

Development Review Committee

Staff Report

June 3, 2026



Case No:	26-DDP-0019
Project Name:	Lowe's – NE Louisville
Location:	4930 Norton Healthcare Boulevard
Applicant:	DABS Investments, LLC
Representative:	Lowe's
Jurisdiction:	Louisville Metro
Council District:	17 – Markus Winkler
Case Manager:	Zach Schwager, Planner I

REQUESTS

- **Waiver** from Land Development Code (LDC) Sections 4.4.8.C.1 and 4.4.8.C.2 outdoor sales/display and storage to exceed the maximum area and height and to permit outdoor storage within 25 ft. of the public right-of-way (26-WAIVER-0047)
- **Revised Detailed District Development Plan (RDDDP)** with Revision to Binding Elements

CASE SUMMARY

The subject site is approximately 15 acres on the south side of Norton Healthcare Boulevard in Old Brownsboro Crossing. It is zoned C-2 Commercial in the Regional Center form district. The applicant is proposing 9,975 sq. ft. of permanent outdoor storage and to increase the seasonal sales/display by 22,805 sq. ft. from 16,821. The applicant also requests a Waiver from LDC Section 4.4.8.C.1 and 4.4.8.C.2 of the Land Development Code (LDC) to allow outdoor sales/display and storage to exceed the maximum area and height and to permit outdoor storage within 25 ft. of the public right-of-way.

STAFF FINDING

The proposed plan meets the requirements of the Land Development Code and the guidelines of the Comprehensive Plan, except for the requested Waiver, which is adequately justified for approval based on staff's analysis contained in the standard of review.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER (26-WAIVER-0047)

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

STAFF: The waiver will not adversely affect adjacent property owners as the proposed outdoor storage will be screened with additional landscaping along the northern property line.

- (b) The waiver will not violate the Comprehensive Plan; and

STAFF: The waiver will not violate the Comprehensive Plan, as the proposal remains consistent with the Suburban Workplace Form District, which supports employment uses and associated infrastructure. The proposed outdoor storage will be screened with additional landscaping along the northern property line.

- (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 proposed outdoor storage and seasonal sales/display will not increase the impact of the existing use.

- (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 would create an unnecessary hardship on the applicant, as the proposed development would not increase the impact of the existing use.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP with Revision to Binding Elements

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There is no net increase in impervious surface area within the development. The applicant is proposing additional landscaping to screen from the adjacent property to the north.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Open space will be provided to meet Land Development Code requirements.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area within the industrial park

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to the requirements of the LDC.

REQUIRED ACTION

- **APPROVE** or **DENY** the **Waiver** from Land Development Code (LDC) Sections 4.4.8.C.1 and 4.4.8.C.2 outdoor sales/display and storage to exceed the maximum area and height and to permit outdoor storage within 25 ft. of the public right-of-way (26-WAIVER-0047)
- **APPROVE** or **DENY** the **Revised Detailed District Development Plan (RDDDP)** with Revision to Binding Elements

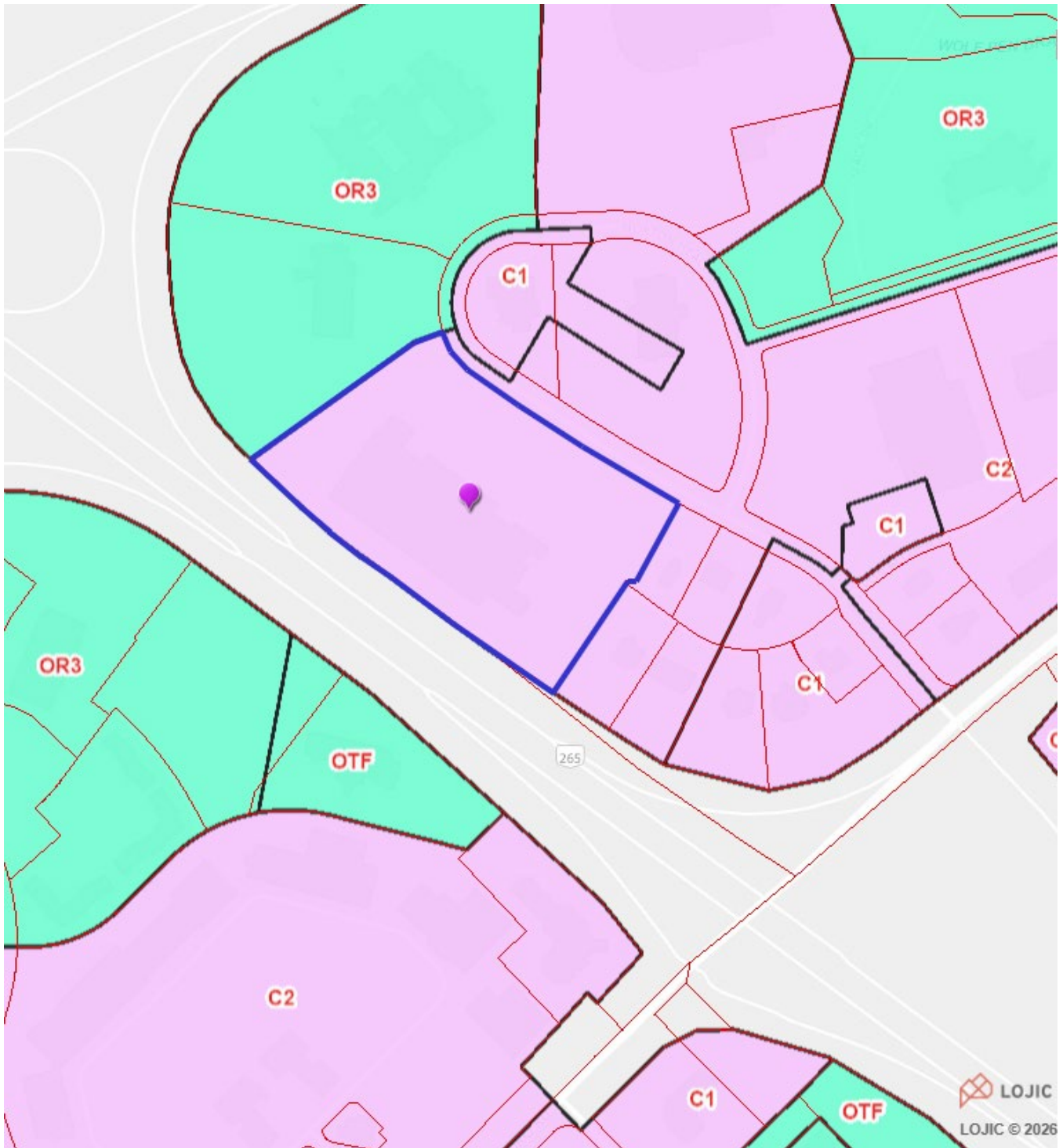
NOTIFICATION

Date	Purpose of Notice	Recipients
5/21/2026	Hearing before DRC	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 17

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements with Proposed Revisions
4. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Existing Binding Elements with Proposed Revisions

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
- ~~2. The development shall not exceed 168,708 square feet of gross floor area.~~
3. Except for a Lowe's monument style sign at the main Lowe's entrance as shown on the DDDP, no outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. ~~A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.~~
 - c. ~~The appropriate variance shall be obtained from the Board of Zoning Adjustment to allow the development as shown on the approved district development plan.~~
 - d. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
- ~~6. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.~~
- ~~7. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting~~

~~issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.~~

8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
- ~~9. The materials and design of proposed structures shall be substantially the same as depicted in the renderings as presented at the June 2, 2005 Planning Commission meeting.~~
- ~~10. The façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.~~
- ~~11. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained there after. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.~~
- ~~12. All street signs shall be installed by the Developer, and shall conform with the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.~~
13. The outdoor garden center area delineated on the approved Detailed District Development Plan shall be enclosed with black tubular bars with columns as design accents and a low "knee wall" to improve the look and help obscure stacked materials; all as generally depicted on the renderings noted above.
14. Mechanicals and truck docks shall be screened as shown on the renderings presented at the June 2, 2005 public hearing.
15. Trees planted along the rear of the Lowes building and in the landscaped and outdoor amenity areas shall be as shown on the concept plans presented at the June 2, 2005 Planning Commission meeting.

4. **Proposed Binding Elements**

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Except for a Lowe's monument style sign at the main Lowe's entrance as shown on the DDDP, no outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
6. The outdoor garden center area delineated on the approved Detailed District Development Plan shall be enclosed with black tubular bars with columns as design accents and a low "knee wall" to improve the look and help obscure stacked materials.
7. Mechanicals and truck docks shall be screened as shown on the renderings presented at the June 2, 2005 public hearing.

8. Trees planted along the rear of the Lowes building and in the landscaped and outdoor amenity areas shall be as shown on the concept plans presented at the June 2, 2005 Planning Commission meeting.