

**Case No. 16WAIVER1009**  
**9120 BLOWING TREE ROAD**



**Louisville Metro Board of Zoning Adjustment**  
**Public Hearing**

**Joel P. Dock, Planner I**  
**May 2, 2015**

# Request

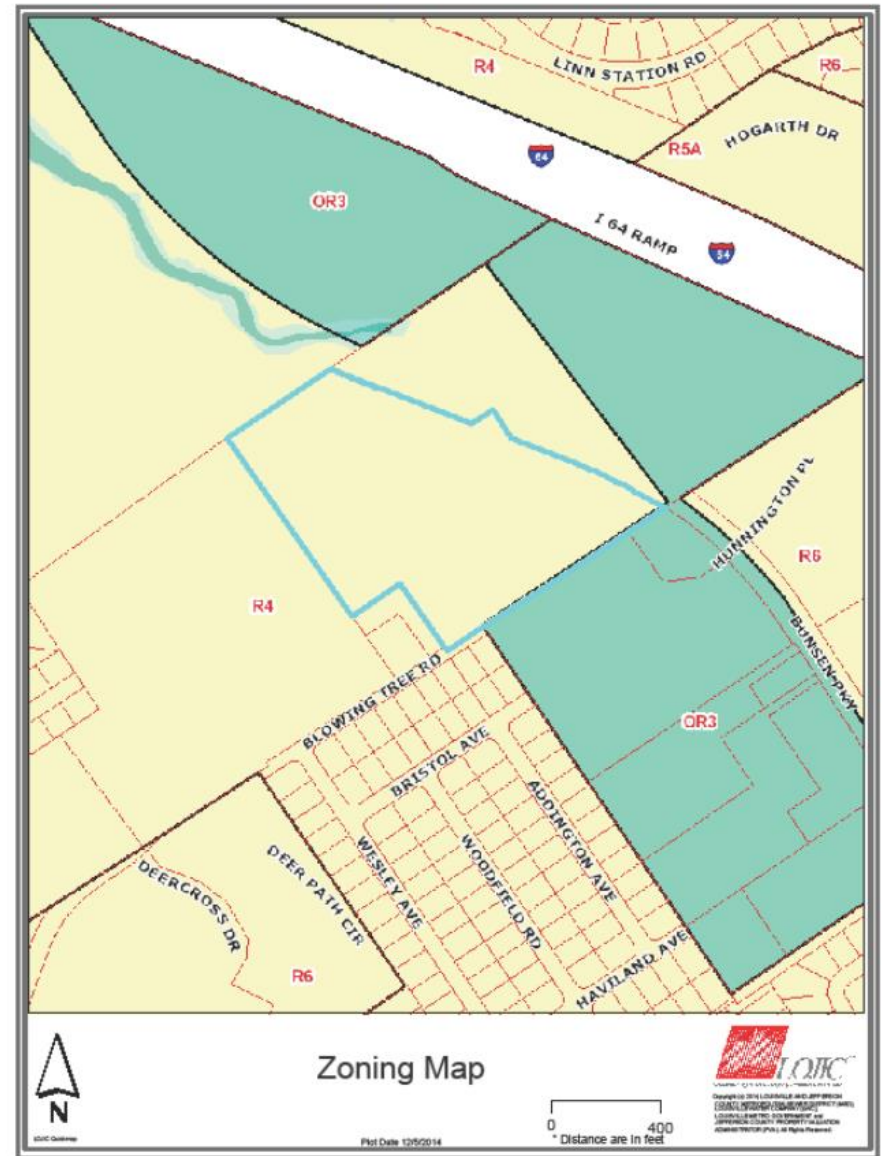
- Exceptional Signage Review for authorization of proposed attached signage in Campus form district.

# Case Summary / Background

- Three attached signs to the clubhouse of a proposed multi-family development known as The Springs at Hurstbourne; one on each side of the proposed clubhouse entryway.
- Each sign will be 28 SF with black, halo illuminated reverse channel letters.
- Campus form district fails to regulate residential signage.
- In the absence of regulations, the Board of Zoning Adjustment (BOZA) is authorized under the Louisville Metro Land Development, section 8.4.1 to authorize exceptional signs that do not meet definitions for sign types permitted by the sign regulations.
- The LDC states, “Sign Authorization Reviews shall use the same set of design guidelines as listed under the Waiver Reviews. Emphasis in sign authorizations shall be on the innovative design of signage and its potential impact on the property it relates to, surrounding properties and to the street or public realm.”

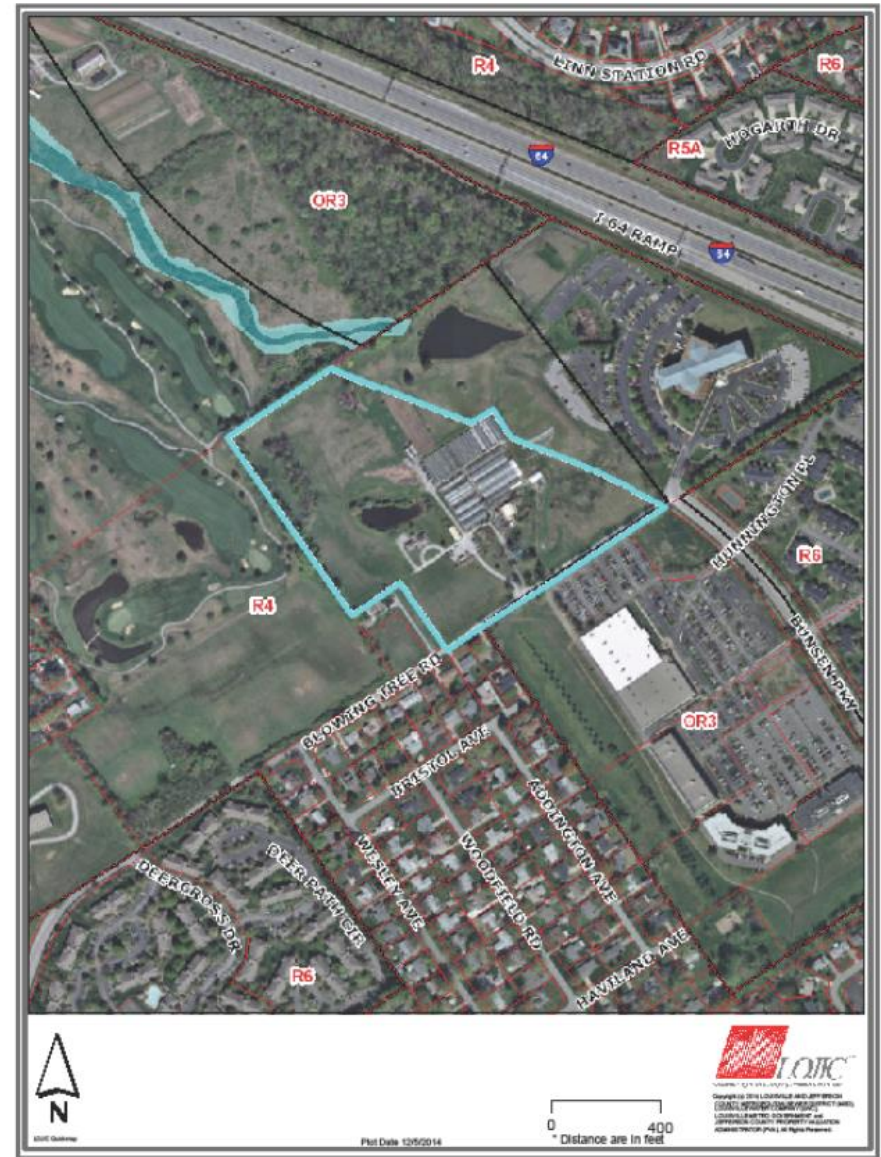
# Zoning/Form Districts

- Subject Property:
  - Existing: R-6/C
- Adjacent Properties:
  - North: R-4/C
  - South: R-4/OR-3/N/C
  - East: R-6/OR-3/C
  - West: R-4/N



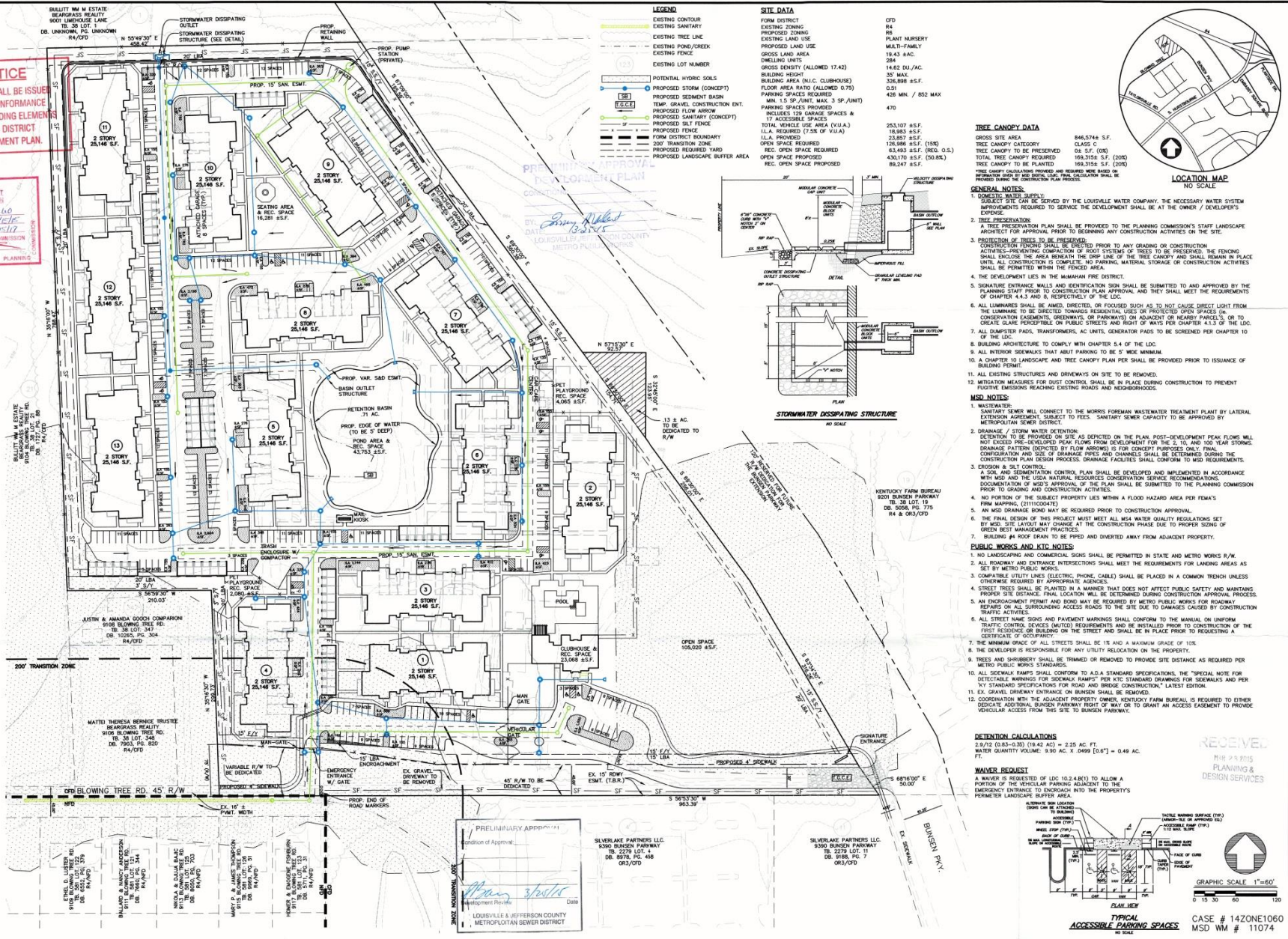
# Aerial Photo/Land Use

- Subject Property:
  - Existing: Multi-Family
  - Proposed: Multi-Family
- Adjacent Properties:
  - North: Golf Course/Reserved for Bunsen Extension
  - South: SFR/Office
  - East: Office
  - West: Golf Course



**NOTICE**  
 PERMITS SHALL BE ISSUED  
 ONLY IN CONFORMANCE  
 WITH THE ZONING ELEMENTS  
 OF THIS DISTRICT  
 DEVELOPMENT PLAN.

APPROVED DISTRICT  
 DEVELOPMENT PLAN  
 SHEET NO. **H2406** 18.00  
 REVISION DATE: **5/15/14**  
 PREPARED BY: **MSA**  
 DATE: **5/15/14**  
 APPROVED BY: **MSA**



**LEGEND**

- EXISTING CONTOUR
- EXISTING SANITARY
- EXISTING TREE LINE
- EXISTING POND/DECK
- EXISTING FENCE
- EXISTING LOT NUMBER
- POTENTIAL HYBRIC SOILS
- PROPOSED STORM (CONCEPT)
- PROPOSED SEWAGE BASIN
- TEMP. GRAVEL CONSTRUCTION ENT.
- PROPOSED FLOW ARROW
- PROPOSED SANITARY (CONCEPT)
- PROPOSED Silt FENCE
- PROPOSED FENCE
- FORM DISTRICT BOUNDARY
- 200' TRANSITION ZONE
- PROPOSED REQUIRED YARD
- PROPOSED LANDSCAPE BUFFER AREA

**SITE DATA**

- FORM DISTRICT: CFD
- EXISTING ZONING: R4
- PROPOSED ZONING: R4
- EXISTING LAND USE: PLANT NURSERY
- PROPOSED LAND USE: MULTI-FAMILY
- GROSS LAND AREA: 19.43 A.C.
- NET LAND AREA: 284
- GROSS DENSITY (ALLOWED 17.42): 14.62 DU./AC.
- BUILDING HEIGHT: 35 MAX.
- PARKING SPACES REQUIRED: 326 MIN. / 852 MAX.
- FLOOR AREA RATIO (ALLOWED 0.75): 253,107 S.F.
- PARKING SPACES PROVIDED: 19,835 S.F.
- MIN. 1.5 SP./UNIT, MAX. 3 SP./UNIT: 13,857 S.F.
- INCLUDES 129 GARAGE SPACES & 17 ACCESSIBLE SPACES: 23,857 S.F.
- TOTAL VEHICLE USE AREA (V.U.A.) & 1.1.A. REQUIRED (7.5% OF V.U.A.): 63,493 S.F. (REQ. 0.5)
- 1.1.A. PROVIDED: 43,170 S.F. (0.8X)
- REC. OPEN SPACE REQUIRED: 80,247 S.F.
- OPEN SPACE PROVIDED: 80,247 S.F.
- REC. OPEN SPACE PROPOSED: 80,247 S.F.

**TREE CANOPY DATA**

- GROSS SITE AREA: 846,574 S.F.
- TREE CANOPY AREA: 24,511 S.F. (2.9%)
- TREE CANOPY TO BE PRESERVED: 0 S.F. (0%)
- TOTAL TREE CANOPY REQUIRED: 19,358 S.F. (2.3%)
- TREE CANOPY TO BE PLANTED: 19,358 S.F. (2.3%)

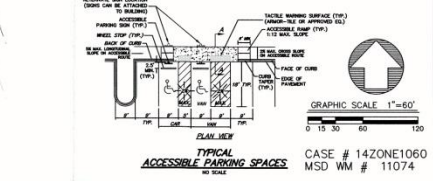
- GENERAL NOTES:**
- DOMESTIC WATER SUPPLY: SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER / DEVELOPER'S EXPENSE.
  - TREE PRESERVATION: A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
  - PROTECTION OF TREES TO BE PRESERVED: CONSTRUCTION FENCING SHALL BE ERECTED PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES—PREVENTING CONTACT OF ROOT SYSTEMS OF TREES TO BE PRESERVED. THE FENCING SHALL ENCLOSE THE AREA BENEATH THE DROP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.
  - THE DEVELOPMENT LIES IN THE MAMMAM FIRE DISTRICT.
  - SIGNATURE ENTRANCE WALLS AND IDENTIFICATION SIGN SHALL BE SUBMITTED AND APPROVED BY THE PLANNING STAFF PRIOR TO CONSTRUCTION APPROVAL AND THEY SHALL MEET THE REQUIREMENTS OF CHAPTER 4.4.3 AND 4.4.4, RESPECTIVELY, OF THE L.C.
  - ALL LIGHTNINGS SHALL BE AWAY, DIRECTED, OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LIGHTNINGS TO BE DIRECTED TOWARD RESIDENTIAL USES OR PROTECTED OPEN SPACES (IN CONSERVATION EASEMENTS, OR PARKWAYS) ON ADJACENT OR NEARBY PROPERTIES, OR TO CREATE GLARE INTERFERING ON PUBLIC STREETS AND RIGHT OF WAY OR COMPATIBLE WITH THE L.C.
  - ALL DUMPSTER PADS, TRANSFORMERS, AC UNITS, GENERATOR PADS SHALL BE SCREENED PER CHAPTER 10 OF THE L.C.
  - BUILDING ARCHITECTURE TO COMPLY WITH CHAPTER 5.4 OF THE L.C.
  - ALL INTERIOR SIDEWALKS THAT ADJUT PARKING TO BE 5' WIDE MINIMUM.
  - SMALLER TO LANDSCAPE AND TREE CANOPY PLAN PER SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.
  - ALL EXISTING STRUCTURES AND DRIVEWAYS ON SITE TO BE REMOVED.
  - MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT TOXIC EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.

- MSD NOTES:**
- WASTEWATER: SANITARY SEWER WILL CONNECT TO THE MORRIS FOREMAN WASTEWATER TREATMENT PLANT BY LATERAL EXTENSION AGREEMENT, SUBJECT TO THE SANITARY SEWER CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
  - DRAINAGE / STORM WATER DETENTION: DETENTION TO BE PROVIDED ON SITE AS DEPICTED ON THE PLAN. POST-DEVELOPMENT PEAK FLOWS WILL NOT EXCEED PRE-DEVELOPED PEAK FLOWS FROM DEVELOPMENT FOR THE 2, 10 AND 100 YEAR STORAGE DRAINAGE PATTERNS (DEPICTED BY FLOW ARROWS) IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO WFD REQUIREMENTS.
  - SEDIMENT & Silt CONTROL: A Silt and Sedimentation CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MSD AND THE USDA NATURAL RESOURCES CONSERVATION REGULATIONS. DOCUMENTATION OF MSD'S APPROVAL OF THE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO GRADING AND CONSTRUCTION ACTIVITIES.
  - NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA'S FIRM MAPS (2011C0047).
  - AN MSD DRAINAGE BOND MAY BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL.
  - THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL HIGH WATER QUALITY REGULATIONS SET BY MSO. SITE DRAINAGE MAY CHANGE AT THE CONSTRUCTION PHASE DUE TO PROPOSED CONSTRUCTION.
  - BUILDING #4 ROOF DRAIN TO BE PIPED AND DIVERTED AWAY FROM ADJACENT PROPERTY.
- PUBLIC WORKS AND ITC NOTES:**
- NO LANDSCAPING AND COMMERCIAL SIGNS SHALL BE PERMITTED IN STATE AND METRO WORKS R/W.
  - ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDSCAPING AS SET BY METRO PUBLIC WORKS.
  - COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPLICABLE AGENCIES.
  - STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SITE DISTANCE. FINAL LOCATION WILL BE DETERMINED DURING CONSTRUCTION APPROVAL PROCESS.
  - AN IMPROVEMENT PERMIT AND BOND MAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES.
  - ALL STREET NAME SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS AND BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RESIDENCE OR BUILDING ON THE STREET AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE OF OCCUPANCY.
  - THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND A MAXIMUM GRADE OF 10%.
  - THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
  - TREES AND SHRUBBERY SHALL BE TRIMMED OR REMOVED TO PROVIDE SITE DISTANCE AS REQUIRED PER METRO PUBLIC WORKS STANDARDS.
  - ALL SIDEWALK RAMPS SHALL CONFORM TO A.S.A. STANDARD SPECIFICATIONS, THE SPECIAL NOTE FOR DETECTABLE MIDDINGS FOR SIDEWALK RAMPS" PER ITC STANDARD DRAWINGS FOR SIDEWALKS AND PER ITC STANDARD SPECIFICATIONS FOR SIDEWALKS AND BRIDGE CONSTRUCTION, LATEST EDITION.
  - EX. GRAVEL DRIVEWAY ENTRANCE ON BUNSEN SHALL BE REMOVED.
  - COORDINATION WITH THE ADJACENT PROPERTY OWNER, KENTUCKY FARM BUREAU, IS REQUIRED TO EITHER DEDICATE ADDITIONAL BUNSEN PARKWAY RIGHT OF WAY OR TO GRANT AN ACCESS EASEMENT TO PROVIDE VEHICULAR ACCESS FROM THIS SITE TO BUNSEN PARKWAY.

**DETENTION CALCULATIONS**

2.977 (0.43-0.53) (18.40) = 2.28 AC FT.  
 WATER QUANTITY VOLUME: 9.90 AC X 0.469 [0.8"] = 0.48 AC FT.

**WATER REQUEST**  
 A WATER IS REQUESTED OF LDC 10.2.4(B)(1) TO ALLOW A PORTION OF THE VEHICULAR PARKING ADJACENT TO THE EMERGENCY ENTRANCE TO ENCLOSED WITH THE PROPERTY'S PERIMETER LANDSCAPE BUFFER AREA.



RECEIVED  
 THE 25<sup>TH</sup> DAY OF  
 MAY 2014  
 PLANNING &  
 DESIGN SERVICES

GRAPHIC SCALE 1"=60'  
 0 15 30 45 60 75 90 105 120  
 CASE # 14ZONE1060  
 MSD WM # 11074

PRELIMINARY APPROVAL  
 Condition of Approval:  
 SILVERLAK PARTNERS LLC  
 8350 BUNSEN PARKWAY  
 TB, 2778 LOT 4  
 DB, 8078 PG. 488  
 06/30/13

**Mindel, Scott & Associates, Inc.**  
 11111 W. Main Street, Suite 100  
 Louisville, KY 40241  
 Phone: (502) 452-1111  
 Fax: (502) 452-1112

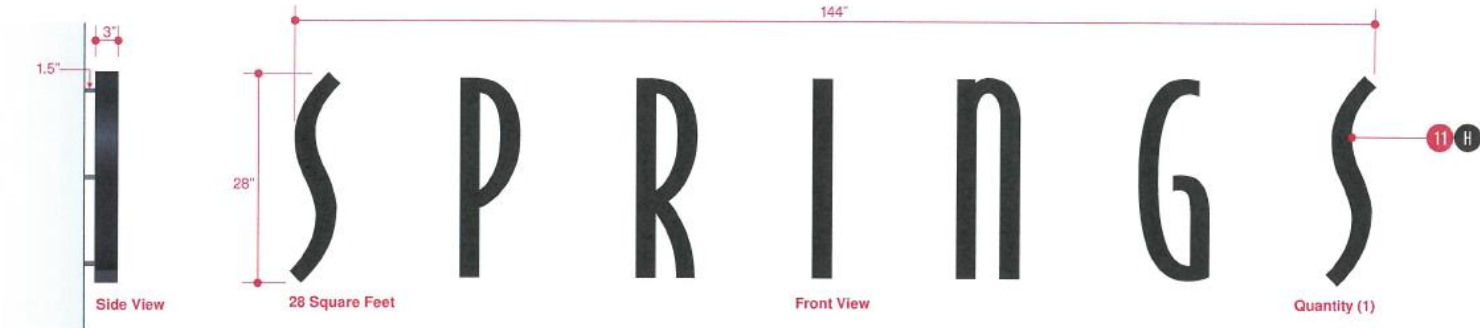
**MSA**  
 Mindel, Scott & Associates, Inc.  
 11111 W. Main Street, Suite 100  
 Louisville, KY 40241  
 Phone: (502) 452-1111  
 Fax: (502) 452-1112

**DEVELOPER**  
 CONTINENTAL PROPERTIES COMPANY, LLC  
 WITH RESERVE REGULATIVE PARKING  
 9700 BOWLING TREE RD.  
 LOUISVILLE, KY 40220

**OWNER**  
 MARGARET TREHMAN  
 9700 BOWLING TREE RD.  
 LOUISVILLE, KY 40220

**DETAILED DISTRICT DEVELOPMENT PLAN**  
**SPRINGS AT BUNSEN PARKWAY**  
 AKA: BLOWING TREE APARTMENTS  
 9700 BOWLING TREE RD.,  
 LOUISVILLE, KY 40220  
 LDC BLOCK: 38 LOT: 20  
 D.B. 8419 PG. 0001

**Vertical Scale:** N/A  
**Horizontal Scale:** 1"=60'  
 Date: 12/15/14  
 Job Number: 3235  
 Sheet  
 1



**Sign Specifications**

**11** Halo illuminated reverse channel letter

**Color Specifications**

**H** Black, semi-gloss finish

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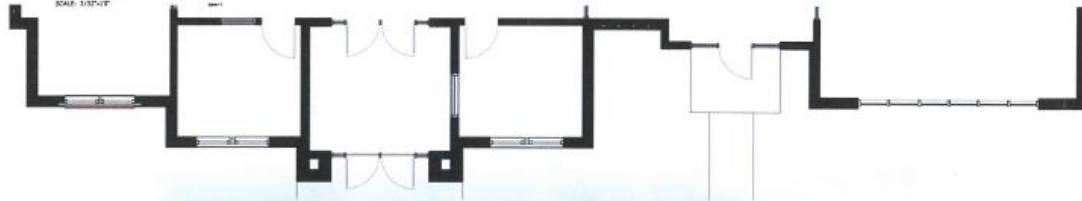


Front Elevation



**Front Elevation**

SCALE: 1/32"=1'-0"



**Right Side Elevation**

SCALE: 1/32"=1'-0"





# Applicable Plans & Policies

- Cornerstone 2020
- LDC (April 2016)

# Technical Review

- The Board of Zoning Adjustment (BOZA) is authorized under the Louisville Metro Land Development Code (LDC), section 8.4.1 to authorize exceptional signs that do not meet definitions for sign types permitted by the sign regulations.
- The clubhouse and signage is being proposed roughly 450' Southwest of the terminus of Bunsen Parkway and 350' Northeast of the nearest residential property on Blowing Tree Road.

# Staff Analysis and Conclusions

- The sign authorization request for exceptional signage appears to be adequately justified and meets the standard of review.

# Required Actions

- APPROVE or DENY the authorization of exceptional signage for three 28 SF attached signs.