

Development Review Committee

Staff Report

May 4, 2023



Case No:	23-CAT3-0001/23-WAIVER-0040
Project Name:	NuLu Crossing
Location:	700 E Main St
Owner(s):	NuLu Central Station, LLC
Applicant:	Martin Prus, Zyyo
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
Case Manager:	Kat Groskreutz, Planning & Design Coordinator

REQUEST(S)

- **Waiver** of Land Development Code section 5.5.1.A.3.b to not provide vehicular and pedestrian access from an alley.
- **Category 3 Development Plan**

CASE SUMMARY/BACKGROUND

The applicant is proposing to demolish an existing historic structure and construct a new mixed-use development on approximately 2.5 acres. Several other buildings were recently demolished in 2021-22 as part of a previous development that was not completed and is not related to this proposal. The site is zoned EZ-1 and within the Traditional Marketplace Corridor (TMC) form district. The subject site is located on the south side of E Main Street between the intersections with S Clay and S Shelby Streets. Billy Goat Strut Alley borders the property to the south.

STAFF FINDING

If the waiver is approved, the Category 3 Development Plan and the proposed building designs are compliant with the Land Development Code.

The waiver is adequately justified and meets the standard of review.

TECHNICAL REVIEW

MSD and Transportation Planning have approved the preliminary development plan.

INTERESTED PARTY COMMENTS

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

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. The affected properties will maintain their existing access along Billy Goat Strut Alley.

- (b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: The waiver will not violate specific guidelines of Plan 2040 as safe vehicular and pedestrian circulation are provided for in and around the site. The waiver would facilitate the redevelopment of a previously developed industrial site with a new mixed-use building in an area with adequate population to support a variety of uses.

- (c) The extent of the 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 as Billy Goat Strut Alley is too narrow to facilitate adequate vehicular and truck maneuverability. The site occupies half of a block and is bordered by three streets in addition to the alley. Vehicular and pedestrian access is proposed on the three streets adjacent to the site. Other aspects of the Land Development Code have been met.

- (d) Either:

(i) 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

(ii) 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 alley is too narrow to facilitate adequate vehicular and truck maneuverability. Adequate access can be met from the three streets.

REQUIRED ACTIONS

APPROVE or **DENY** the **Waiver**

APPROVE or **DENY** the **Category 3 Development Plan**

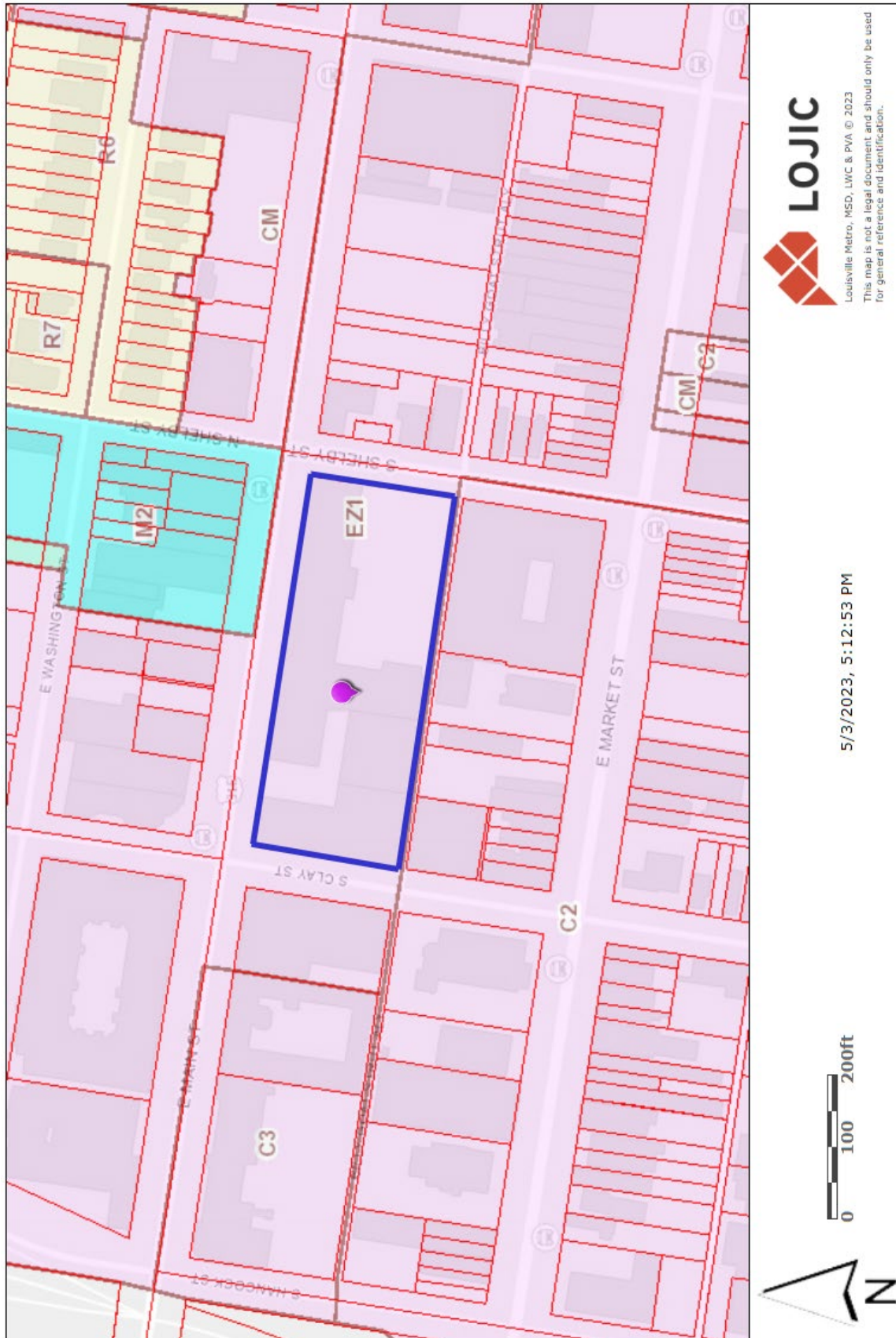
NOTIFICATION

Date	Purpose of Notice	Recipients
	Hearing before DRC	1 st tier adjoining property owners and residents Registered Neighborhood Groups in Council District 9

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

