



Downtown Development Review Overlay

Report of the Urban Design Administrator & Staff to the DDRO Committee

Case No: 18DDRO1000
Classification: Non-Expedited

GENERAL INFORMATION

Property Address: 133 West Liberty Street

Applicant: Brian Perry
Legendary Grands
133 W. Liberty Street
Louisville, KY 40202
502-657-8795
brian@griffs35.com

Estimated Cost: \$100,000

DESCRIPTION OF PROPOSED DEVELOPMENT:

The applicant requests approval to install two new 6' x 12' LED display signs on the tower element of the building. The existing structure has recently been renovated to include a tower element added to the corner of South Second and West Liberty Streets signaling the building entrance. Tower will showcase (future) signage with EIFS inset panels.

COMMUNICATIONS WITH APPLICANT; COMPLETE APPLICATION

The application was submitted on March 30, 2017. A revised elevation was received by Staff on April 2, 2017. The application was determined to be substantially complete and classified as "Non -Expedited" on the same day.

FINDINGS AND CONCLUSIONS

The following Principles and Design guidelines are applicable to the proposed exterior alteration:

Principle 8: Signage.

The report of the Overlay Staff's findings of fact and conclusions with respect to these guidelines is attached to this report. The following additional findings are incorporated in this report:

Site Context

133 West Liberty Street is located at the northeast corner of South 2nd and W. Liberty Streets. The masonry structure is a one story tavern/bar, built in 1970. The property is zoned C2 and is located within the Downtown Form District. The building is being used as a bar/restaurant. There is a hotel located across the intersection front the site, but there are no residential properties in view of this location.

Background

Previous DDRO cases for this property include:

17DDRO1003
Si1052307

Approval of renovation of existing structure and addition of tower element
Approval to install two (2) new attached signs along tower element of building façade

Conclusions

The proposed signage has been reviewed against Principle 8: Signage. The proposal meets the general intent of the Downtown Development Review Overlay Guidelines as noted in the checklist below.

Although signage that utilizes LED, video or other moving image digital technology is generally discouraged within the DDRO (Guideline S6), the building is located within the Downtown Entertainment District and qualifies as an Entertainment Attraction. An Entertainment Attraction is a use within the DDRO that (1) provides a service or goods to the general public or which promotes tourism or provides an opportunity to partake in entertainment that is permitted under the zoning rules for the district, including food and beverage, and / or regular opportunities to attend music performances, theater performances, arts or cultural attractions, and (2) that is available for conferences or conventions, or that is considered a tourist attraction, and that is open to the public and / or available for private events. Entertainment attractions within an Entertainment District may allow for on premises signs associated with entertainment attractions may consist of LED, video or other similar elements, in whole or in part, subject to the approval of the Downtown Development Review Overlay Committee either at the Committee level or through the Committee's expedited sign review process (see attached documentation).

Recommendation

Considering the information furnished Staff finds that the proposal substantially complies with the applicable Principles and Guidelines of the Overlay and recommends **approval** of the request for an Overlay Permit with the following conditions:

1. **LED screens to only be used for signage. Screens shall not broadcast television programming.**
2. **The use of sound is prohibited.**
3. **Signage shall comply with Principle 8: S6 and**
 - a. **Shall promote only site specific activities, events, sponsors, or businesses.**
 - b. **Shall come equipped with automatic dimming technology and a photocell which automatically adjusts the sign's brightness to no more than 0.2 foot candles above ambient light conditions.**

Principle 8-Signage

Design Guideline Checklist

Objective

Design signage appropriate for the scale and character of the Project and the immediate context. Signs should be oriented to pedestrians and /or persons in vehicles on streets in the immediate vicinity. All signs shall be sensitive to their surroundings, and their designs shall be mindful of color, intensity, technology and illumination so as to be compatible with the adjacent context. Signage that consists of changing image or video display technology is by nature very dynamic thereby requiring special design and implementation considerations regarding its impact upon the adjacent environment.

- + Meets Guidelines
- Does Not Meet Guidelines
- +/- Meets Guidelines with Conditions as Noted
- NA Not Applicable
- NSI Not Sufficient Information

	Guideline	Finding	Comment
S1	Signage should add visual interest at street level without being overwhelming and should not be out of character with the design and scale of existing surrounding signage.	+	Signage is located at corner tower element
S2	Signage should be organized to increase legibility and communication while reducing visual clutter.	+	
S3	All signs shall be constructed and placed so as to not obstruct sight lines for persons using streets, pedestrian rights-of way and drives.	+	
S4	Signage should be designed and attached to the building in a way that is complementary to the style of the building and its unique design features. Signage placement shall not obscure architectural details and shall be well-integrated into the overall design of a building's façade.	+	
S5	Back-lit or internally illuminated signage shall have opaque, non-illuminated face panels. Only the individual letters and/or logos should be illuminated.	NA	
S6	Signage that utilizes LED, video or other moving image digital technology is limited to Entertainment Attractions*. When permitted , such signs: a. Shall promote only site specific activities, events, sponsors, or businesses. b. If located and displayed behind storefront windows, such signs shall not occupy more than 25% of the storefront window area. c. Signs shall be designed to minimize the impact to residential properties. d. Shall come equipped with automatic dimming technology and a photocell which automatically adjusts the sign's brightness to no more than 0.2 foot candles above ambient light conditions. e. Signage should be carefully designed to minimize driver impact and pedestrian distraction.	+	See Condition #4 Regarding sub items a, d, and e. B and C do not apply, and the signs are properly located to address item e. Building is an Entertainment Attraction and is located within the Entertainment District.
S7	No more than one changing image or video display sign shall be permitted on a property.	+	
S8	The use of sound is prohibited.	NSI	See Condition #2

S9	Rooftop signage is not allowed. Signage attached to the upper portions of a building may be considered provided it is complementary to the design and style of the building.	NA	
S10	Freestanding signage shall be limited to portable sidewalk signage or monument style directory signage associated with a public plaza in front of a building. The public plaza shall fully conform to Principle 6-Open space. Free standing pole-mounted signage is not allowed.	NA	
S11	Projecting Signs: Buildings on lots which do not contain any permanent, freestanding, on-premises signs (other than incidental signs may not have more than one sign per business which projects perpendicular from the facade of the building. Projecting signs shall not project more than 8'-0" from the building's façade and must not extend below 9'-0" above the ground or sidewalk. The area of a projecting sign shall be part of the total allowable signage allowed on any one façade of the building as listed in the Land Development Code.	NA	
S12	Projecting Banner Signs that utilize a fabric material background shall not project more than 25" from the face of the building and not exceed a total area of 24 s.f. per side of the sign. The area of a projecting banner sign shall be part of the total allowable signage allowed on any one façade of a building as listed in the Land Development Code.	NA	
S13	Exposed conduit, electrical transformer boxes, and electrical raceways should be concealed from public view, or painted to blend in with the background of the building.	+	
S14	Existing signage that does not conform to the current codes is encouraged to be removed or modified to conform to current requirements of the Land Development Code. Non-conforming signage that has been abandoned for a period exceeding 1 year shall be removed. Existing signage that is historic or possesses a character unique to downtown may be allowed to remain.	NA	
S15	Outdoor advertising signs (billboards) are discouraged, but where permitted by zoning regulations should: a. Not block any views or vistas nor create a cluttered appearance. b. Be integrated into the design of a building or project. c. Relate strongly to the character of the district.	NA	

Entertainment Attractions are a use within the DDRO that (1) provides a service or goods to the general public or which promotes tourism or provides an opportunity to partake in entertainment that is permitted under the zoning rules for the district, including food and beverage, and / or regular opportunities to attend music performances, theater performances, arts or cultural attractions, and (2) that is available for conferences or conventions, or that is considered a tourist attraction, and that is open to the public and / or available for private events.

DOWNTOWN ENTERTAINMENT DISTRICT

(as defined by Louisville Metro Ordinance)

§ 155.40 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

DOWNTOWN ENTERTAINMENT DISTRICT. An area coterminous with the boundaries of the area subject to the jurisdiction of the Downtown Development Review Overlay District Commission or its successor pursuant to Chapter 162 of this Code of Ordinances.

ENTERTAINMENT ATTRACTION. A use within the Downtown Entertainment District that (1) provides a service or goods to the general public or which promotes tourism or provides an opportunity to partake in entertainment that is permitted under the zoning laws for the district, including food and beverage, and/or regular opportunities to attend music performances, theater performances, arts or cultural attractions, and (2) that is available for conferences or conventions, or that is considered a tourist attraction, and that is open to the public and/or available for private events.

ON PREMISES SIGN. A sign that serves as an accessory use to a principal use on a development site.

(Lou. Metro Ord. No. 104-2013, approved 6-27-2013)

§ 155.41 SIGNS IN THE DISTRICT.

(A) On premises signs associated with an entertainment attraction in the Downtown Entertainment District are permitted in accordance with this subchapter, subject to approval by the Downtown Development Review Overlay District Commission or its successor pursuant to the standards contained in subdivisions (H)(2)(j)(1) - (H)(2)(j)(4), inclusive of subsections, of Appendix D to Chapter 162 of this Code of Ordinances pertaining to signs that are not otherwise permitted by the Land Development Code.

(B) On premises signs associated with entertainment attractions in the Downtown Entertainment District may consist of LED, video or other similar elements, in whole or in part, subject to the approval of the Downtown Development Review Overlay Committee either at the Committee level or through the Committee's expedited sign review process.

(C) If the provisions of this subsection are invalidated, signs associated with an entertainment attraction in the Downtown Entertainment District shall be regulated in accordance with the provisions of the Land Development Code.

(Lou. Metro Ord. No. 104-2013, approved 6-27-2013; Lou. Metro Am. Ord. No. 67-2014, approved 4-29-2014)