

Development Review Committee

Staff Report

June 14, 2017



Case No:	17DEVPLAN1073
Request:	Category 3 Development Plan and associated Street Tree Waiver
Project Name:	New Hotel for Whiskey Row
Location:	101 West Main Street
Area:	.56 acres or 24,209 sf.
Zoning:	C-3
Form District:	Downtown
Owner:	Lawrence Burrell – LOUWEXY LLC.
Applicant:	Steve Poe – Poe Companies LLC.
Representative:	Glenn Price – Frost Brown and Todd LLC. and/or Ann Richard – Land Design and Development Inc.
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Ross Allen – Planner I

REQUEST

- Approval of a Category 3 Development Plan for a 200,000 sf. (gross floor area) dual branded hotel fronting Main St. and Washington Street
- Waiver: from LDC section 10.2.8.to not provide street trees along all streets and for all uses within the Downtown Form District.

SITE CONTEXT/CASE SUMMARY/BACKGROUND

The subject site is located in the Central Business District between Main Street/Washington on North First Street as part of Whiskey Row. The site is approximately 370 feet east of the KFC Yum Center, west across North First Street from the Belknap Building (Humana), north of Aloft and Hillbilly Tea, and south of the Catalyst Corner and the rear of the Presbyterian Publishing Corporation. The subject site currently is used as a vacant parking lot and on occasion was used for "Resurfaced" events. Prior to "resurfaced" the buildings were deteriorated beyond repair while the facades were salvaged being propped up by metal support beams. Prior to the demolition of the buildings, excluding the facades of 105, and 107-109 West Main Street, the buildings had been vacant since the late 1980's.

The applicant is proposing to construct a multi-tiered hotel, 13 floors Westin branded along Main Street and 14 floor Moxy branded, along Washington Street, with a total of 315 rooms, within the Waterfront Development Review Overlay. The Waterfront Development Corporation has reviewed and permitted the proposed structure in a full voting session of the Waterfront Development Corporation Board on April 26, 2017. The proposed structure will incorporate the three Whiskey Row Historic facades (National Register of Historic Places, 1998) located at 105 and 107-109 West Main Street. The Certificate of Appropriateness for the proposed hotel and incorporation of the Historic facades was approved on May 25, 2017 at the Architectural Review Committee, case no. 17COA1102.

The structure will have an approximate 572 sf. outdoor dining area located in front of 109 West Main Street in the public right of way, a vehicular drop off area of approximately 632 sf., a 4 ft. deep x 7 ft. wide canopy for the restaurant/hotel entry, three 8 ft. wide by 11 ft. deep canopies with an entrance located near the corner of North First Street and Main Street, and a proposed (approx.) 612 sf. drop off area located to the front of both entrances along Main Street. Along North First Street there is another drop off Valet Overflow Parking inlet approximately 580 sf. in size, with an outdoor patio area (approx. 320 sf.) enclosed by a low retaining iron block planter wall and covered by a canopy that hugs the corner of the structure along North First Street and Washington Street (approx.. 660 sf.). The proposed structure is cantilevered out into the public right of way from the third floor to the 14th on Washington Street. The elevator shaft (1st floor to the 14th floor) is located in the Washington Street public right of way and farther west along Washington Street there are two proposed service bay entrances.

LANDUSE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Commercial	C-3	Downtown
Proposed	Commercial	C-3	Downtown
Surrounding Properties			
North	Public AND Semi-Public/Commercial	C-3	Downtown
South	Commercial	C-3	Downtown
East	Commercial	C-3	Downtown
West	Commercial	C-3	Downtown

PREVIOUS CASES ON SITE

- 16060: Category 3 Development plan with waivers from LDC Section 5.5.1.B.1.A.ii to allow parking to be located in front of the principal structures along N. First and Washington Streets. A waiver from LDC Section 10.2.4.B to allow a retaining wall to be located within the VUA LBA's along all frontages.
- 16061: Landmarks Commission case for the Category 3 Development Plan heard on July 13, 2011 and approved on July 18, 2011.
- 17COA1102: Architectural Review Committee (ARC) hearing on design of the proposed hotel as located behind 105, 107-109 West Main Street. Approved by the ARC on May 24, 2017.

INTERESTED PARTY COMMENTS

Staff has not received any public comments to date.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER: LDC Section 10.2.8 to not provide the required street trees in the right of way or adjacent to the right of way in a minimum 6 foot wide planting area along the Main Street, North First Street, and Washington Street frontages.

1. Will the waiver adversely affect adjacent property owners?

STAFF: No. Along West Main Street a street planter wall system will separate the outdoor restaurant from street traffic. Along North First Street, three (3) street trees will be planted and maintained although the Humana Waterside Building (across the street) has no entrance along that side of the building, and along Washington Street one (1) street tree is proposed across from the Main Street Realty building. Therefore, the proposed waiver will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

STAFF: No. The only Comprehensive Plan Guidelines or Policies applicable to this waiver are Compatibility Guideline 3 and Policies 1, 22 and 24. The intent of this Guideline is to ensure that the proposal is compatible with nearby land uses. Because adequate green areas will be provided along all street frontages wherever possible the proposal is compatible with adjacent buildings. Moreover, Policy 22 states that "[b]uffers should be variable and design... "which accommodates situations in the downtown where utility locations preclude normal placement locations of street trees.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

STAFF: Yes. Street tree plantings as required by the regulations have been proposed at all required locations except where there are utility service facilities or required hotel facilities (such as vehicular drop-offs).

4. Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation 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 the land because the utility locations have been deemed appropriate by the regulated utility service and because the hotel drop-off areas are necessitated by location near the hotel entrance. If the regulations were strictly applied, the applicant would be unable to utilize the site as proposed.

TECHNICAL REVIEW

The Waterfront Development Corporation permit states that, "The building features and sidewalk treatment along First Street within an area approximately 120' from Washington Street must be given more detail in an attempt to widen the pedestrian path. Additional drawings may be approved by staff. The permit approval is based on the packet of 9 exhibits, 4-25-17." Please see attachments: WRO Westin Permit.pdf and WRO Westin plans.pdf.

STAFF CONCLUSIONS

The requested Category 3 Development Plan and associated Street Tree waiver appear to be adequately justified and both meet the standard of review. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for granting approval and/or denial of the proposed Category 3 Development Plan and the associated street tree waiver from LDC Section 10.2.8.

Approve/Deny Category 3 Development Plan for a proposed 200,000 sf. (gross floor area) dual branded hotel.

Approve/Deny Street Tree Waiver from LDC Section 10.2.8 to not provide 3 street trees along West Main Street, to waive 1 of 4 trees along North First Street, and to waive 2 of 3 required trees along Washington Street.

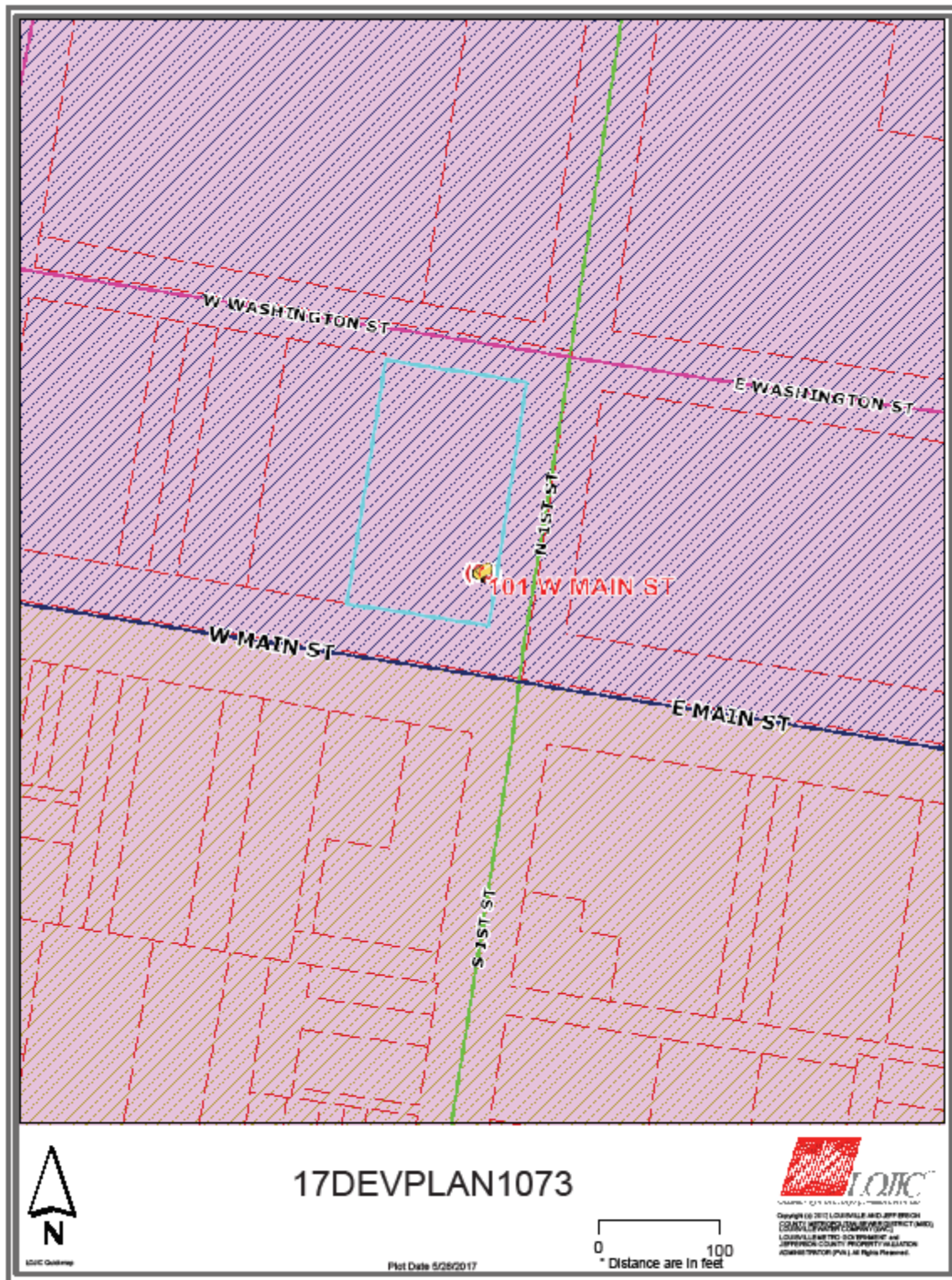
NOTIFICATION

Date	Purpose of Notice	Recipients
June 14, 2017	Hearing before DRC	1 st tier adjoining property owners Subscribers of Council District 4 Notification of Development Proposals

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

