

**Development Review Committee**  
**Staff Report**  
March 20, 2019



<b>Case No:</b>	19WAIVER1008
<b>Project Name:</b>	Long John Silver's
<b>Location:</b>	2901 Goose Creek Road
<b>Owner:</b>	Goose Creek Properties, LLC
<b>Applicant:</b>	Vanessa White – Commonwealth Sign Company
<b>Jurisdiction:</b>	Meadow Vale
<b>Council District:</b>	17 – Markus Winkler
<b>Case Manager:</b>	Zach Schwager, Planner I

**REQUEST**

- **Waiver** of Land Development Code Section 8.2.1.D.6 to allow a changing image sign to be closer than 300 feet to a residentially zoned property that is being used residentially

**CASE SUMMARY/BACKGROUND**

The subject property is located at the intersection of Goose Creek Road and Westport Road. The property is currently developed with a commercial structure with multiple tenants. The applicant proposes to use an existing freestanding sign as an electronic LED changing image sign.

Land Development Code section 8.2.1.D.6 requires a changing image sign to be at least 300 feet from residentially zoned properties that are being used residentially. The nearest residential property with a view of the sign is approximately 90 feet from the sign's location. The applicant requests a waiver from this provision.

**STAFF FINDING**

Staff finds that the requested waiver is adequately justified and meets the standard of review.

**TECHNICAL REVIEW**

- No technical review was undertaken.

**INTERESTED PARTY COMMENTS**

No interested party comments were received.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER FROM SECTION 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 as the sign faces north down Goose Creek Road and south toward Westport Road. Also, the residentially used property is buffered by a line of trees along Goose Creek Road.

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

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 as Cornerstone 2020 Guideline 3 Policy 28 describes signs as compatible with the form district pattern and contributing to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern.

These guidelines are not violated because changing image signs are permitted in this location and the sign is located across Goose Creek Road from the nearest affected residential properties.

- (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 as they are using an existing pole sign. Additionally, there is no feasible location along the Goose Creek Road frontage where a changing image sign could be placed that is not within 300 feet of a residential property.

- (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 regulations would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant as there is no location along Goose Creek Road where a changing image sign could be placed that is not within 300 feet of residential properties, and the pole sign is already in place.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waivers**

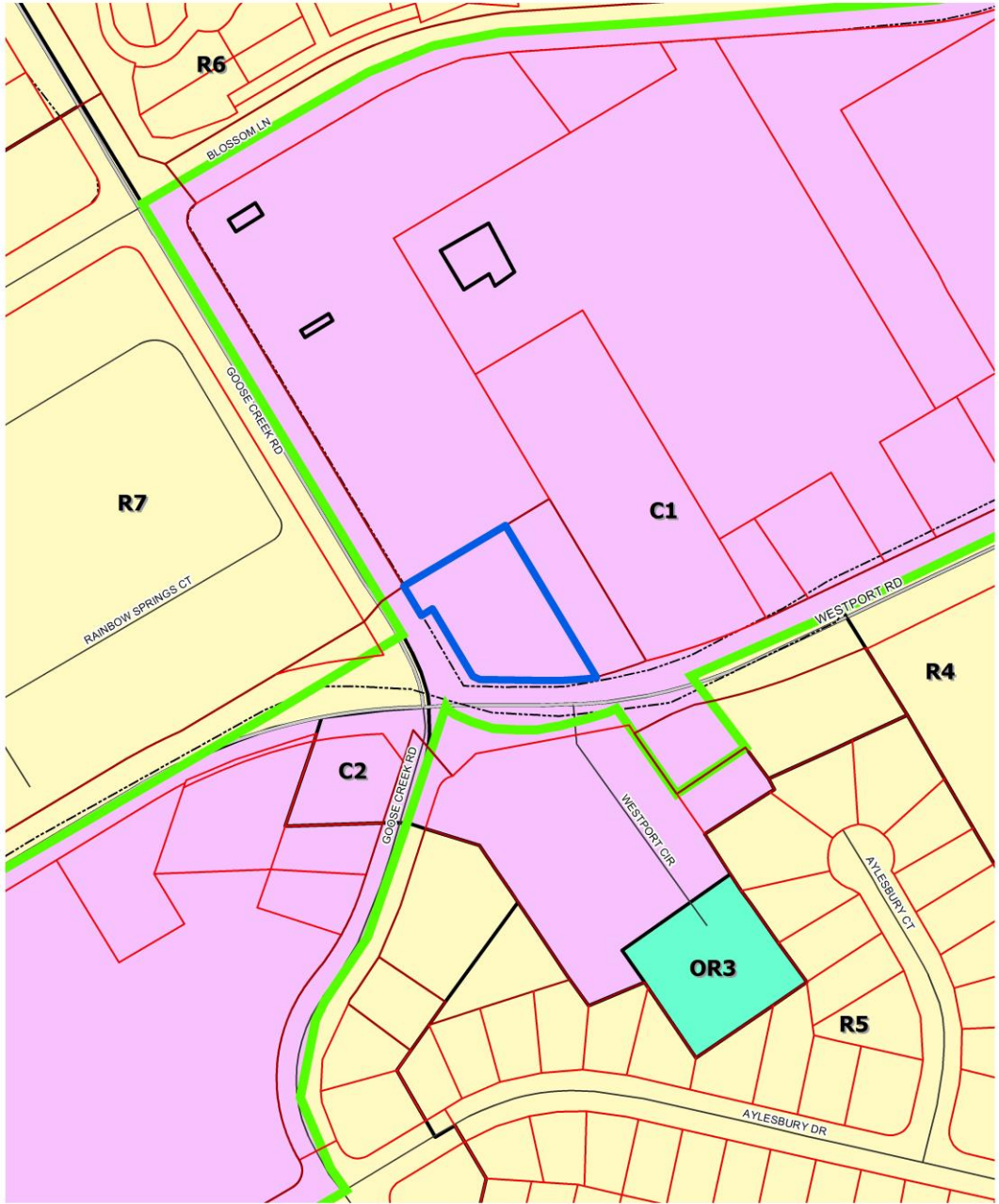
**NOTIFICATION**

Date	Purpose of Notice	Recipients
03/08/19	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 17

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. 300 Foot Buffer Map

1. Zoning Map

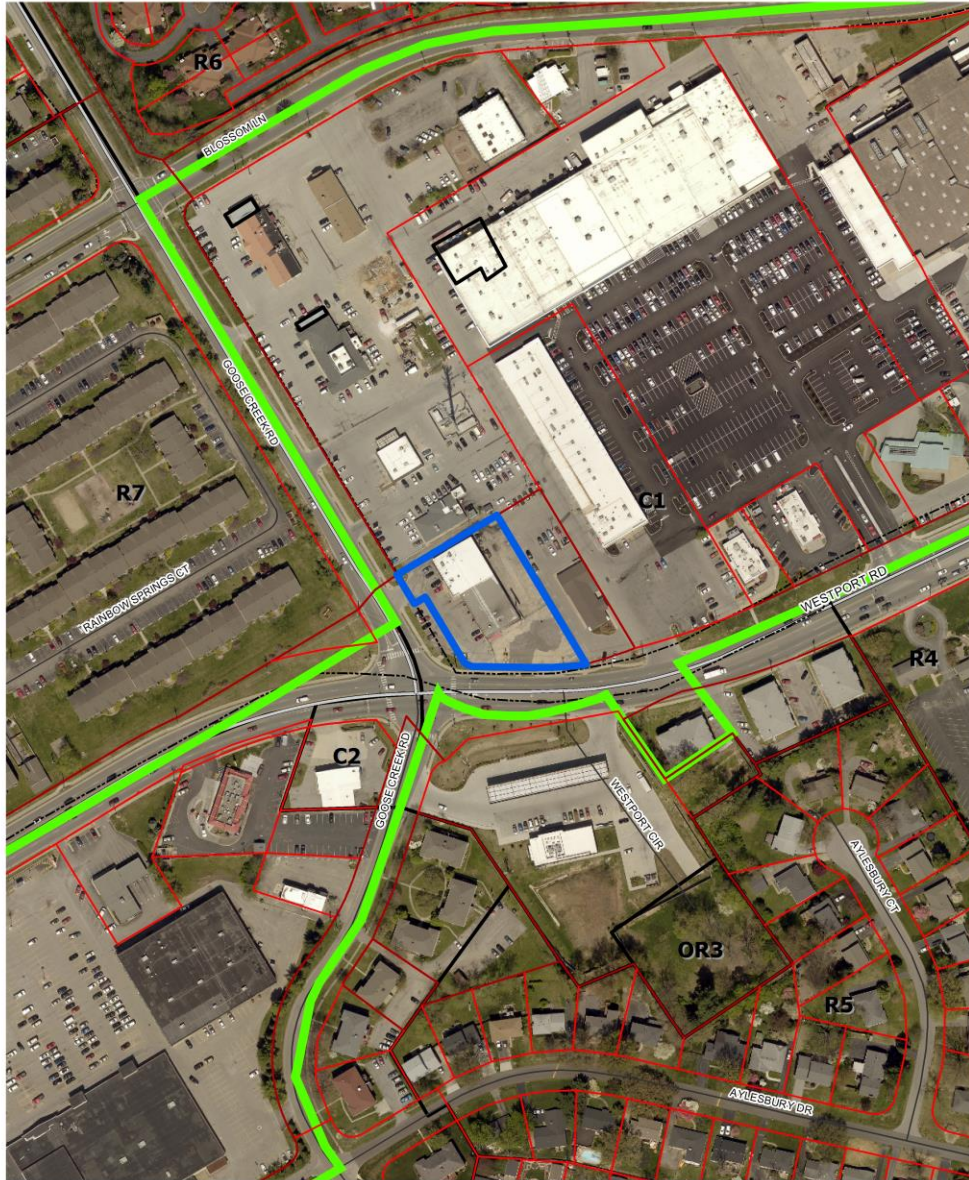


2901 Goose Creek Road

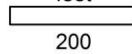


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2. Aerial Photograph



2901 Goose Creek Road  
feet



Map Created: 3/12/2019

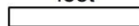


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3. 300 Foot Buffer Map



300 Foot Buffer  
feet



130

Map Created: 3/12/2019



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