

**Development Review Committee
Staff Report**
June 28, 2017



Case No:	17DEVPLAN1077
Project Name:	Mobile Medtek
Location:	900 East Main Street
Owners:	E. Main Inspired, LLC
Applicant:	E. Main Inspired, LLC
Representative(s):	Ann Richard, Raja J. Patil
Project Area/Size:	.6 acres
Existing Zoning District:	CM
Existing Form District:	TMC – Traditional Marketplace Corridor
Jurisdiction:	Louisville Metro
Council District:	4- Barbara Sexton Smith
Case Manager:	Burcum Keeton, Architectural Projects Coordinator

REQUEST

- Revised Detailed District Development Plan to modify an existing 28,600 sf building for office/retail/restaurant use on .6 acres in the CM zoning district

CASE SUMMARY

The applicant is proposing the renovation of two companion structures located at 900 and 906 East Main Street. Changes include the rebuilding of a 1-story rear addition, the removal of a non-historic accessory structure, and various improvements to the site. The applicant proposes for the first floor of the building to be used for retail and restaurant use, and offices will be located on all three floors. The applicant is proposing to remove the 1962 one-story concrete block addition located at the southeast corner of 900 and 906 East Main Street and constructing in its footprint for a new one-story masonry structure with roof deck. The total building area and footprint will not be changed. The applicant is requesting the demolition of the non-contributing accessory structure located at 914 East Main Street. The area will be converted to surface parking.

SITE CONTEXT

The property is located at the southeast corner of East Main and South Campbell Streets in the NuLu Overlay District. The property is zoned CM and is located in the Traditional Marketplace Corridor. This part of Main Street historically was associated with mixed use including commercial, industrial and residential buildings. The surrounding area is comprised of primarily one- to three-story commercial buildings, residences, churches and an elementary school.

The two buildings located at 900 and 906 East Main Street (JFCH 1240 and JFCH 1241) were listed as contributing structures on the National Register of Historic Places on August 3, 2005. The one story block building at 914 East Main Street was listed as a non-contributing building.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant Paint Manufacturing	CM	TMC
Proposed	Office/Retail/Restaurant	CM	TMC
Surrounding Properties			
North	Commercial	CM	TMC
South	Commercial	EZ-1	TMC
East	School	M-2	TMC
West	NuLu Lofts	EZ-1	TMC

PREVIOUS AND ASSOCIATED CASES ON SITE

- 9-23-06:** On August 17, 2006, the Planning Commission approved a rezoning of the property to C-M.
- 13CERT1367:** On November 25, 2013, The Department of Planning and Design Services approved a zoning certification for 900 E. Main Street. The property is certified to be zoned C-M Commercial Manufacturing, within the TMC – Traditional Marketplace Corridor form district.
- 15COA1031:** On February 24, 2015, Landmarks Staff approved the planting of (7) narrow form oak trees along the north side of the 900 block of East Main Street.
- 16CERT1679 :** On January 11, 2017, Develop Louisville approved a zoning certification for 900 E. Main Street. The property is certified to be zoned C-M Commercial Manufacturing, within the TMC – Traditional Marketplace Corridor form district, and the Nulu Reviews Overlay District.
- 17COA1108:** On June 14, 2017, the NULU Overlay Committee approved the renovation and rehabilitation to the property.

INTERESTED PARTY COMMENTS

A NULU Committee hearing was held on June 14th, 2017 for the NULU Overlay Permit. There was no testimony for or against the project as proposed.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

- 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: The subject site is fully developed with an existing building and parking area. There are no natural resources on site.

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

STAFF: The site is located in an area with an established sidewalk network and roadway system. Sidewalk improvements are proposed along S. Campbell Street.

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

STAFF: There are no open space 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 provisions 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 use is compatible with the existing and future development of the area. The proposed design is located within an existing urban area and the site will essentially remain as is.

- 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 requirements of the Land Development Code.

TECHNICAL REVIEW

All agency comments have been addressed. Preliminary approval has been received from Transportation Planning staff and the Metropolitan Sewer District. The proposal received approval under 17COA1108 from the NULU Overlay Committee on June 14, 2017.

STAFF CONCLUSIONS

The Detailed District Development Plan appears to be adequately justified and meets the standard of review 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 Land Development & Transportation/Development Review Committee must determine if the proposal meets the standards established in the LDC for approving a Detailed District Development Plan

REQUIRED ACTIONS

- **APPROVE** or **DENY** the Detailed District Development Plan

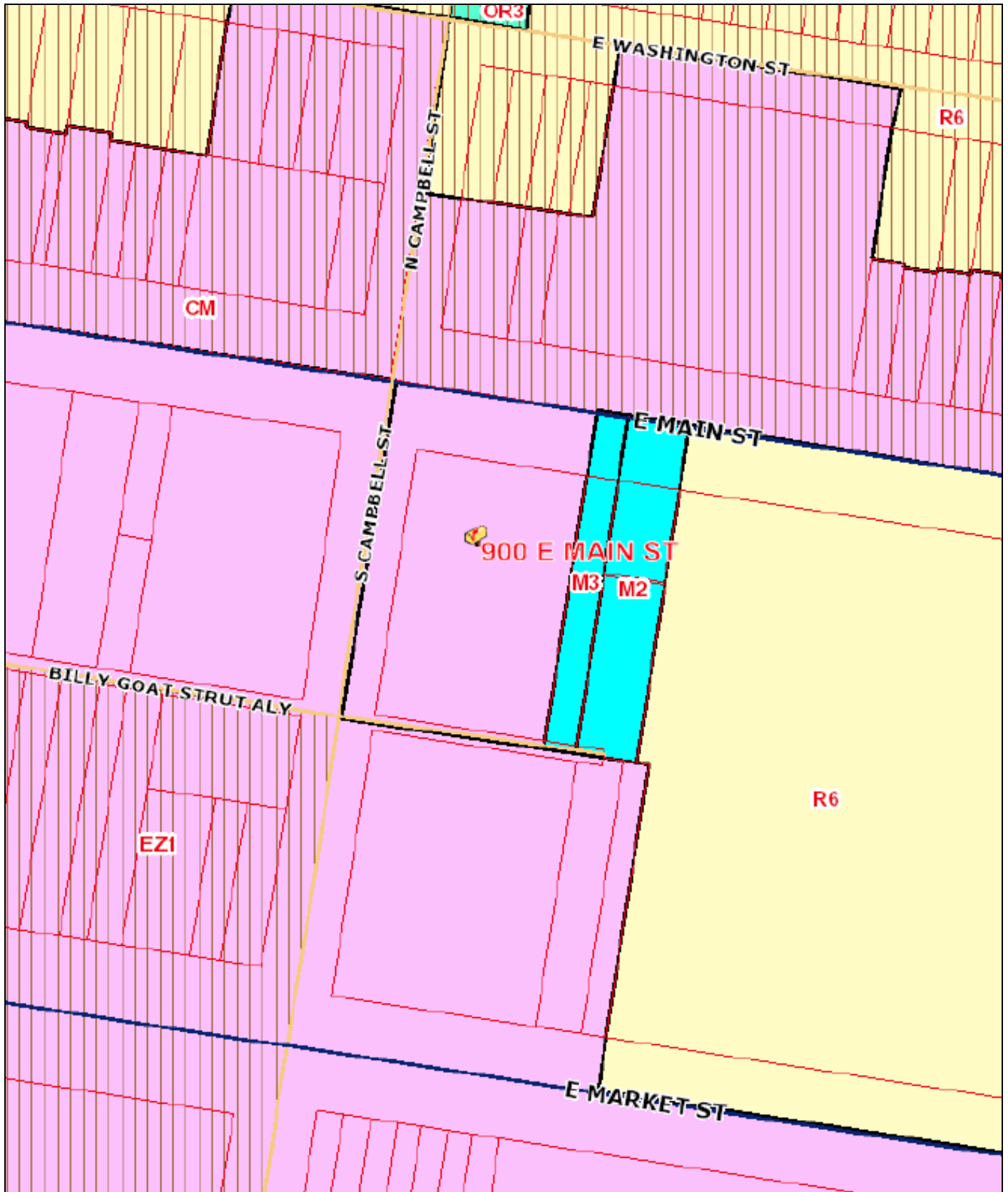
NOTIFICATION

Date	Purpose of Notice	Recipients
6/18/2017	Public Hearing - DRC	Adjoining property owners, applicant, owner, and registered users of Council District 4

ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



3. Existing 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. The square footage shall be limited to 13,885 square feet of office/commercial and 21 dwelling units (34.43 DU per acre)
3. Signs shall be in accordance with Chapter 8.
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
5. 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.
6. Before any permit (including but not limited to building, parking lot, change of use, or site disturbance permit is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, 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.
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 rendering as presented at the August 17, 2006 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. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.

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. The square footage shall be limited to 43,885 **28,760** square feet of office/commercial. and 21 dwelling units (34.43 DU per acre).
3. Signs shall be in accordance with Chapter 8.
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
5. 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.
6. Before any permit (including but not limited to building, parking lot, change of use, or site disturbance permit is requested:
 - a. ~~The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.~~ **The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review 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.
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 rendering as presented at the ~~August 17, 2006 Planning Commission meeting~~ **June 14, 2017 Nulu Overlay Hearing and June 28 Development Review Committee 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 thereafter. 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. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.