

# Development Review Committee

## Staff Report

November 4, 2015



Case No:	15WAIVER1029
Request:	Waiver to allow an LED sign to be closer than 300 feet to a residential zoning district
Project Name:	Okolona Church of Christ
Location:	6105 Outer Loop
Owner:	Okolona Church of Christ
Applicant:	Owner
Representative:	James Griffin, Evans/Griffin
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Sherie' Long, Landscape Architect

### REQUEST

Waiver to allow a LED/Changing Image sign to be closer than 300' to a residential zoning district (LDC Section 8.2.1.D.6)

### CASE SUMMARY/BACKGROUND/SITE CONTEXT

This request is to allow an LED/Changing Image Sign to be closer than 300' to a residential zoning district. The applicant, Okolona Church of Christ, is updating their signage. The subject site located on the north side of Outer Loop, a designated parkway, is zoned R-4 in the Neighborhood Form District (N). The proposal is to use the existing monument sign as the base of the new sign. The new signage is proposed to be 78.75sf and 10 feet tall with 23.63sf (30%) of the sign being changing image. The new LED/Changing Image sign will be located approximately 190 feet from the nearest residentially zoned property with eight (8) properties being within 300 feet; four (4) homes of which are across the street. The LED/Changing Image Sign shall be capable of dimming after dark and the message shall remain constant for 20 seconds – no flashing, blinking, scrolling, etc.

### LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing</b>	Church	R-4	N
<b>Proposed</b>	N/A	N/A	N/A
<b>Surrounding Properties</b>			
<b>North</b>	Single family residential/Vacant residential	R-4	N
<b>South</b>	Single family residential	R-4	N
<b>East</b>	Single Family residential	R-4	N
<b>West</b>	Swim Club	R-4	N

## PREVIOUS CASES ON SITE

No previous cases.

## INTERESTED PARTY COMMENTS

Staff has not received any inquiries from interested parties.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code

### STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER to allow an LED/Changing Image sign to be closer than 300' to a residential zoning district (LDC 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 because the nearest property is approximately 190 feet south of the proposed location of the sign behind a screen fence and existing vegetation. Four (4) homes are within the 300 feet but the view of the sign is buffered by the existing vegetation, solid wood fencing, and a grade change.

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

STAFF: The waiver will not violate the Comprehensive Plan because the sign location is being buffered by existing vegetation, a screen fence, and a change in grade which mitigates the impact of the changing image sign on the existing residential property. The proposal is designed to be compatible with surrounding land uses through the use of techniques to mitigate nuisances and provide appropriate transitions between land uses. The proposal could provide additional appropriate transitions between uses that are substantially different in scale and intensity. The proposal does mitigate the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments. However, the size of the signage is not compatible with the form district pattern and does not contribute to the visual quality of their surroundings. Adding street trees along the street will help to mitigate the height of the sign.

- (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 because the relief being provided would allow the sign to be updated to the standard desired.

- (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: Strict application of the provisions of the regulation will not deprive the applicant of the reasonable use of the land or would not create an unnecessary hardship on the applicant because the applicant can provide adequate signage without a changing image.

### TECHNICAL REVIEW

There are no technical review issues.

### STAFF CONCLUSIONS

Staff analysis in the standard of review section of the staff report indicates the proposed Waiver is justified as requested. However, the size of the sign should be mitigated by adding trees along the street to reduce the impact.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards for granting a Waiver established in the Land Development Code.

#### **Required Action**

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must **APPROVE** or **DENY** the Waivers listed in the staff report.

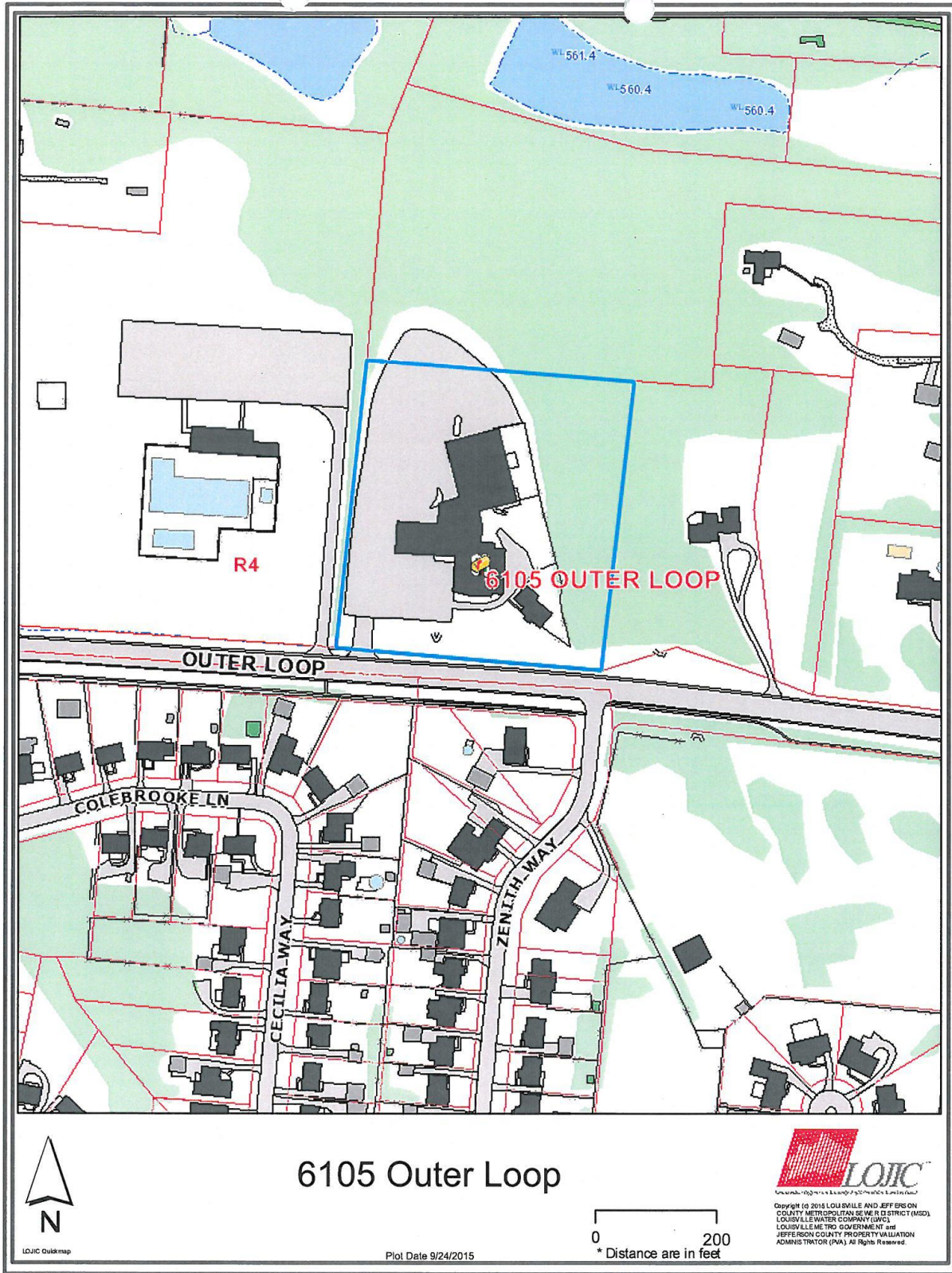
### NOTIFICATION

Date	Purpose of Notice	Recipients
10/20/2015	Public Hearing before DRC	1 <sup>st</sup> tier adjoining property owners
10/16/2015	Public Hearing before DRC	Subscribers to Council District Notification of Development Proposals

### ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Sign Elevation
4. Applicant's Justification
5. Photographs showing the effect of adding trees along the street to reduce the impact
6. Site Photographs

Attachment 1: Zoning Map



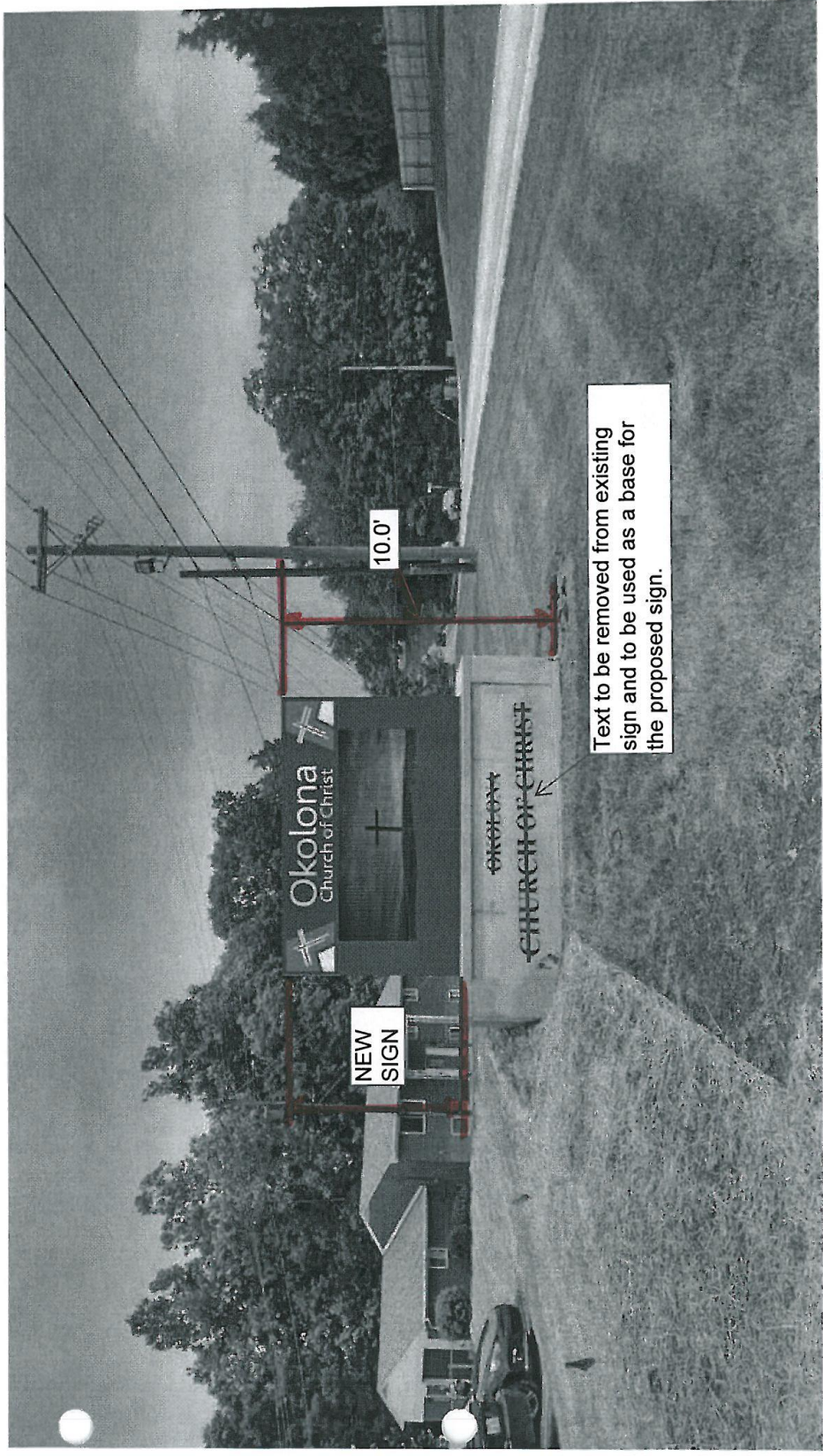
Attachment 2: Aerial Maps



Attachment 3: Sign Elevation

*Summer 2015*

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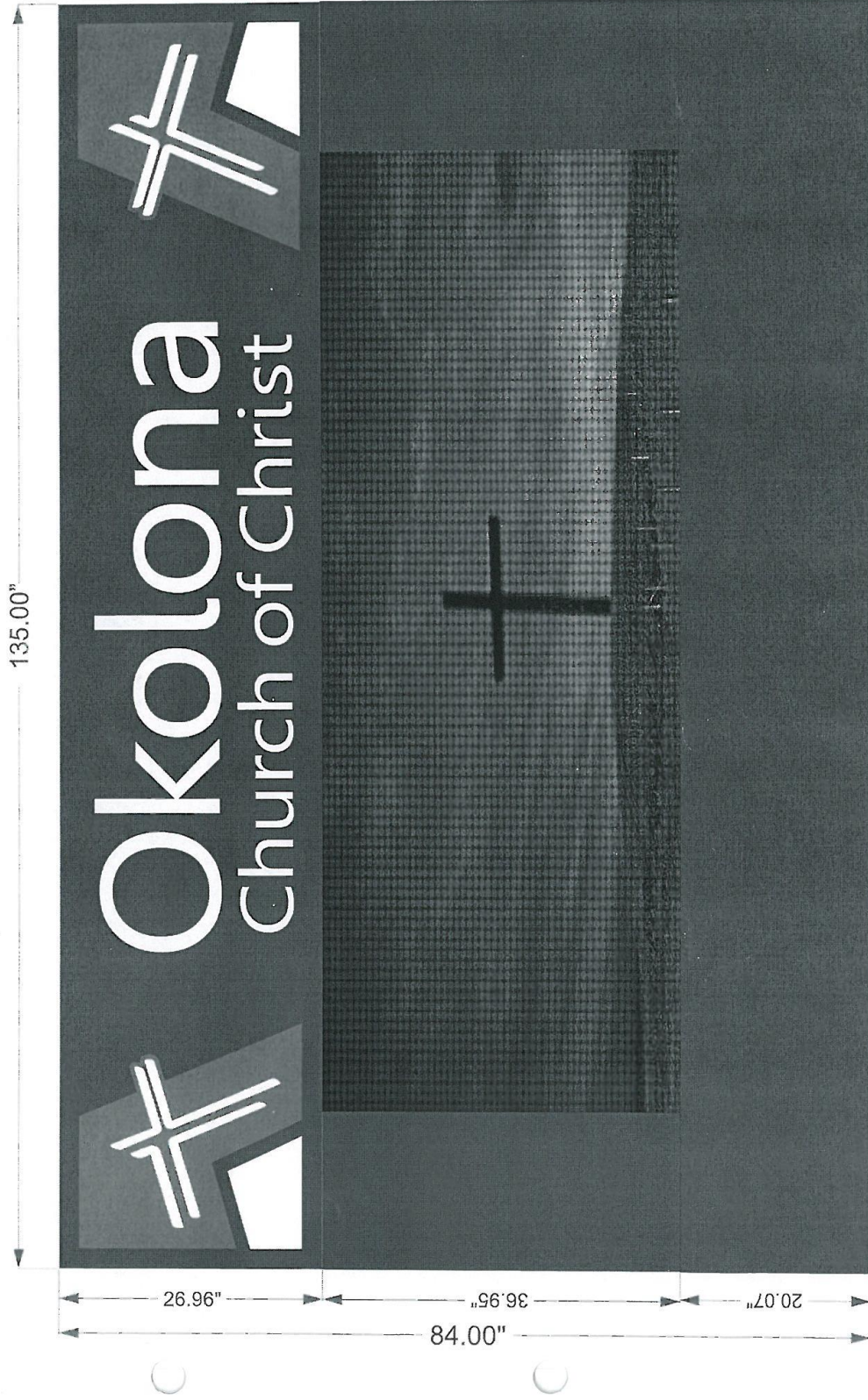


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78.75 sqft total

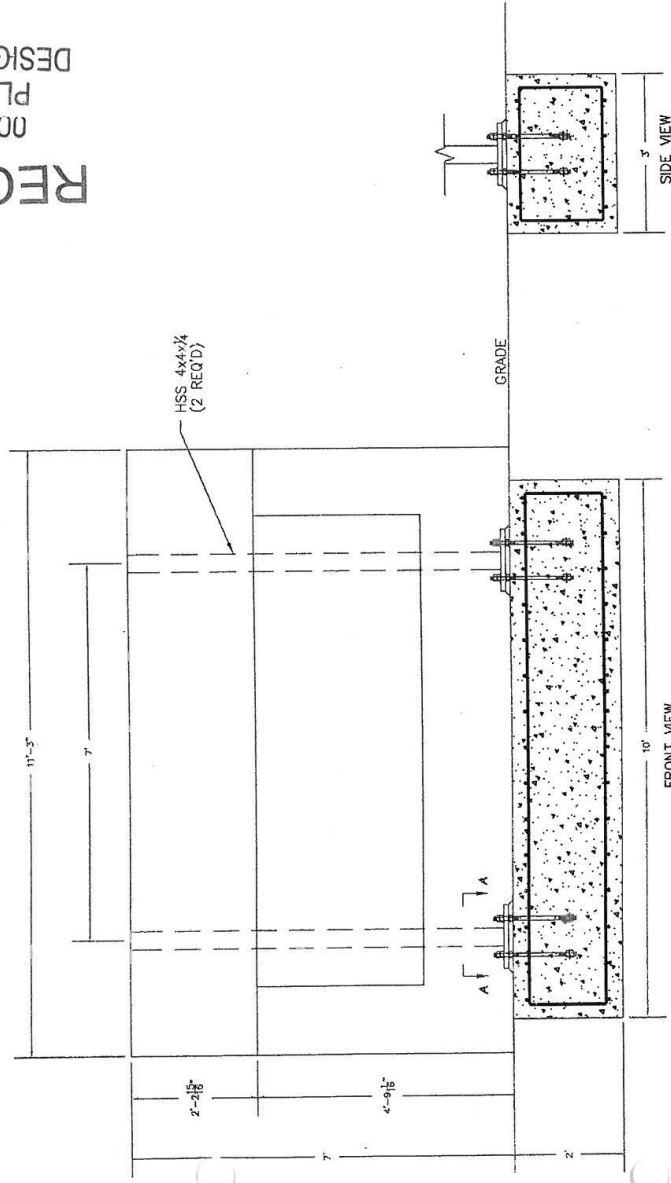
LED SIGN - 23.63 sqft total (30%)



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BRANDMANS

- \* MANUFACTURER — GOLDEN RULE SIGNS  
 \* 2013 KY STATE BLDG. CODE (2012 IBC)  
 \* 115 MPH WIND SPEED, EXP C  
 \* (2) POLES, (1) FOOTING
- NOTES
1. See manufacturers drawings for additional detail and dimensions.
  2. Sign cabinet and connection by others.
  3. Design is based on 115 mph 3 sec gust design wind speed per 2013 KY State Bldg. Code (2012 IBC) Exposure C.
  4. Spread foundation analysis is based on a safe vertical soil bearing pressure minimum of 2000 psf.  
 Soil report was not furnished. Allowable bearing pressure should be verified prior to placement of concrete. Do not place foundation in fill.
  5. Concrete shall be mixed to attain a minimum compressive strength of 3500 psi in 28 days.
  6. Support member shall be free from defects and shall meet ASTM A500 grade B with a minimum yield strength of 46000 psi for tube, ASTM A53 grade B with a minimum yield strength of 35000 psi for pipe. Plate and angle shall meet ASTM A36.
  7. Structural bolts shall be zinc coated A325 unless otherwise noted.
  8. Welds shall be made with E70xx electrodes by persons qualified in accordance with AWS standards within the past two years.
  9. Steel reinforcing bars shall conform to ASTM 615 grade 60 with deformations in accordance with ASTM A-305. Welding of reinforcing bars is prohibited.
  10. This design is intended to be installed at the location shown below and should not be used at other locations unless deemed suitable by a competent Professional Engineer.



**SOUTHEASTERN SIGN DESIGN, L.L.C.**  
 6405 Sunport Drive  
 Knoxville, TN 37153  
 PHONE: 615 721-0029

PROJECT NAME: Louisville, KY  
 DRAWING TITLE: Okolona Church of Christ

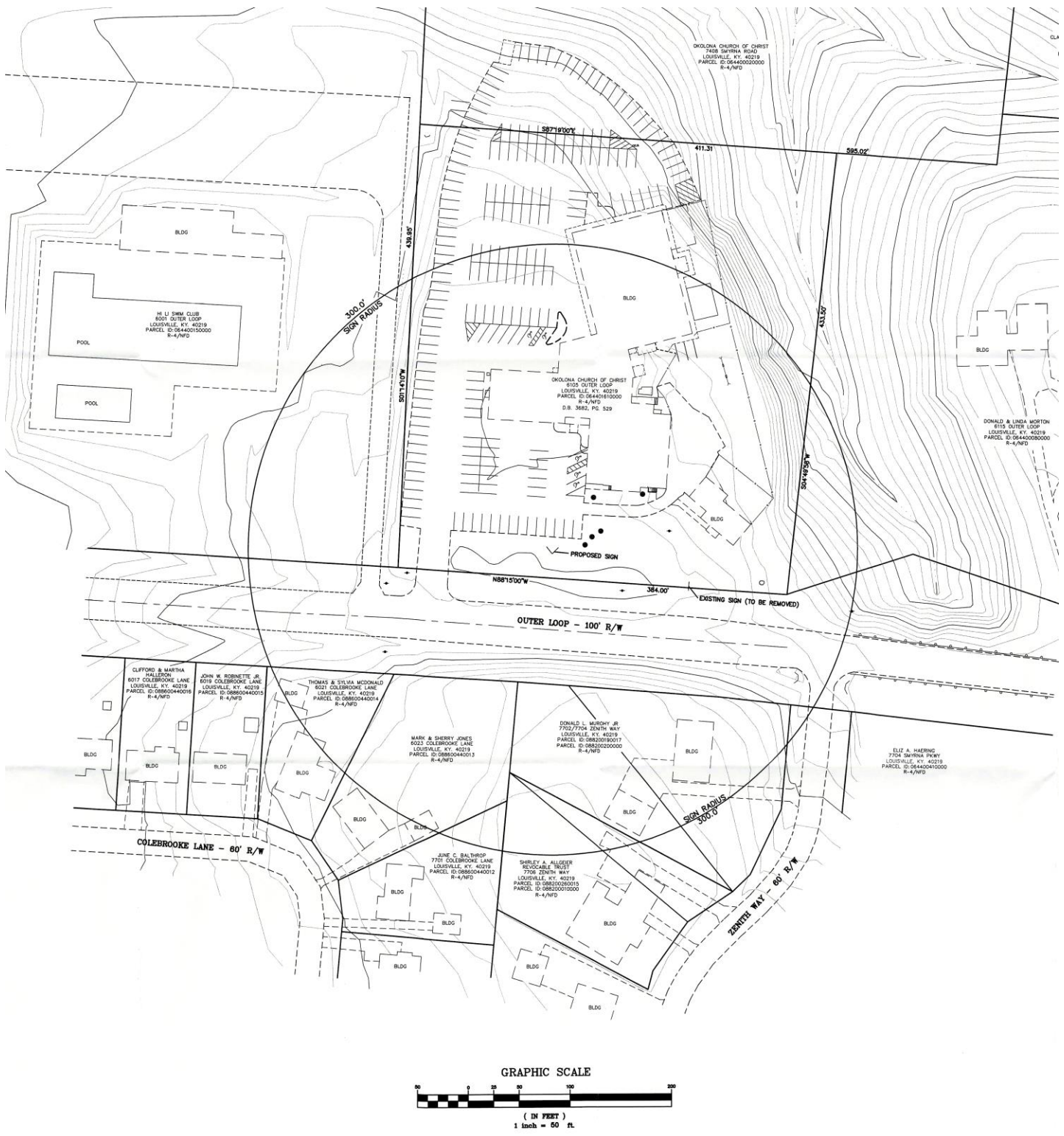
PROJECT NO. 1500010.01  
 DRAWN BY: D.J.B.

DATE	10/8/15
REV.#	DATE

SHT. 1



# Attachment 4: Site Plan



## Attachment 5: Applicant's Justification

### **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?**

THE WAIVER WILL NOT ADVERSELY AFFECT THE ADJACENT PROPERTY OWNERS SINCE THE SIGNAGE WILL BE PLACED ALONG A MAJOR ARTERIAL ROADWAY. THE SIGNAGE WILL NOT BE CLEARLY VISIBLE FROM ADJACENT RESIDENTIAL USES DUE TO EXISTING TOPOGRAPHY, TREE MASSES, AND FENCE SCREENING.

**2. Will the waiver violate the Comprehensive Plan?**

THE WAIVER WILL NOT VIOLATE THE SPECIFIC GUIDELINES OF CORNERSTONE 2020 SINCE THE SIGNAGE IS COMPATIBLE WITH THE REQUIRED COLUMNAR/MONUMENT STYLE OF THE FORM DISTRICT AND FOLLOWS THE PATTERN OF CHURCH SIGNAGE IN THE COMMUNITY.

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

THE EXTENT OF THE WAIVER OF THE REGULATIONS IS THE MINIMUM NECESSARY TO AFFORD RELIEF SINCE THERE IS 205 FEET TO THE NEAREST ADJACENT RESIDENTIAL STRUCTURE.

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**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?**

STRICT APPLICATION OF THE PROVISIONS OF THE REGULATIONS WOULD DEPRIVE THE APPLICANT OF THE REASONABLE USE OF THE LAND AND WOULD CREATE UNNECESSARY HARDSHIP ON THE APPLICANT BY NOT ALLOWING PLACEMENT OF THE IMAGE CHANGING SIGNAGE ON THE PROPERTY WOULD PROHIBIT THE CHURCH FROM KEEPING UP WITH CURRENT TREND IN SIGNAGE FOR INCREASING PARISHIONERS AND COMMUNITY MESSAGES.

**Attachment 6: Photographs showing the effect of adding trees along the street to reduce the impact.**



# Attachment 7: Site Photographs

