

Development Review Committee

Staff Report

January 4, 2023



Case No:	22-WAIVER-0230/22-WAIVER-0231
Project Name:	1405 W Broadway Mixed Use
Location:	1401, 1403, 1405 and 1421 W Broadway; 1400 and 1404 Magazine St
Owner(s):	THPI Edgewood LLC
Applicant:	THPI Edgewood
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
Case Manager:	Jay Lockett, AICP, Planner II

REQUEST(S)

- **Waivers**

1. of Land Development Code sections 5.9.2.C.4 and 5.5.1.A.3.a to permit parking and circulation in front of the structures on 1404 Magazine St.
2. of Land Development Code section 5.5.1.A.3.b to not provide access via the alley for 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 W Broadway. The site at 1404 Magazine St is to be used as warehouse space in the existing structures on site. The applicant is proposing to improve the parking area and provide stormwater detention on that parcel. 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 along W Broadway is a National Register historic site known as the Axton-Fisher Tobacco Warehouse.

STAFF FINDING

The waivers are adequately justified and meet the standards of review. The warehouse buildings on the Magazine St site are existing and sited against the alley.

TECHNICAL REVIEW

The waiver is associated with 22-CAT2-0051 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 1

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

STAFF: The waiver will not adversely affect adjacent property owners, as the site has existing structures and parking similar to what is proposed.

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

STAFF: The waiver will not violate the comprehensive plan, as the redevelopment of this existing site is compatible with the variety of uses and intensities in the area. The applicant will improve the existing parking area on site, adding landscaping and stormwater detention.

- 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 site would need to be cleared and new buildings constructed to comply with the regulation. The applicant is seeking to reuse existing structures on the site.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 2

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

STAFF: The waiver will not adversely affect adjacent property owners, as the site will be access as it has been historically via Magazine St.

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

STAFF: The waiver will not violate the comprehensive plan, as the redevelopment of this existing site is compatible with the variety of uses and intensities in the area. The applicant will improve the existing parking area on site, adding landscaping and stormwater detention.

- 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 site would need to be cleared and new buildings constructed to comply with the regulation. The applicant is seeking to reuse existing structures on the site.

REQUIRED ACTIONS:

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

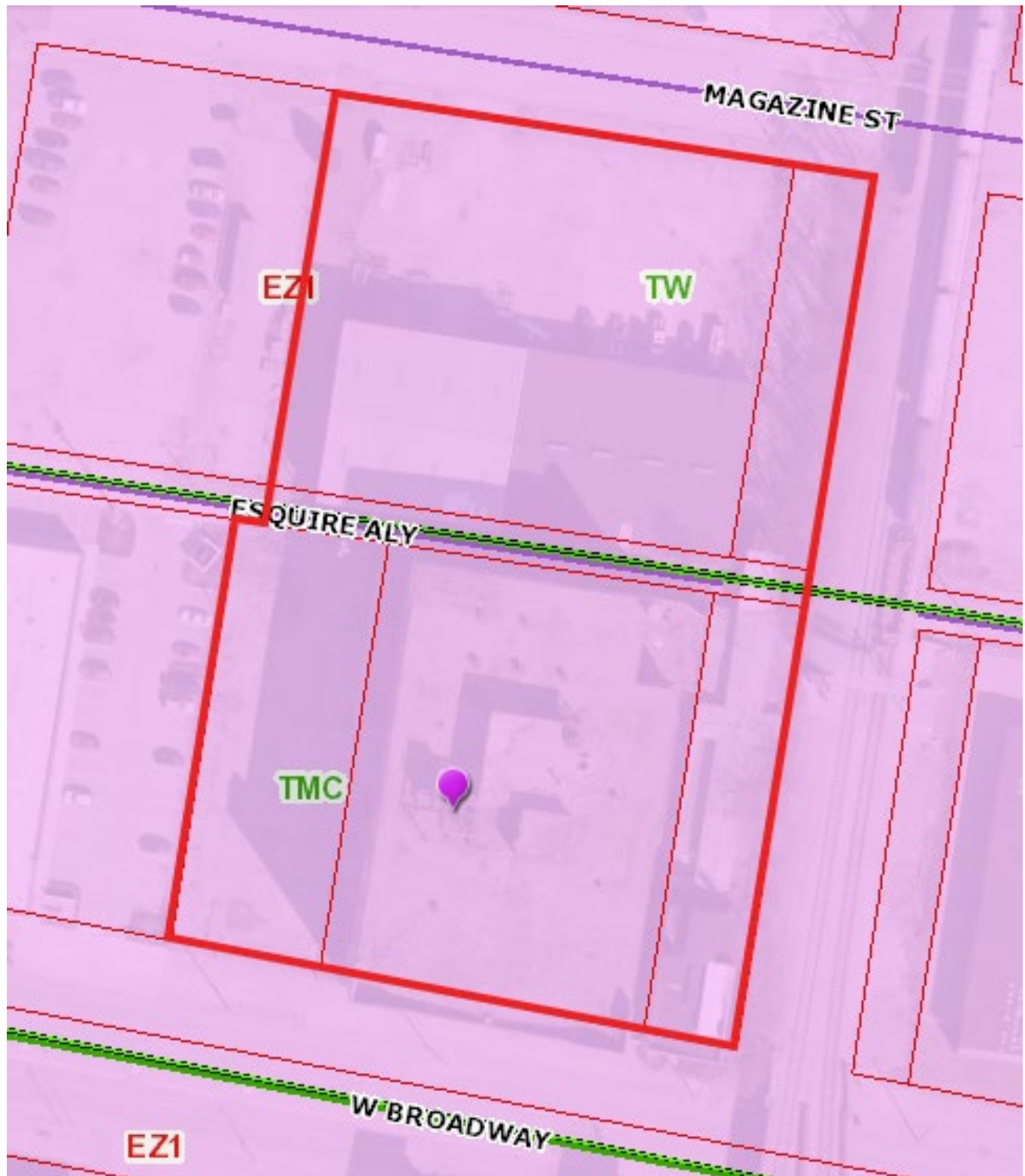
NOTIFICATION

Date	Purpose of Notice	Recipients
12-22-22	Hearing before DRC	1 st 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

