

Board of Zoning Adjustment Staff Report

July 21, 2014



Case No:	14VARIANCE1060
Project Name:	Darrell Griffith Athletic Center
Location:	3628 Virginia Avenue
Owner(s):	West End School, Inc.
Applicant(s):	Commonwealth Sign Company
Representative(s):	Clara Bowman
Project Area/Size:	4.11 acres
Existing Zoning District:	R-5, Residential Single Family
Existing Form District:	Traditional Neighborhood
Jurisdiction:	Louisville Metro
Council District:	1 – Attica Scott
Case Manager:	Jon E. Crumbie, Planner II

REQUESTS

- Variances to allow the proposed attached signs to exceed to maximum area on the east and west facades of the athletic center under construction.

Location	Requirement	Request	Variance
East Façade	60'	216'	156'
West Façade (2 signs)	60'	230'	170'

- Waiver to allow 2 attached signs on the west façade of the athletic structure facing the I-264 right-of-way.

Location	Requirement	Request	Waiver
West Façade	1	2	1

CASE SUMMARY

The applicant is in the process of building a new 12,800 square foot gymnasium and 900 square foot storage building for the existing West End School. The school submitted the final plans to IP&L for the signage and it was determined that variances and a waiver will be needed.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	School	R-5	TN
Proposed	School – Gym	R-5	TN
Surrounding Properties			
North	Church	R-5	TN
South	Residential Single Family	R-5	TN
East	Residential Single Family	R-5	TN
West	I-264 right-of-way		

SITE CONTEXT

The site is rectangular in shape and has frontage on Virginia Avenue, South 36th Street, and Dumesnil Street. The property abuts residential uses to the south and east. A church is located to the north and I-264 right-of-way to the west. The grade of the property is generally flats, but slopes downward toward the west property line abutting the right-of-way.

PREVIOUS CASES ON SITE

13DEVPLAN1070 An application for a Category 3 review for an athletic center; variance from the Land Development Code for the location of a proposed gymnasium; and landscape waivers from the Land Development Code. This request was approved on December 16, 2013.

INTERESTED PARTY COMMENTS

No interested party comments have been received by staff.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE
(East and West Facades)**

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

STAFF: The requested variances will not adversely affect the public health, safety or welfare because the proposed attached signs will allow identification of the structure from I-264, Dumesnil Street, and South 36th Street.

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

STAFF: The requested variances will not alter the essential character of the general vicinity because the proposed attached signs will be designed in a way to compliment the structure.

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

STAFF: The requested variances will not cause a hazard or nuisance to the public because the proposed attached signs will allow motorist to located the structure especially along the adjacent stretch of I-264.

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

STAFF: The requested variances will not allow an unreasonable circumvention of the zoning regulations because the proposed attached signs will allow clear, concise identification of the structure.

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 site has access on Virginia Avenue, Dumesnil Street, and 36th Street which may be considered a special circumstance.

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 create an unnecessary hardship on the applicant because the proposed signs will need to be reduced in size which would limit visibility.

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 owner is responsible for the size and placement of the signs.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVERS

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

STAFF: The waiver will not adversely affect adjacent property owners since the area is abutting I-264 right-of-way that is elevated higher than the site.

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

STAFF: Guideline 3, policy 9 of Cornerstone 2020 calls for the protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigate when appropriate. The waiver will not violate guidelines of Cornerstone 2020 due to the difference in elevation and no residential uses to the west of the site.

(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 to allow for the proper identification of the structure.

(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 create an unnecessary hardship on the applicant by requiring a reduction in the number of signs which would reduce identification of the structure.

TECHNICAL REVIEW

There are no outstanding technical review items.

STAFF CONCLUSIONS

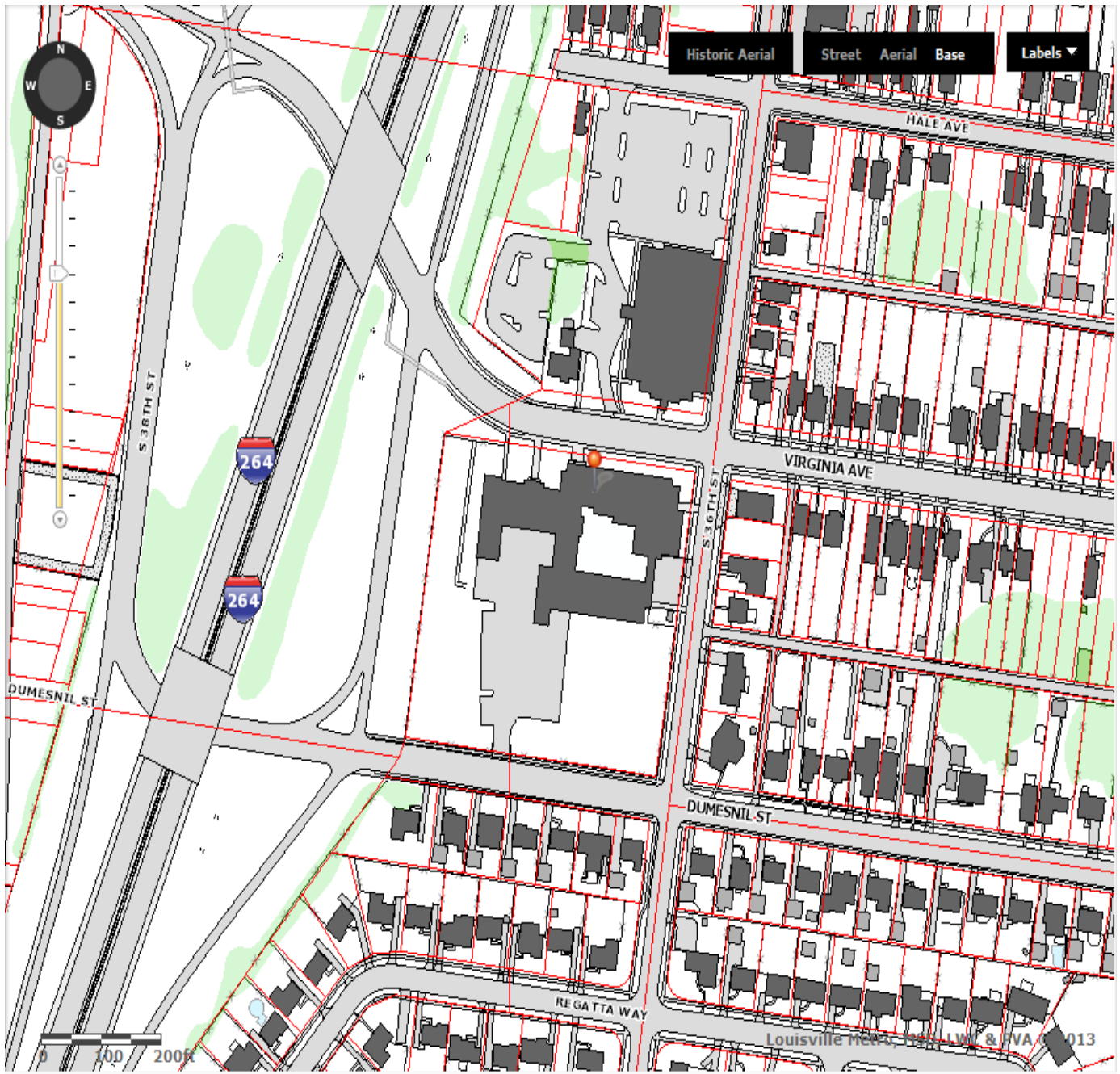
The new structure is an accessory use to the school and will be compatible with the school and surrounding residential neighborhood. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standard for a variances and waivers established in the Land Development Code.

NOTIFICATION

Date	Purpose of Notice	Recipients
11/27/13	APO Notice	First tier adjoining property owners Neighborhood notification recipients
12/04/13	Sign Posting	Subject Property Owner

ATTACHMENTS

1. Zoning Map



2. Aerial Photograph



3. Justification Statements

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

THE APPROVAL OF THIS WILL BETTER HELP TRAVELING GUEST IDENTIFY THE BUILDING; ITS INTENDED USE. VISIBILITY FOR THIS BUILDING WILL HELP MOTORIST QUICKLY DETERMINE LOCATION. PUBLIC WELFARE WILL NOT BE AFFECTED AS THESE ARE ATTACHED TO THE BUILDING

2. Explain how the variance will not alter the essential character of the general vicinity.

APPROVAL OF THESE VARIANCES WILL NOT ALTER THE CHARACTER OF LOCAL AREA. THE GYMNASIUM WILL LOOK LIKE AN EXTENSION OF THE EXISTING SCHOOL AND EXISTING ENTRANCES. THE SIGNAGE APPROVAL WILL FURTHER HELP IDENTIFY THE PROPERTY AS ALREADY IN PLACE.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

THE APPROVAL OF THIS WILL NOT CAUSE AN ISSUE DO TO THE FACT THE PROPERTY IS FACING THE KTC RIGHT OF WAY WITH SUFFICIENT LAND SETBACK FOR THOSE TRAVELING ALONG I264. THE OTHER SIGNAGE IS PROVIDED WITH AN APPROXIMATE SETBACK OF 420'

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

THE SIGNAGE WILL PROVIDE BETTER CLARIFICATION FOR BUILDING IDENTIFICATION. WITH THE CURRENT SETBACK FROM ADJACENT ROADWAYS, THE SIGNAGE WILL BE BETTER UNDERSTOOD & SEEN TO IDENTIFY FOR GUESTS; VISITORS

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Additional consideration:

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1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

PLANNING & DESIGN SERVICES

THE INTENTION FOR THIS BUILDING IS TO PAY TRIBUTE TO DARRELL GRIFFITH (FORMER UNIVERSITY OF LOUISIANA BASKETBALL PLAYER). AS PART OF ANY MUSEUM THERE SHOULD BE ADEQUATE SIGNAGE FOR IDENTIFICATION TO ASSIST VISITORS FOR TRAVEL. THE SIGNAGE FOR THIS BUILDING IS INTENDED TO BE A PART OF THE DESIGN THAT CAPTURES THE UNIQUE SIGNATURE FOR DARRELL GRIFFITH

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

THE SIGNAGE PROVIDES THE DESIGN SIGNATURE; IDENTIFICATION FOR THE INTENDED USE. THE APPROPRIATE SCALE OF SIGN AT THE BUILDING'S CURRENT LOCATION WILL BE THE ONLY WAY FOR GUESTS TO SEE. SIZING OF THE SIGNAGE WAS ESTABLISHED BASED ON KNOWN ROADWAY SETBACKS

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

THE REQUEST FOR VARIANCE IS DONE AFTER THE REGULATIONS WERE ESTABLISHED.

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General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

No, the sign is non-illuminated & is only 10 sq. ft. which is over a door entrance. The waiver will not adversely affect adjoining property owners since the proposed gymnasium will look like an extension of the existing entrance in the property will remain the same. These non-illuminated letters are on the south end of the building but will actually face the west side which faces I-264 and not visible to the neighbors.

2. Will the waiver violate the Comprehensive Plan?

NO, THE INTENDED ARCHITECTURE DESIGN OF THE BUILDING REPRESENTS THE PROPOSED SIGNAGE WITH SQUARE FOOTAGE AS SUCH.
Architectural design represents all signage in accordance with intended representation.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes, to provide exposure for school identification so students and visitors will see the entrance to the door when coming from that side of the building.

4. Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

a) additional waiver for this building applies.

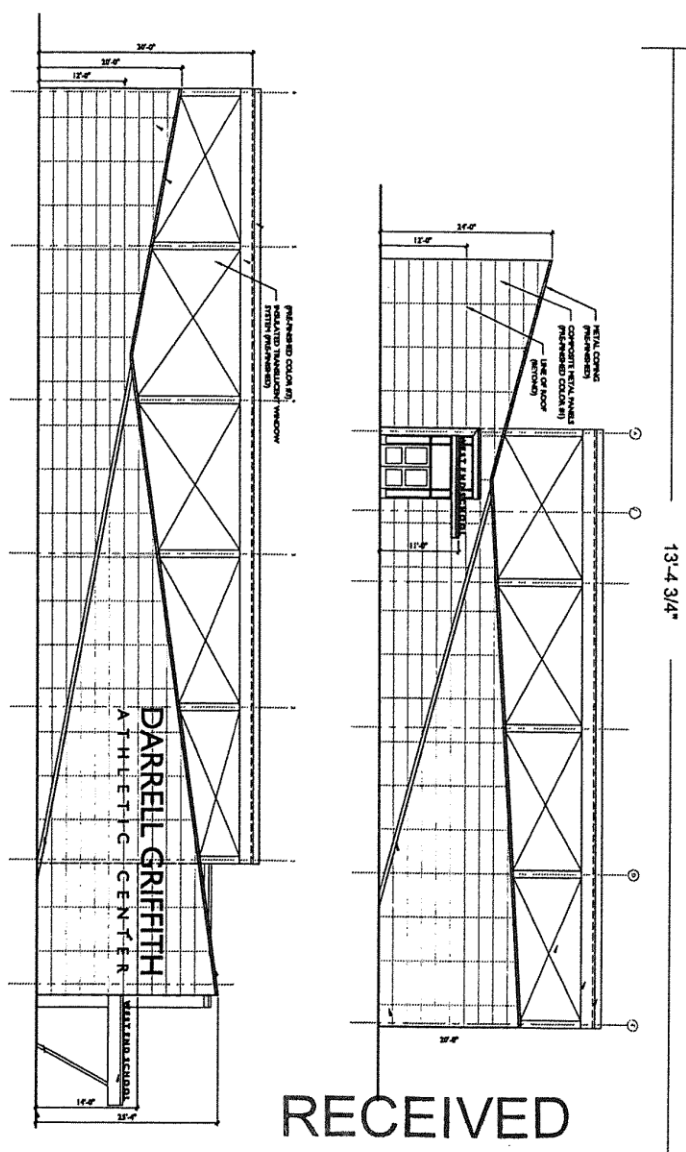
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Commonwealth SignCo.

1824 Berry Blvd.
 Louisville, KY 40215
 502.368.7554
 Fax 502.361.4490
 www.commonwealthsign.com

WEST END SCHOOL



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**TWO (2) SETS OF NON ILLUMINATED CHANNEL LETTERS
 2" DEEP CHANNEL ALL ALUMINUM FACE AND BODY
 MOUNT TO 2" SQUARE TUBING
 PAINT ALL SURFACES STAINLESS**

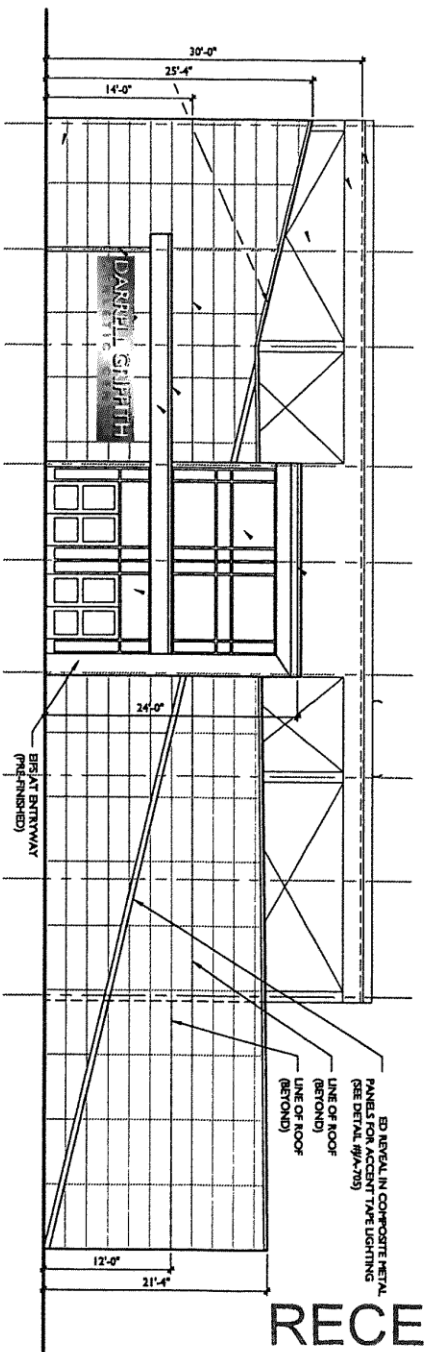
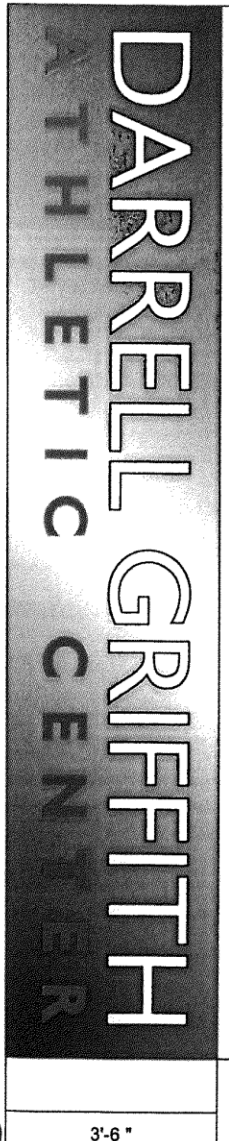
This drawing may not be copied or exhibited without written consent from a Commonwealth Sign Co. officer. This proof drawing is for your review and approval before fabrication begins. Commonwealth Sign Co. Inc. will not be responsible for problems or discrepancies that could have been prevented by the proper review of this form. The intent of this drawing is to show a conceptual representation of the proposed signage.

COMPANY	Encompass
LOCATION	
FILENAME	Darrell Griffith AC NI Channels
SALESPERSON	Brooke Gutterman
ARTIST	Robert Gastinger
ART RENDERED DATE	03-13-14
TYPE	Proposal
SCALE	1/2" = 1'
LAST REVISED DATE	1st 00-00-00
PAGE	1 OF 1
SALES FINAL APPROVAL	
CUSTOMER APPROVAL	

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- ONE (1) SET OF ILLUMINATED CHANNEL LETTERS
- 5" RETURNS: DG-WHITE AC-RED
- TRIM CAP: DG-WHITE AC-RED
- FACES: "DARRELL GRIFFITH" 7328 WHITE ACRYLIC "ATHLETIC CENTER" 2119 ORANGE ACRYLIC
- L.E.D. ILLUMINATION
- FLUSH MOUNT TO 2" DEEP SHOE BOX LID CABINET - PAINT STAINLESS

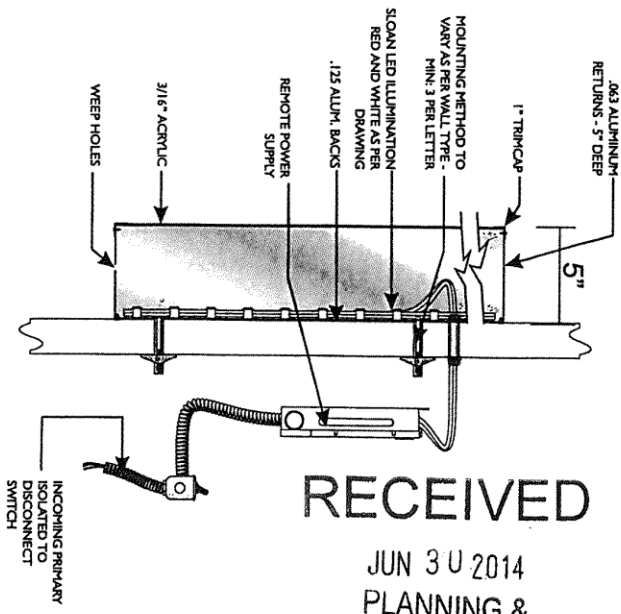
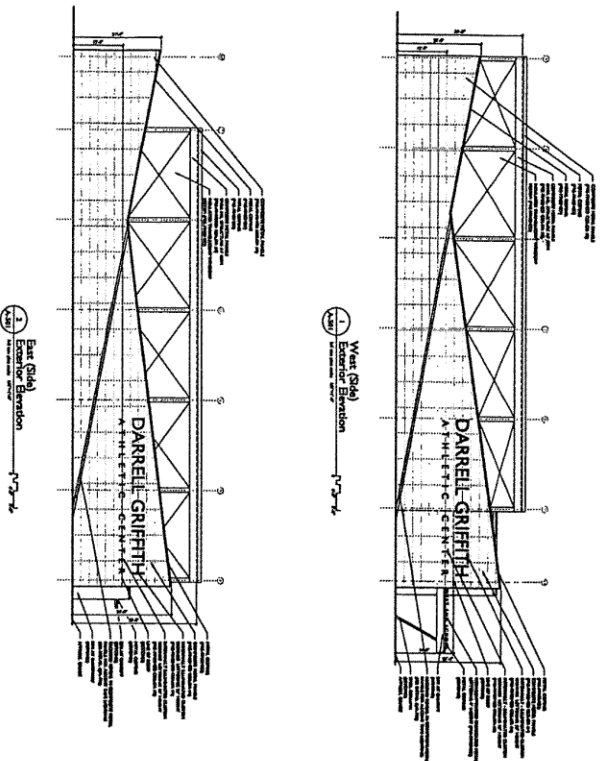
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COMPANY	Compass
LOCATION	S
FACILITY NAME	Darrell Griffith AC Front Channel Letters
SALESPERSON	Bispoke Guterman
ARTIST	Robert Gaslinger
ART RENDERED DATE	03-13-14
TYPE	Proposal
CHECKED	
SCALE	3/8" = 1'
LAST REVISED DATE	1st 00-00-00
PAGE	1 OF 1
SALES FINAL APPROVAL	
CUSTOMER APPROVAL	

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DARRELL GRIFFITH ATHLETIC CENTER

36'-4 1/2"



TYPICAL DETAIL - CHANNEL LETTER WITH LED ILLUM.

TWO (2) SETS OF ILLUMINATED CHANNEL LETTERS
 5" RETURNS: DG-WHITE AC-RED
 TRIM CAP: DG-WHITE AC-RED
 FACES: "DARRELL GRIFFITH" 7328 WHITE ACRYLIC "ATHLETIC CENTER" 2119 ORANGE ACRYLIC
 L.E.D. ILLUMINATION
 FLUSH MOUNT AS SHOWN

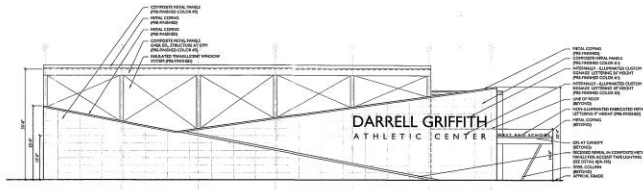
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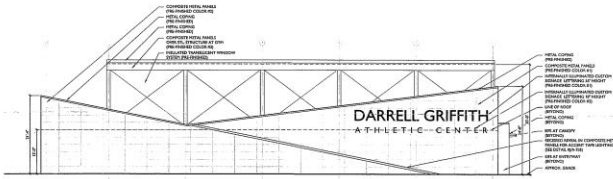
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 DESIGN SERVICES

COMPANY	Encompass
LOCATION	
FILENAME	Darrell Griffith AC Channel Letters
SALESPERSON	Brooke Guterman
ARTIST	Robert Gastinger
ART RENDERED DATE	03-13-14
TYPE	Proposal
CHECKED	
SCALE	1/8" = 1'
LAST REVISED DATE	1st 00-00-00
PAGE	1 OF 1
SALES FINAL APPROVAL	
CUSTOMER APPROVAL	

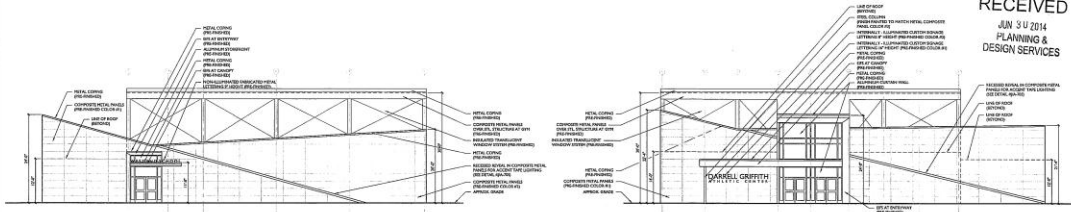
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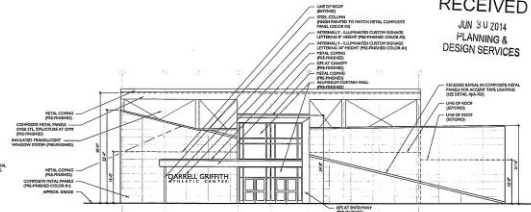
West (Side)
Exterior Elevation
1
A-50



East (Side)
Exterior Elevation
2
A-50



North (End)
Exterior Elevation
4
A-50

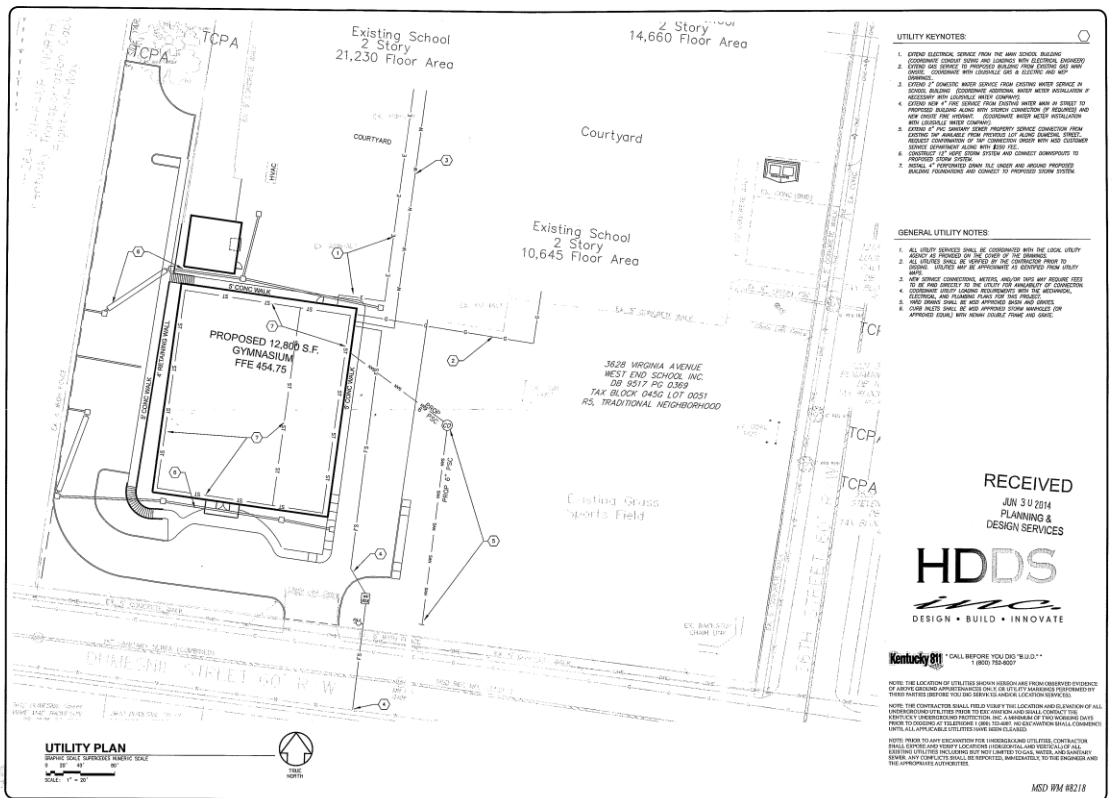


South (End)
Exterior Elevation
3
A-50

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HDOS
 DARRELL GRIFFITH
 ATHLETIC CENTER
 A-51

14VARIANCE1060



- UTILITY KEYNOTES**
1. EXISTING ELECTRICAL SERVICE FROM THE MAIN SCHOOL BUILDING... (text partially obscured)
 2. EXISTING GAS SERVICE TO PROPOSED BUILDING FROM EXISTING GAS MAIN... (text partially obscured)
 3. EXISTING WATER SERVICE FROM EXISTING WATER SERVICE TO... (text partially obscured)
 4. EXISTING SEWER SERVICE FROM EXISTING SEWER SERVICE TO... (text partially obscured)
 5. EXISTING 12" PVC SANITARY SEWER SERVICE CONNECTION FROM EXISTING... (text partially obscured)
 6. EXISTING 12" PVC SANITARY SEWER SERVICE CONNECTION FROM EXISTING... (text partially obscured)
 7. EXISTING 12" PVC SANITARY SEWER SERVICE CONNECTION FROM EXISTING... (text partially obscured)

- GENERAL UTILITY NOTES**
1. ALL UTILITY SERVICES SHALL BE COORDINATED WITH THE LOCAL UTILITY... (text partially obscured)
 2. ALL UTILITIES SHALL BE MARKED BY THE CONTRACTOR PRIOR TO... (text partially obscured)
 3. ALL UTILITY CONNECTIONS SHALL BE MADE IN ACCORDANCE WITH... (text partially obscured)
 4. EXISTING UTILITY LOCATIONS AND DEPTHS SHALL BE VERIFIED... (text partially obscured)
 5. EXISTING UTILITY LOCATIONS AND DEPTHS SHALL BE VERIFIED... (text partially obscured)
 6. EXISTING UTILITY LOCATIONS AND DEPTHS SHALL BE VERIFIED... (text partially obscured)

3628 VIRGINIA AVENUE
WEST END SCHOOL, INC.
DB 5517 PG 0369
TAX BLOCK (CASE 107 0051)
RS, TRADITIONAL NEIGHBORHOOD

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HD DS
inc.
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Kentucky 811 CALL BEFORE YOU DIG! 800.488.7888

NOTE: THE LOCATION OF UTILITIES SHOWN HEREIN IS FROM THE PRESENCE OF... (text partially obscured)

NOTE: THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION AND DEPTH OF ALL... (text partially obscured)

NOTE: THIS PLAN IS FOR INFORMATION ONLY. THE CONTRACTOR SHALL... (text partially obscured)

MSD WM 48218

MEMBER

BlueStone
REGISTERED ARCHITECTS

WEST END SCHOOL, INC.
1000 VIRGINIA AVENUE
COLUMBUS, KY 40202

DARRELL GRIFFITH
ATHLETIC CENTER

UTILITY 1

DATE: 6-10-14
SCALE: 1" = 20'

14VARIANCE1060