

**Board of Zoning Adjustment
Staff Report**
August 18, 2014



Case No:	14Variance1073
Request:	Variances to exceed sign height
Project Name:	Kentucky One Health
Location:	3920 Dutchmans Ln.
Owner:	Jewish Hospital & St. Marys HE
Applicant:	Same
Representative:	Same
Jurisdiction:	St. Matthews
Council District:	26 – Brent Ackerson
Case Manager:	Latondra Yates, Planner II

REQUEST

- Variance of Article 11.D.2.C. of the Land Development Code (LDC, old code) to allow attached signage to exceed the maximum height.

Variances

Location	Requirement	Request	Variance
Northeast side of building (Sign 01)	18 in.	30 in.	12 in.
Northeast side of building (Sign 03)	18 in.	24 in.	6 in.
Southwest side of building (Sign 05)	18 in.	30 in.	12 in.
Southwest side of building (Sign 07)	18 in.	24 in.	6 in.
Southeast side of building (Sign 09)	18 in.	30 in.	12 in.
Southeast side of building (Sign 10)	18 in.	24 in.	6 in.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The variances are for replacement signage from Jewish Health East to Kentucky One Jewish Hospital East. The site plan (2nd page of sign package) shows six proposed signs. Three will be removed and two will remain as is.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

The site is located at the intersection of Dutchmans and Breckenridge Ln. It is zoned C-2 and in the Regional Center (RC) Form District. It is surrounded by medical office and commercial uses, except to the southeast, where there is property owned by LG&E that sits along I-264.

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Medical/Office	C-2	R-C
Proposed	Signage	C-2	R-C
<i>Surrounding Properties</i>			
North	Commercial/Medical/office	R-4/C-2	RC
South	Industrial (LG&E)	C-2	RC
East	Commercial	C-1	RC
West	Commercial	C-2	RC

RELATED CASES

B-216-02, variances for signage for the medical facility.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCES

(a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The variances will not adversely affect the public health, safety or welfare because of the placement of the signage and the location of the building away from the expressway. The signs will not be LED or lit and should not negatively impact adjacent properties.

(b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The variances not will alter the essential character of the general vicinity because they will be replacing signage of similar sizes in mostly the same locations.

(c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The variances will not cause a hazard or nuisance to the public because the signage appears to be directed toward the commercial frontage of Dutchmans Ln. and Breckenridge Ln. in an existing commercial area and medical campus.

(d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The variances will not allow an unreasonable circumvention of the zoning regulations because it will be similar in size to what already exists.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The variances arise from the proposed signage.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or 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 create an unnecessary hardship because there is already existing signage of similar size, and the signage will help better identify the building in a dense, commercial/medical office area.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are the result of the proposed signage.

TECHNICAL REVIEW

No outstanding technical review items

STAFF CONCLUSIONS

Staff's analysis of the standards of review supports the granting of the variances.

Based upon the information in the staff report, testimony and evidence provided, the Board of Zoning Adjustment must determine if the proposal meets the standards for approval of variances as established in the Land Development Code.

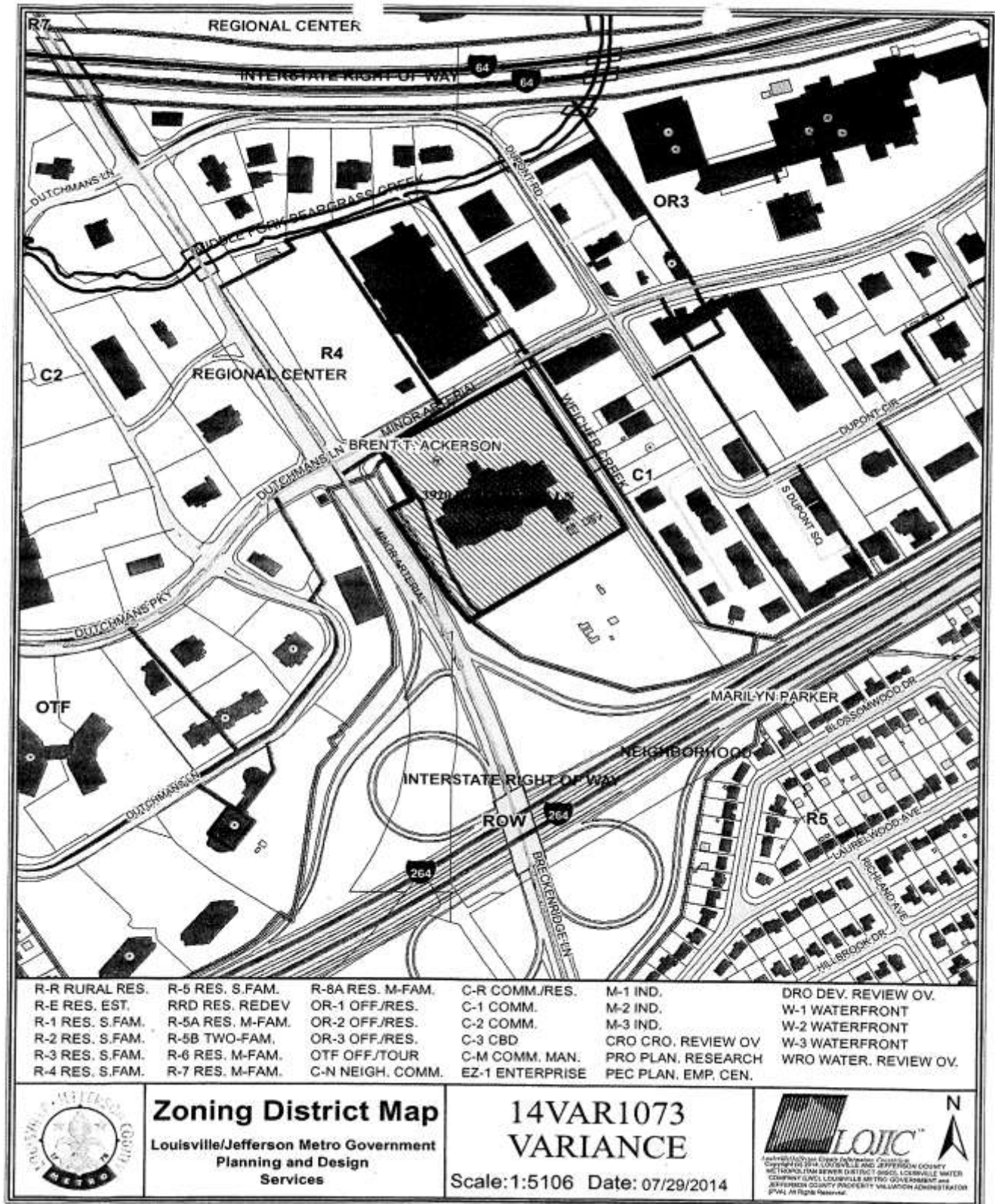
NOTIFICATION

Date	Purpose of Notice	Recipients
8/1/2014	BOZA Meeting	1 st and 2 nd tier adjoining property owners Neighborhood Notification
8/7/2014	Sign Posting	On property

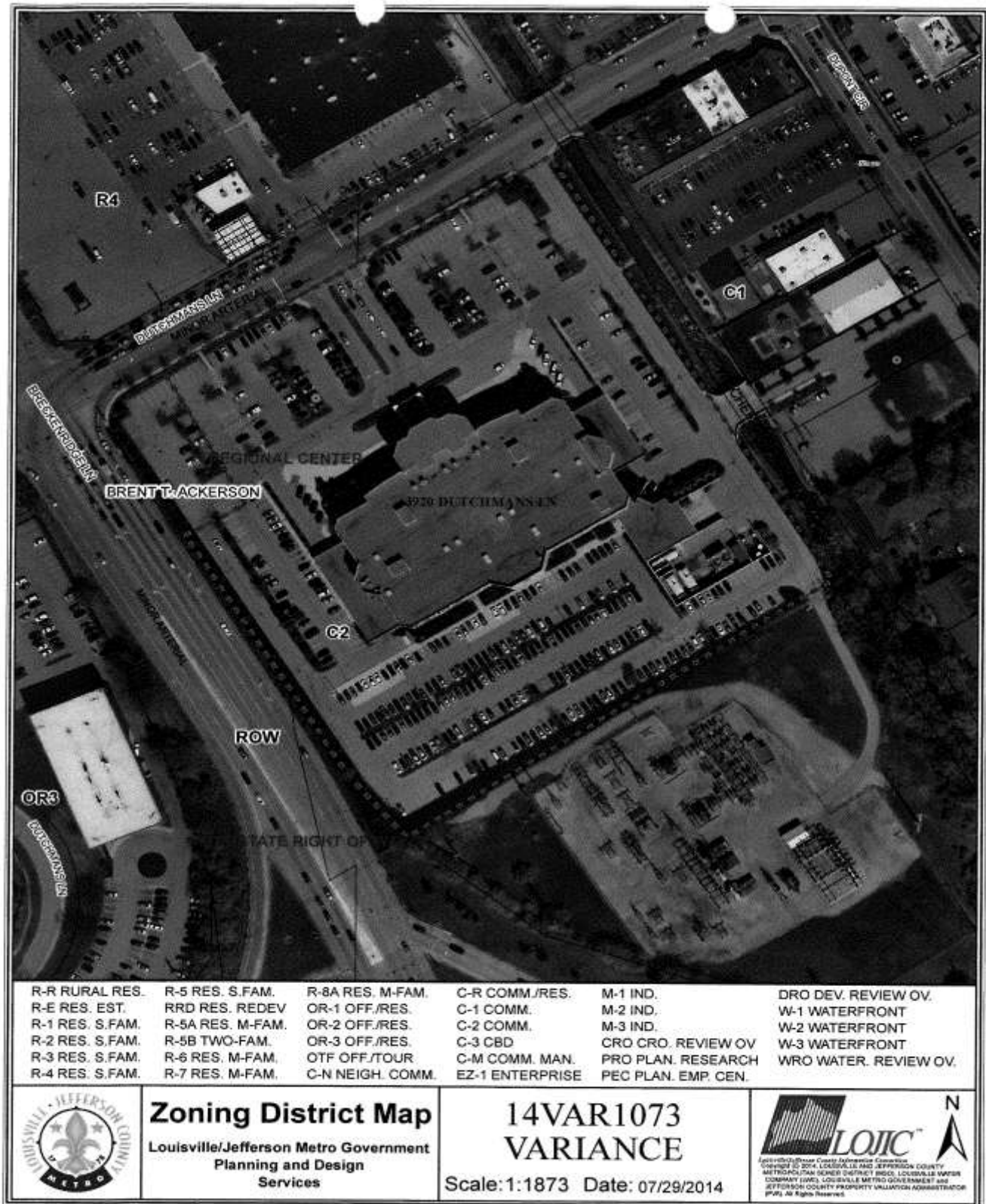
ATTACHMENTS

1. Zoning Map
2. Aerial Photo
3. Sign Package
4. Applicant's Justification Statement

1. Zoning Map



2. Aerial Photo



3. Sign package



Variance Submittal

3920 Dutchmans Lane
Louisville, KY

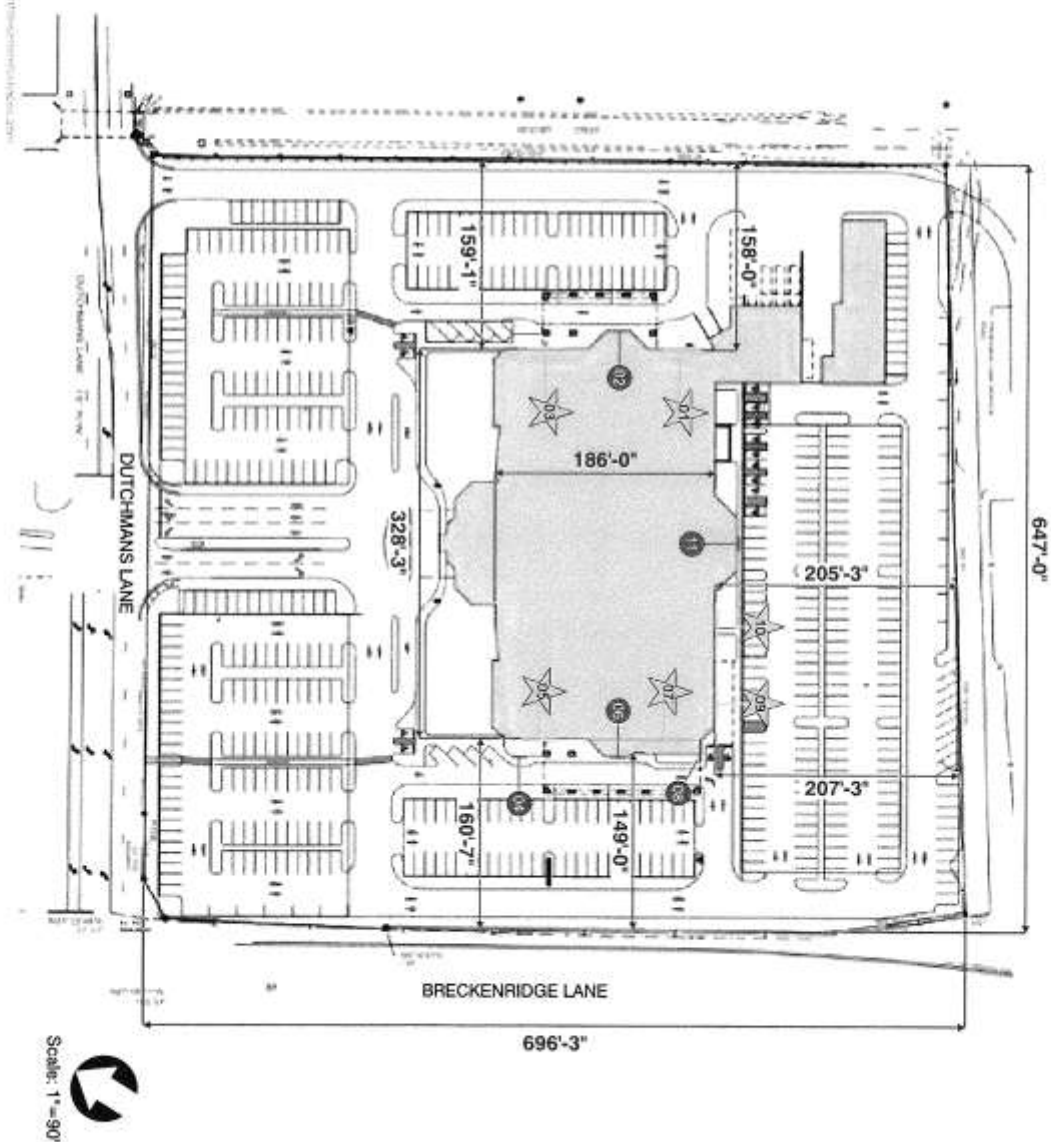
July 23, 2014

RECEIVED

JUL 28 2014
PLANNING &
DESIGN SERVICES

14VARIANCE1073

- ★ 01 - Proposed Sign: 30' Channel Letters (Logo), 73.44 SF
Variance Required
- ⓪ 02 - Existing Sign: To Be Removed
- ★ 03 - Proposed Sign: 24' Channel Letters, 64.31 SF
Variance Required
- ☾ 04 - Existing Sign: 18' Channel Letters, 20.0 SF
Leave As Is
- ★ 05 - Proposed Sign: 30' Channel Letters (Logo), 73.44 SF
Variance Required
- ⓪ 06 - Existing Sign: To Be Removed
- ★ 07 - Proposed Sign: 24' Channel Letters, 64.31 SF
Variance Required
- ⓪ 08 - Existing Sign: 18' Channel Letters, 20.0 SF
Leave As Is
- ★ 09 - Proposed Sign: 30' Channel Letters (Logo), 73.44 SF
Variance Required
- ★ 10 - Proposed Sign: 24' Channel Letters, 64.31 SF
Variance Required
- ☾ 11 - Existing Sign: To Be Removed

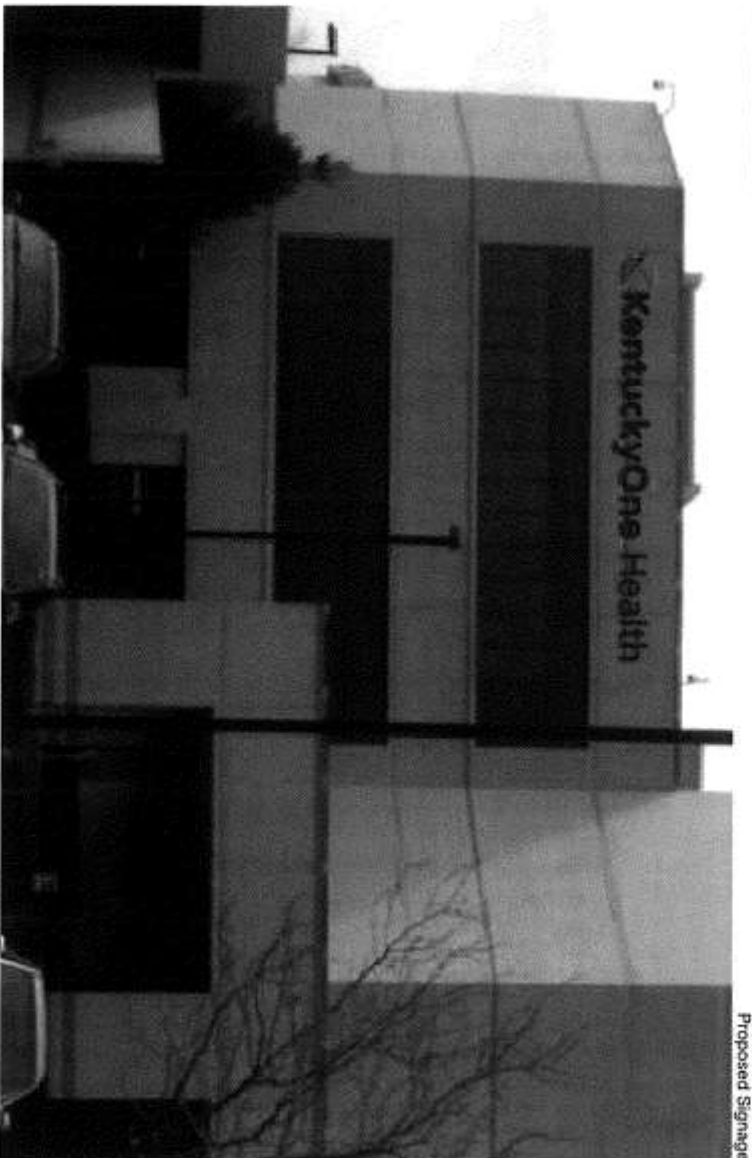


Existing Conditions



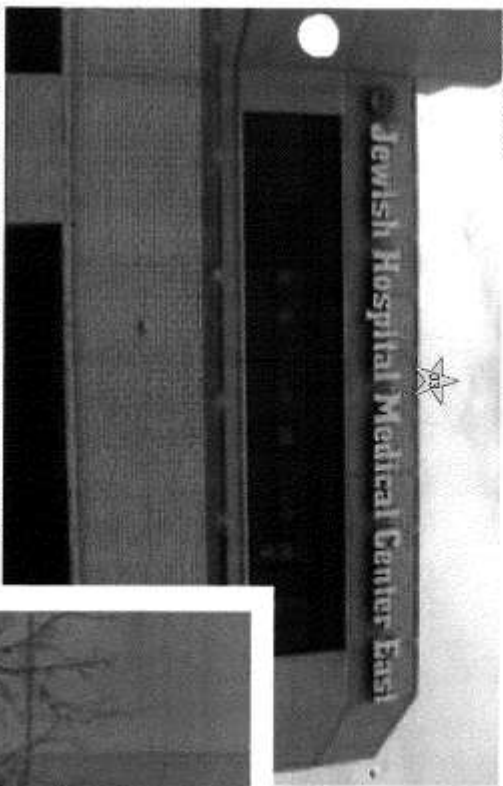
- Sign 01** - New channel letters to be installed on left side of elevation.
- Sign 02** - Existing symbol to be removed.
- Sign 03** - Existing channel letters "Jewish Hospital Medical Center East" to be removed / replaced with new. (See next page)

Square Footage of Elevation: $54'-6" \times 186' = 10,137$ SF
 Sign 01 Square Footage: $30' \times 29'-4 \frac{1}{2}" = 73.44$ SF
 Sign 03 Square Footage: $24' \times 32'-1 \frac{7}{8}" = 64.31$ SF
 Total SF of Elevation Signage: $73.44 + 64.31 = 137.75$ SF
 % of Signage on Elevation: $137.75 / 10,137 = 1.3\%$



Proposed Signage

Existing Conditions



Sign 01 - New channel letters to be installed on left side of elevation.
(See previous page)

Sign 02 - Existing symbol to be removed. (See previous page)

Sign 03 - Existing channel letters "Jewish Hospital Medical Center East" to be removed / replaced with new.

Square Footage of Elevation: 54'-6" x 186' = 10,137 SF
 Sign 01 Square Footage: 30' x 29'-4 1/2" = 73.44 SF
 Sign 03 Square Footage: 24' x 32'-1 7/8" = 64.31 SF
 Total SF of Elevation Signage: 73.44 + 64.31 = 137.75 SF
 % of Signage on Elevation: 137.75 / 10,137 = 1.36%



Proposed Signage

Existing Conditions



Sign 04 - Existing channel letters 'Emergency' to be left as is.
Sign not visible in photo above. Located behind trees.

Sign 05 - Existing channel letters 'Jewish Hospital Medical Center East' to be removed / replaced with new.

Sign 06 - Existing symbol to be removed.

Sign 07 - New channel letters to be installed on right side of elevation.

Square Footage of Elevation: 54'-6" x 186' = 10,137 SF

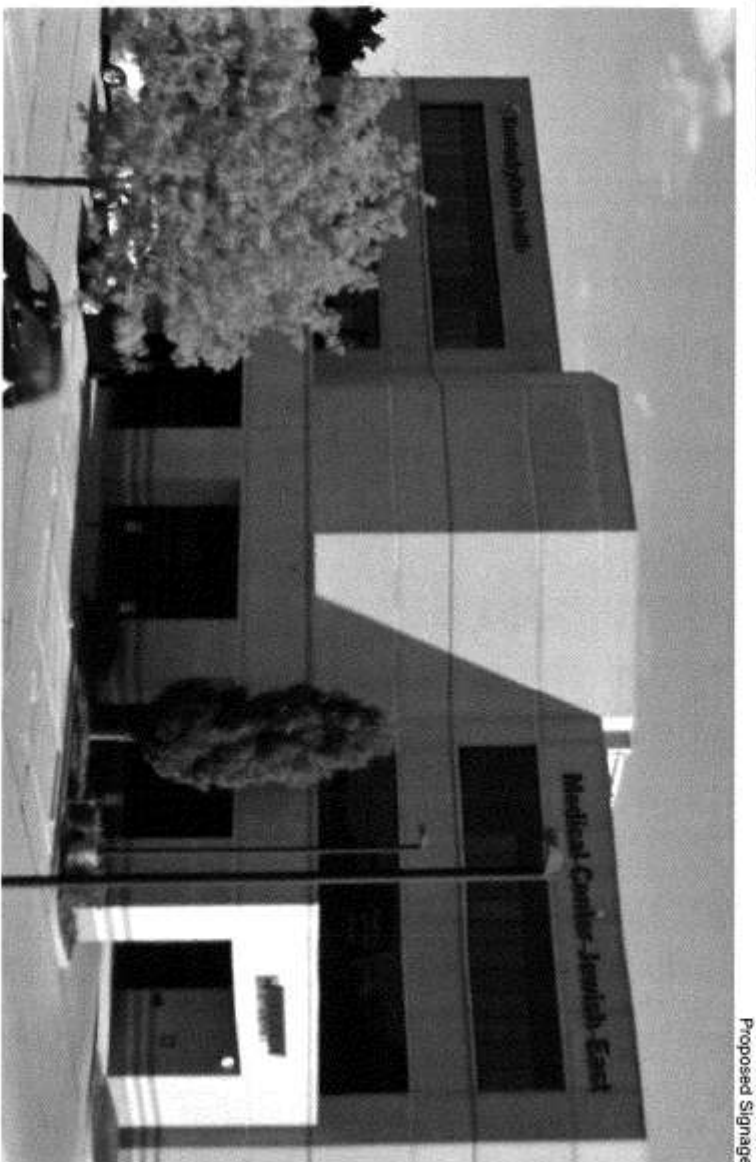
Sign 05 Square Footage: 30' x 29'-4 1/2" = 73.44 SF

Sign 06 Square Footage: 18' x 13'-4" = 20.0 SF

Sign 07 Square Footage: 24' x 32'-1 7/8" = 64.31 SF

Total SF of Elevation Signage: 20 + 73.44 + 64.31 = 157.75 SF

% of Signage on Elevation: 157.75 / 10,137 = 1.56%



Proposed Signage

Existing Conditions



Sign 08 - Existing channel letters "Emergency" to be left as is.
Sign not visible in photo above. Located behind trees.

Sign 09 - Existing channel letters "Jewish Hospital Medical Center East" to be removed / replaced with new.

Sign 10 - New channel letters to be installed to the right of Sign 09.

Sign 11 - Existing symbol to be removed.

Square Footage of Elevation: 54'-6" x 329'-3" = 17,889.6 SF

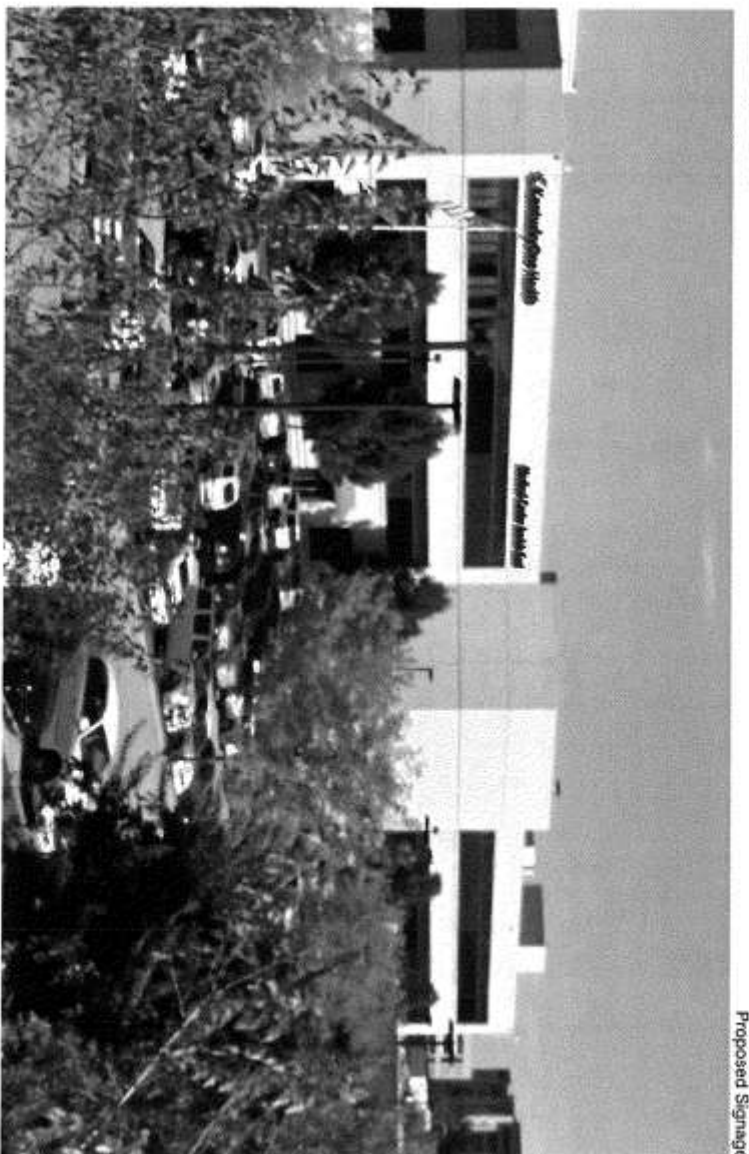
Sign 08 Square Footage: 18' x 13'-4" = 20.0 SF

Sign 09 Square Footage: 30' x 29'-4 1/2" = 73.44 SF

Sign 10 Square Footage: 24' x 32'-1 7/8" = 64.31 SF

Total SF of Elevation Signage: 20+73.44+64.31 = 157.75 SF

% of Signage on Elevation: 157.75 / 17,889.6 = 0.88%





④ SIDE VIEW
SCALE: 1"=1'-0"

Sig _y Type	X	M	T	T1	V2	V3	Z
LIF-24-BL-EX	7.0°	7.6°	7.8°	29.8-10°	1.18°	28.3-10°	9°
LIF-24-CR-EX							

Square Footage: 73.44

**PERMITS
ONLY**

Electrical Load

Electrical Load
(1.3) Amps @ 120 Volts
Electrical Reqs'ts
(1) 20 Amp/120 Volt Circuits

STANDARD LETTER NOTES

1. Sufficient Primary Circuit in Vicinity Of Sign By Others.
2. Letter To Letter Wiring & First Primary Hook-up By Sign Installer, Where Allowed By Local Codes
3. Sign Shall Be U.L. Listed
4. Mounting Hardware By Sign Installer.
5. Full Size Drafting Template Furnished With Sign.



NOTES

- [illegible]

Square Footage: 64.37

SCALE: 3/8"=1'0"

Electrical Load
(2.4) Amps @ 120 Volts
Electrical Req'ms
(1) 20 Amp/120 Volt Circuits

STANDARD LETTER NOTES

1. Sufficient Primary Circuit In Vicinity Of Sign By Others.
2. Letter To Letter Wiring & First Primary Hook-up By Sign Installer, Where Allowed By Local Codes.
3. Sign Shall Be U.L. Listed.
4. Mounting Hardware By Sign Installer.
5. Full Size Drilling Template Furnished With Sign.

[illegible][illegible]

4. Applicant's Justification Statement

Supplemental Information Sheet

Variance Justifications: Medical Center Jewish East - 3920 Dutchmans Lane

1. Reasons that the granting of the variance:

a. *Will not adversely affect the public health, safety or welfare:*

ANSWER – The signage variations that are respectfully requested as part of this application will be no way be adverse to the community. The elements that are requested will allow this regional business/institution the opportunity to properly identify itself within the community and to notify the public of its location in a safe, aesthetic, and proper manner. The signage that is requested will not be out of the norm for the area, nor will it be disproportionate to the building in question. The branding elements will allow motorists notification and identification of this establishment therefore allowing for ease of wayfinding to their desired destination. This use (medical facility) is both a destination and impulse location. Signage is expected and desired by the public for this type of business.

b. *Will not alter the essential character of the general vicinity:*

ANSWER – The additional signs that are requested will not negatively alter the essential character of the general vicinity. The area in question is made up of retail, office, and other business uses. Signs are present in this area and are placed in order to best assist the motoring public. Assisting the motoring public is the exact intent of this application. There is zero impact on any residentially zoned property. The signs that are requested are allowed in size, and number it is just the placement height on the building that is the issue. The signs requested would be above the 25' placement regulation but would be in-line with the other signage that is currently installed on this building.

c. *Will not cause a hazard or a nuisance to the public:*

ANSWER – The elements that are requested in this application will be a benefit to the public, not a nuisance. Signage that is visible, concise, and purposeful to the motoring public will allow for ease of navigation and assurance that proper vehicular order is maintained. The signage that is requested will allow for clear identification from both Dutchmans Lane and Breckenridge Lane and will allow the motorists the ability to navigate to this location in a safe manner.

d. *Will not allow an unreasonable circumvention of the requirements of the zoning regulations:*

ANSWER – Approval of the variances that are requested will allow this business (Kentucky One Health) the opportunity to properly brand this recently acquired property. The "Jewish Hospital Medical Center East" is an established business within this community/corridor, but the recent acquisition of the property needs to be identified. The application for relief that has been made, will allow the new business owner the opportunity to demonstrate the change in ownership of the business and will also allow those familiar with the Kentucky One Health system the notification that this property is included in the overall portfolio. Time and consideration has been given to the signage elements that are deemed necessary in order to complete this modification and unfortunately variations are required to accomplish this task.

2. Additional consideration:

- a. *Whether the variance arises from special circumstances, which do not generally apply to land in the general vicinity:*

ANSWER – The property in question is unique to the area based on the type of use that it houses as well as the size of the property in general. The majority of the properties in this immediate area are single story single occupancy tenants or buildings with a single ingress/egress into the building. This facility is unique because there are multiple points of access into the building, on multiple elevations of the building. This unique situation requires that visible signage is present in order to adequately identify this property. Other businesses/uses in the area do not have this type of issue at their properties.

- b. *Whether 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*

ANSWER – If the variation that is being requested in this application is not granted an unnecessary hardship will be placed on the business. The variation that is requested will allow this business the opportunity to identify itself in a consistent and appropriate manner while ensuring that the motorists on the surrounding roadways are able to use the wayfinding devices to locate this facility. A denied variance would place added stress on the motorists of scanning this complex visual environment while trying to locate their destination. Also, a denied variance would not allow Kentucky One Health the opportunity to brand this building so that those in the community would know that this is one of their facilities.

- c. *Whether the circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought*

ANSWER – The practical difficulties that are present in properly signing this property are due to the type of use (hospital), and the multiple useable facades that are able to be accessed and these circumstances have always been present at this property. The only change that has occurred since the adoption of the regulations is the acquisition of the business. The only change that was subsequent to the adopting of the regulations is the acquisition of the property by Kentucky One Health. It is imperative to the functionality of this hospital that the Kentucky One Health name be placed on the building facades and on the freestanding signs. The public needs to be made aware that this property falls within the Kentucky One Health family so that they know what type of service can be expected at this facility.