

Development Review Committee

Staff Report

April 4, 2018



Case No:	18WAIVER1011
Project Name:	New Cut Chiropractic Signage
Location:	5424 New Cut Road
Owner(s):	Hector & Yoleidis Vazquez
Applicant:	Karla Hill – Smart LED Signs
Jurisdiction:	Louisville Metro
Council District:	25 – David Yates
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 closer than 300 feet to residentially zoned properties which are being used residentially.

CASE SUMMARY/BACKGROUND

The subject property is located in the Auburndale neighborhood, on the western block face of New Cut Road between Westview Drive and Jones Drive. The property is currently developed with a single-tenant commercial building and associated parking lot. A pole-style static image sign currently exists in the parking lot near New Cut Road, approximately 20 feet in height.

The applicant proposes to replace the existing sign with a new pole-style sign 12 feet in height, with a static panel above a changing image panel. The new sign is proposed to be 57.64 square feet in total area. These dimensions fall within the form district allowable maximums of 12 feet in height and 80 sf in total area. Six residentially zoned properties which are being used residentially fall within 300 feet of the proposed sign. Five of the properties are blocked from view of the sign by existing buildings. The sixth property is a multi-family development located across New Cut Road to the north.

This property is included in the New Cut Road/Taylor Boulevard Corridor Study. It is located in Section 3 of the corridor, proposed for the Prototype 3 street section with an 8-foot planted median and a parkway designation. However, this plan has not been implemented for this part of the street. The parkway designation for New Cut Road begins approximately 1,200 feet to the south at the 3rd Street Road intersection.

STAFF FINDING

Staff finds that the requested waiver is adequately justified and meets the standard of review.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for granting a waiver established in the Land Development Code from section 8.2.1.D.6 to allow a changing image sign to be closer than 300 feet to residentially zoned properties which are being used residentially.

TECHNICAL REVIEW

- No technical review was undertaken.

INTERESTED PARTY COMMENTS

No interested party comments were received by staff

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF 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 owners as the closest residential properties are screened from view of the sign by existing structures, while the multi-family residential property is located across New Cut Road, a major arterial street.

- (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 Objective C2.5 Streetscape describes the Town Center form as having a compact mixture of moderately intense uses including shopping, restaurants, offices and residences. In its most traditional form, the Town Center ordinarily includes civic uses, such as libraries, government offices, police or fire stations and religious facilities. The presence of small-scale civic open space is a common but not essential feature. Buildings are generally close to and oriented toward the street. These characteristics strengthen the role of the Town Center as a community focal point. The Town Center should have a high level of pedestrian, roadway, transit and bicycle access, a connected street pattern, shared parking and pedestrian amenities. More intense uses in the town center are located in close proximity to the major thoroughfare, and the intensity of use gradually declines toward the adjacent neighborhoods.

Guideline 3 Policy 28 describes signs as compatible with the form district pattern and contributing 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.

These guidelines are not violated because the proposed sign is similar to existing signs in the immediate vicinity and is smaller in area than the allowed maximum for the form district.

- (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 there is no location on the property where a changing image sign could be located which is not within 300 feet of a residential property.

- (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 with the requirement to be waived because the applicant has opted to have a relatively small changing image panel which is smaller than the size allowed by the form district maximums.

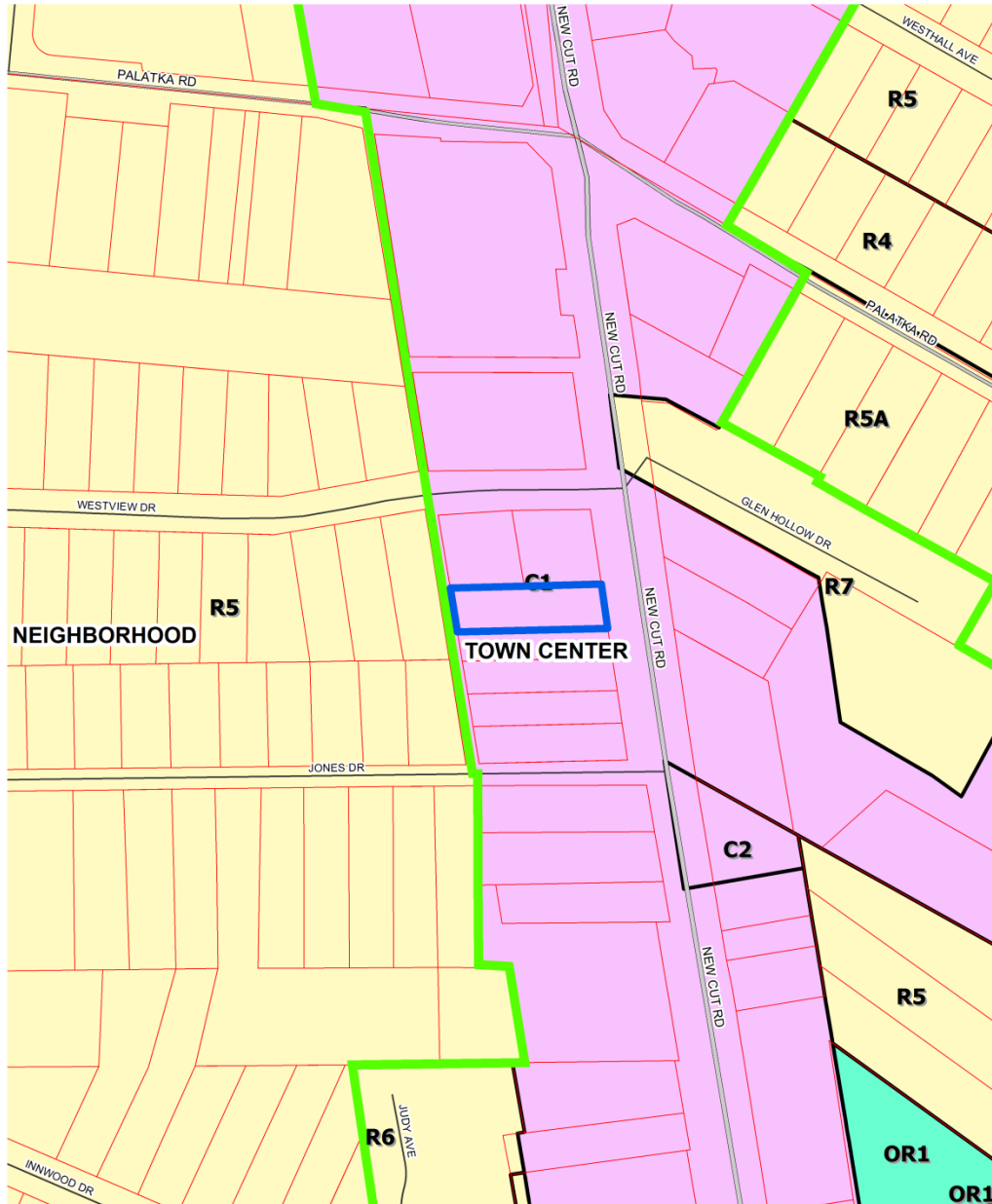
NOTIFICATION

Date	Purpose of Notice	Recipients
03/22/2018	DRC Public Meeting	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 25

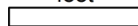
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Elevations
5. 300 Foot Buffer

1. Zoning Map



5424 New Cut Road
feet



175
Map Created: 3/26/2018



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2. Aerial Photograph



5424 New Cut Road
feet

175
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3. Site Plan



18 WAIVER 1011

4. Elevations



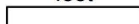


5. 300 Foot Buffer



300 Foot Buffer Around Sign

feet



175

Map Created: 3/26/2018



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