

**Statement of Compliance**  
**729 E. Market Street**  
**Change in Zoning from M-2 to C-2**  
**Docket No.**

**Introduction**

The proposed development consists of a hotel building containing approximately 150 rooms and an associated parking garage. The subject property also contains two historic buildings that will be retained. The subject property is currently zoned M-2 Industrial and is in the Traditional Marketplace Corridor Form District. The proposal is to rezone the subject property to C-2 Commercial to allow for the construction and operation of the hotel and associated retail establishments.

The subject property is in the NuLu neighborhood, situated at the corner of E. Market Street and Shelby Street. The subject property was previously approved (9-18-87) as a tank storage area for Service Welding and Tanks, a long-standing business on the north side of Billy Goat Strut. The property is vacant and occasionally used for off street parking.

The proposed hotel will face E. Market and Shelby Streets, with entrances for the lobby on both streets. The E. Market Street facade will also have space for retail/food service businesses and access to the rooftop venue. The Shelby Street side will have the main lobby entrance and drop off area. There will be entrances to the parking garage on both E. Market and Shelby Streets.

**Guideline 1-Traditional Marketplace Corridor Form**

“The Traditional Marketplace Corridor is a form found along a major roadway where the pattern of development is distinguished by a mixture of low to medium intensity uses....New development and redevelopment should respect the predominant rhythm, massing and spacing of existing buildings....Parking is either on-street or in lots at the rear of buildings.” The proposed hotel will be designed to respect the rhythm of the surrounding neighborhood, which includes single story buildings, warehouses, three and four story apartment buildings and churches. While the proposed hotel building will be taller than those that immediately surround it, the building will be designed to incorporate architectural features (storefronts, vertical window elements, cornices, etc.) that are predominant in the neighborhood. The proposed development will also make use of and preserve the two existing historic buildings at 725 E. Market Street. The proposed development complies with Guideline 1.

**Guideline 2-Centers**

The proposed development complies with Guideline 2-Centers and its policies. The subject property is located on E. Market Street, a busy corridor east of downtown and is near the center of the NuLu neighborhood. Commercial establishments line E. Market St. to the east, west and south of the subject property, and there is an industrial use to the north. The proposal

contains space for retail uses, the hotel and a parking garage. The proposal also preserves two historic buildings on the subject property. The hotel will focus toward the corner of E. Market and Shelby Streets. The proposal will also incorporate the proposed E. Market Street streetscape improvements, creating an attractive pedestrian area along the property's E. Market Street frontage.

### **Guideline 3-Compatibility**

The proposed development complies with Guideline 3-Centers and its policies. The proposed hotel will act as a catalyst for the mixture of uses available in the NuLu neighborhood and provide a service not currently available. The proposed building will incorporate building materials and design elements found in buildings in the neighborhood. The proposal should have little impact on odor, noise or light compared to other nearby uses or other M-2 permitted uses. The proposed development should have the same or similar street setbacks as the rest of the uses along E. Market Street. The proposed parking garage is tucked behind the proposed hotel building with entrances on both street frontages.

Although not specifically addressed in this Guideline, the Green Development Design Criteria to allow for building height greater than that allowed in the Form District. The proposal is on a TARC route with adequate daily trips and is within the required distance of several uses that will support walkability. The proposed development may also incorporate a cool roof and is providing a significant percentage of its parking under cover in the proposed parking garage.

### **Guideline 4-Open Space and Guideline 5-Natural Areas and Scenic and Historic Resources**

The proposed development complies with these Guidelines and their policies. The proposed development will create an open space through the proposed rooftop venue. The venue will be a restaurant/banquet facility with views of downtown, the Ohio River bridges and the neighborhoods to the south. The preserved historic buildings will have the existing courtyard between them expanded and enhanced to create another open area for visitors. The entire project has also been designed to include the planned streetscape improvements along E. Market Street, which will create a much more inviting pedestrian area along E. Market and wrapping around to Shelby Street. The proposed development takes the place of a vacant lot and, before that, a grocery store. The applicant will provide information concerning the historic development of the vacant lot.

### **Guideline 6-Economic Growth and Sustainability**

The proposed development complies with Guideline 6 and its policies. The proposal represents a significant investment in the older, but thriving E. Market Street corridor. The proposal preserves historic buildings and provides parking in excess of that required in order to benefit neighboring businesses and NuLu as a whole.

**Guideline 7-Circulation, Guideline 8-Transportation Facility Design and Guideline 9-Bicycle, Pedestrian and Transit**

The proposed development complies with these Guidelines and their policies. The proposal will incorporate bike racks and a TARC stop along E. Market Street as well as valuable excess off-street parking in the proposed garage. The popularity of NuLu's art, retail and food establishments, most of which are located in historic buildings with little off-street parking, has created some on-street parking pressure in surrounding residential blocks. The proposed garage should help to limit the impact of the new hotel and retail/restaurant space as well as helping the existing parking situation. NuLu is already a walkable neighborhood, and the streetscape improvements planned as part of the proposal should enhance its walkability, as well.

**Guideline 10-Flooding and Stormwater and Guideline 11-Water Quality**

The proposed development complies with these Guidelines. The subject property is entirely impervious today, so the construction of the proposed hotel and garage buildings will not have an adverse impact on flooding, stormwater management or water quality. The proposal will incorporate the proposed streetscape improvements that are being designed to mitigate stormwater runoff.

**Guideline 12-Air Quality**

The proposed development complies with this Guideline. The subject property is located close to downtown and within walking distance of many shops and restaurants. The proposal is incorporating bike racks and a TARC stop upgrade within an expanded sidewalk planned as part of the E. Market Street corridor streetscape improvements.

**Conclusion**

The proposed development complies with the applicable guidelines of the Cornerstone 2020 Comprehensive plan. The change in zoning from M-2 Industrial to C-2 Commercial brings the zoning in line with the surrounding neighborhood. The proposed development will add a use that will support and enhance the established businesses in the NuLu neighborhood and further enhance its national reputation as an art and food district. For the above reasons, we request that the Planning Commission recommend approval of the change in zoning to the Louisville Metro Council.

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