

**Development Review Committee
Staff Report
September 14, 2016**



Case No.	16WAIVER1035
Request	Waiver of LED sign restriction
Project Name	River City Baptist Church sign
Location	5600 Cooper Chapel Road
Owner	River City Baptist Church
Applicant	Karla Hill, Smart LED Signs & Lighting
Representative	Karla Hill
Jurisdiction	Louisville
Council District	23 – James Peden
Case Manager	Beth Jones, AICP, Planner II

REQUEST

Waiver of LDC 8.2.1.D regarding placement of LED signage in proximity to residentially-zoned property.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is requesting a waiver for the placement of an illuminated sign with an LED component. The sign meets all requirements regarding overall area, height, message change rate, percentage of LED display area and automatic dimming. The applicant has submitted a map showing the approximate proposed location of the sign, at the right-of-way line on Cooper Chapel Road and centered on the street façade of the existing church building. Cooper Chapel Road is classified as a Primary Collector.

The parcel on which the sign will be placed as well as all surrounding parcels are zoned R-4 Residential Single-Family. LDC 8.2.1.D.6 *Sign Illumination and Movement* requires that signs of the type proposed “shall not be closer than 300 feet to a residentially zoned district unless the residentially zoned property is used for a non-residential purpose (e.g. church or school) or the changing image sign is not visible to the residentially zoned property.”

Seven surrounding parcels fall at least partially within 300 feet of the proposed sign. Two of these fit the stated exemption regarding non-residential use. One is owned by and directly adjacent to the parcel on which the church is located; this parcel is currently undeveloped. The other is a C-2 parcel directly across Cooper Chapel Road from the primary church parcel which is developed with a small convenience-type store currently not in active use. The remaining five parcels are zoned and currently developed for single-family residential uses (Attachment 3).

LAND USE/ZONING DISTRICT/FORM DISTRICT

	Land Use	Zoning	Form District
Subject Property			
Existing	Church	R-4	Neighborhood
Proposed	Church	R-4	Neighborhood
Surrounding Properties			
North	Commercial, Residential	C-1, R-4	Neighborhood
South	Residential	R-4	Neighborhood
East	Residential	R-4	Neighborhood
West	Residential	R-4	Neighborhood

PREVIOUS CASES ON SITE

None.

INTERESTED PARTY COMMENTS

The applicant sent a letter to 15 owners of adjacent properties which included renderings of the sign and a map of the proposed placement. Three responses in support were received, from the owners of Parcels D, F and G (Attachment 3).

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code (July 2016)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF LDC 8.2.1.D

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

STAFF: Five of the seven potentially affected parcels are currently in residential use. Only one of these has a home fully within the required 300 foot buffer; the owner did not respond to the request of support. No additional housing units could be developed on any of these five parcels under current zoning.

Another of the seven parcels is zoned and developed for commercial use. The only undeveloped property is adjacent to and owned by the church.

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

STAFF: *Cornerstone 2020* describes the Neighborhood Form as characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses are to be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density

residential areas. The Neighborhood Form may contain open space and, at appropriate locations, civic uses.

Guideline 3. Compatibility requires land uses and transportation facilities to be compatible with nearby land uses and to minimize impacts to residential areas. *Guideline 3.A.28.Signs* requires signs to be compatible with the form district pattern and contribute to the visual quality of their surroundings, and to be of a size and height adequate for effective communication and conducive to motor vehicle safety. It limits freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness (Attachment 4).

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

STAFF: The applicant is proposing a single freestanding sign which would be the only freestanding sign on the 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 proposed sign meets all standards for overall area, height, message change rate, percentage of LED display area and automatic dimming.

TECHNICAL REVIEW

No development plan was provided by the applicant. A review of the proposed site map by Transportation Planning determined no potential adverse effect on motorists using Cooper Chapel Road.

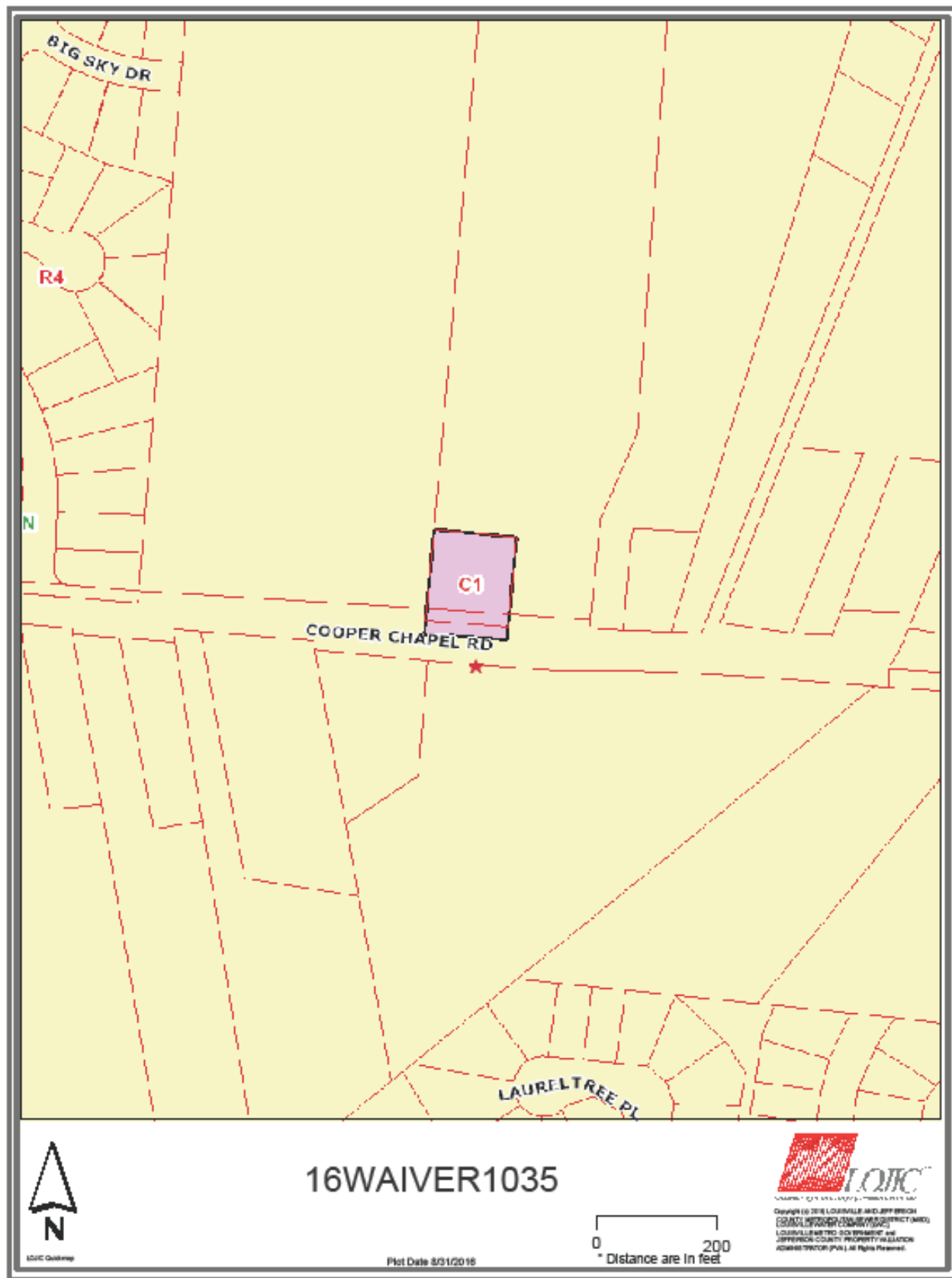
STAFF CONCLUSIONS

Based upon the information in the staff report and testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets standards established in the Land Development Code for granting an LDC Waiver.

ATTACHMENTS

1. Zoning Map
2. Aerial View
3. Proposed sign placement and affected neighboring properties
4. Mock-up of sign on site (as submitted by applicant)

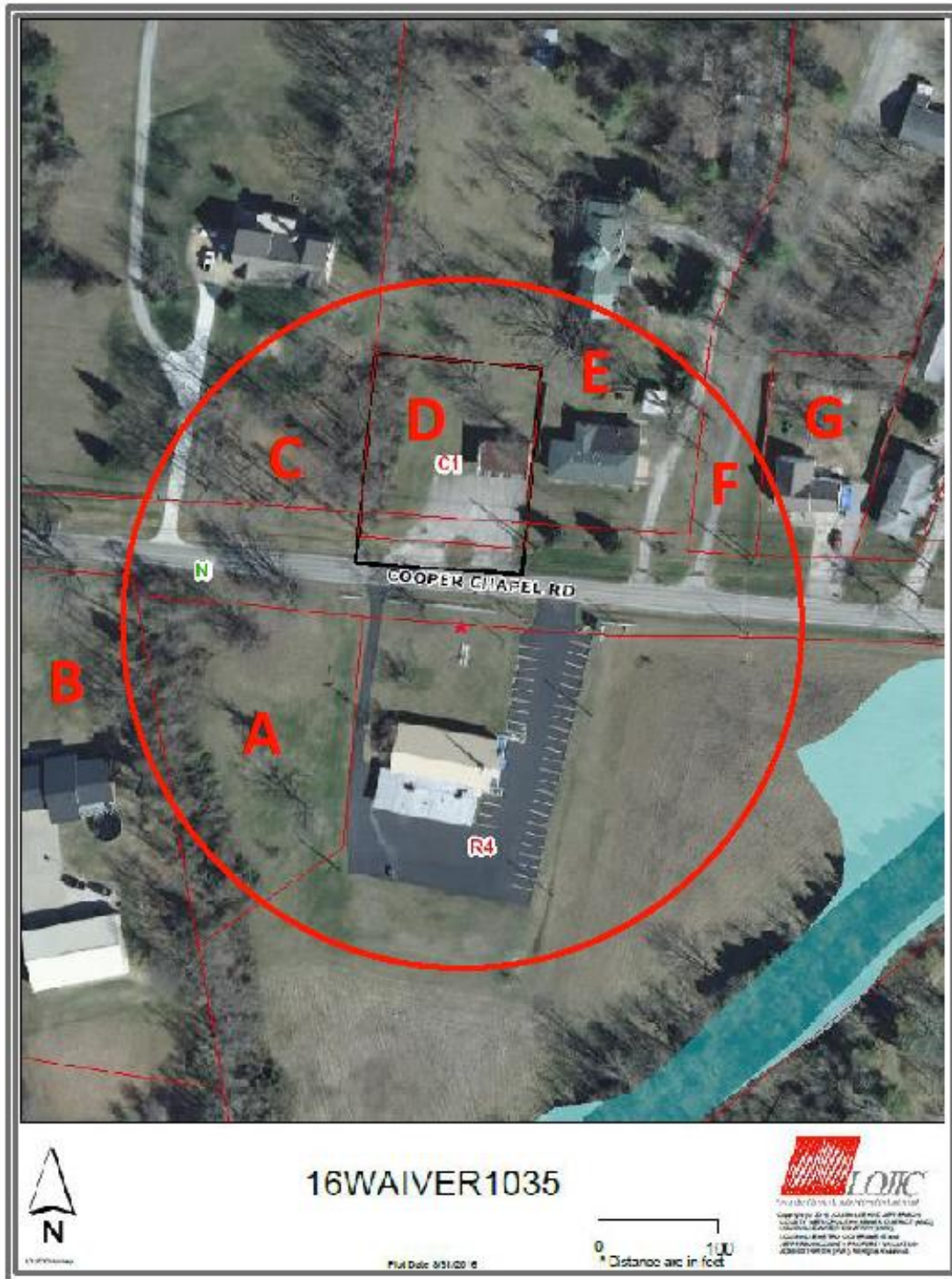
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