

Development Review Committee
Staff Report
 July 16, 2021



Case No.	21-WAIVER-0076
Project Name	Changing Image Sign Waiver
Location	1606 W. Chestnut
Owner/Applicant	Baptized Pentecostal Church of Holiness
Jurisdiction	Louisville Metro
Council District	4 – Jecorey Arthur
Case Manager	Beth Jones, AICP, Planner II

REQUEST

WAIVER to permit a changing image sign to be within 300ft of a residential zone (LDC 8.2.1.D.6)

CASE SUMMARY / BACKGROUND

The applicant proposes to install a freestanding sign consisting of an internally lit cabinet that includes a changing image panel. The sign will be placed approximately 30ft from the right-of-way in the approximate location of several

The site is located in a Traditional Neighborhood form district on Chestnut Street, an arterial roadway. A freestanding sign on this site may be up to 48sf in area and 6ft in overall height, with a maximum area for the changing image panel of 14.4sf. In addition, the internally illuminated cabinet must have an opaque background and the base must be monument or columnar style.

The applicant agrees to a Condition of Approval to turn off the changing image portion of the sign between 8:00pm and 7:00am. The proposed sign meets all other form district standards.

REQUIREMENTS

Freestanding Sign Neighborhood Form District	Permitted	Proposed
Total Area	Maximum 48 sf ft	48 sf
Changing Image Area	Maximum 14.4 sf (30% of total)	12.7 sf
Overall Height	Maximum 6 ft	6 ft
Cabinet Panel Background	Opaque	Opaque
Base	Monument or Columnar Style	Monument

STAFF FINDINGS

Based upon the information in the staff report, the applicant’s written justification statement and the testimony and evidence provided at the public hearing, DRC must determine whether the waiver request is justified. The applicant agrees to a Condition of Approval requiring the changing image portion of the sign to be turned off between 8:00pm and 7:00am.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER to permit a changing image sign to be within 300ft of a residential zone (LDC 8.2.1.D.6)

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

STAFF: The waiver will not adversely affect adjacent property owners in that negative effects on the nearest residential uses, across W. Chestnut, will be mitigated by the applicant’s agreement to turn off the changing image portion of the sign between 8:00pm and 7:00am.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: The waiver does not violate guidelines of Plan 2040, which requires that: appropriateness must be evaluated in the context of the compatibility of the proposed use or uses with surrounding uses (Community Form 1.2.4); impacts on quality of life must be considered (Community Form 16); and adverse visual intrusions must be considered when there are impacts to residential areas (Community Form 20).

(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 in that the applicant is requesting less changing image sign area than would normally be permitted.

(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 applicant has agreed to limit the hours of operation of the changing image sign between 8:00pm and 7:00am.

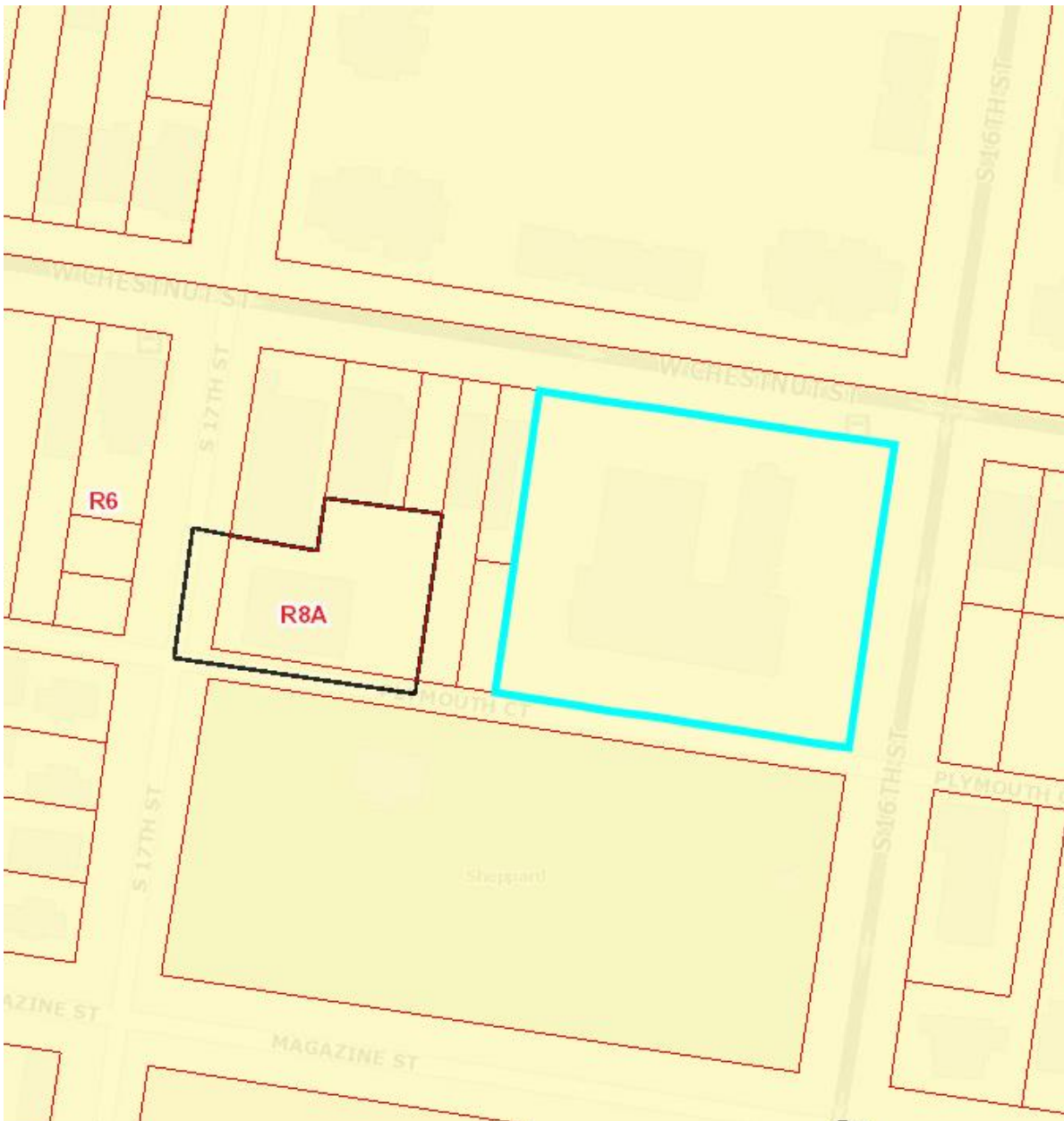
NOTIFICATIONS

Date	Purpose of Notice	Recipients
7/1/2021	DRC	1st tier adjoining property owners Registered Neighborhood Groups in Council District 4

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Street View
4. Existing Signs
5. Proposed Sign
6. 300ft Radius
7. Condition of Approval

1. Zoning Map



2. Aerial Photograph



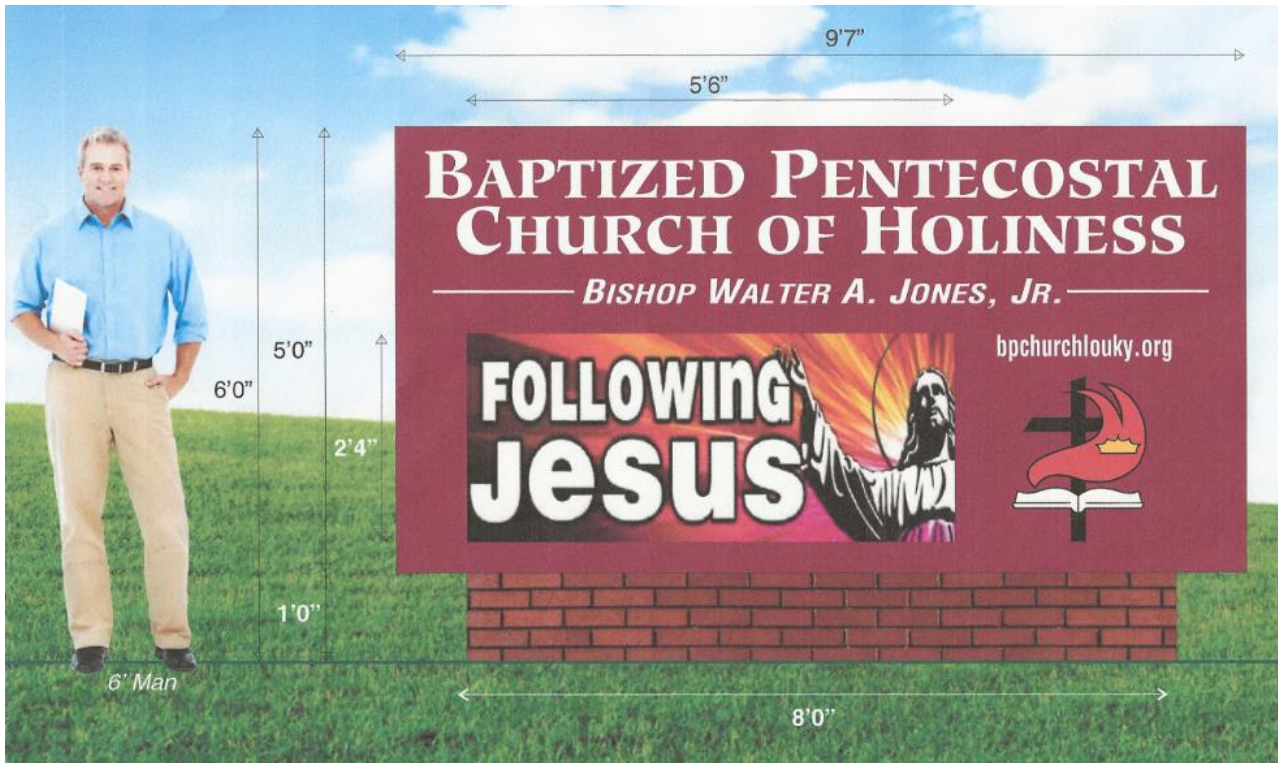
3. Street View



4. Existing Signs



5. Proposed Sign



6. 300ft Radius



7. Condition of Approval

1. Applicant will program the changing image portion of the sign to turn off daily between 8:00pm and 7:00am.