

# Development Review Committee

## Staff Report

February 16, 2022



<b>Case No:</b>	22-WAIVER-0005
<b>Project Name:</b>	1405 W Broadway Mixed Use
<b>Location:</b>	1401, 1403, 1405 and 1421 W Broadway; 1400 and 1404 Magazine St
<b>Owner(s):</b>	THPI Edgewood LLC; Bill Stone Real Estate LLC
<b>Applicant:</b>	THPI Edgewood
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	4 – Jecorey Arthur
<b>Case Manager:</b>	Jay Lockett, AICP, Planner II

### REQUEST(S)

- **Waiver** of Land Development Code sections 10.2.10 to encroach into the Vehicle Use Area Landscape Buffer Area adjacent to Esquire Alley as shown on 21-CAT2-0034 and to omit all planting and screening requirements within that buffer on 1404 Magazine St.

### CASE SUMMARY/BACKGROUND

The applicant is proposing to renovate an existing 5-story warehouse structure at 1405 W Broadway for a mixture of residential, commercial and office uses. Parking is to be provided adjacent to the building along Broadway as well as north of Esquire Alley. The subject site is zoned a mixture of C-2 and EZ-1 in the Traditional Marketplace Corridor and Traditional Workplace form districts. The main structure is a National Register historic site known as the Axton-Fisher Tobacco Warehouse.

### STAFF FINDING

The waiver is adequately justified and meets the standard of review. The alley dead-ends at the railroad tracks beyond the subject site, and the buffer area will be internal to the parking lot. The applicant will provide all required screening of the parking lot adjacent to Magazine St, including a masonry wall.

### TECHNICAL REVIEW

The waiver is associated with 21-CAT2-0034 which is under staff review.

### INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this development.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER**

- a. The waiver will not adversely affect adjacent property owners; and,

STAFF: The waiver will not adversely affect adjacent property owners, as the buffer area is internal to the parking lot and the alley does not provide access to any sites beyond the subject site.

- b. The waiver will not violate the Comprehensive Plan; and,

STAFF: The waiver will violate the comprehensive plan, as the redevelopment of this existing site is compatible with the variety of uses and intensities in the area. It will facilitate the rehabilitation of a historic structure into a mixed-use site that will provide housing as well as neighborhood serving amenities.

- c. The extent of 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.

- d. Either: 1. 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 2. 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 create an unnecessary hardship on the applicant, as the buffer would be internal to the parking lot and not provide any meaningful screening for the public. The applicant will provide screening, buffering and street trees around other parts of the overall development which will improve the site.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waivers**

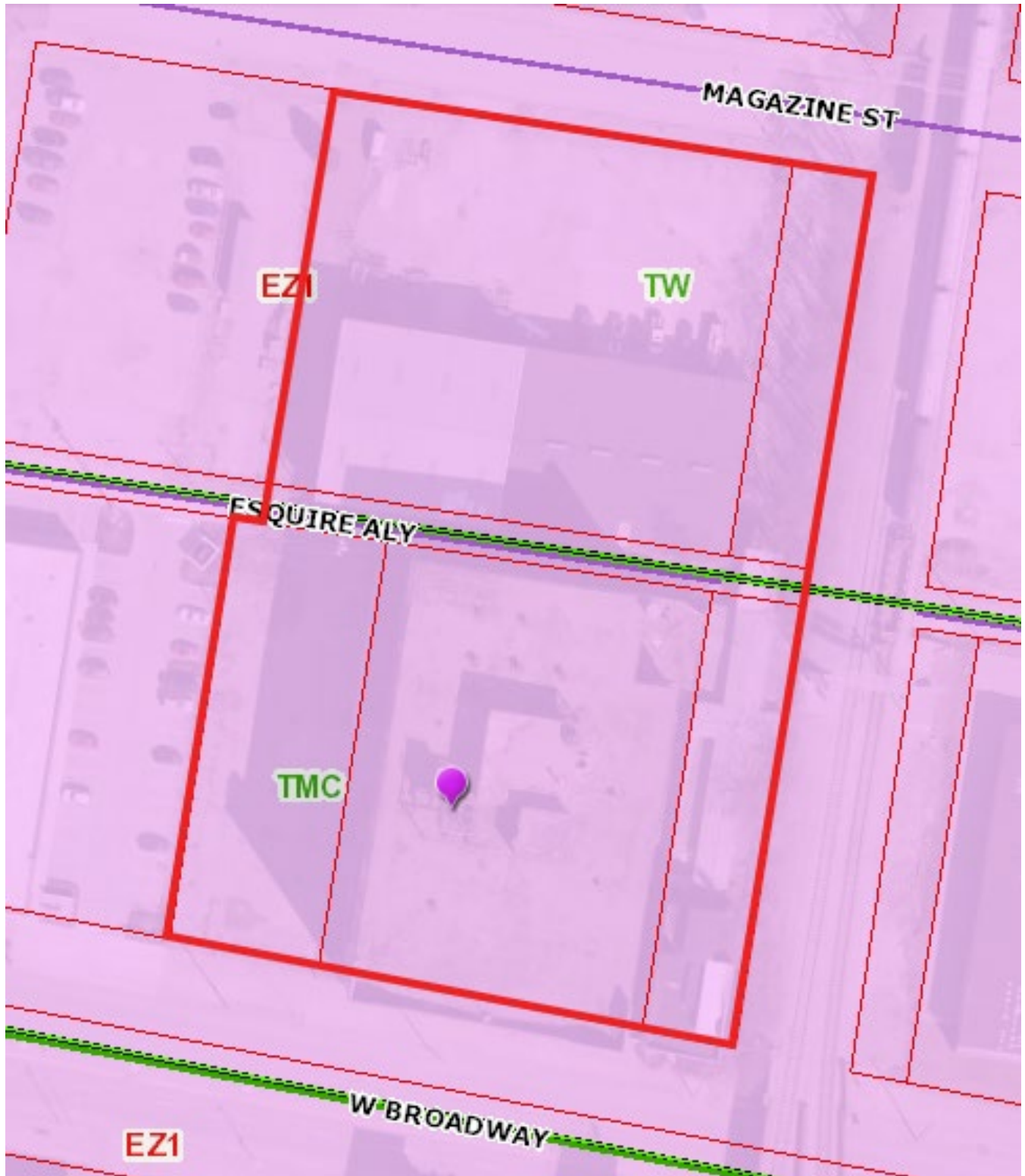
**NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
02-02-22	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners and residents Registered Neighborhood Groups in Council District 4

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

