

Development Review Committee

Staff Report

May 9, 2018



Case No:	18WAIVER1014
Project Name:	7206 Shepherdsville Road
Location:	7206 Shepherdsville Road
Owner(s):	Lisa Saylor – Parkland Baptist Church
Applicant:	Nick Delsignore – Golden Rule Signs
Representative(s):	Nick Delsignore – Golden Rule Signs
Project Area/Size:	5.98 acres or 260,489 sf.
Zoning:	R-4
Form District:	Neighborhood
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Ross Allen – Planner I

REQUEST(S)

- **WAIVER #1:** from LDC (Louisville Metro) 8.2.1.D.4 to allow the proposed changing image portion of the sign to exceed more than 30% of the total sign area within the Neighborhood Form District.
- **WAIVER #2:** from LDC (Louisville Metro) 8.2.1.D.6 to allow the proposed freestanding changing image sign to be closer than 300 feet to a residentially zoned district.

CASE SUMMARY/BACKGROUND

The subject property, institutional use: Parkland Baptist Church as located in the southcentral portion of Jefferson County, KY as found along the western side of Shepherdsville Road. Parkland Baptist Church has proposed to erect a 9.08 ft. tall sign (freestanding and including the base) double sided sign with a total area of the cabinet being approximately 42.36 sf. The proposed sign is located interior to the subject site approximately 29.28 feet from parcel line along Shepherdsville Rd. and will replace an existing static freestanding sign in the same location.

The proposed freestanding sign will have an LED changing image portion of approximately 17.36 sf. or 41% of the total sign area, exceeding LDC requirements state that the LED changing image portion of a freestanding sign be no greater than 30% of the total area of the sign within a Neighborhood Form District. Additionally, the owner/applicant has requested a waiver to allow the sign to be within 300 feet of residential uses as located across Shepherdsville Road (east), south, and north, all being R-4 zoned single family residences. Land Development Code (Louisville Metro) allows for freestanding signs of up to 10 feet and having an area of 80 sf. within the Neighborhood Form District for a single tenant along a minor arterial (arterial with 4 lanes or less).

Related Cases: None

STAFF FINDING

- **WAIVER #1:** from LDC (Louisville Metro) 8.2.1.D.4 to allow the proposed changing image portion of the sign to exceed more than 30% of the total sign area within the Neighborhood Form District. The subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop.

- **WAIVER #2:** from LDC (Louisville Metro) 8.2.1.D.6 to allow the proposed freestanding changing image sign to be closer than 300 feet to a residentially zoned district. The subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Public and Semi-Public - parkland Baptist Church	R-4	Neighborhood
Proposed	Public and Semi-Public - parkland Baptist Church	R-4	Neighborhood
Surrounding Properties			
North	Single Family Residential	R-4	Neighborhood
South	Single Family Residential	R-4	Neighborhood
East	Single Family Residential	R-4	Neighborhood
West	Single Family Residential	R-4	Neighborhood

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposed freestanding LED illuminated sign.

INTERESTED PARTY COMMENTS

Staff has not received any comments from interested parties as of May 1, 2018.

APPLICABLE PLANS AND POLICIES

Land Development Code (Louisville Metro)
Comprehensive Plan (Cornerstone 2020)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #1: from LDC (Louisville Metro) 8.2.1.D.4 to allow the proposed changing image portion of the sign to exceed more than 30% of the total sign area within the Neighborhood Form District.

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Policy 4 calls for preserving the character of existing neighborhoods and discourage non-residential expansion into existing residential areas unless the applicant can demonstrate that any adverse impact on residential uses will be mitigated. The waiver will not violate specific guidelines of Cornerstone 2020. The subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since The subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land since the subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop. The proposed sign is a replacement and/or update to the existing sign on the subject site and is not out of character with the current on site condition. Additionally, the sign may be automatically and/or manually dimmable and may be programmed to shut off at certain times.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #2: from LDC (Louisville Metro) 8.2.1.D.6 to allow the proposed freestanding changing image sign to be closer than 300 feet to a residentially zoned district.

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the sign is automatically and manually dimmable. The proposed sign may be programmed to shut off at certain times. The intent of the proposed sign is to provide easier and faster communication for the Church. The subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Policy 4 calls for preserving the character of existing neighborhoods and discourage non-residential expansion into existing residential areas unless the applicant can demonstrate that any adverse impact on residential uses will be mitigated. The waiver will not violate

specific guidelines of Cornerstone 2020. The proposed sign is located in the same location as the previous static illuminated sign, has auto dimming technology and can be programmed to shut-off at pre-determined times. The result is not an expansion of a use but rather the continuation of the existing condition on site. The subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the proposed sign is a replacement and/or update to the existing sign on the subject site.

(d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land since the subject site is located along a minor arterial (Shepherdsville Rd.) with the closest changing image sign located approximately 1,264 feet north at a Speedway Gas Station on the same side of the street and the next closest LED changing image sign being located (approximately 2,290 ft. south-southeast) on the northeastern corner at the intersection of Shepherdsville Road and Outer Loop. The proposed sign is a replacement and/or update to the existing sign on the subject site and is not out of character with the current on site condition. Additionally, the sign may be automatically and/or manually dimmable and may be programmed to shut off at certain times.

REQUIRED ACTIONS

Approve/Deny WAIVER #1: from LDC (Louisville Metro) 8.2.1.D.4 to allow the proposed changing image portion of the sign to exceed more than 30% of the total sign area within the Neighborhood Form District.

Approve/Deny WAIVER #2: from LDC (Louisville Metro) 8.2.1.D.6 to allow the proposed freestanding changing image sign to be closer than 300 feet to a residentially zoned district.

NOTIFICATION

Date	Purpose of Notice	Recipients
May 9, 2018	Hearing before DRC May 9, 2018	1 st tier adjoining property owners Subscribers of Council District 24 Notification of Development Proposals

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

