



**Bardstown Road/Baxter Avenue Corridor
Review Overlay District**
Report of the Bardstown Road Baxter Avenue
Overlay Committee

Case No: 18BROD1014
Classification: Non - Expedited

GENERAL INFORMATION

Property Address: 1242, 1244, 1248, 1250, 1252 E. Broadway
708 Baxter Avenue

Applicant: Frank Culberson
Long Construction Management
PO Box 910865
Lexington, KY 40591
859-753-0464
Fculberson@lcmcompany.com

Property Owner: Kennie R. & Patricia Combs
Vantage Center, LLC
2604 Evergreen Wynde
Louisville, KY 40223

Architect: Jeffrey Meyer
American Engineers, Inc.
2500 Nelson Miller Pkwy
Louisville, KY 40223
502-245-3813
jmeyer@aei.cc

Estimated Project Cost: not provided at this time

Description of proposed exterior alteration:

The applicant seeks approval for the redevelopment of an existing auto repair shop into a restaurant and entertainment space. The project site spans multiple addresses (1242, 1244, 1248, 1250, 1252 E. Broadway and 708 Baxter Avenue) located at the intersection of East Broadway and Baxter Avenue. A two-story brick auto repair building, a one story convenience mart and a service station, and a gas canopy currently occupy the site.

The applicant proposes to renovate and repurpose the two-story historic building at 1250 E. Broadway to fit the needs of a pizzeria restaurant with work to include:

- Remove rear addition and construct new, larger rear addition. The roof of the new one story addition will have an outdoor terrace surrounded by a painted steel railing,
- New elevator
- Existing openings for windows which have been previously sealed up will be reopened. Historically appropriate windows will be installed.
- New entrance doors will be added to the North and West Elevations. Entrances will have metal awnings above.
- Existing paint to be removed from brick and the masonry will be restored to original appearance
- New signage

The two story brick building at 1250 E. Broadway is currently an auto repair shop and was originally built in 1916. There is a small addition at the rear of the building which the applicant proposes to remove and replace with a new 1,385sf addition. The total square footage of the building will be 12,487 sf. The other structures on the site – specifically the gas station/convenience mart building and canopy - are proposed to be demolished. Removal of these structures will provide space for a large outside entertainment and dining area.

The existing convenience mart was built in 1976, with an addition in 2000. The service station portion was built in 2000. Both are proposed to be demolished. Per Metro Historic Preservation Officer Cynthia Johnson Elmore there is no known exceptional significance to qualify the structures as potentially eligible as an underage resource to the National Register of Historic Places (NRHP). They have not been identified locally, regionally, or nationally as having significant architectural or historic character to be considered eligible for listing in the NRHP. .

The curb cuts on both the Baxter and Broadway frontages will be significantly reduced and redesigned. A grand scale pedestrian connection from the public way to the venue is to occur at the corner of the site at East Broadway and Baxter Avenues with a defined and paved walk from the public way back to the outdoor activity area and building. A portion of the existing alley in front of the historic building is proposed to be closed but the brick pavers will remain. The closure of the alley will allow for space to provide an outdoor bar pavilion with seating areas, bocce court, and playground.

A new outdoor bar pavilion is proposed for the outdoor activity area. It will have a service window with metal awning and seating. The pavilion has a footprint measuring 12'6" x 21'-6" and is constructed of brick veneer and metal siding.

A total of fifty parking spaces are provided for the site, which is the minimum required amount of spaces per the Land Development Code. Parking will be located at the front edge of the property line along both East Broadway and Baxter Avenue. A masonry wall with a decorative fence above will be installed in front of the parking area fronts to provide screening. This fencing will also aid in defining the site edge in a pedestrian friendly manner. This property edge will also be complemented with landscaping and trees .

Communications with Applicant, Completion of Application

Staff met with the applicant prior to submittal of application to generally discuss the project and applicable Design Guidelines. The application was received by Develop Louisville Staff on October 19, 2018. Staff communicated with the applicant throughout the submittal process and a finalized set of drawings was received by Planning and Design on December 15, 2018. The application was determined to be complete and classified as requiring Non- Expedited Review by Urban Design staff on December 15, 2018. A hearing of the Bardstown Road Baxter Avenue Review Overlay Committee was scheduled for January 15, 2019 at noon. That hearing was continued to March 12, 2019.

FINDINGS

Guidelines

The following design guidelines, approved for the Bardstown Road/Baxter Avenue Corridor Review Overlay District, are applicable to the proposed exterior alteration **Building Design, Site Planning, Parking, and Historic Preservation**. The report of the Overlay Staff's findings of fact and conclusions with respect to these guidelines is attached to this report.

The following additional findings are incorporated in this report:

Case Background

Additional cases pending review and approval from Planning and Design for this site and project are:

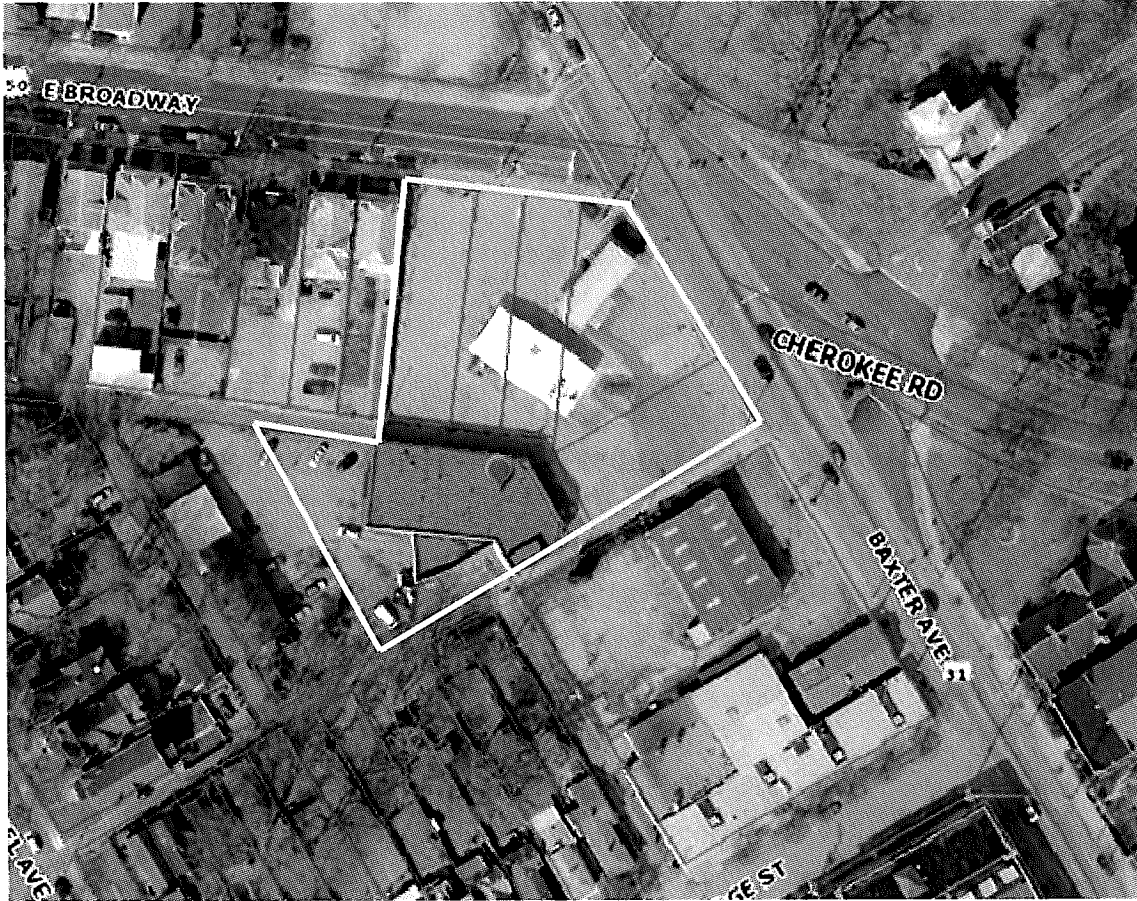
18Devplan1214

Submitted on 12/17/2018 for the request for A Category 2B Review for the 23,687 sf restaurant in the C-2 zoning district.

18Streets1025

Submitted on 10/15/2018 for the request for A street and alley closure request to close .053 acres of an unnamed alley on the north side of 1250 E Broadway in the C2 zoning district.

Site Context



The property proposed for redevelopment is situated at the south corner of the intersection of Cherokee Road, East Broadway, and Baxter Avenue. The site is located in the Original Highlands Neighborhood, and in close proximity to the Cherokee Triangle, Phoenix Hill, and Irish Hill Neighborhoods. Directly across the site, at the east corner of the intersection of Baxter Avenue, Cherokee Road, and East Broadway is the entrance to Cave Hill Cemetery. A 5 story new multi-family and mixed use complex is being constructed on the northwest corner of the intersection.

The Highlands National Register Historic District is significant to Louisville due to its architectural cohesiveness, quality, and quantity of intact building stock dating from the late 19th- to early and mid-20th Century. With the Bardstown Road-Baxter Avenue commercial corridor as its backbone, the Original Highlands neighborhood developed in a very predictable pattern outwardly and southwardly from the corridor. The residential housing stock of the Original Highlands Neighborhood is largely Italianate and Victorian working class shotgun residences with several clusters of larger middle- to upper-class residences of the same period. As the commercial value of the corridor frontage increased, residences along Baxter Avenue were adapted to commercial use by building one story additions to the front of the residence and extending it out to a zero setback. The property is zoned C2 and is within the Traditional Marketplace Corridor and Traditional Neighborhood Form Districts. Adjacent to the site are residential structures,

including multifamily residences and Italianate and Victorian shotgun residences dating to the 1890s.

Presentation & Discussion- January 15,2019

The Bardstown Road Review Overlay Committee met on January 15, 2019 at 12:00 pm. Staff member Burcum Keeton and Urban Design Administrator David Marchal were in attendance. Committee members in attendance were: Ken Baker (Chair), Ann Richard, Emily Paprocki, Di Tran, Sally McMahon, Christopher Fuller, and Nick Morris. The applicant and design team were present. Urban Design Administrator David Marchal provided a brief summary of the case along with the Staff Report and Findings to the Committee.

Chair Baker reviewed the zoning of the parcel, which is located within the Traditional Marketplace Corridor (TMC). He asked the applicant if any consideration had been placed on placing a new building along the street front in order to create an urban edge as is characteristic of the TMC. Committee members were in agreement that the intersection of East Broadway and Baxter Avenues is a symbolic gateway into the Highlands neighborhood and that its significance was lost without a building's street front presence. The Committee requested that the applicant reconsider the submitted design to include more landscaping and articulation of the green spaces. The Committee was also in agreement that the existing free standing sign on the property did not meet the Overlay Guidelines for Signage and recommended that the applicant consider a new design for signage. The Committee was complementary of the renovation and adaptive reuse of the building on site, however they encouraged the applicant to reconsider engaging the street corner with a new building instead of surface parking. Ms. Richards noted the setbacks of the neighboring buildings facing Baxter Avenue and asked the applicant to consider matching those setbacks for their new construction. The applicant was amenable to these suggestions.

Public Testimony

Testimony was received from two members of the public in response to the project. One person was opposed and one was in favor of the development. Concerns were raised about venue lighting and its impact on neighboring residences, as well as alley access and timing of delivery trucks to the restaurant.

Committee Decision

After receiving staff report, applicant comments, public testimony, and discussion, the Committee proceeded with recommendations for approval. Mr. Morris made a motion to defer action until the applicant could provide further design details. Ms. Richards seconded the motion. The motion passed unanimously.

Presentation & Discussion- March 12,2019

The Bardstown Road Review Overlay Committee continued the hearing to 12:00 pm on March 12, 2019. Staff member Burcum Keeton and Urban Design Administrator David Marchal were in attendance. Committee members in attendance were: Ken Baker (Chair), Ann Richard, Emily Paprocki, Di Tran, and Nick Morris. The applicant and design team were present. Urban Design Administrator David Marchal provided a brief summary of the case to the Committee and the Architect Ron Novack presented the revised application materials.

Ms. Paprocki asked for clarification on the detailing of the new building addition's Baxter Avenue façade. Mr. Novack stated the design was still schematic, and that a glass

façade was intended. Mr. Baker stated that although the Baxter Avenue street wall had been successfully activated with the re-design, the East Broadway street wall was lacking in activation. He encouraged the applicant to consider adding art features such as a mural wall, signage, or other architectural components that would mimic a street wall.

The Committee had a discussion with the applicant about the proposed sign re-facing and unanimously encouraged the applicant to consider a new, lower sign of a monument style which would be more in compliance with the Overlay Guidelines.

Neighbors raised concerns over alley access, dumpster locations, and parking considerations. Planning and Design Assistant Director Joe Reverman stated that these concerns would need to comply with the requirements from the Department of Transportation and that this plan was still pending review from Metro Agencies.

Public Testimony

Testimony was received from seven members of the public in response to the project, including Highlands residents as well as neighboring property owners. One person was opposed, one was in favor, and five were neither for nor against the proposal. Concerns were raised about street and alley closures, parking capacity, and noise levels coming from the venue.

Committee Decision

After receiving staff report, applicant comments, public testimony, and discussion, the Committee proceeded with recommendations for approval. Ms. Richards made a motion to recommend approval of the project with conditions. Mr. Morris seconded the motion. The motion passed unanimously and the meeting was adjourned at 1:42 pm.

CONCLUSIONS

The applicant is adaptively reusing and renovating the existing historic structure located at 1250 E. Broadway and is proposing site improvements to the adjacent sites (1242, 1244, 1248, 1252 E. Broadway and 708 Baxter Avenue). High quality materials and historically appropriate architectural details are used throughout the renovation. Improvements to the site promote pedestrian activity and interaction via the screen wall, landscaping and pedestrian connection feature at the corner of the site. The submitted designs indicate the basic components of the design so these should continue to be developed and reviewed. Reconfiguring the vehicle use area allows for efficient on site parking supporting the proposed use.

The removal of the non-historic service station and convenience mart on the adjacent lots (1242, 1244, 1248, 1252 E. Broadway and 708 Baxter Avenue) allow for the creation of a large community space for eating, drinking, and activities for the restaurant. A majority of the parking is located in this area as well. This creates a unique site condition as the restaurant building is located at 1250 E. Broadway which is set back from the street wall and sits behind the surface parking area. In front of the building is a large outdoor activity area with a bar "pavilion" to serve this area. The bar "pavilion" helps to add presence toward the public way.

The reconfiguration of the existing paved area into a parking lot and vehicle use area should be well designed and properly designed adjacent to the public way. Per the Overlay Guidelines: *Parking areas adjacent to the public sidewalks must use landscaping, trees, colonnades or other construction to maintain the building line created*

by structures along the sidewalk . To screen the parking areas and reinforce the street wall the applicant has schematically proposed a masonry wall with a unique metal screening and landscaping along this area to enhance the street wall. The re-configured and reduced curb cuts support this as well. This screen will create a visual and physical buffer between the public way and the vehicle use area. The project is simultaneously challenged to connect the restaurant and outdoor activity venue with the street and pedestrian way across and through the surface parking area. The applicant attempts to do this with a re-organized and efficient vehicle use area with pedestrian connections on both frontages, improving the existing historic two story building for heightened visibility from the street along with a bar “pavilion” structure, and a highly emphasized pedestrian connection from the corner of the property through the parking area and back to the building and outdoor activity area.

The screen wall and landscaped edge, combined with the grand pedestrian connection from the corner that ties back to restored historic building and exciting venue, should ultimately combine for a project that presents a design that celebrates the historic building with new purpose that physically and visually connects to the corridor in a way that is of high quality design, green, and active. The ultimate success of these elements will depend on their high level of design and implementation. Therefore staff recommends that the final design of the street edge elements be reviewed and approved at the Committee level, or in accordance with specific guidance from the Committee.

Based on the drawings and materials submitted, along with the proposed Conditions of Approval, staff concludes that the Applicant’s proposal is in compliance with the intent of the Overlay Guidelines. The project described above adaptively reuses a historic building and intends to promote compatibility of a new development with existing land use and design features, to enhance the District’s visual quality, to preserve the District’s commercial character with a pedestrian friendly environment and to strengthen the economic vitality of the District by encouraging new investment and further business and commercial development. Given the specific challenges of this site, additional design development and review is needed.

Decision

Considering the information furnished, the Bardstown Road Baxter Avenue Overlay Committee finds that the proposal generally complies with the Overlay Design Guidelines and recommends approval of the application for an Overlay Permit with the following conditions:

- 1. The applicant shall re-evaluate and redesign the corner freestanding sign for more appropriate scale and appearance to the development and Design Guidelines. New designs shall be submitted to Staff for review and approval. Staff may refer designs to the Committee if deemed appropriate.**
- 2. Lighting plans shall be submitted to Staff for review and approval prior to installation.**
- 3. Final design of outdoor activity area, bar pavilion, and pedestrian connection from corner to outdoor area shall be submitted to Staff for review and approval prior to installation.**
- 4. Final design for the screen wall, landscaping, street trees, and other**

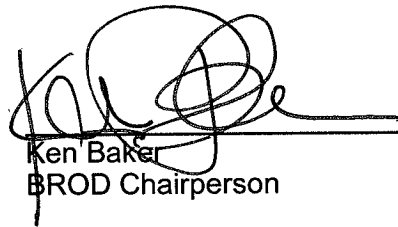
elements of the property edge design shall be submitted to Staff for final review and approval.

5. Enhanced design compatible with the Traditional Marketplace Corridor for the bar pavilion building shall be submitted to Staff for final review and approval.

6. The applicant shall work with Staff to add enhanced landscaping along E. Broadway to include up to 10' of landscaping buffer.

7. The applicant shall submit an enhanced design of the new building's Baxter facade to include a storefront appearance.

3-21-19
Date


Ken Baker
BROD Chairperson

Building Design

- + Meets Design Guidelines
- Does Not Meet Design Guidelines Information

NA Not Applicable
NSI Not Sufficient

SPECIFICATIONS	DESIGN REVIEW GUIDELINES	REVIEW RESULTS
1. Existing Structures	Existing structures along the Bardstown Road / Baxter Avenue corridor are encouraged to be renovated and reused.	+
2. Pedestrian -Friendly	Design building façade elements that promote pedestrian – friendly environment include; building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, and lighting.	+, the project increases the massing and presence at the edge of sidewalk
3. Storefront Windows	All storefront windows and doors at ground level shall have clear glass or light window tinting. Severe window tinting or mirrored glass is not permitted unless pre-approved by staff for ‘special conditions’. Examples of ‘special conditions’ may include restaurant kitchen areas, storage space, and restrooms that would need to be hidden from public view.	+, existing storefront to remain
4. Building Setback	New structures should be located at the front of the property line. Building sites should provide side yards wide enough to allow for maintenance of the building unless common party walls are provided on the lot line.	+
5. Building Materials	High quality materials and historically appropriate architectural details at the ground floor / street level of buildings can both accent buildings , and provide visual interest for pedestrians and motorists.	+ See Condition #1; additional information requested from applicant
6. Building Height	New structures greater than three stories high may be permissible if taller portions are set back from the street frontage so that overall sight lines are compatible, and if increased height is not intrusive towards adjacent structures.	NA
7. Building Façade Details	A terminus, such as a cornice at the top of a wall helps articulate the architecture, and gives it a completed finished look.	NA
8. Roofs	Roof forms that are inconsistent with the character of the Bardstown Road / Baxter Avenue Corridor include: single pitch (shed) roofs, curving roofs. Flat roof forms with parapets are well-suited to the character and image of the Bardstown Road / Baxter Avenue Corridor.	+ Existing roof to remain. New standing seam roof over addition. Louvered canopy is set back from building face and will not be visible from street level.
9. Outdoor Eating Areas	Outdoor eating or temporary seating located within public sidewalk areas must receive staff approval prior to installation. A 4’-0” wide pedestrian zone is required in the public “Right of Way” sidewalk area.	Existing first floor patio to remain
10. Mechanical Equipment	All new mechanical equipment that is visible from a public right of way should be installed to have a minimal impact on adjacent properties and from public view. Replacement of existing mechanical equipment is	NA

	considered general maintenance and will not require a staff review. Additional permits and approvals by other government agencies or authorities may be required.	
11. Permanent Service Counters	Permanent service counters, service bars, decks, or similar structures may not be constructed in front of a building's primary street facing façade.	+/- The roof level addition will project over the ground floor patio and include a frame support structure but is not a "deck" as described by the guideline. The roof deck and frame structure and will be scaled to match the building's façade, and utilize appropriate and contemporary materials

Site Planning, Parking

- + Meets Design Guidelines
- Does Not Meet Design Guidelines Information

NA Not Applicable
NSI Not Sufficient

SPECIFICATIONS	DESIGN REVIEW GUIDELINES	REVIEW RESULTS
1. Utility Lines	Development Plans shall minimize the adverse visual impact of utility lines on the corridor. Underground lines or service from the alley, where feasible, is encouraged.	NA
2. Lot usage	Combining existing small, under-utilized lots to create shared parking areas that are more efficient and more accessible is strongly encouraged.	+
3. Parking areas and Drive Thru's	Parking areas and Drive-Thru's should be located to the side or rear of the structures.	NA no changes to existing parking
4. Parking Areas	Parking areas adjacent to the public sidewalks must use landscaping, trees, colonnades or other construction to maintain the building line created by structures along the sidewalk. Side parking lots which exceed 40% of the total linear lot frontage adjacent to right-of-way shall provide a 36" high masonry, stone, or concrete wall that makes reference to a similar design within the surrounding area extending from the principal structure across the front of the parking area. Surface parking lots with no principle structure shall provide the 36" wall as described. The 36" tall wall can wrap around any existing or proposed monument signage to maintain visibility.	NA no changes to existing parking
5. Perimeter Landscaping	Adequate perimeter landscaping, fencing, or a combination of both is required to help screen parked vehicles from full public view. The screening height shall be 36" above finished grade of the parking lot. This height will enable drivers of vehicles to safely see and avoid pedestrians and vehicles while screening most of the parked vehicles mass.	NA
6. Residential Screening	New development projects should provide adequate significant screening to residential structures.	NA
7. Lighting	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	NSI, lighting plans not provided
8. Fencing	Fencing and screening shall be constructed of materials compatible with the principal structure.	NA, existing box fence to remain
9. Chain Link Fencing	Chain link fencing must not be visible from Bardstown Road/Baxter Avenue.	NA
10. Curb-cuts	The number and width of curb-cuts on the corridor should be minimized to promote pedestrian circulation. Existing continuous curb-cuts should be reduced to widths necessary for vehicular traffic.	NA
11. Patios, Plazas, and Outdoor Spaces	Patios, plazas, or outdoor spaces, constructed, created, or installed in front of a structure that replaces existing turf and / or landscaped areas, shall use permeable pavers, pervious concrete, or equivalent permeable hard surface to reduce water runoff from the property.	NA, existing first floor patio to remain
12. Landscaped Buffer Area	Minimum 4'-0" wide landscape buffer area (LBA) containing a 36" minimum height (at maturity) screen shall run along 90% of the lineal area in front of the patio, plaza, or outdoor space that faces the street. This landscape buffer area (LBA) shall include permanent landscaping material such as trees (minimum 1 3/4" caliper size at time of planting). Shrubs (minimum 18' height at time of planting), groundcover, and / or	NA, existing first floor patio to remain

	perennials. Fences, planters, and / or walls (maximum height of 36") are permitted within the LBA. Landscape Buffer Plantings shall be installed prior to occupancy or use of the patio, plaza, or outdoor space.	
13. Existing Trees Preserved and Replaced	Existing trees located within the property or adjacent property along the street, alley, or access easement shall be preserved and protected unless the city arborist determines they are not healthy or are a dangerous and should be removed. Removed trees should be replaced with appropriate trees approved by the City Arborist. The replacement trees shall be sized at a minimum of 1 ¾" caliper 9at time of planting. Replacement tree(s) shall be planted within 3 months of the tree(s) removal or during the next planting season, whichever comes first.	NA
14. Decks in Front of Buildings and Balconies	The construction or installation of a deck or structure built off the ground and over existing landscaped areas in front of a building's primary façade is prohibited. Balconies located on the second or third floor of a building that are cantilevered or bracketed, scaled to match the building's façade, and utilize contextual materials are appropriate.	+/- The structure proposed can be defined as a deck. However, the materials and design are compatible with the Corridor. The deck addition does not distract or block the front façade of the building and is not built over a previously landscaped front yard area. Addition is scaled to match the building's façade, and utilize contextual materials