIONS:	
06/15/20	

I HAVE REVIEWED THE ABOVE SPECIFICATIONS AND HEREBY FULLY UNDERSTAND THE CONTENT OF WORK TO BE PERFORMED AND I APPROVE THIS PROJECT

SIGNED: _____

DATE: _____

A1

CLIENT:
patagonia

JOB NO.: 20-1064

ADDRESS:
815 1/2 KING STREET
ALEXANDRIA, VA 22314

PROJECT MANAGER:
MARCI AULD

DRAWN BY:
MPD

DATE:
01/21/20

REVISIONS:

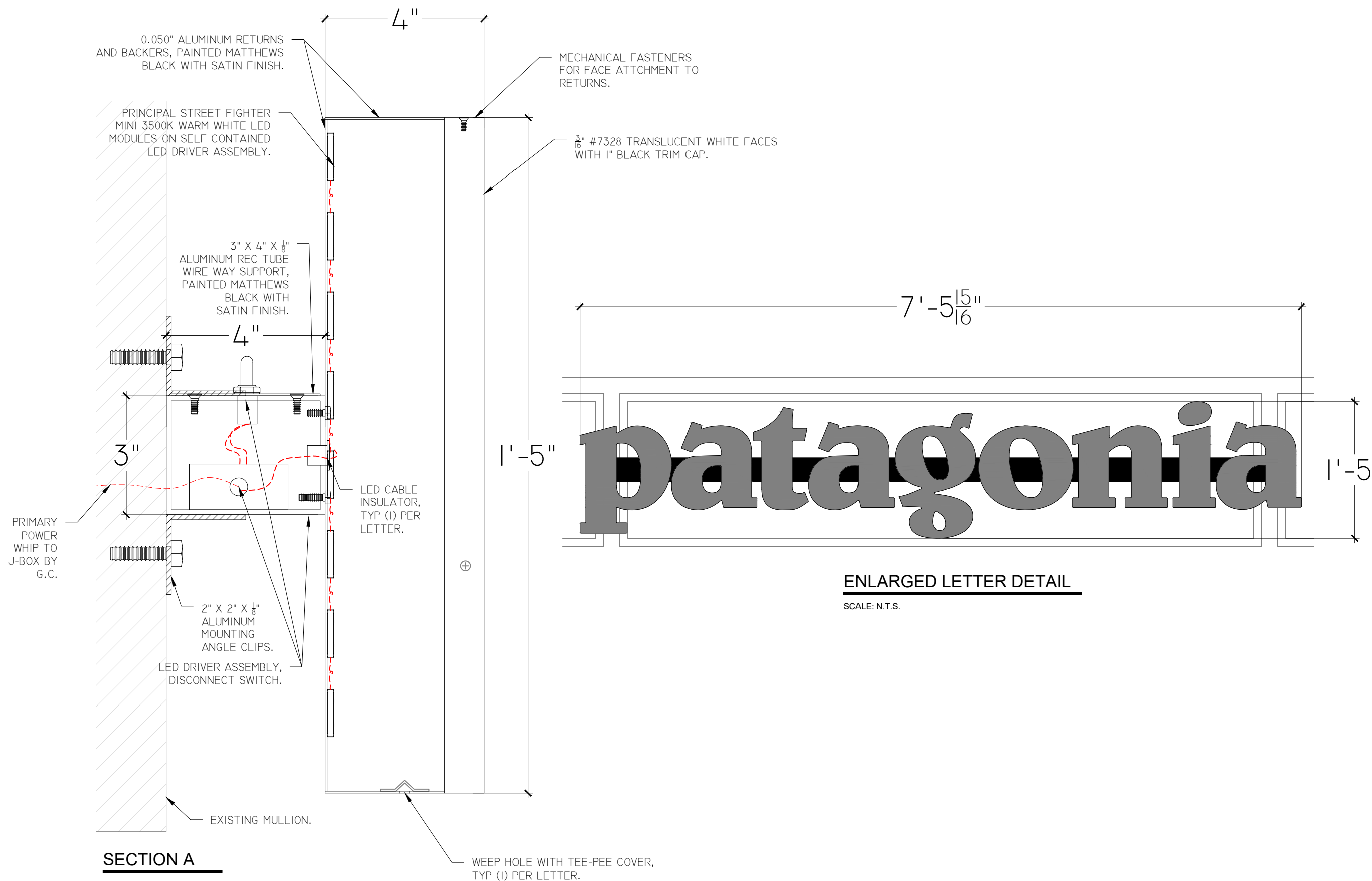
06/15/20	

I HAVE REVIEWED THE ABOVE SPECIFICATIONS AND
HEREBY FULLY UNDERSTAND THE CONTENT OF WORK
TO BE PERFORMED AND I APPROVE THIS PROJECT

SIGNED: _____

DATE: _____

A2



NOTE: *ALL SIGNAGE, INTERIOR OR EXTERIOR
REQUIRES WEEP HOLES IN ACCORDANCE WITH UL
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