

Development Review Committee
Staff Report
August 18, 2021



Case No.	21-WAIVER-0085
Project Name	Changing Image Sign Waiver
Location	1960 Bardstown Rd
Owner	St. Francis of Assisi
Applicant	Smart LED Signs & Lighting
Jurisdiction	Louisville Metro
Council District	8 – Cassie Chambers Armstrong
Case Manager	Beth Jones, AICP, Planner II

REQUEST

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

CASE SUMMARY / BACKGROUND

The applicant proposes to add a changing image panel to an existing freestanding sign for the school on the site. It will replace a letterboard in place within the existing sign, located at the school’s entrance at the corner of Bardstown Road and Alfresco Place. An additional monument sign is in place at the other end of the site’s 3930 ft Bardstown Road frontage, at the corner of Bardstown Road and Rutherford Avenue. Under current regulations, two freestanding signs would not be permitted on the same road frontage.

The majority of the C-2 site, including both signs, is located in a Traditional Marketplace Corridor form district; the rear of the site is in a Traditional Neighborhood form district. This portion of Bardstown Road is a four-lane arterial roadway. The proposed sign meets all standards and requirements other than the subject of the waiver request.

The site is also within the Bardstown Road Overlay District and a National Register District. The proposal will be reviewed under these standards as part of the sign permitting process.

The site is bordered on all sides by single- and multi-family residential uses, with a single commercial use at the southeast end of the property along Bardstown Road, and a mixed-use site to the north. The sites nearest to the sign are in single-family, multi-family and mixed use.

The applicant mailed a letter and rendering of the sign to neighbors requesting support for the proposal. In this letter, the applicant states that the sign will be used to communicate events and general information on the school and parish. Four signed letters of support were returned from single-family property owners along Alfresco Place. The residence on the corner, most directly affected by the sign, did not sign a letter of support.

There are twelve units on the street side of a multi-family development across Bardstown Road; the

only windows in these units are along the front façade of the building, facing the area of the sign. These windows are located from 130 to 150ft from the sign location, which is closer than all but one of the Alfresco Place residences supporting the request.

The applicant plans to plant an Upright Japanese Plum Yew to mitigate the negative effects of the sign. According to the applicant, the yew will grow to about 10ft tall at maturity, with a spread of up to 6 ft and a typical ground clearance of 1ft.

SIGN STANDARDS

Freestanding Sign Traditional Marketplace Corridor Form District	Permitted	Proposed
Total Area	Maximum 48 sf	48 sf
Changing Image Area	Maximum 20 sf (60% of total)	15.6 sf
Overall Height	Maximum 6 ft	6 ft
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, BOZA must determine whether the waiver request is justified.

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 may adversely affect adjacent property owners in that the sign will operate around the clock on a daily basis.

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

STAFF: The waiver may 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 could 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 proposes to plant a tree to shield some of the adjacent residential properties from direct view of the sign, although the exact placement is not clear and it would not block light trespass emitted by the sign. Strict application of the regulation would not create an unnecessary hardship as the sign already in place includes a letterboard currently used to convey the type of messages intended for the requested changing image sign.

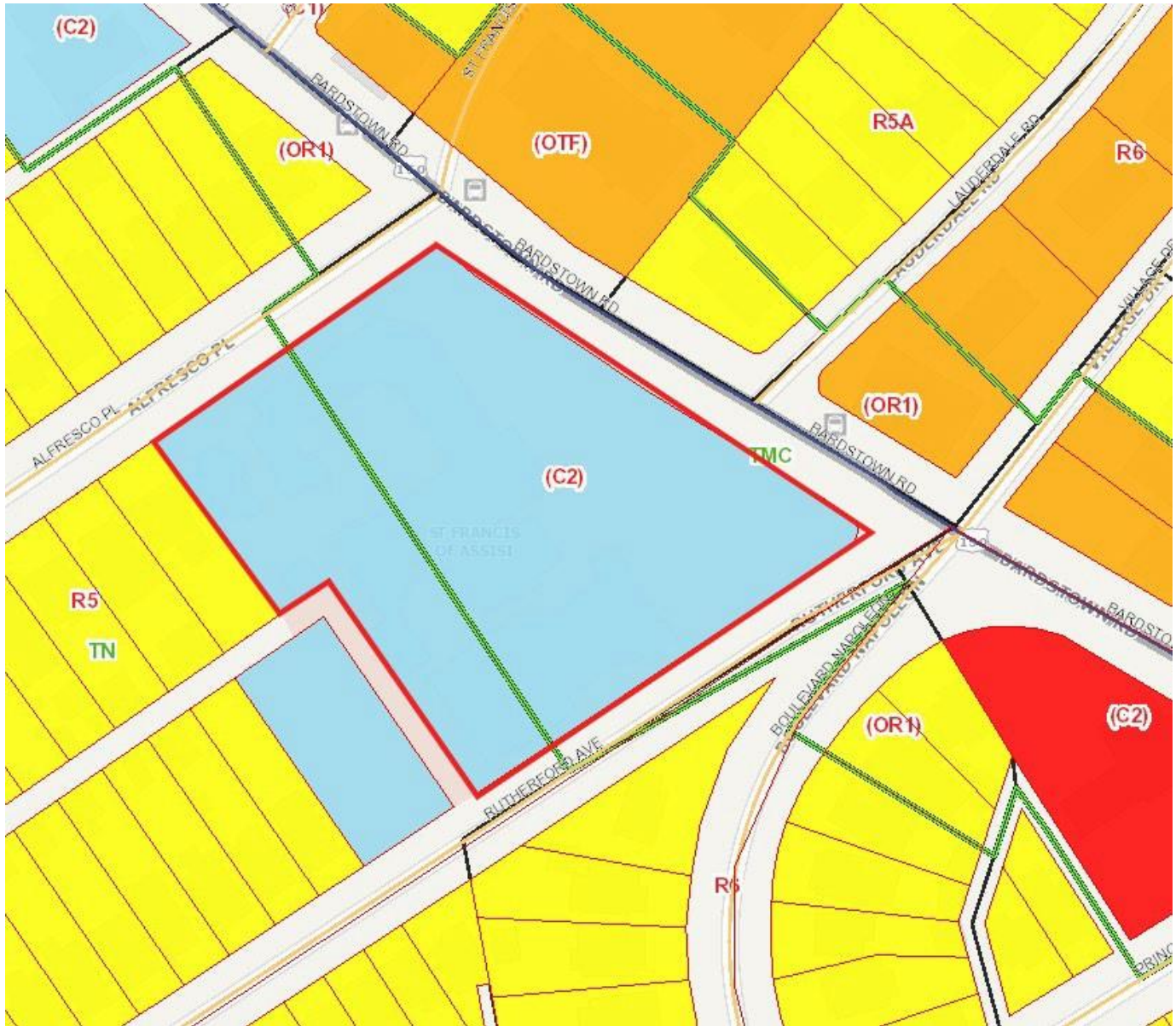
NOTIFICATIONS

Date	Purpose of Notice	Recipients
8/3/2021	DRC	1st tier adjoining property owners Registered Neighborhood Groups in Council District 8

ATTACHMENTS

1. Land Use Map
2. Aerial View
3. Street View
4. Buffer Zone
5. Street View (Across Bardstown Rd)
6. Street View (Across Alfresco Place)
7. Existing Signs
8. Proposed Sign
9. Landscaping to be Added

1. Land Use Map



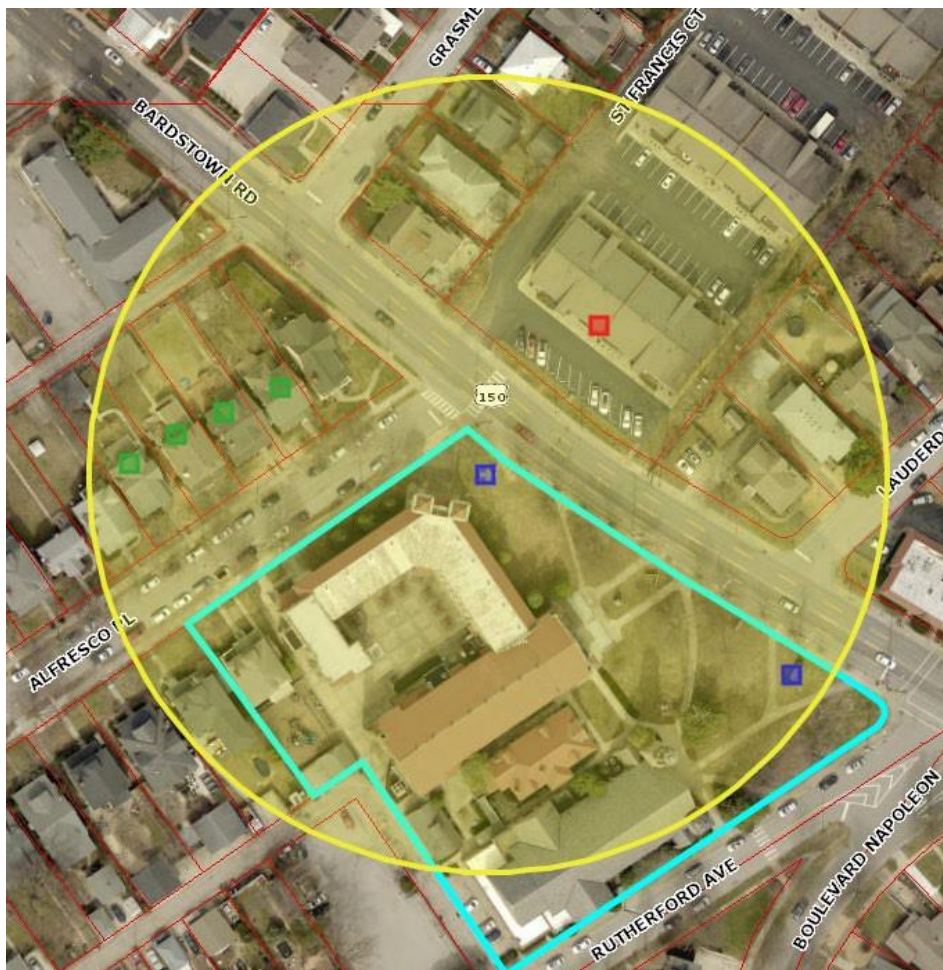
2. Aerial View



3. Street View



4. Buffer Zone



5. Street View (Across Bardstown Road)



6. Street View (Across Alfresco Place)



7. Existing Signs

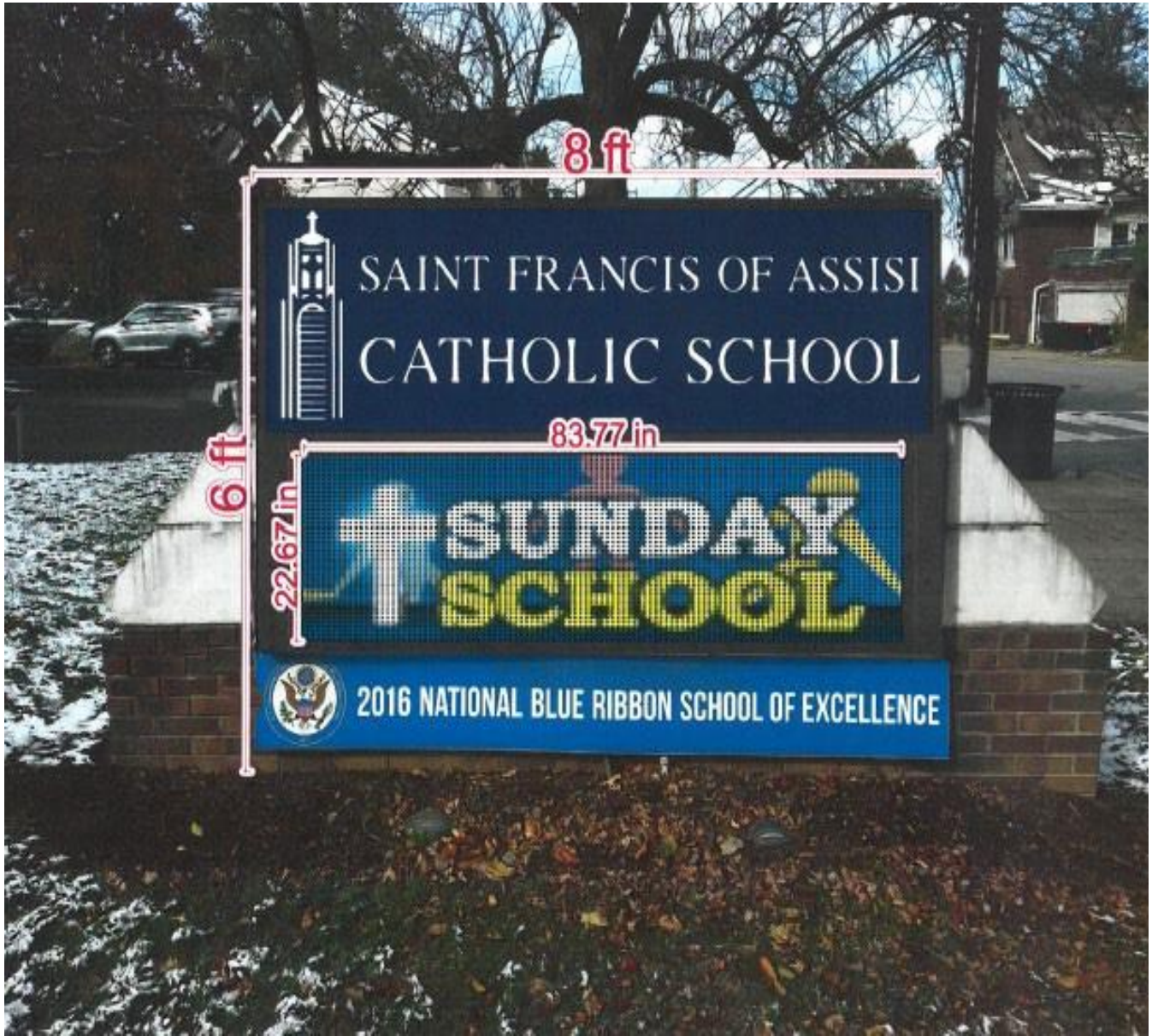


SUBJECT SIGN TO BE MODIFIED



SIGN TO REMAIN

8. Proposed Sign



9. Landscaping To Be Added

Upright Japanese Plum Yew Example

(5) Upright Japanese Plum Yew to screen getting installed Growth rate of 6" - 8" per year. Will grow to be about 10 feet tall at maturity, with a spread of 6 feet. It has a low canopy with a typical clearance of 1 foot from the ground

