

# Development Review Committee

## Staff Report

April 20, 2016



<b>Case No:</b>	16WAIVER1002
<b>Project Name:</b>	Portland Christian LED Sign
<b>Location:</b>	8509 Westport Road
<b>Owner:</b>	Portland Christian School System Inc.
<b>Applicant:</b>	Stephen Smith - Portland Christian School Inc.
<b>Representative:</b>	Stephen Smith - Portland Christian School Inc.
<b>Project Area/Size:</b>	2.93060
<b>Existing Zoning District:</b>	R-4, Residential
<b>Existing Form District:</b>	N, Neighborhood
<b>Jurisdiction:</b>	Plantation
<b>Council District:</b>	7 – Angela Leet
<b>Case Manager:</b>	Ross Allen, Planner I

### REQUEST

- Waiver from Section 8.2.1.D.6 of the Land Development Code (LDC) to allow a freestanding sign with a moving image portion to be closer than 300 feet to residentially zoned properties.

### CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is located along the street frontage at 8509 Westport Road, a minor arterial roadway, in the City of Plantation within Louisville Metro. The Portland Christian School is requesting a waiver of LDC section 8.2.1.D.6 to construct a freestanding monument style sign along Westport Road with a maximum height of 7.12 feet and a width of 11.25 feet for a total square footage of roughly 80 square feet. The sign is composed of brick with a static image sign in the top center portion, being roughly 16.5 square feet, and an LED changing image sign underneath the static sign, being 15.3 square feet, comprising only 7% of the total sign area.

The Portland Christian School has proposed to build the sign approximately 71 feet from the edge of pavement (west) from their entrance and approximately five feet north of their property line. The proposed location as situated along Westport Road will be approximately 325 feet from the R-6 zoned property to the West which is currently under construction for the addition of apartments. The sign is approximately 105 feet from the R-4 zoned property to the East, the Louisville Indoor Racquet Club. To the south, approximately (as the crow flies) 105 feet, are located residential homes in Briarwood Subdivision.

### LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing</b>	Institutional (Private School)	R-4	Neighborhood
<b>Proposed</b>	Institutional (Private School)	R-4	Neighborhood
<b>Surrounding Properties</b>			
<b>North</b>	Single Family Home/s	R-5	Neighborhood
<b>South</b>	Single Family Home/s	R-4	Neighborhood
<b>East</b>	Athletic Facility (Louisville Indoor Racquet Club)	R-4	Neighborhood
<b>West</b>	Vacant Land	R-6	Neighborhood

## PREVIOUS CASES ON SITE

No previous cases.

## INTERESTED PARTY COMMENTS

Staff has not received any inquiries or interested party comments to date.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code

### **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of section 8.2.1.D.6, to allow a freestanding changing image sign to be closer than 300 feet of a residentially zoned district.**

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

STAFF: The waiver could adversely affect adjacent property owners since the proposed LED sign is located within the 300 foot buffer as required by LDC section 8.2.1.D.6 and the closest changing image sign would be located at the “Brakeway” Automotive shop nearer to Westport Road and Hermitage Way, roughly 1348 feet East of the Portland Christian School.

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

STAFF: Guideline 3, policy 8 of Cornerstone 2020 calls for the mitigation of adverse impacts of lighting from proposed development on the nearby properties, and on the night sky. Guideline 3, policy 28 of Cornerstone 2020 tries to ensure that signs are compatible with the form district pattern and contribute to the visual quality of their surroundings, to promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety, limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Last, Guideline 3, policy 28 of Cornerstone 2020 ask that freestanding signs in multi-lot developments, minimize the number of signs by including signage for each establishment on the same support structure to encourage consistent design (size, style, and materials). There currently exist a static sign for the Portland Christian School on the western side of the entrance which is located on a separate parcel that the school owns. There would be two signs along the Westport Road street frontage in close proximity of the school entrance.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the proposed sign would allow the school to provide information to the community, students, and general public concerning school related activities.

- (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 or would create an unnecessary hardship on the applicant since the proposed sign would be located in a position that is visible for drivers along Westport Road. The applicant has stated that the rate of change will meet code requirements, rate of change to occur no

more than every 20 seconds, and the topography of the property (a slight decline from the sidewalk down and within the Portland Christian School property, causes the sign to be less visible to the roadway. Last, the request for the sign has been reviewed and approved by the City of Plantation, please see page 7.

### TECHNICAL REVIEW

N/A

### STAFF CONCLUSIONS

- The proposed waiver appears to be adequately justified based on staff analysis in the staff report. However, consideration of the residentially zoned properties south of Westport Road should be considered when assessing proposed signage. Signs exist in the general vicinity but few changing image signs. Additional questions may need to be answered by the applicant to determine hours of operation for the sign, the lumens the LED bulbs, and potential angle of the LED Bulbs to help determine and potentially mitigate light intrusion to adjacent residentially zoned neighbors.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving the waiver.

### REQUIRED ACTION

- **APPROVE** or **DENY** the waiver to allow an LED Changing Image sign within three hundred feet of a residentially zoned district.

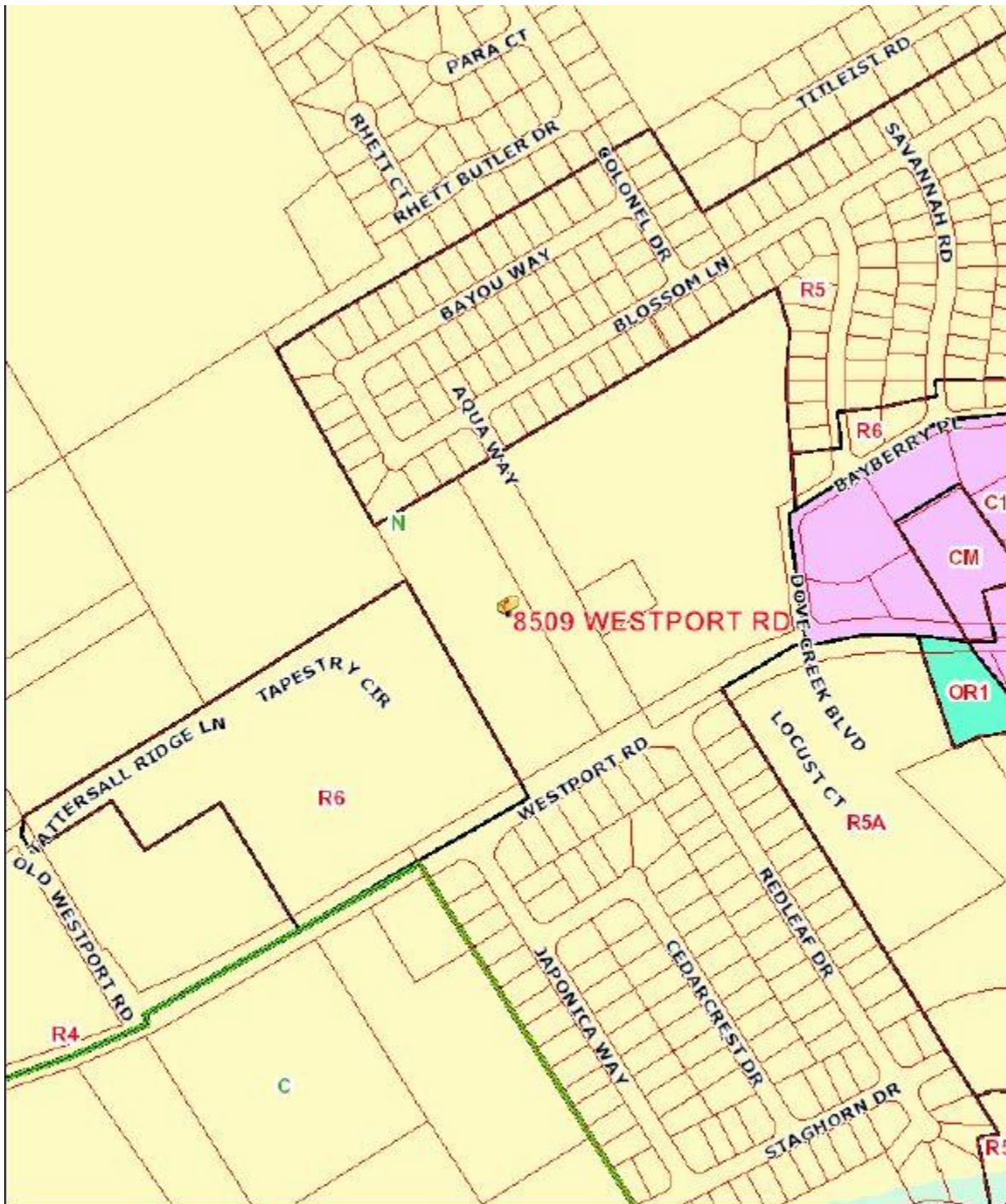
### NOTIFICATION

Date	Purpose of Notice	Recipients
4/8/16	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered neighborhood groups

### ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Letter from the City of Plantation

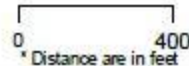
# 1. Zoning Map



LOJIC Online

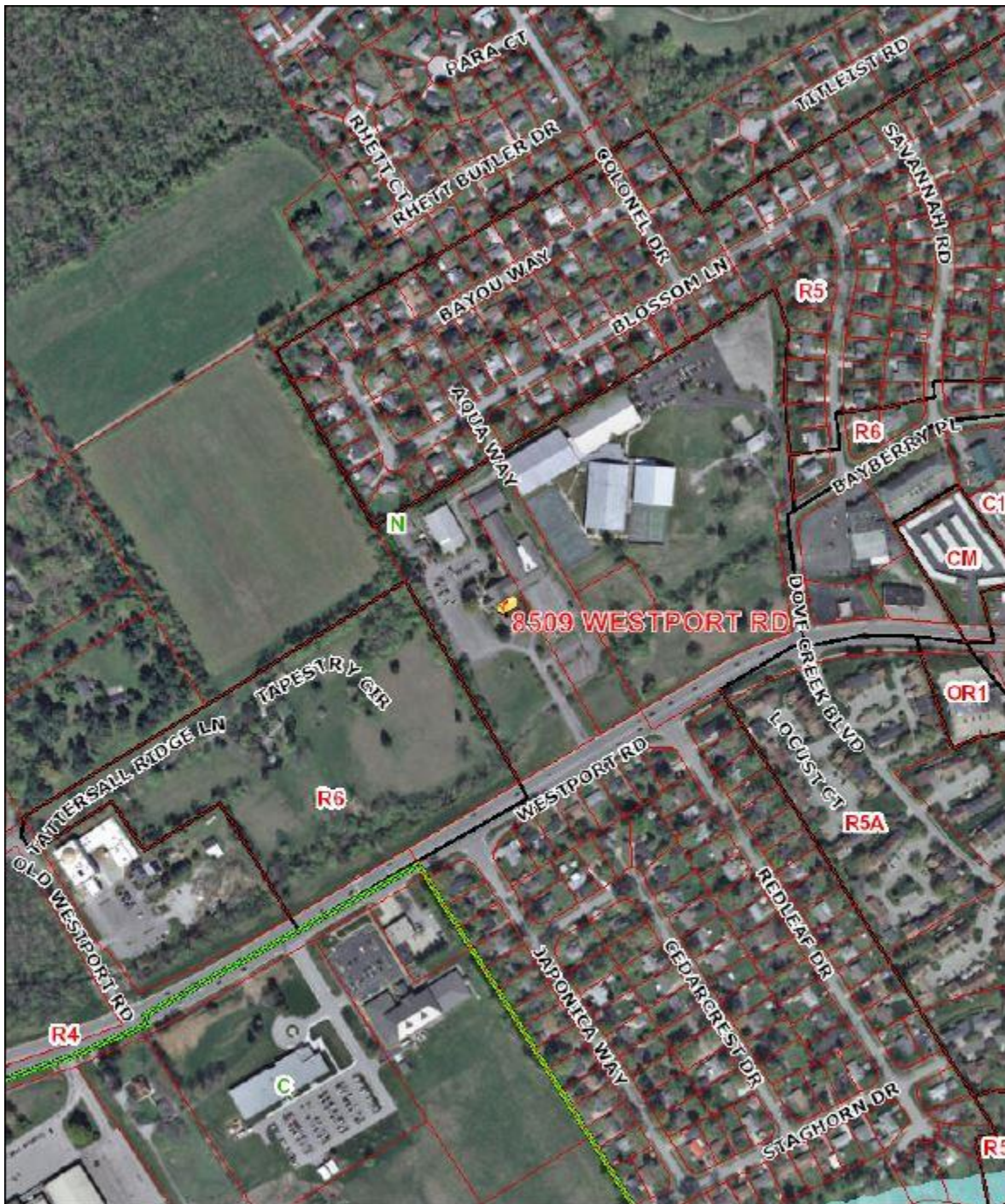
## 16WAIVER1002

Plot Date 3/29/2016





## 2. Aerial Photograph



LOJIC Online

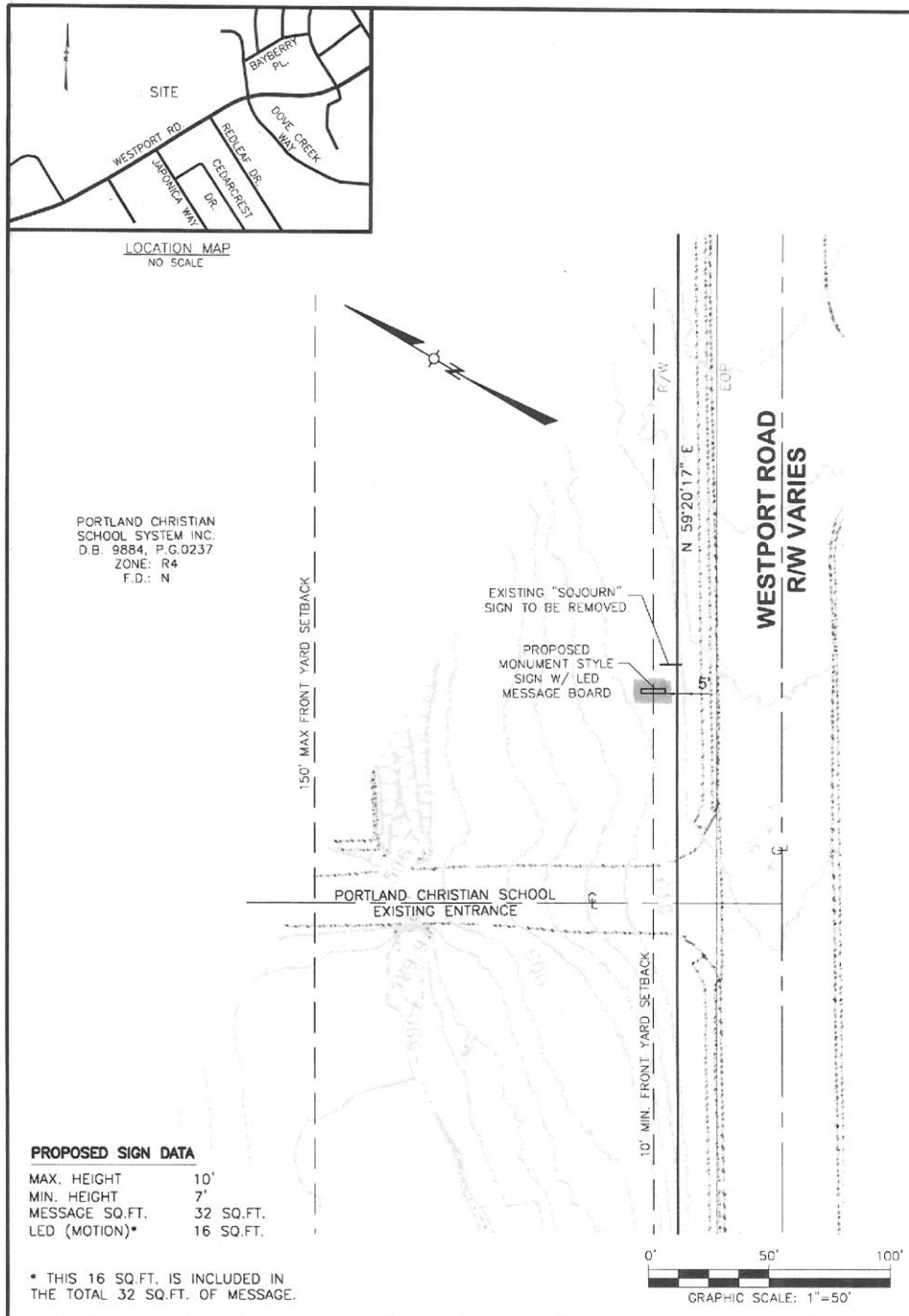
16WAIVER1002

Plot Date 3/29/2016

0 400  
Distance are in feet



**Site Plan**



<p><b>RECEIVED</b></p> <p>MAR 15 2015</p> <p>PLANNING &amp; DESIGN SERVICES</p>	<p><b>milestone</b></p> <p><b>design group, inc.</b></p> <p>108 Daventry Lane, Suite 300 Louisville, Kentucky 40223 t: (502) 327-7073 f: (502) 327-7066</p>	<p>WAIVER EXHIBIT</p>				
		<p>LOCATION: 8509 WESTPORT ROAD</p>				
		<p>PORTLAND CHRISTIAN SCHOOL 8509 WESTPORT ROAD LOUISVILLE, KY 40242</p>				
<p>JOB # 15077</p>	<p>DRAWN BY R.L.</p>	<p>CHECKED BY J.M.M.</p>	<p>DATE 12/29/15</p>	<p>SCALE 1"=50'</p>		

16 WAIVER 1002

4.

**Letter from City of Plantation**

**From:** Becky Peak <bpeak@plantationky.com>  
**Date:** July 28, 2015 at 9:55:32 PM EDT  
**To:** Debra Childers <destargazer2517@gmail.com>  
**Subject:** RE: LED sign

We reviewed your drawing and specifications for a new monument sign at Portland Christian School for compliance with the City of Plantation ordinances. This is your Letter of Compliance that the proposed sign is in compliance with our ordinances. However, prior to construction, the sign must first receive full approval through Louisville Metro Government and be in compliance with the Land Development Code.

If you have further questions, please contact our city attorney, John Singler, at 245-0825.

With a servant heart,

Becky Peak  
Mayor

RECEIVED  
MAR 15 2016  
PLANNING &  
DESIGN SERVICES

16 WAIVER 1002