

Development Review Committee

Staff Report

August 5, 2015



Case No:	15MOD1012
Project Name:	Spotlight Salon
Location:	3730 Taylorsville Road
Owners:	Spotlight Salon LLC
Applicant:	Nancy N. Nguyen
Representative:	Anthony Waits
Existing Zoning District:	OR-1
Existing Form District:	Neighborhood
Jurisdiction:	Louisville Metro
Council District:	26 – Brent Ackerson
Case Manager:	Brian Davis, AICP, Planning Supervisor

REQUEST

- Amendment to Binding Element

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is plan certain under Docket 9-57-94. The applicant is proposing construct a sign on the property for her existing salon business. According to an exhibit provided by the applicant, the sign will be approximately 3.5 feet by 5.5 feet, double faced, internally illuminated and center pole mounted. The overall height from the existing grade to the top of the sign will be 10 feet. The setback from the edge of the sidewalk to the center of the pole is 20 feet.

Binding Element Number 4 from Docket 9-57-94 reads as follows:

4. There shall be no free standing sign permitted on site.

The applicant would like to delete this binding element to allow the proposed sign.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Salon	OR-1	Neighborhood
Proposed	Salon	OR-1	Neighborhood
<i>Surrounding Properties</i>			
North	Residential	R-2	Neighborhood
South	Residential	R-5	Neighborhood
East	Residential	R-5	Neighborhood
West	Church	R-5	Neighborhood

PREVIOUS CASES ON SITE

Plat Book 12 Page 18: Property is located in Maywood Subdivision (Lot 66).

9-57-94: The original zoning map amendment was a change from R-5 Residential and OR-1 Commercial to C-2 Commercial. The application included landscape waivers and a

parking waiver. The Planning Commission recommended approval of the change in zoning on January 5, 1995.

INTERESTED PARTY COMMENTS

N/A

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR AN AMENDMENT TO BINDING ELEMENT

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: The proposed amendment to the binding element and proposed sign do not interfere with any natural features on the site.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: The proposed sign is located so as not to interfere with traffic sight distance requirements.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Not applicable

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The proposed amendment and proposed sign will not contribute to nor interfere with drainage on the site.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: See applicant's justification statement.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The proposed sign meets the freestanding sign requirements in Chapter 8 of the LDC.

TECHNICAL REVIEW

The proposed sign meets the freestanding sign requirements in Chapter 8 of the LDC.

All other binding elements from Docket Number 9-57-94 are to remain.

STAFF CONCLUSIONS

- The proposed amendment appears to be adequately justified based on staff analysis in the staff report.

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 established in the LDC for approving the Amendment to Binding Element.

REQUIRED ACTION

- **APPROVE** or **DENY** the Amendment to Binding Element.

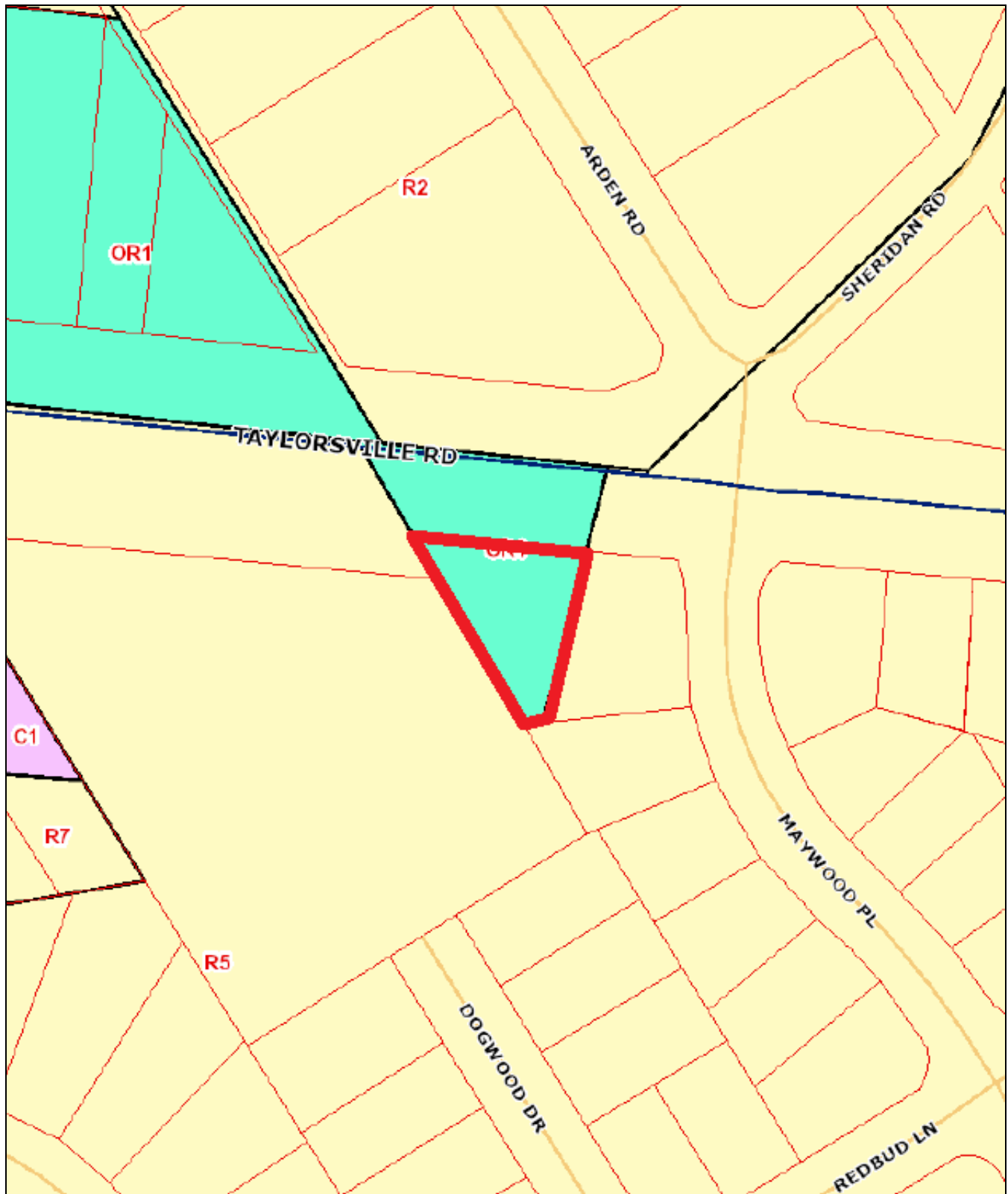
NOTIFICATION

Date	Purpose of Notice	Recipients
7/23/2015	Hearing before DRC	1 st tier adjoining property owners Registered neighborhood groups – District 26

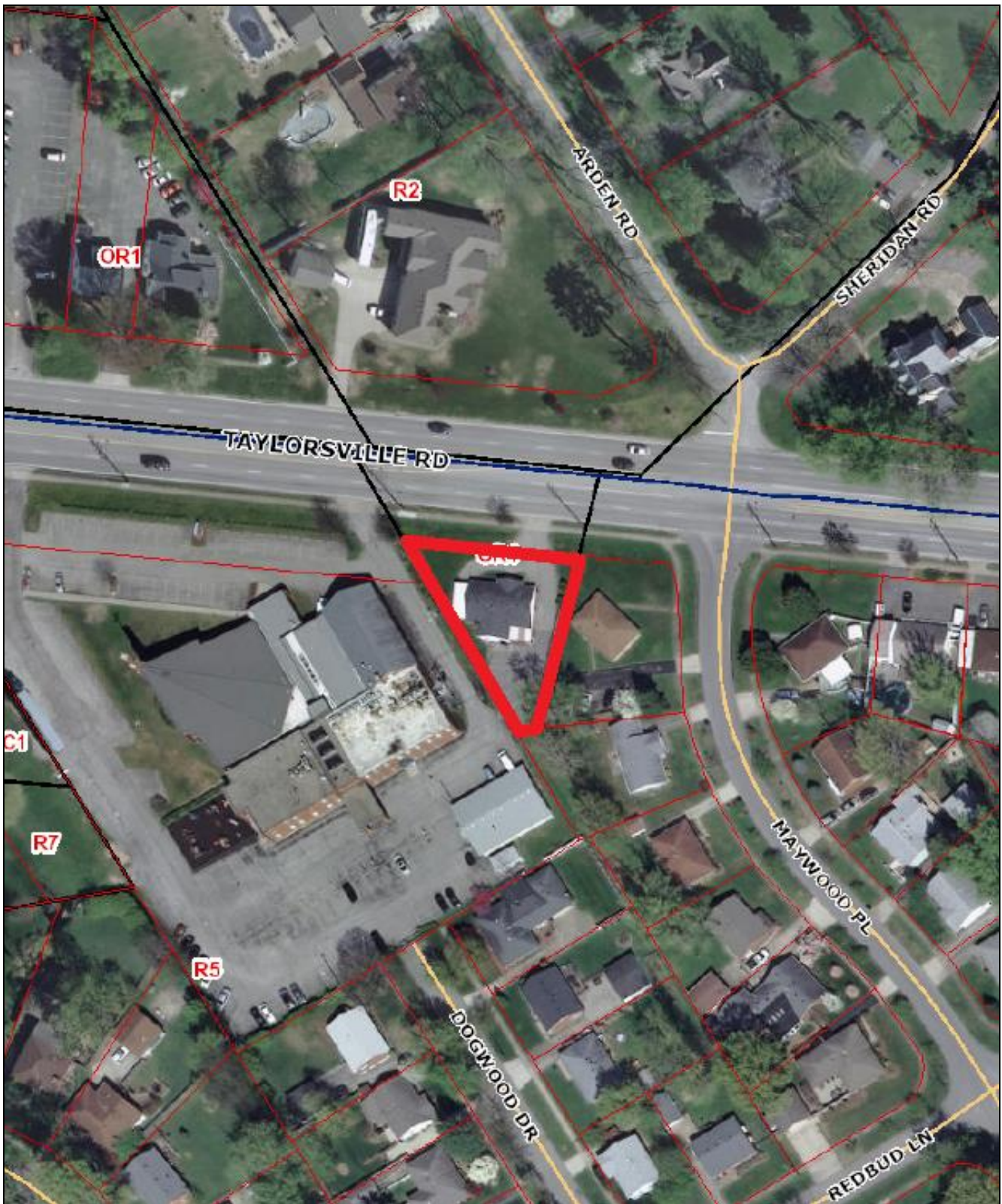
ATTACHMENTS

1. Zoning Map
2. Aerial
3. Existing Binding Elements
4. Proposed Change to Binding Elements

1. Zoning Map



2. Aerial



3. Existing Binding Elements

- 1) The development shall be in accordance with the approved district development plan, land use and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission.
- 2) The residential character of the structure, including landscaping, shall be maintained. Exterior additions or alterations shall not be made without prior approval of the Planning Commission's Land Development and Transportation Committee.
- 3) The development shall not exceed 1,563 square feet of gross floor area for a beauty shop.
- 4) There shall be no freestanding sign permitted on site.
- 5) No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
- 6) There shall be no outdoor storage on the site.
- 7) Outdoor lighting shall be directed down and away from surrounding residential properties.
- 8) Before a certificate of occupancy is requested:
 - a) The development plan must be re-approved by the City of Louisville Department of Inspections, Permits and Licenses and the Metropolitan Sewer District.
 - b) Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - d) The applicant must request and receive approval of parking and landscape waivers from the Planning Commission.

4. Proposed Change to Binding Elements

- ~~4) There shall be no freestanding sign permitted on site.~~