



NuLu Review Overlay District (NROD)

Report to the Committee

Through: Joseph Haberman, AICP, Urban Design Administrator
From: Kat Groskreutz, Planning & Design Coordinator
Date: December 29, 2022

Case No: 22-OVERLAY-0034
Classification: Non-Expedited
Meeting Date: January 4, 2023

GENERAL INFORMATION:

Property Address: 629 E. Market St.
Applicant: Mose Putney, Zyyo, LLC
Property Owner: 629 E Market St LLC

Description of Proposed Exterior Alteration:

The applicant is requesting an Overlay Permit to construct a 2.5- to 4-story, 15,000 square foot addition on the rear of a contributing historic structure.

The rear addition will be approximately 69'-6" W x 75' D x 60'-9" H at the roof peak. There will be a stone clad, raised foundation to match the historic front building. Brick masonry cladding will be on the main and second floor, and black painted concrete and glass window or railings systems on the stepped back third and fourth floors. The west side and the first 37'-6" of the east side facades will be built to the property line, creating an L shape with a stepped back fourth floor. A side gabled, 2.5 story, 30'-6" W x 37'-6" D x 45' H at gable peak portion of the addition will be inset 8'-5" on the northern most portion of the east side. A small setback will be along the north of the parcel facing the alleyway.

The north and east side façades will feature an entrance with double door and rounded arch transom window. The side gabled roof section has a decorative circular window treatment above the east side entrance, between the second and third floors. Multiple balconies and terraces follow the L shape around the gabled roof on the north and east third and fourth floors. Large window systems with decorative shutters will be located on the north and east facades of the ground floor, with similar rounded windows along the second floor. No window openings are proposed on the west side elevations of the ground and second floors. Large window systems and open balconies will be located on the third and fourth floors.

Communications with Applicant, Completion of Application:

The applicant submitted the Overlay Permit application on November 28, 2022. The application was determined to be substantially complete and classified as requiring a non-expedited review by the Urban Design Administrator on December 1, 2022. Revised elevations, architectural renderings, and site plan were submitted on December 12, 2022. There were additional calls and meetings with the applicant team, with final application information provided to staff on

December 22, 2022. The application will be reviewed by the Committee at 12:00 PM on January 4, 2023 at 444 S. 5th St.

FINDINGS

Guidelines

The following Principles and Design Guidelines are applicable to the proposal: **4 – Building, 6 – Site Planning and Parking, 7 – Historic Preservation, and 8 - Sustainability**. Staff's findings of fact and conclusions with respect to the Guidelines are attached to this report.

Site Context

The subject property is located on the north side of E. Market Street, two parcels west of the intersection with S. Clay Street. The single parcel contains a circa 1900, 2-story masonry, Neo-Classical style structure. The front façade has a raised stone foundation with a stone banded ground floor, two centrally located raised main entrances with transoms facing E. Market St., and two sets of double windows flanking the entrances.

The upper story of the front facade is clad in yellow brick with stone quoins, four arched windows, and three stone pilasters between the windows topped with a gabled pediment that extends beyond the articulated cornice line. The sides and rear of the structure continues the raised stone foundation and is clad in red brick. It has multiple entrances and 1/1 wood windows on the east, north, and west elevations.

The building was originally a Parish house for the St. Johns German Evangelical church at 637 E. Market and was later a community center. It has most recently been used as a theater and retail/office space.

The site is bordered by E. Market to the south with historic 1 to 3-story, masonry, commercial buildings; a 3-story historic masonry commercial structure and 2- to 4-story masonry church with large spire to the west; 2-story historic masonry commercial buildings and the 3-story, historic, former Joe Ley building to the west; and Billy Goat Strut Alley to the north with commercial and mixed-use structures across the alley. The parcel is zoned C-2 (Commercial) and within the Downtown (DT) form district.

Currently, the subject property contains the historic structure and 14 surface parking spaces in the rear. The property is surrounded by a mix of mostly historic building types that are predominately commercial uses, with two historic church buildings to the east and southwest. The heights range from one to four stories, not including the church spires, and are mostly masonry in construction.

Existing Conditions



629 E. Market St, from E. Market – Google August 2022



Immediate surrounding context, from E. Market facing north – Google August 2022



Context across E. Market, from E. Market facing south - Google August 2022



Alley context, from Billy Goat Strut Alley facing south - Google July 2019



Alley context, from Billy Goat Strut Alley facing east - Google July 2019



Alley context, from Billy Goat Strut Alley facing west - Google July 2019

CONCLUSIONS

The addition is deeply setback on the rear of the historic building, and while it is nearly 16' taller than the historic portion, the setback significantly limits the impact and visibility of the addition from street level along E. Market St. The stepped back upper floors with multiple open balconies and terraces also help to break up the massing from Billy Goat Strut alley. The darkly painted concrete treatment also allows the upper floors to further visually recess. The overall height of the addition is similar to the Joe Ley building to the west and the church to the east.

The new construction takes clear cues from the historic building for the portions of the addition that are in line with the older structure. These cues are shown in the raised stone foundation, red brick cladding, entrances and arched upper windows and the gable roof, while remaining more modern in style with much larger window openings and simplified details. The upper third and fourth stories are more contemporary in style and have architectural features that are compatible with the slightly more traditional lower floors. The concrete material is limited in use and is an updated interpretation of the stone banding of the front façade. The combination of modern treatments help to differentiate the addition from the historic front.

There are currently two trees present in front of 629 E. Market St. No streetscape plan was provided for review. Healthy mature trees should generally be preserved, especially street trees. Additionally, no signage was reviewed as part of this proposal, and will need to be applied for under a separate sign and overlay permit.

Overall, the rear addition is compatible with the contributing historic structure and other surrounding buildings. It will not negatively impact the historic character or significance of the existing buildings or the district and will add to the level of activity along the alleyway.

RECOMMENDATION

The proposed rear addition generally complies with the applicable Design Guidelines for the NuLu Review Overlay District and meets the overall intent of the District.

Considering the information furnished, the Urban Design Administrator recommends the application for an Overlay Permit be **approved with the following conditions**:

1. After a building permit has been issued for the new building addition, if the design or materials change, the applicant shall contact staff for review and approval prior to construction/installation. An additional overlay permit may be required.

2. The historic brick alley shall be protected and preserved throughout the construction process.
3. All storefront windows and doors at ground level shall have clear glass or light window tinting.
4. All mechanical equipment shall be screened from view of E. Market Street and shall have limited impact on adjacent properties.
5. Signage was not reviewed under this application. Signage shall be reviewed separately as part of subsequent sign and overlay permit.

Principle 4 – Building

Design Guideline Checklist

Objective

The buildings in the NuLu Review Overlay District (NROD) are not only picturesque but also have strong historic character. New structures should have a “contextual fit” and reinforce the existing pattern of individual storefronts extending throughout the NuLu area. Contextual design elements include building setbacks, building heights, building form, rhythm of openings, rhythm of horizontal building lines, color, materials, texture, adjacent building styles, and building details should be respected in new projects. The Overlay Staff can assist a licensed Architect or design professional to develop designs that adaptively reuse these structures to meet the needs of new businesses and services. The Overlay Staff will also assist the applicant through the review and approval process.

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| + | Meets Guidelines | NA | Not Applicable |
| - | Does Not Meet Guidelines | TBD | To Be Determined |
| +/- | Meets Guidelines with Conditions as Noted | | |

	Guideline	Finding	Comment
B1	Existing structures in the NuLu area are strongly encouraged to be sustainably renovated and reused.	+	The existing structure is being retained with the addition to the rear
B2	Buildings should be “pedestrian-friendly.” Design building façade elements that promote a pedestrian-friendly environment including: building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, lighting, and entrances that face the street.	NA	Rear addition
B3	All storefront windows and doors at ground level shall have clear glass or light window tinting. Severe window tinting or mirrored glass is not permitted unless pre-approved by staff for “special conditions.” Examples of “special conditions” may include restaurant kitchen areas, storage space, and restrooms that would need to be hidden from public view.	TBD	See conditions of approval
B4	New structures should be located at the front property line. Building sites should provide side yards wide enough to allow for maintenance of the building unless common party walls are provided on the lot line.	NA	Rear addition
B5	High quality materials and historically appropriate architectural details at the ground floor / street level of buildings can both accent buildings, and provide visual interest for pedestrians and motorists.	+	Stone, brick, glass window systems and limited amounts of painted concrete
B6	New structures greater than three stories high may be permissible if taller portions are set back from the street frontage so that overall sight lines are compatible, and if the increased	+	Third and fourth floors deeply set back from street frontage

	height is not intrusive towards adjacent structures.		
B7	New structures must be a minimum of two stories high and should be no shorter than one story beneath the height of adjacent properties.	+	Four stories total
B8	A visual terminus, such as a cornice at the top of a wall, is recommended and helps articulate the architecture and gives it a completed finished look.	+	Decorative cornice on gabled roof; strong banding along top of fourth floor
B9	All new mechanical equipment that is visible from a public right of way should be installed to have a minimal impact on adjacent properties and from public view unless the equipment is solar dependent. In this instance, function supersedes design. Replacement of existing mechanical equipment is considered general maintenance and will not require a staff review. Additional permits and approvals by other government agencies or authorities may be required.	TBD	Mechanical equipment is not shown on the plans; see conditions of approval
B10	Permanent service counters, service bars, decks, or similar structures may not be constructed in front of a building's primary street facing façade.	NA	

Principle 6 – Site Planning and Parking

Design Guideline Checklist

Objective

Site Planning is an important part of any project. Sites should incorporate attractive and maintainable landscaping to enhance the hardscape of the building. Plants should be used to minimize the visual impact of parking lots and service areas in the NuLu Review Overlay District (NROD).

- + Meets Guidelines NA Not Applicable
- Does Not Meet Guidelines TBD To Be Determined
- +/- Meets Guidelines with Conditions as Noted

	Guideline	Finding	Comment
SP1	Development Plans shall minimize the adverse visual impact of utility lines on the area. Underground lines or service from the alley, where feasible, is encouraged.	NA	
SP2	Combining existing small, under-utilized lots to create shared parking areas that are more efficient and more accessible is encouraged.	NA	
SP3	Additional surface parking lots and drive-throughs shall not be permitted in the NuLu Review Overlay District.	+	The addition will be built on existing surface parking in the rear
SP4	Parking areas adjacent to the public sidewalks must use landscaping, trees, colonnades or other construction, to maintain the building line created by structures along the sidewalk. Side parking lots which exceed 40% of the total linear lot frontage adjacent to right-of-way shall provide a 36" high masonry, stone, or concrete wall that makes reference to a similar design within the surrounding area extending from the principal structure across the front of the parking area. Surface parking lots with no principal structure shall provide the 36" wall as described. The 36" tall wall can wrap around any existing or proposed monument signage to maintain visibility.	NA	The addition will be built on existing surface parking in the rear, no new surface parking is proposed

SP5	Adequate perimeter landscaping, fencing, or a combination of both is required to help screen vehicles and/or equipment from public view. The screening height for vehicle parking lots shall be 36" above finished grade of the lot. This height will enable drivers of vehicles to safely see and avoid other pedestrians and vehicles while screening most parked cars. A 7'-0" max high screened fence or wall can be used for industrial or commercial sites to screen for large vehicles or equipment on site.	NA	The addition will be built on existing surface parking in the rear, no new surface parking is proposed
SP6	New commercial developments should provide adequate and significant screening to adjacent residential structures. Opaque landscape buffers and other forms of screening should be used to minimize noise and lighting impact.	NA	While new square footage is proposed, the development is existing
SP7	Fencing and screening shall be constructed of materials compatible with the principal structure.	NA	
SP8	Chain link fencing must not be visible within the NuLu Review Overlay District.	NA	
SP9	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	TBD	
SP10	The number and width of curb-cuts in the Overlay Area should be minimized to promote pedestrian circulation. Existing continuous curb-cuts should be reduced to widths necessary for vehicular traffic, or removed altogether.	NA	
SP11	Minimum 4'-0" wide landscape buffer area (LBA) containing a 36" minimum height (at maturity) screen shall run along 90% of the lineal area in front of the patio, plaza, or outdoor space that faces the street. This landscape buffer area (LBA) shall include permanent landscaping material such as trees (minimum 1 3/4" caliper size at time of planting), shrubs (minimum 18" height at time of planting), groundcover, and /or perennials. Fences, planters, and/or walls (maximum height of 36") are permitted within the LBA. Landscape Buffer Plantings shall be installed prior to occupancy or use of the patio, plaza, or outdoor space.	NA	No ground level outdoor space provided
SP12	Existing trees located within the property or adjacent property along the street, alley, or access easement shall be preserved and protected unless the city arborist determines they are not healthy or are dangerous and should be removed. Removed trees should be replaced with appropriate trees approved by the City Arborist. The replacement trees shall be sized at a minimum of 1 3/4" caliper (at time of planting). Replacement tree(s) shall be planted within 3 months of the tree(s) removal or during the next planting season, whichever comes first.	+	Two trees are located in front of the property and will not be affected by the rear addition.
SP13	The construction or installation of a deck or structure built off the ground and over existing landscaped areas in front of a building's primary façade is prohibited. Balconies located on the second or third floors of buildings that are cantilevered or bracketed, scaled to match the building's façade, and utilize contextual materials are appropriate.	NA	Balconies on third and fourth floors are located in the rear of the property

Principle 7 – Historic Preservation

Design Guideline Checklist

Objective

Historic buildings (65 years of age or older) comprise a significant part of NuLu Review Overlay District (NROD) and are physical reminders of Louisville's early history. The historic buildings in the Area are some of the oldest remaining in the city and exhibit characteristics of classic urbanism. Historic structures define the area's origins while providing unique adaptive reuse potential. Structures over 100 years old are sometimes flanked by more contemporary mid-century ones that exhibit similar urban characteristics of scale, massing, and setback, and are thus contributing structures in their own right. Given the important role of many existing buildings to the history and streetscape of the Area, demolition of any contributing structure will entail stringent review.

- + Meets Guidelines NA Not Applicable
- Does Not Meet Guidelines NSI Not Sufficient Information
- +/- Meets Guidelines with Conditions as Noted

	Guideline	Finding	Comment
HP1	Changes to the exterior of Contributing Historic Structures and other structures within the Overlay District that were constructed 65 years ago or longer and have not been significantly altered, shall be reviewed in accordance with the standards established for Contributing Historic Structures by the United States Secretary of the Interior. However, the Director of the Department of Planning and Design or the NuLu Review Overlay Committee may relax these standards in the interest of accomplishing the intentions of these Guidelines.	+	The addition is located on the rear of the contributing historic structure, is of compatible materials, and has an appropriate scale and massing to not overwhelm the historic building from the public way
HP2	The design of new or substantially remodeled structures that are adjacent to Contributing Historic Structures should be compatible with them and should incorporate similar design details or references where appropriate.	+	The addition takes strong cues from the existing structure and is compatible with surrounding structures
HP3	No application to demolish any Contributing Historical Structure or structure built 65 years ago or longer shall be approved by the Urban Design Administrator unless the applicant demonstrates to the satisfaction of Urban Design Administrator and the Historic Preservation Officer: (a) That the rehabilitation of a Structure or construction of a new Structure will have a greater positive impact on the Area's economic vitality and appearance than would preservation of the Structure proposed to be demolished; and the rehabilitation of the Structure or the construction of the new Structure would not be possible or economically feasible without the demolition of the Structure proposed to be demolished; or (b) That the applicant cannot obtain a reasonable economic return from the property or Structure unless the Contributing Historical Structure or Structure constructed 65 years ago or longer is demolished in accordance with the application.	NA	The contributing historic structure is not proposed to be demolished

Principle 8 – Sustainability

Design Guideline Checklist

Objective

Incorporating environmentally sustainable elements into the design and construction of the built environment in the NuLu Review Overlay District (NROD) is an important part of any project.

Environmentally sustainable elements include: transit facilities, green buildings, heat island reduction, recycled content in infrastructure, and stormwater management.

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| + | Meets Guidelines | NA | Not Applicable |
| - | Does Not Meet Guidelines | TBD | To Be Determined |
| +/- | Meets Guidelines with Conditions as Noted | | |

	Guideline	Finding	Comment
SU1	Transit facilities should have a covered shelter, seating, bike racks, information kiosks, and appropriate signage.	NA	
SU2	New commercial, industrial, and residential buildings should pursue LEED or equivalent energy efficiency standards.	TBD	
SU3	New or replacement roofs with energy efficient “radioactive properties” should be considered.	TBD	
SU4	New Infrastructure is encouraged to use at least 50% by mass, recycled or reclaimed materials.	TBD	
SU5	Projects should retain, reuse, and/or infiltrate on-site, all of the stormwater that falls on their parcel(s).	+	The new construction onsite will be located where paved surface parking was previously
SU6	The surface area of a landscaped or pervious condition slated for a repurposed use must maintain a level of permeability greater than or equal to its current state.	NA	