

Development Review Committee

Staff Report

August 17th, 2016



Case No:	16WAIVER1028
Project Name:	Walmart Sign Waiver
Location:	4840 Outer Loop
Owner:	Walmart Real Estate Business Trust
Applicant:	Megan Munro, Harrison French & Associates
Representative:	Megan Munro, Harrison French & Associates
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Laura Mattingly, Planner I

REQUEST

- Waiver of Chapter 8.3, Table 8.3.2 of the Land Development Code (LDC) to allow the number of attached signs along front façade to exceed the maximum requirement.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is located in the Okolona area, on the south side of Outer Loop, approximately 2 miles northeast of the I-65/I-265 exchange. The applicant is proposing new attached signage for a newly constructed Wal-Mart.

The Outer Loop Walmart is proposing a total of six attached signs on the primary facade. The total square footage of the signage is 748 square feet, just under the maximum square footage allowed.

A maximum of three attached signs is allowed per façade; therefore the applicant is requesting a waiver of Section 8.3, Table 8.3.2 to allow the six proposed signs.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Retail	C-2	RC
Proposed	Retail	C-2	RC
Surrounding Properties			
North	Commercial Retail	C-2	RC
South	Single Family Residential	R-4	N
East	Single-Family Residential, Retail	R-4, C-1	N, RC
West	Single Family Residential, Retail	R-5, C-1	N

PREVIOUS CASES ON SITE

- 9-112-86:** Rear portions of the subject property were rezoned from R-4, residential to C-2, commercial, by the Planning Commission.
- 9-87-87:** The remainder of the site and the out lots along Outer Loop were rezoned from R-4, residential, to C-2, commercial by the Planning Commission. The Planning Commission approved a revised detailed district development plan for a Walmart Supercenter on January 17, 2002 with the existing binding elements.
- 13DEVPLAN1039:** Revised Detailed District Development Plan and Waiver for Walmart Supercenter.
- 15EXTENSION1006:** Request to extend expiration date for Walmart Supercenter.

INTERESTED PARTY COMMENTS

Staff has not received any inquiries or interested party comments to date.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of
Chapter 8.3, Table 8.3.2 of the LDC to allow more than 3 signs per façade:

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

STAFF: The waiver will not adversely affect adjacent property owners as the property is located in a commercial corridor and the façade is mostly only visible from within the parcel, due to its setback from Outer Loop and the out-lots that block visibility of the façade from Outer Loop.

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

STAFF: Guideline 3, policy 28 calls for signs that are compatible with the form district pattern and contribute to the visual quality of their surroundings. The waiver will not violate the comprehensive plan as the proposed signage is consistent to the type of signage seen along this commercial corridor.

(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 additional signage is necessary to identify the location of services offered within the building.

(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 deprive the applicant of the reasonable use of land or create an unnecessary hardship as the proposed signage is similar to proposals of other large retail stores of this type; and is necessary to identify the location of services offered within the building.

TECHNICAL REVIEW

There are no technical review issues.

STAFF CONCLUSIONS

The proposed waiver 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 waiver.

REQUIRED ACTION

- **APPROVE** or **DENY** the waiver Chapter 8.3, Table 8.3.2 of the Land Development Code.

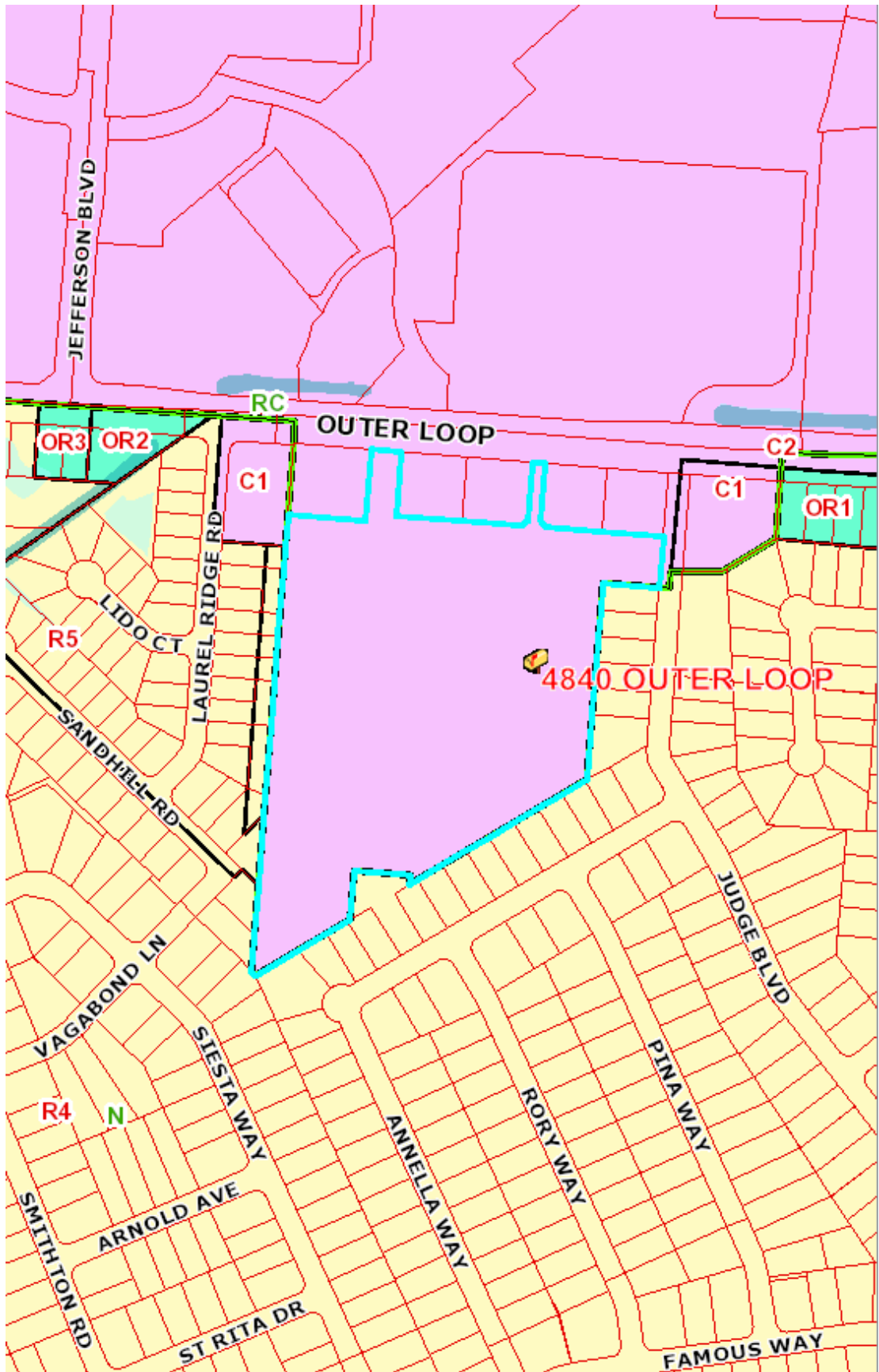
NOTIFICATION

Date	Purpose of Notice	Recipients
August 1 st , 2016	Hearing before DRC	1 st tier adjoining property owners
July 26 th , 2016	Hearing before DRC	Registered neighborhood groups

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

Attachment 1: Zoning Map



Attachment 2: Aerial Map

