

## St. Germain, Dante

---

**From:** Barbara Kelly <elzair@att.net>  
**Sent:** Tuesday, November 29, 2016 1:07 AM  
**To:** St. Germain, Dante  
**Cc:** Alice Gunnison  
**Subject:** Re: DRC Case 16MOD1010 Shiraz Mediterranean Grill  
**Attachments:** 1.2.jpg; 16mod1010\_aerial\_1.pdf

Dante,

Sorry, I did not complete my reply to you. As I was saying, area residents regularly report unauthorized signs to Metro Call, because we want to see the Parkway stay as attractive and clutter free as possible.

Businesses that play by the rules and abide by the standard binding element prohibiting free standing signs are victimized by the businesses that don't follow the rules. In order to compete, they may feel forced to disobey the binding element and put out unauthorized signs of their own. At one point, Z'Eggs, Moe's Southwest Grill and Shiraz had banners on the parkway. I guess when Citizen's Union Bank and Thornton's saw that, they felt the need to put out their own signs.

There are a number of other restaurants and a convenience store in Chamberlain Pointe. If Shiraz's request is granted, it is reasonable to believe that those other businesses could make the same request. There would be no reason for them not to.

All tenants are supposed to be given the binding elements. Shiraz has no special circumstance that justifies the sign request, but they want special treatment. Since it is unwarranted, I ask the DRC committee members to deny the request.

Thank you.

Barbara Kelly

On Wednesday, November 23, 2016 8:38 AM, "St. Germain, Dante" <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)> wrote:

Ms. Kelly,

Staff reports are generally posted the Friday before the DRC meeting date, but due to the holidays it had to be finished early. However, it is not too late to amend my staff report, and I will do so to include your comment.

I have attached a site plan the applicant submitted showing where they propose to place their sign. They would be allowed only one sign, but propose to use the three locations. If the binding

element is amended, however, they would not be restricted to these locations unless DRC specifies these locations in the changed binding element.

The binding element amendment only applies to the subject site. I have also attached an aerial map of the relevant location, with the subject site outlined in red (the aerial imagery is a few years old so it doesn't show several buildings that currently exist). This is the only location where the new binding element would be in effect. The prohibition of small freestanding signs is a standard binding element, so the other locations along Brownsboro Road that have been rezoned in the past decade or so probably have it and would not be allowed to post similar signs. However, those other properties can also pursue similar amendments to their binding elements at any time.

Shiraz has not provided a photo or mockup of the sign they propose. They did send a photo of a different sign that doesn't fall under the definition of a small freestanding sign, which I can provide if you like. My understanding from speaking with them is that they want to post an H-frame style sign with their current special offer. The sign would be required to be taken indoors after business hours.

Please let me know if there is anything else I can help you with.

## Dante St. Germain

Planner I

Develop Louisville - Planning and Design Services

Metro Development Center – 3<sup>rd</sup> Floor

444 S. Fifth Street, Louisville, KY 40202

(502) 574-4388

<http://www.louisvilleky.gov/PlanningDesign/>



**DEVELOP  
LOUISVILLE**  
LOUISVILLE FORWARD

---

**From:** Barbara Kelly [<mailto:elzair@att.net>]

**Sent:** Wednesday, November 23, 2016 1:57 AM

**To:** St. Germain, Dante; [dante.stgermain@louisvilleky.gov](mailto:dante.stgermain@louisvilleky.gov)

**Subject:** DRC Case 16MOD1010 Shiraz Mediterranean Grill

Dante,

The DRC hearing for this case is not until November, 30, 2016, so I was surprised to see that the staff report has already been submitted. I am not in favor of this request, but I would like more information. Is Shiraz requesting to place their free standing signs in any particular locations? Do you know the type of signs being requested, such as sandwich board-type signs, and how many signs have been requested?

If Shiraz is granted the request to make use of freestanding signs, will all other businesses on the Brownsboro Road Scenic Corridor/Parkway be entitled to approval of their own freestanding sign requests, since Shiraz will have set a precedent? Or, is there a special reason for Shiraz alone to be granted this exception?

For quite a while, Shiraz and other businesses in Chamberlain Pointe littered parts of Brownsboro Road and Chamberlain Lane with freestanding signs. They received the benefits

of free advertising in the public rights-of-way, while detracting greatly from the attractiveness and the public's enjoyment of the corridor. Surely, Shiraz must realize that paid advertising is a cost of doing business to make their location and their products known.

I look forward to hearing from you on these issues.

Barbara Kelly  
6009 Mint Spring Branch Road  
Prospect, KY 40059