

Development Review Committee

Staff Report

March 1, 2017



Case No:	16WAIVER1052
Project Name:	Beechmont Baptist Church Sign
Location:	4574 S 3 rd Street
Owners:	Trustees of the Beechmont Baptist Church
Applicant:	Jeff Lamb – Commonwealth Sign Co
Representative:	Jeff Lamb – Commonwealth Sign Co.
Zoning/Form District:	R-5/Traditional Neighborhood
Jurisdiction:	Louisville Metro
Council District:	21 – Dan Johnson
Case Manager:	Dante St. Germain – Planner I

REQUEST

- **Waiver** from Land Development Code section 8.2.1.D.6 to allow a changing image sign to be located less than 300 feet from residentially-zoned properties which are being used residentially.
- **Waiver** from Land Development Code section 8.2.1.D.4 to allow the changing image portion of a sign within the Traditional Neighborhood Form District to exceed 30% of the total area of the sign.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to replace an existing sign which has a reader board with a new sign, which will have a static image portion and a changing image portion. This property is used as a church, and is located in the Traditional Neighborhood Form District at the corner of S 3rd Street and W Wellington Avenue. The nearest residentially-zoned property which is being used residentially is approximately 85 feet from the location of the existing sign and proposed location of the new sign. In total, twenty-eight properties are located partially or fully within 300 feet of the proposed sign's location. The applicant owns seven of those properties, while the remaining 21 are zoned residentially and being used residentially. Two of those properties will be screened from a view of the sign by buildings, leaving 19 residential properties that will be partially or fully within the 300-foot buffer and having a partial or complete view of the changing image portion of the sign.

Land Development Code section 8.2.1.D.6 specifies that "Freestanding or attached signs that include changing image signs shall not be closer than 300 feet to a residentially zoned district unless the residentially zoned property is used for a non-residential purpose (e.g. church or school) or the changing image sign is not visible to the residentially zoned property." Because this requirement cannot be met with a changing image sign at the proposed location, the applicant requests a waiver from this provision in order to place the changing image sign.

The proposed sign face will be 2' 11" from top to bottom (not including the base) by 6' 3" wide, a total of 18.23 square feet in area. The sign will have an overall height of 3' 11" tall from grade (including the base). The applicant proposes the changing image portion of the sign to be a total of 8.85 square feet, or 48.6% of the overall area of the sign. Land Development Code section 8.2.1.D.4 states that:

Changing image signs may be included and shall be integrated within the overall design of a freestanding or attached sign. The amount of an attached or freestanding sign that may be composed of a changing image sign shall be restricted as follows:

- a. 30% within the Neighborhood, Village and Traditional Neighborhood Form Districts
- b. 60% within all other form districts.

Because this property is located in the Traditional Neighborhood Form District, the changing image portion of the sign is limited to 30% of the overall area. The applicant requests a waiver from this provision in order to have a sign with the changing image portion comprising 48.6% of the overall area.

The sign complies with Land Development Code requirements for size, height, and auto-dimming. The applicant proposes to turn the sign completely off at night. The applicant further proposes to exceed the LDC minimum delay for changing the message, by changing the message once per minute rather than once per 20 seconds as the LDC would otherwise allow.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Religious Use	R-5	Traditional Neighborhood
Proposed	Religious Use	R-5	Traditional Neighborhood
Surrounding Properties			
North	Religious Use	R-5	Traditional Neighborhood
South	Single-Family Residential	R-5	Traditional Neighborhood
East	Single-Family Residential	R-5	Traditional Neighborhood
West	Single-Family Residential	R-5	Traditional Neighborhood

PREVIOUS CASES ON SITE

No previous cases on site.

INTERESTED PARTY COMMENTS

No interested party comments were received.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF LDC 8.2.1.D.6 TO ALLOW A CHANGING IMAGE SIGN WITHIN 300 FEET OF RESIDENTIAL PROPERTIES

- (a) The waiver will adversely affect adjacent property owners; and

STAFF: The waiver will adversely affect adjacent property owners as the sign is approximately 85 feet from the nearest residentially zoned property and approximately 130 feet to the residential structure. The changing of the sign's message will create a visual nuisance and distraction to the residents of the affected properties.

- (b) The waiver will violate specific guidelines of Cornerstone 2020; and

STAFF: The waiver will violate specific guidelines of Cornerstone 2020 as Cornerstone 2020 defines the Traditional Neighborhood Form District as characterized by a range of residential densities and a variety of housing types, street patterns which include alley ways, on-street parking, occasional office

uses on predominantly residential blocks, and proximity to parks and open spaces and to marketplace corridors or to the downtown.

Guideline 3: *Compatibility* states that signs should be compatible with the form district pattern and contribute to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot developments, minimize the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials). This guideline is violated because a changing image sign with a change rate of once per minute detracts from the visual quality of a residential neighborhood.

- (c) The extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant as the property is currently served with a reader board and has been for many years.

- (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 has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance by proposing to change the message on the sign once per minute rather than once per 20 seconds as the LDC would otherwise allow. The sign will also be shut off at night.

**STANDARD OF REVIEW AND STAFF ANALYSIS
FOR WAIVER OF LDC 8.2.1.D.4 TO ALLOW THE CHANGING IMAGE PORTION
OF A SIGN TO EXCEED 30% OF THE OVERALL SIGN AREA**

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

STAFF: The waiver will not adversely affect adjacent property owners as the sign fully incorporates the changing image portion into the overall design, and the sign in full is relatively small.

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

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 as Cornerstone 2020 defines the Traditional Neighborhood Form District as characterized by a range of residential densities and a variety of housing types, street patterns which include alley ways, on-street parking, occasional office uses on predominantly residential blocks, and proximity to parks and open spaces and to marketplace corridors or to the downtown.

Guideline 3: *Compatibility* states that signs should be compatible with the form district pattern and contribute to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs

in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot developments, minimize the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials). This guideline is not violated because the sign is overall only 18.23 square feet in area and the changing image portion is fully incorporated into the design 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 as the changing image panel is the smallest panel the applicant can reasonably install, and the static image portion cannot be increased significantly in size to balance out the changing image panel, due to the height limitation of the form district.

- (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 much larger sign to balance out the size of the changing image panel, which is the smallest panel that the applicant can reasonably install.

TECHNICAL REVIEW

No technical review was undertaken.

STAFF CONCLUSIONS

- The proposed waiver from LDC section 8.2.1.D.6 to allow a changing image sign to be within 300' of residential properties does not appear to be adequately justified based on staff analysis in the staff report.
- The proposed waiver from LDC section 8.2.1.D.4 to allow the changing image portion of a sign to exceed 30% of the total sign area in the Traditional Neighborhood Form District does appear to be adequately justified based on the 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 waivers.

REQUIRED ACTION

- **APPROVE** or **DENY** the waiver of LDC section 8.2.1.D.6.
- **APPROVE** or **DENY** the waiver of LDC section 8.2.1.D.4.

NOTIFICATION

Date	Purpose of Notice	Recipients
02/17/2017	DRC Public Meeting	1 st tier adjoining property owners

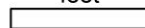
ATTACHMENTS

1. Zoning Map
2. Aerial
3. Site Plan
4. Rendering of Sign Provided by Applicant

1. **Zoning Map**



4574 S 3rd St
feet



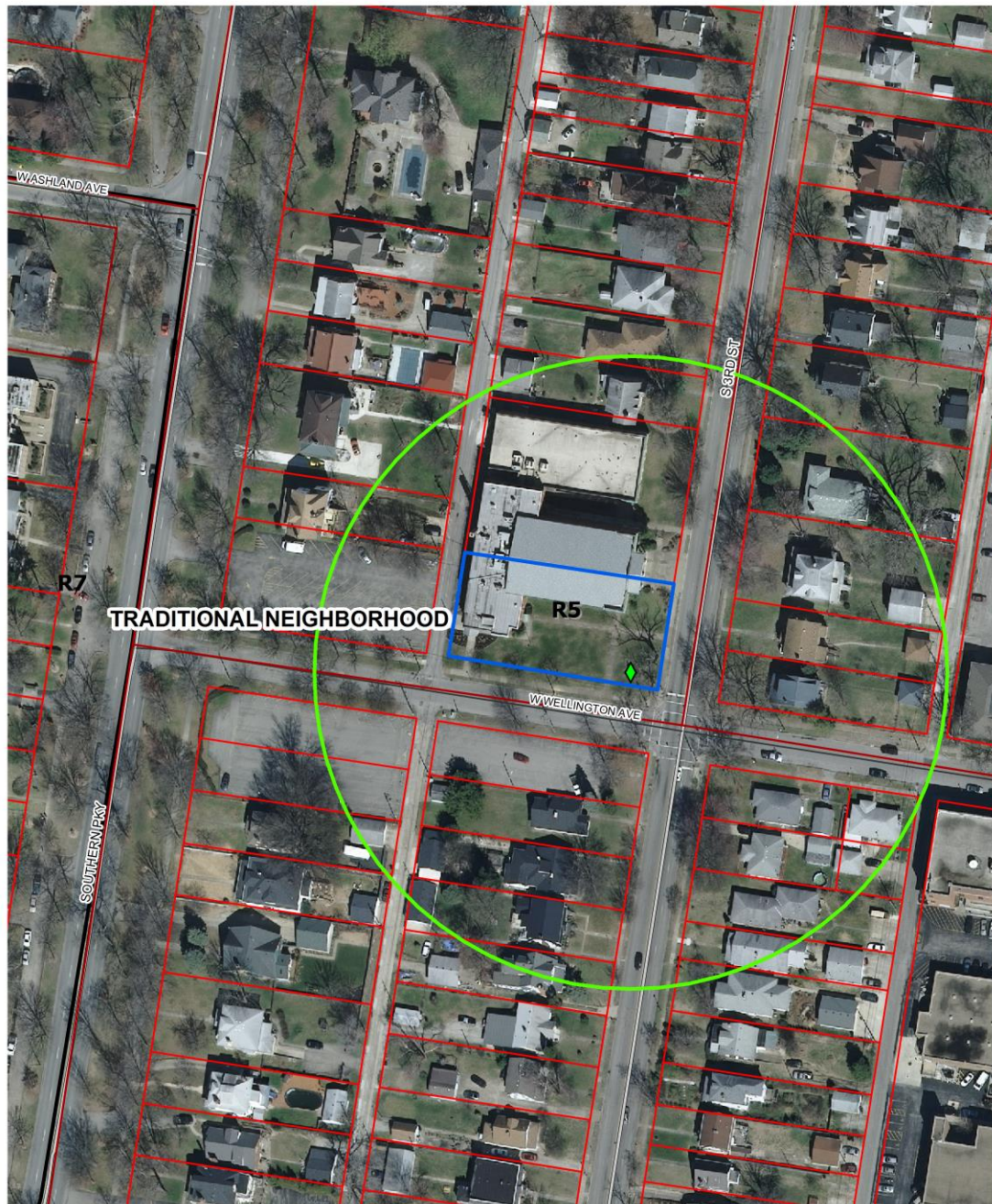
120

Map Created: 2/23/2017

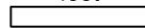


Copyright (c) 2017, LOUISVILLE AND JEFFERSON
COUNTY METROPOLITAN SEWER DISTRICT (MSD),
LOUISVILLE WATER COMPANY (LWC),
LOUISVILLE METRO GOVERNMENT and
JEFFERSON COUNTY PROPERTY VALUATION
ADMINISTRATOR (PVA). All Rights Reserved.

2. Aerial



4574 S 3rd St
feet



120

Map Created: 2/23/2017



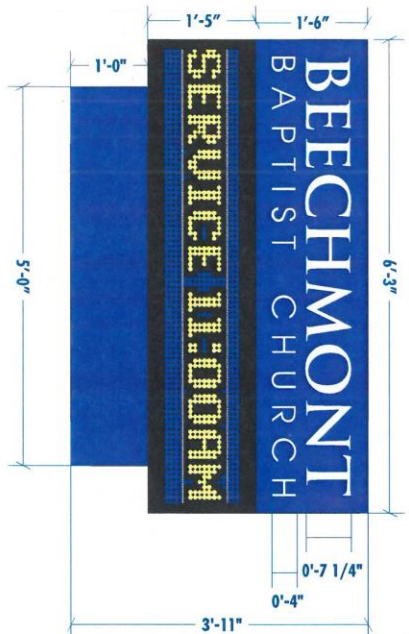
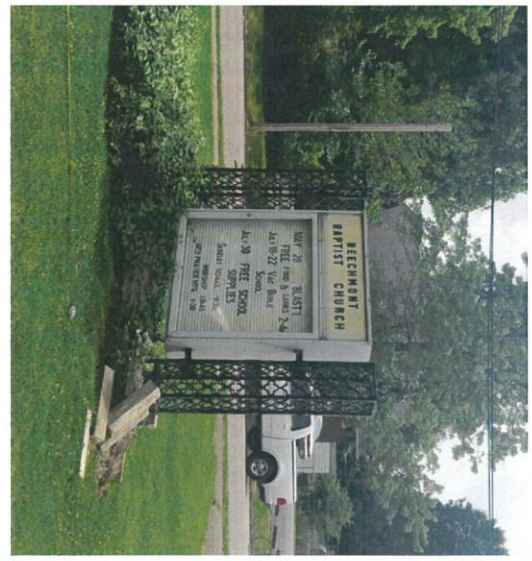
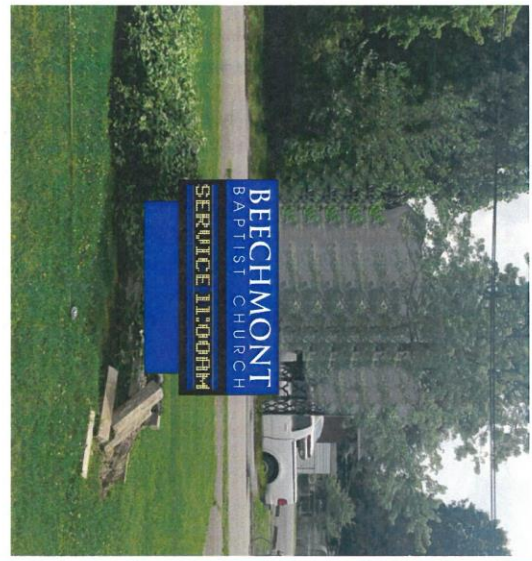

Copyright (c) 2017, LOUISVILLE AND JEFFERSON
COUNTY METROPOLITAN SEWER DISTRICT (MSD),
LOUISVILLE WATER COMPANY (LWC),
LOUISVILLE METRO GOVERNMENT and
JEFFERSON COUNTY PROPERTY VALUATION
ADMINISTRATOR (PVA). All Rights Reserved.

3. Site Plan



4. Rendering of Sign Provided by Applicant

16 WAIVER 1052

																											
<table><tr><td>DOUBLE SIDED ILLUMINATED CABINET</td></tr><tr><td>QUANTITY: ONE (1) CABINET</td></tr><tr><td>SIZE: 16" d</td></tr><tr><td>COLOR: PMS 287</td></tr><tr><td>FACE TYPE: FLAT</td></tr><tr><td>FACE MATERIAL: ROUTED ALUMINUM</td></tr><tr><td>GRAPHICS: ROUTED AND BACKED WITH WHITE ACRYLIC</td></tr><tr><td>ILLUMINATION: WHITE L.E.D.</td></tr><tr><td>MOUNTING: SINGLE POLE</td></tr><tr><td>ALUMINUM POLE COVER</td></tr></table>	DOUBLE SIDED ILLUMINATED CABINET	QUANTITY: ONE (1) CABINET	SIZE: 16" d	COLOR: PMS 287	FACE TYPE: FLAT	FACE MATERIAL: ROUTED ALUMINUM	GRAPHICS: ROUTED AND BACKED WITH WHITE ACRYLIC	ILLUMINATION: WHITE L.E.D.	MOUNTING: SINGLE POLE	ALUMINUM POLE COVER																	
DOUBLE SIDED ILLUMINATED CABINET																											
QUANTITY: ONE (1) CABINET																											
SIZE: 16" d																											
COLOR: PMS 287																											
FACE TYPE: FLAT																											
FACE MATERIAL: ROUTED ALUMINUM																											
GRAPHICS: ROUTED AND BACKED WITH WHITE ACRYLIC																											
ILLUMINATION: WHITE L.E.D.																											
MOUNTING: SINGLE POLE																											
ALUMINUM POLE COVER																											
<table><tr><td>CLIENT</td><td>Beechmont Baptist Church</td></tr><tr><td>ADDRESS</td><td>1824 Berry Blvd, Louisville, KY 40215 502.368.7554 Fax 502.361.4490 www.commonwealthsign.com</td></tr><tr><td>FILENAME</td><td>Beechmont Baptist Church Monument</td></tr><tr><td>SALESPERSON</td><td>Lester Lemaster</td></tr><tr><td>ARTIST</td><td>Robert Goslinger</td></tr><tr><td>ART RENDERED DATE</td><td>06-07-16</td></tr><tr><td>TYPE</td><td>CHECKED</td></tr><tr><td>Proposed</td><td></td></tr><tr><td>SCALE</td><td>1/2" = 1'</td></tr><tr><td>REVISIONS / DATES</td><td>1st 00-00-00 2nd 00-00-00 3rd 00-00-00 4th 00-00-00 5th 00-00-00</td></tr><tr><td>PAGE</td><td>1 OF 1</td></tr><tr><td>SALES FINAL APPROVAL</td><td></td></tr><tr><td>CUSTOMER APPROVAL</td><td></td></tr></table>	CLIENT	Beechmont Baptist Church	ADDRESS	1824 Berry Blvd, Louisville, KY 40215 502.368.7554 Fax 502.361.4490 www.commonwealthsign.com	FILENAME	Beechmont Baptist Church Monument	SALESPERSON	Lester Lemaster	ARTIST	Robert Goslinger	ART RENDERED DATE	06-07-16	TYPE	CHECKED	Proposed		SCALE	1/2" = 1'	REVISIONS / DATES	1st 00-00-00 2nd 00-00-00 3rd 00-00-00 4th 00-00-00 5th 00-00-00	PAGE	1 OF 1	SALES FINAL APPROVAL		CUSTOMER APPROVAL		
CLIENT	Beechmont Baptist Church																										
ADDRESS	1824 Berry Blvd, Louisville, KY 40215 502.368.7554 Fax 502.361.4490 www.commonwealthsign.com																										
FILENAME	Beechmont Baptist Church Monument																										
SALESPERSON	Lester Lemaster																										
ARTIST	Robert Goslinger																										
ART RENDERED DATE	06-07-16																										
TYPE	CHECKED																										
Proposed																											
SCALE	1/2" = 1'																										
REVISIONS / DATES	1st 00-00-00 2nd 00-00-00 3rd 00-00-00 4th 00-00-00 5th 00-00-00																										
PAGE	1 OF 1																										
SALES FINAL APPROVAL																											
CUSTOMER APPROVAL																											