

# Development Review Committee

## Staff Report

January 9, 2019



<b>Case No:</b>	18WAIVER1052
<b>Project Name:</b>	Messiah Trinity Church Signage
<b>Location:</b>	8701 Shepherdsville Road
<b>Owner(s):</b>	Messiah Evangelical Lutheran Church
<b>Applicant:</b>	Julia Clore – Golden Rule Signs
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	23 – James Peden
<b>Case Manager:</b>	Dante St. Germain, AICP, Planner II

### REQUESTS

#### • Waivers

1. 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
2. Land Development Code section 8.2.1.D.4.a to allow a changing image panel in the Neighborhood form district to exceed 30% of the total area of a sign

### CASE SUMMARY/BACKGROUND

The subject property is located along Shepherdsville Road approximately 200 feet south of the intersection with Miles Lane, and is currently developed with a religious institutional use. It is surrounded by single-family residential uses zoned R-4. The applicant proposes to replace the existing panels in the monument-style sign on the property. The new panels will be a 2' x 5' 3" static image panel on the top, and a 2' 1" x 5' 3" changing image panel on the bottom.

Land Development Code section 8.2.1.D.6 requires changing image signs to be at least 300 feet from residential properties. The closest residential property to the sign is approximately 50 feet from the sign's location, and so the applicant requests a waiver from this provision.

Land Development Code section 8.2.1.D.4.a limits a changing image panel in the Neighborhood form district to comprise no more than 30% of the total area of a sign. As proposed, the changing image panel of the subject sign will comprise 52% of the area of the sign. The applicant therefore requests a waiver from this provision as well.

### STAFF FINDING

Staff finds that the requested waiver #1 is adequately justified and meets the standard of review, if a condition of approval is placed on the waiver:

The message or image on the sign shall change no more frequently than once per minute.  
There shall be no animated or flashing message or image at any time.

Staff finds that the requested waiver #2 is not adequately justified and does not meet 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.

### **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 #1 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 applicant will not change the image on the sign more frequently than once per minute, mitigating the adverse impact of the changing image.

- (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 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 monument style and similar to the previously existing sign with the exception of the changing image panel.

- (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 sign could be placed that is more than 300 feet from residential properties.

- (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 requirements to be waived by stating that the message on the sign will change no more frequently than once per minute.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #2 OF SECTION 8.2.1.D.4.a**

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

STAFF: The waiver will not adversely affect adjacent property owners as the proportions of the changing image panel relative to the overall sign are unlikely to have an adverse effect.

- (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 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 monument style and similar to the previously existing sign with the exception of the changing image panel.

- (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 not the minimum necessary to afford relief to the applicant as a smaller changing image panel could be used which would be in compliance with the regulations.

- (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 not incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived, and the strict application of the provisions of the regulations would not deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant as a smaller changing image panel which would be compliant with the regulations would not create an unnecessary hardship or deprive the applicant of the reasonable use of the land.

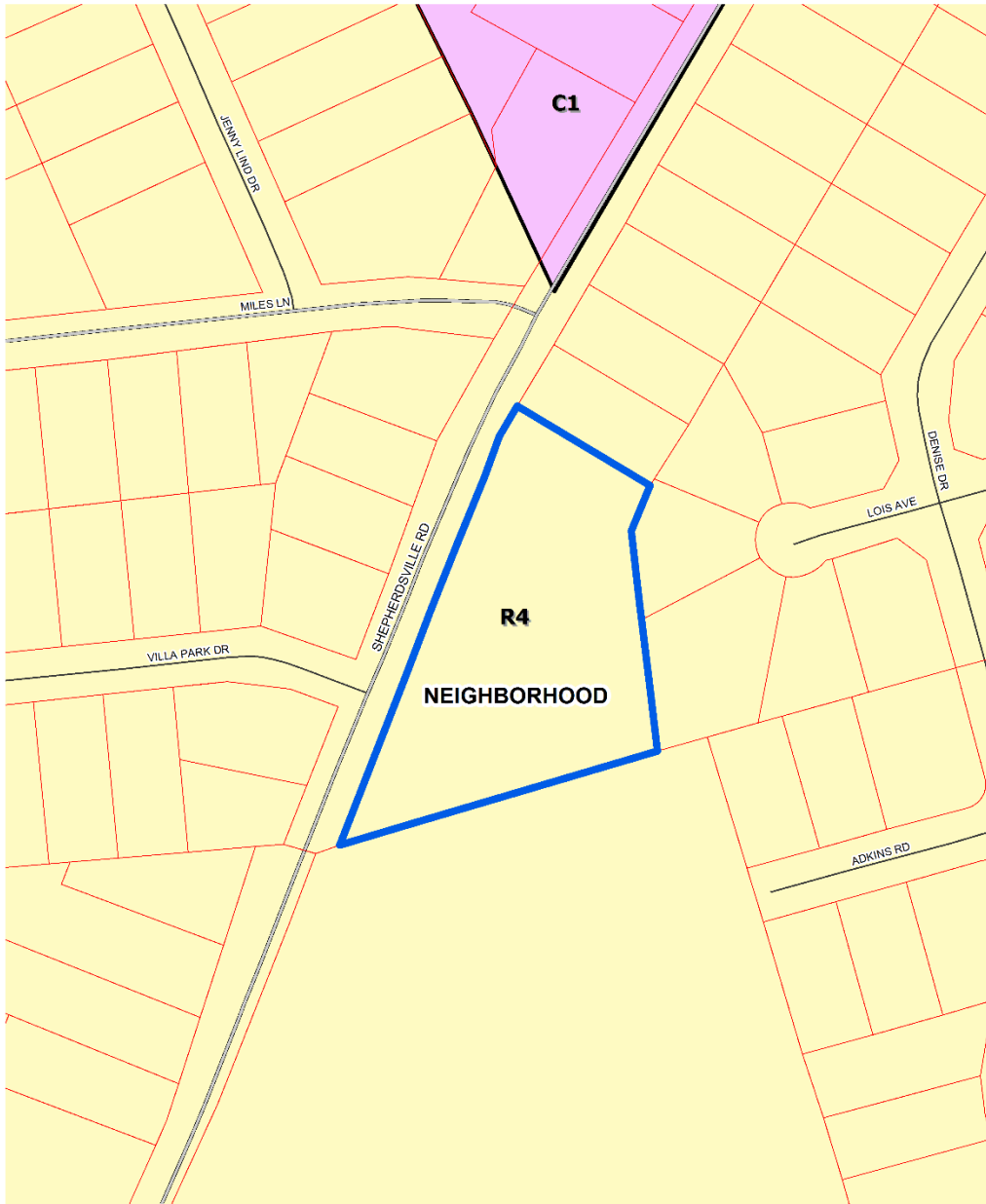
**NOTIFICATION**

Date	Purpose of Notice	Recipients
12/18/2018	DRC Public Meeting	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 23

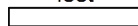
**ATTACHMENTS**

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

1. **Zoning Map**



8701 Shepherdsville Road  
feet



140  
Map Created: 12/26/2018

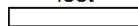


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## 2. Aerial Photograph



8701 Shepherdsville Road  
feet



Map Created: 12/26/2018



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3. Site Plan



Sign location

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4. Elevations



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NOV 30 2018

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SIGNATURE

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DATE

Confirmed final dimensions are provided on production drawings at time of purchase. Depth of LED Signs may vary due to required mounting structure.

VERSION #: v6340

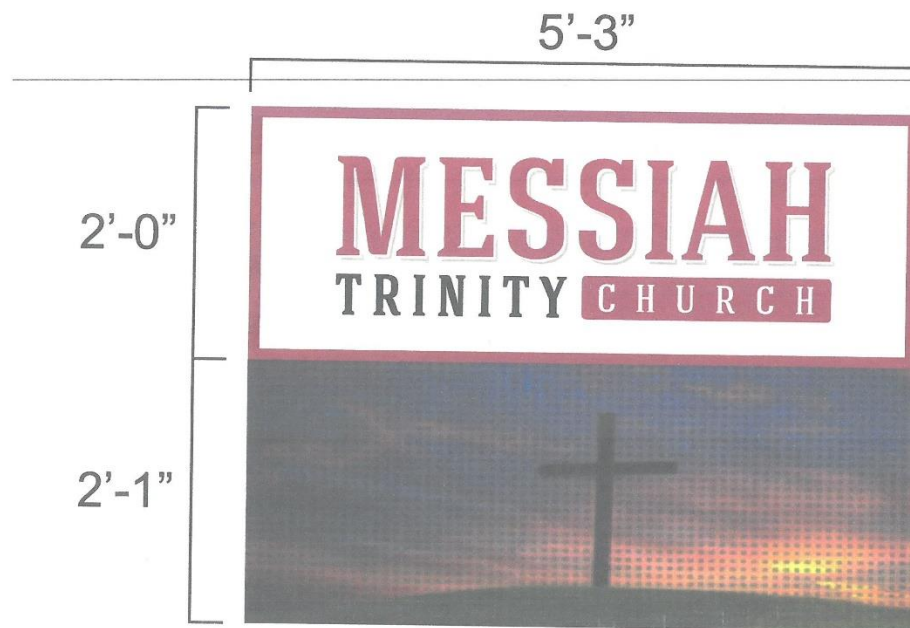
2420 Holloway Road  
Louisville, KY 40299

TF 1-800-732-9886  
Fax 1-502-416-0544

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**GRS**  
GOLDEN RULE SIGNS





**SIGN SPECIFICATIONS**

Color: Full Color / RGB text, pictures & video.  
 Pitch: 20mm / 0.8"  
 Matrix: 32x80  
 Dimensions: 2'-1" x 5'-3" (Tall x Wide)  
 Max # of Lines: 4  
 Max Letter Per Line: 13  
 Cabinet Size: 2'-0" x 5'-3" (Tall x Wide)

**PRELIMINARY RETROFIT RENDERING**

CONTINGENT UPON RECEIVING PICTURES AND MEASUREMENTS OF EXISTING SIGN

Cabinet PMS Color:  
**PANTONE 704 C**

Colors used:

CMYK	PMS
[White Box]	PMS Trans. White C
[Red Box]	PMS 704 C
[Black Box]	PMS 426 C

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RECEIVED

NOV 30 2018

DESIGN SERVICES

SIGNATURE \_\_\_\_\_, DATE \_\_\_\_\_

Confirmed final dimensions are provided on production drawings at time of purchase. Depth of LED Signs may vary due to required mounting structure.

VERSION #: v6340

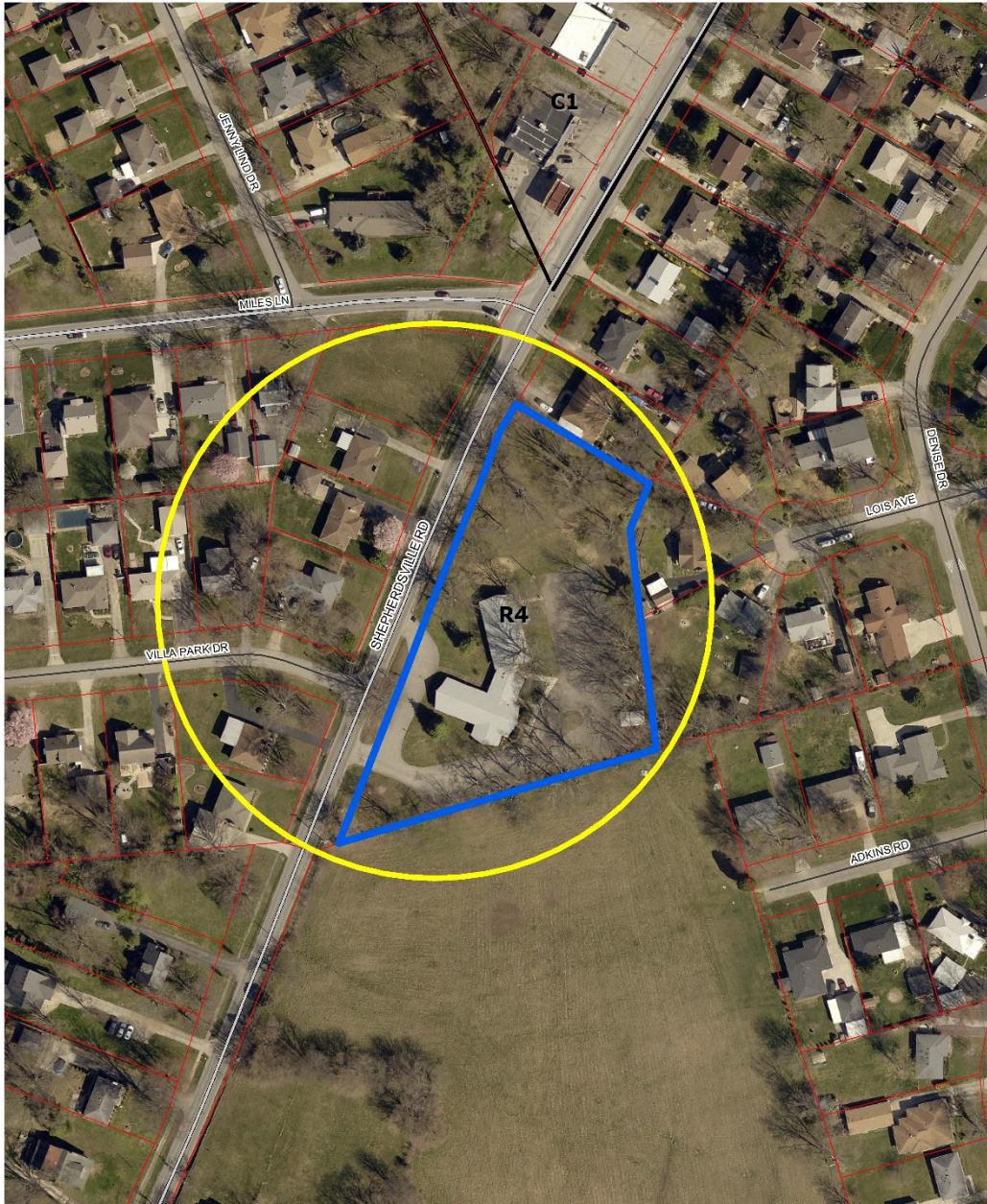
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5. 300 Foot Buffer



300 Foot Buffer Around Sign

feet



140

Map Created: 12/26/2018



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