

Development Review Committee

Staff Report

March 2, 2016



Case No:	15DEVPLAN1188
Request:	Landscape waivers of the Land Development Code to not provide the perimeter and interior landscape buffer and plantings.
Project Name:	Downtown Edge
Location:	601, 607, 611, 613, & 615 East Jefferson Street
Owner:	Lee Wilburn
Applicant:	Bill Weyland, Downtown Edge, LLC
Representative:	Matt Wolff, Sabak Wilson & Lingo
Jurisdiction:	Louisville
Council District:	4 – David Tandy
Case Manager:	Sherie' Long, Landscape Architect

REQUEST

- Waiver of Section 10.2.10 and 10.2.11 to not provide the 5' VUA LBA and plantings along the East Jefferson Street frontage.
- Waiver of Section 10.2.12 and 10.2.13 to not provide the interior landscape islands or plantings.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to retain and restore an historic building, to convert the building into a mixed use facility with retail on the first floor and studio apartments above. A small surface parking lot on the remainder of the site will be constructed where currently an empty gravel lot exists. This surface parking lot will be constructed to facilitate parking needs for the retail customers, apartment tenants, and to act as overflow parking for the proposed Hilton 2 Home hotel to be located across Hancock Street. The applicant is proposing to maintain an existing brick wall along a small portion of the East Jefferson Street frontage. In addition, as an alternative, the applicant is proposing eight (8) street trees to be planted in tree wells along East Jefferson Street. Plus the sidewalk will be bumped-out to match the existing corner treatment across Jefferson Street south of the development.

This site is in the Phoenix Hill National Register District and the NuLu Overlay District. Based on the historic records this site once kept, stored, used, manufactured, handled, and disposed of hazardous chemicals. These activities have created the need for an impervious cap to be placed over all soil and fill material after final placement. No disturbance of the ground or surface of the site is recommended for safety, therefore the applicant is seeking relief of the on-site plantings requirements.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

The property is zoned C-2 in the Downtown (DT) Form District. This property is surrounded by C-2 and UN commercial warehouses, multi-family residential properties in the Downtown Form District.

	Land Use	Zoning	Form District
Subject Property			
Existing	Commercial	C-2	DT
Proposed	Retail and Apartments	C-2	DT
Surrounding Properties			
North	Condo/Commercial Warehouse	C-2	DT
South	Multi-family (Housing Authority)	UN	DT
East	Commercial Warehouse	C-2	DT
West	Parking lot (Proposed Hotel)	C-2	DT

CURRENT AND PREVIOUS CASES ON SITE

- 15COA1249-NORD** NuLu Overlay District staff approval for the reuse of the historic building to 1st floor retail and upper floor apartments and associated parking. Approved February 9, 2016, Amended February 11, 2016
- B-50-00** A variance to allow existing structures to encroach into the required yards was granted by BOZA April 17, 2000

INTERESTED PARTY COMMENTS

No comments have been received.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

**Waiver of Section 10.2.10 and 10.2.11 to not provide the 5' VUA LBA and plantings along the East Jefferson Street frontage; and
Waiver of Section 10.2.12 and 10.2.13 to not provide the interior landscape islands or plantings.**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the proposal is to provide street trees to compensate for not plantings on the site due to the contamination. Plus the applicant is preserving the existing 18 inch brick wall between the site and the sidewalk.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Compatibility, of Cornerstone 2020, which calls for the protection of roadway corridors and public areas from visual intrusions, for mitigation of parking areas so as not to negatively impact nearby residents and pedestrians, and for parking areas adjacent to streets to be screened and buffered. Guideline 13, Landscape Character, calls for the protection of parkways through standards for buffers, landscape treatment, lighting and signs. The purpose of vehicle use area (VUA) landscape buffer areas is to improve the appearance of vehicular use areas and property abutting public rights-of way. Guideline 13, Policy 5 calls for standards to ensure the creation and/or preservation of tree

canopy as a valuable community resource. The purpose of interior landscape areas is to break up large impervious areas and allow for a greater distribution of tree canopy coverage. The waiver requests will not violate the comprehension plan guidelines since the applicant is providing street trees to compensate for not planting within the site and also is preserving the existing brick wall both of which will improve the appearance of the VUA abutting the street. In addition, the applicant is reusing and repurposing an existing historic building and generally improving the overall site appearance.

(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 since the existing contamination of the site does not allow for soil disturbance or plantings to be provided. However, the applicant is providing street trees as an alternative and is maintaining the existing brick wall both of which provide some buffer of the parking.

(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 applicant has incorporated other design measures to compensate for non-compliance with the requirements to be waived by providing the street tree plantings and preserving the existing brick wall. The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant since the site contamination, if disturbed, would require testing and could impact public health.

TECHNICAL REVIEW

No technical review items to address.

STAFF CONCLUSIONS

Considering this site is contaminated, therefore the soil cannot be disturbed, the request to not provide the required perimeter and interior plantings appears to be adequately justified.

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 to grant waivers of the a Land Development Code.

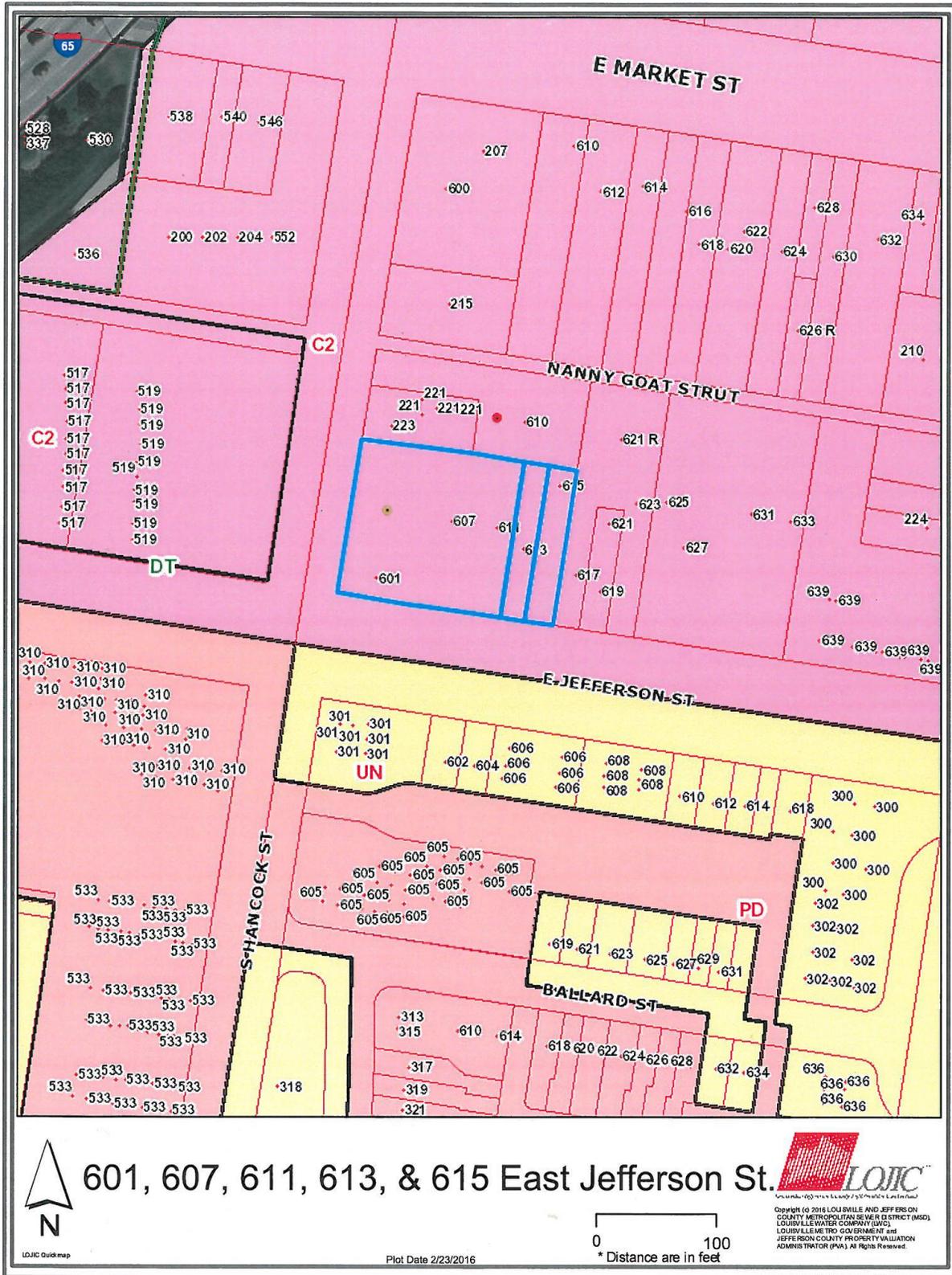
NOTIFICATION

Date	Purpose of Notice	Recipients
02/19/2016	Notification for DRC	Subscribers of Council District 4 Notification of Development Proposals
02/22/2016	Notification for DRC	1 st tier adjoining property owners

ATTACHMENTS

1. Zoning Map
2. Aerial Photographs
3. Applicant's Justification
4. Site Plan
5. NULU Overlay Staff Report
6. Site Photographs

Attachment 1: Zoning Map



601, 607, 611, 613, & 615 East Jefferson St.

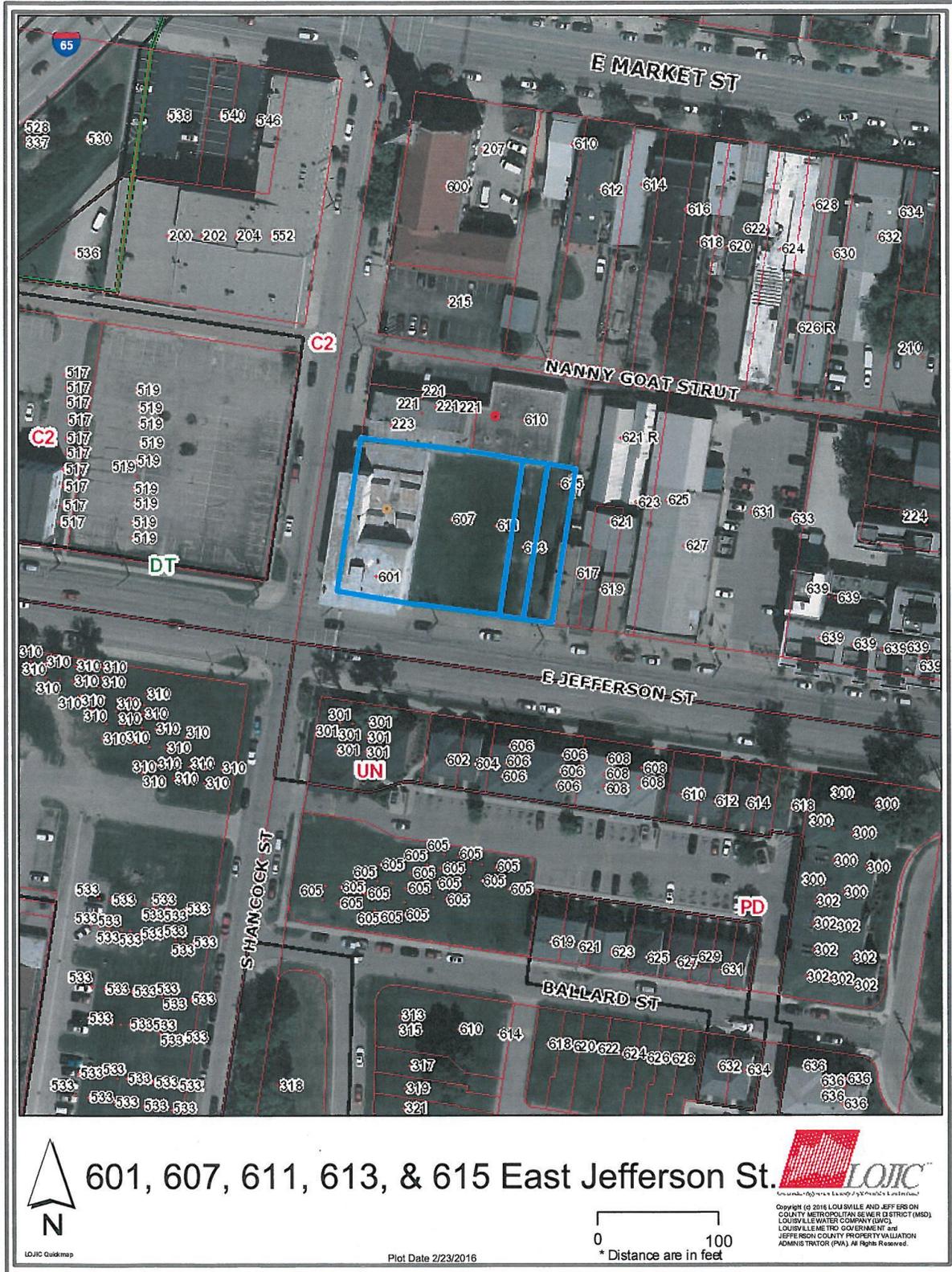


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0 100
* Distance are in feet

Plot Date 2/23/2016

Attachment 2: Aerial Photograph



Attachment 3: Applicant's Justification



SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
THE HENRY CLAY • 608 S. THIRD STREET
LOUISVILLE, KY 40202
PHONE : (502) 584-6271 • FAX : (502) 584-6292

WAIVER JUSTIFICATION

601 JEFFERSON

APPLICANT: DOWNTOWN EDGE, LLC

LDC CHAPTER 10.2.11.

LDC CHAPTER 10.2.13.

January 11, 2016

Case # _____

The intent of this project is to retain and restore a historic building, convert the building into a mixed use facility with retail on the first floor & studio apartments above, and construct a small surface parking lot on the remainder of the site. The plan was approved by the Nulu Review Overlay District on December 9, 2015.

The existing building is considered historic and is located in the Phoenix Hill National Register District. There are portions of the existing building that are not deemed historic and will be demolished. An exterior steel staircase will be constructed on the rear of the building to provide additional access to the upper floors. A new surface parking lot will be constructed to facilitate parking needs for the retail customers, apartment tenants, and act as overflow parking for the Hilton Home 2 hotel located across Hancock Street.

Historical records show that the site once kept, stored, used, manufactured, handled and disposed of hazardous chemicals on this site. A Corrective Action Plan (CAP) and Property Management Plan (PMP) have been prepared by Amec Foster Wheeler Environment & Infrastructure, Inc. for the 601 Jefferson site. Per the CAP & PMP an impervious cap shall be placed over all soil and fill material after final placement. Any disturbance to the ground surface below would result in extensive testing of the soils to determine what measures would be required for personal protection and appropriate storage and handling of the excavated material. Landscaping will be restricted to potted plants or raised beds above the cap.

A. A Waiver from LDC 10.2.11 to not provide the required VUA landscape buffer.

Under the current Land Development Code this area is in a Downtown Form District. Per LDC 10.2.6 a 5' wide Vehicle Use Area (VUA) landscape buffer is required between the VUA and the adjacent roadway. The planting requirements within the buffer include one Large (Type A) tree per 50 linear feet of boundary and a 3 foot continuous screen. The Corrective Action Plan (CAP) and Property Management Plan (PMP) prohibit the installation of landscaping, thus eliminating the planting of trees and shrubs. The CAP & PMP also recommend as little disturbance to the soil as possible without requiring extensive testing of the soils for proper handling and remediation methods. An existing 18 inch high brick wall approximately 50 feet in length located at the back of the sidewalk along the Jefferson Street frontage will remain in place. The applicant proposes planting street trees along the Jefferson Street frontage to meet the tree canopy requirements for the site. There are overhead power lines along Jefferson Street, therefore the type of street tree is limited to small (Type C) trees.

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PATRICK R. DOMINIK, Landscape Architect • DAVID J. SEDLAR, Civil Engineer • DENNIS L. KRAUS, Land Surveyor
ERIC W. PENLAND, Civil Engineer • JOSEPH S. MARSHALL, Civil Engineer

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B. A waiver from LDC 10.2.13 to not provide the required Interior Landscape Areas (ILA).

Per LDC 10.2.12 landscape areas shall be provided within the Vehicular Use Area to break up large impervious areas. These landscape areas are referred to as Interior Landscape Area (ILA). The applicant is required to provide 5% of the total VUA in Interior Landscape Area. The planting requirements for ILAs are one Medium or Large deciduous tree per 4,000 square feet of VUA and the ground plane of the ILA shall be planted using shrubs, ground cover or turf. The Corrective Action Plan (CAP) and Property Management Plan (PMP) prohibit the installation of landscaping and recommend an impervious surface act as the cap. Because the cap must be impervious the applicant is requesting the waiver of the required ILAs for the site.

With regard to the justification statements for these waivers, please note the following:

1. Will the waivers adversely affect adjacent property owners?

- A. No. The renovations to the site will greatly improve the adjacent property owner's view of the site that is currently vacant and in disrepair. Historically the portion of the site that is currently vacant has been used for storage and parking. The existing low wall will remain in place and the addition of the street trees along the Jefferson Street frontage will enhance and complete the streetscape along the north side of Jefferson Street.
- B. No. The site is currently vacant and in disrepair. The site is also contaminated and per the Corrective Action Plan (CAP) and Property Management Plan (PMP) an impervious cap is required to control the contamination from affecting the users of the site and the public's health. The applicant proposes not to construct the required interior landscape areas due to the contamination of the site per the management plan.

2. Will the waiver violate the Comprehensive Plan?

- A. No. This waiver will allow a vacant historic site to be renovated and re-purposed without violating the Corrective Action Plan (CAP) and Property Management Plan (PMP). The site will be compatible with the adjacent sites both in materials and scale. The building will be renovated to its original standing and the existing low wall along the Jefferson Street frontage will remain in place. The addition of street trees will also complete the streetscape on the north side of Jefferson Street between Clay and Hancock Streets which already include Type C street trees. Therefore, this waiver will not violate the Comprehensive Plan.
- B. No. This waiver will allow a vacant historic site to be renovated and re-purposed without violating the Corrective Action Plan (CAP) and Property Management Plan (PMP). The site is currently vacant and in disrepair. The site is also contaminated and per the Corrective Action Plan (CAP) and Property Management Plan (PMP) an impervious cap is required to control the contamination from affecting the users of the site and the public's health. The applicant proposes not to construct the required interior landscape areas due to the contamination of the site per the management plan. The applicant does propose planting street trees along the Jefferson Street frontage to meet the tree canopy requirements for the site. Therefore, this waiver will not violate the Comprehensive Plan.

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

- A. Yes. This waiver will allow the applicant to renovate this site with minimal disturbance to the soils on site in conformance with the Corrective Action Plan (CAP) and Property Management Plan (PMP).

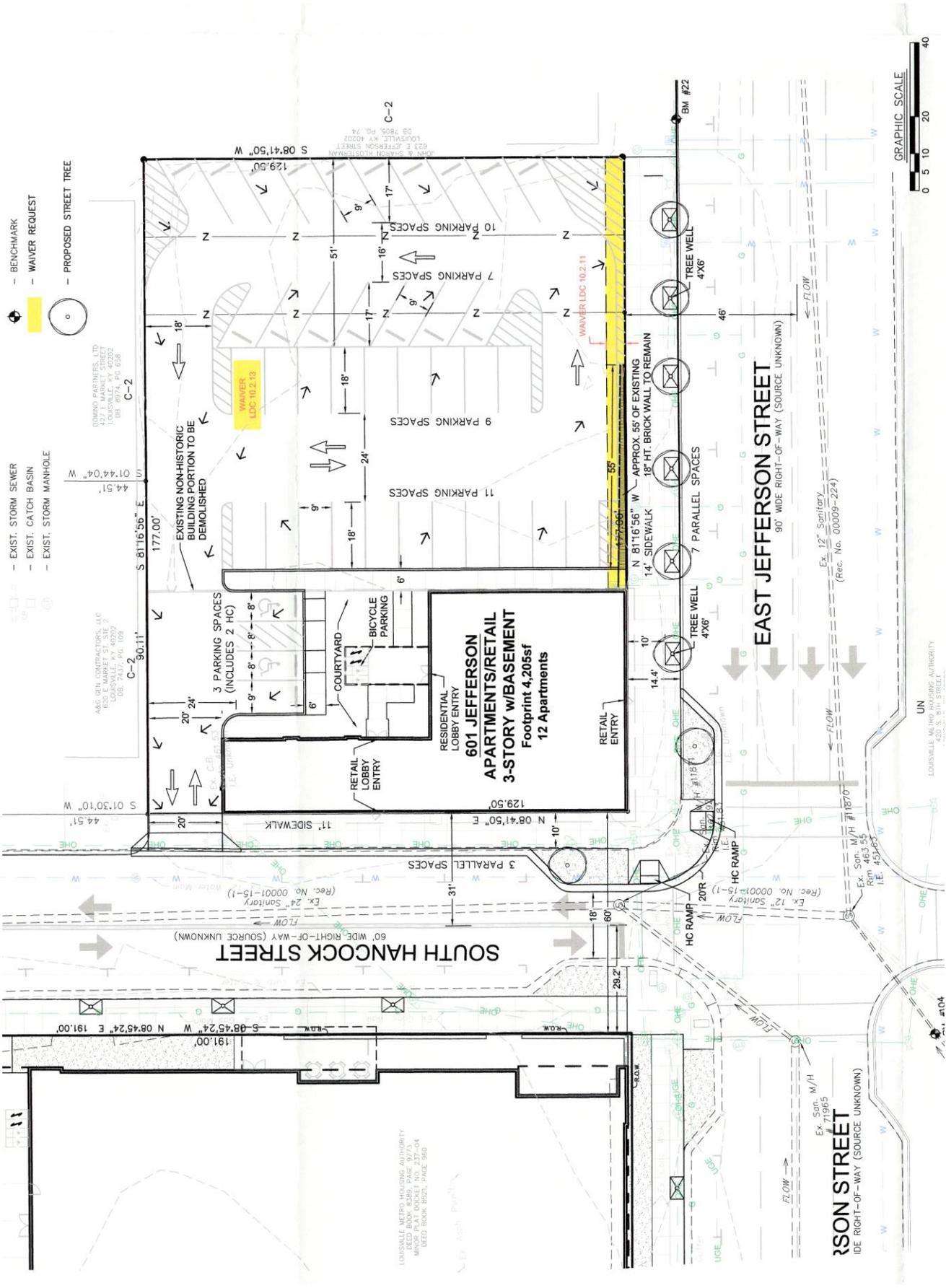
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- B. Yes. This waiver will allow the applicant to renovate this site with minimal disturbance to the soils on site in conformance with the Corrective Action Plan (CAP) and Property Management Plan (PMP).
4. *Has either (a) the applicant incorporated 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?*
- A. The strict application of the provisions of the regulations would require the applicant to plant trees and construct a 3 foot high screen along the Jefferson Street frontage. This would require additional disturbance of the soils on site which is in conflict with the Corrective Action Plan (CAP) and Property Management Plan (PMP) and would create an unnecessary hardship on the applicant.
- B. The strict application of the provisions of the regulations would require the applicant to plant trees within the interior landscape areas. This would require additional disturbance of the soils on site which is in conflict with the Corrective Action Plan (CAP) and Property Management Plan (PMP) and would create an unnecessary hardship on the applicant. The applicant is able to meet the tree canopy requirements by installing street trees along Jefferson Street.

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NuLu Review Overlay District

Overlay District Permit Report of the Urban Design Administrator **AMENDED 2/11/16**

Case No: 15COA1249-NROD
Classification: Expedited

GENERAL INFORMATION

Property Address: 601 E. Jefferson Street
Louisville, KY

Applicant: Bill Weyland
Downtown Edge LLC
815 West Market Street, Ste 300
Louisville, KY 40202
502-992-3182
billw@citypropertiesgroup.com

Matt Wolff
Sabak, Wilson, & Lingo Inc
608 S 3rd Street
Louisville, KY 40202
502-584-6271
Matt.Wolff@swlinc.com

Owner: Lee Wilburn
601 East Jefferson LLC
PO Box 827
Prospect, KY 40059

Estimated Cost: \$250,000 (+/-)

DESCRIPTION OF PROPOSED DEVELOPMENT

The applicant proposes to retain and restore an historic building, to convert the building into a mixed use facility with retail on the first floor and studio apartments above, and construct a small surface parking lot on the remainder of the site where currently an empty gravel lot exists. An exterior steel staircase will be constructed on the rear of the building to provide additional access to the upper

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floors. Existing historic windows to be maintained and repaired as necessary. Existing painted brick to be repainted to match existing. Cornice details to be restored. Historic storefront to be renovated throughout.

A surface parking lot will be constructed to facilitate parking needs for the retail customers, apartment tenants, and to act as overflow parking for the proposed Hilton 2 Home hotel located across at Hancock Street.

Non original and non historic portions of the building to be demolished.

COMMUNICATIONS WITH APPLICANT; COMPLETE APPLICATION

The application was received on November 20, 2015, and determined to be complete and requiring expedited review on November 23, 2015.

AMENDMENT #1 (2/11/16)

Applicant provided revisions to site plan showing changes to surface parking lot and landscaping to Develop Louisville on February 10, 2016.

FINDINGS AND CONCLUSIONS

The following Principles and Design guidelines are applicable to the proposed exterior alteration: **Signage, Building, Site Planning and 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:

Site Context

The three story brick building is within the Nulu Overlay District and the Phoenix Hill National Register District; located on the north side of East Jefferson Street, west of South Hancock Street with the Nanny Goat Strutt alley running behind it. The 3 story painted brick structure was built in the early 1890s and is zoned for C2 use. The building has Italianate features with a storefront at the main level, and includes elaborate cornice details.

Conclusions

The proposed changes to the storefront complies with the NuLu Review Overlay District Guidelines.

DECISION

Considering the information furnished, the Urban Design Administrator **approves** the application for an overlay permit.

The foregoing information is hereby incorporated in the overlay district permit as approved and is binding upon the applicant, his successors, heirs or assigns. This permit does not relieve the applicant of responsibility for obtaining the necessary permits and approvals required by other governing agencies or authorities.

Date

Burcum Keeton
Architectural Projects Coordinator

Date

David R. Marchal, AIA
Urban Design Administrator

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Principle 1 – Signage

Design Guideline Checklist

Objective

Signage is important to every business. By posting signs businesses not only create a brand image for themselves, but also create an opportunity to attract customers. The Signage Guidelines promote attractive, artistic, well-proportioned and thoughtfully located signs, which will enhance the existing NuLu area. Signs are to be designed as integral parts of the site and architectural design of a proposed project.

- + Meets Guidelines
- Does Not Meet Guidelines
- +/- Meets Guidelines with Conditions as Noted
- NA Not Applicable
- NSI Not Sufficient Information

	Guideline	Finding	Comment
S1	Applicants are required to re-use and reface existing "significant, historic, or contributing signs". "Significant, historic, or contributing Signs" are signs that are unique in design or material fabrication. These signs contribute to the history and diverse character of the NuLu Review Overlay District. (See list of significant, historic, or contributing Signs; below table). For signage to be recognized as "significant, historic, or contributing" or for existing recognized signs to be removed or altered an application must be submitted to the overlay staff.	+	Signage to be reused at interior of building
S2	Significant, historic, or contributing signs or graphics that have been painted directly onto walls and represent out of date logos or logos for businesses that are no longer in business are encouraged to remain in either their existing faded condition or restored to their original condition. These signs are recognized as contributing to the historic artistic character of the area and our community.	+	Signage to be restored
S3	Back-lit cabinet signs and monument signs including re-faced signs shall have opaque, non-illuminated face panels; only the individual letters and / or logos should be back-lit, not the entire surface of the sign.	NA	
S4	Freestanding pole signs are not allowed. Existing pole signs that are associated with a property that has not been abandoned or vacant for a period of less than one (1) year may be restored or refaced, but not expanded in size or scope.	NA	
S5	Attached wall signs or projecting signs are preferred. Attached signage composed of individual letters or symbols is also preferred.	NA	
S6	Signs that incorporate flashing text, animation, moving graphics, video, or LED text / image signage with a text change rate greater than one (1) hour are prohibited.	NA	
S7	Storefront window signage including temporary window signage, window cling signs, and promotional advertising shall not exceed 25% of the total window area. Neon and hanging window signs are encouraged, and add to the "active atmosphere" for both vehicles and pedestrians.	NA	
S8	Projecting wall signs can be erected or attached to a building's wall and extend a minimum of 18" to a maximum of 8'-0" from the wall surface. These signs are mounted perpendicular to the building's façade.	NA	
S9	Projecting banner signs can project no more than 24" from the face of the building. These signs should be attached so that they do not "flap" in the air, and should be removed or replaced when they show signs of unattractive wear.	NA	
S10	Existing non-conforming signage must be removed prior to new approved signs being installed. A "Significant, Historic, or Contributing Sign" as defined by the guideline in A1.1 is exempt from this requirement.	NA	

S11	Neon and Neon simulated bulbs (such as "fiber optic" and "LED lighting strips" that simulate neon) are encouraged and help to maintain a sense of activity and contribute to the animated environment of the area.	NA	
S12	Projecting light fixtures used for externally illuminated signs shall be simple and unobtrusive in appearance. They should not obscure the graphics of the sign.	NA	
S13	Directional signage is used to direct pedestrian or vehicular traffic. No more than one (1) image, logo, or text combined with the "entry" or "exit" text is allowed on each directional sign. Directional signage cannot exceed 3'-0" in height above finished grade.	NA	
S14	All exposed conduit, electrical transformer boxes, and electrical raceways should be concealed from public view, or painted to blend in with background.	NA	
S15	Multiple signs placed on a building's façade should be compatible with other surrounding signage located on the structure.	NA	
S16	Permanent banner signage shall be made of canvas material or matte textured vinyl material.	NA	

LIST OF SIGNIFICANT, HISTORIC, OR CONTRIBUTING SIGNS

Voelcker & Co. – attached	642 E. Market Street
Joe Ley figurines – painted	615 E. Market Street
Historic Sign under Decca – painted	812 E. Market Street
Multiple painted historic signs	720 E. Market Street
D&E Marine – painted	826 U.S. 31E
De Hart Paint Company – painted	115 S. Campbell Street
Service Welding and Machine Co. – painted	700 U.S. 31E
Louisville Chemical – attached	601 E. Jefferson Street
Muth's Candies – projecting	630 E. Market Street
Albert Hess Furniture Co. – projecting	203 S. Hancock Street
Bourbon Stock Yards – attached	1057 E. Main Street
Coke-Cola – painted historic sign	304-312 S. Campbell Street
Building dates and office sign – attached	121 S. Clay St.
Service Tanks multiple signs – attached	700-798 E. Main Street

Principle 4 – Building

Design Guideline Checklist

Objective

The buildings in the NuLu Review Overlay District (NROD) are not only picturesque but also have strong historic character. New structures should have a "contextual fit" and reinforce the existing pattern of individual storefronts extending throughout the NuLu area. Contextual design elements include building setbacks, building heights, building form, rhythm of openings, rhythm of horizontal building lines, color, materials, texture, adjacent building styles, and building details should be respected in new projects. The Overlay Staff can assist a licensed Architect or design professional to develop designs that adaptively reuse these structures to meet the needs of new businesses and services. The Overlay Staff will also assist the applicant through the review and approval process.

- + Meets Guidelines
- Does Not Meet Guidelines
- +/- Meets Guidelines with Conditions as Noted
- NA Not Applicable
- NSI Not Sufficient Information

	Guideline	Findin g	Comment
B1	Existing structures in the NuLu area are strongly encouraged to be sustainably renovated and reused.	+	
B2	Buildings should be "pedestrian-friendly." Design building façade elements that promote a pedestrian-friendly environment including: building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, lighting, and entrances that face the street.	+	
B3	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.	+	
B4	New structures should be located at the front 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.	NA	
B5	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.	+	
B6	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 the increased height is not intrusive towards adjacent structures.	NA	
B7	New structures must be a minimum of two stories high and should be no shorter than one story beneath the height of adjacent properties.	NA	
B8	A visual terminus, such as a cornice at the top of a wall, is recommended and helps articulate the architecture and gives it a completed finished look.	+	Cornice to be restored
B9	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 unless the equipment is solar dependent. In this instance, function supersedes design. Replacement of existing mechanical equipment is considered general maintenance and will not require a staff review. Additional permits and approvals by other government agencies or authorities may be required.	NA	
B10	Permanent service counters, service bars, decks, or similar structures may not be constructed in front of a building's primary street facing façade.	NA	

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Principle 6 – Site Planning and Parking

Design Guideline Checklist

Objective

Site Planning is an important part of any project. Sites should incorporate attractive and maintainable landscaping to enhance the hardscape of the building. Plants should be used to minimize the visual impact of parking lots and service areas in the NuLu Review Overlay District (NROD).

- + Meets Guidelines
- Does Not Meet Guidelines
- +/- Meets Guidelines with Conditions as Noted
- NA Not Applicable
- NSI Not Sufficient Information

	Guideline	Finding	Comment
SP1	Development Plans shall minimize the adverse visual impact of utility lines on the area. Underground lines or service from the alley, where feasible, is encouraged.	+	
SP2	Combining existing small, under-utilized lots to create shared parking areas that are more efficient and more accessible is encouraged.	+	
SP3	Additional surface parking lots and drive-throughs shall not be permitted in the NuLu Review Overlay District.	+	Surface parking proposed on existing empty gravel lot
SP4	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 principal structure shall provide the 36" wall as described. The 36" tall wall can wrap around any existing or proposed monument signage to maintain visibility.	+/-	Applicant will provide tree wells and plantings to maintain building line along sidewalk; applicant to place planters along parking and sidewalk as a visual buffer from street.
SP5	Adequate perimeter landscaping, fencing, or a combination of both is required to help screen vehicles and/or equipment from public view. The screening height for vehicle parking lots shall be 36" above finished grade of the lot. This height will enable drivers of vehicles to safely see and avoid other pedestrians and vehicles while screening most parked cars. A 7'-0" max high screened fence or wall can be used for industrial or commercial sites to screen for large vehicles or equipment on site.	+	
SP6	New commercial developments should provide adequate and significant screening to adjacent residential structures. Opaque landscape buffers and other forms of screening should be used to minimize noise and lighting impact.	+	
SP7	Fencing and screening shall be constructed of materials compatible with the principal structure.	+	
SP8	Chain link fencing must not be visible within the NuLu Review Overlay District.	+	
SP9	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	+	
SP10	The number and width of curb-cuts in the Overlay Area should be minimized to promote pedestrian circulation. Existing continuous curb-cuts should be reduced to widths necessary for vehicular traffic, or removed altogether.	+	

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SP11	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 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.	+/-	Applicant will provide tree wells and plantings
SP12	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 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 3/4" caliper (at 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.	+	
SP13	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 floors of buildings that are cantilevered or bracketed, scaled to match the building's façade, and utilize contextual materials are appropriate.	NA	

Principle 7 – Historic Preservation

Design Guideline Checklist

Objective

Historic buildings (65 years of age or older) comprise a significant part of NuLu Review Overlay District (NROD) and are physical reminders of Louisville's early history. The historic buildings in the Area are some of the oldest remaining in the city and exhibit characteristics of classic urbanism. Historic structures define the area's origins while providing unique adaptive reuse potential. Structures over 100 years old are sometimes flanked by more contemporary mid-century ones that exhibit similar urban characteristics of scale, massing, and setback, and are thus contributing structures in their own right. Given the important role of many existing buildings to the history and streetscape of the Area, demolition of any contributing structure will entail stringent review.

- + Meets Guidelines
- Does Not Meet Guidelines
- +/- Meets Guidelines with Conditions as Noted
- NA Not Applicable
- NSI Not Sufficient Information

	Guideline	Finding	Comment
HP1	Changes to the exterior of Contributing Historic Structures and other structures within the Overlay District that were constructed 65 years ago or longer and have not been significantly altered, shall be reviewed in accordance with the standards established for Contributing Historic Structures by the United States Secretary of the Interior. However, the Director of the Department of Planning and Design or the NuLu Review Overlay Committee may relax these standards in the interest of accomplishing the intentions of these Guidelines.	+	
HP2	The design of new or substantially remodeled structures adjacent to Contributing Historic Structures should be compatible and should incorporate similar design details or references where appropriate.	+	
HP3	No application to demolish any Contributing Historical Structure or structure built 65 years ago or longer shall be approved by the Urban Design Administrator unless the applicant demonstrates to the satisfaction of Urban Design Administrator and the Historic Preservation Officer: (a) That the rehabilitation of a Structure or construction of a new Structure will have a greater positive impact on the Area's economic vitality and appearance than would preservation of the Structure proposed to be demolished; and the rehabilitation of the Structure or the construction of the new Structure would not be possible or economically feasible without the demolition of the Structure proposed to be demolished; or (b) That the applicant cannot obtain a reasonable economic return from the property or Structure unless the Contributing Historical Structure or Structure constructed 65 years ago or longer is demolished in accordance with the application.	+	

Attachment 6: Site Photographs

