



Bardstown Road/Baxter Avenue Corridor Review Overlay (BROD) District

Report of the Urban Design Administrator to the
Committee

From: Joseph Haberman, AICP, Planning & Design Manager
Through: David Marchal, AIA, Deputy Director / Urban Design Administrator
Date: January 4, 2022
Meeting Date: January 11, 2022

CASE INFORMATION:

Case No: 21-OVERLAY-0031
Classification: Non-Expedited

GENERAL INFORMATION:

Property Address: 1270 Bardstown Rd (Vault Liquors & Smokes)
Applicant: Chris Brown, BTM Engineering
3001 Taylor Springs Dr
Louisville, KY 40220
Property Owner: Sandra Metts & Marvin Sotsky
4014 Dutchmans Ln
Louisville, KY 40207
Project Cost: Not provided

DESCRIPTION OF PROPOSED DEVELOPMENT:

The applicant is requesting an Overlay Permit to redevelop the subject property by renovating the existing building. The scope of work includes the following:

- Construction of a 425 sq. ft. rear addition
- Relocation of the dumpster within a new enclosure
- Replacement of front doors with a single door and sidelight
- Restriping of parking area along Rosewood Ave, reducing the number of spaces from 5 to 3
- Installation of a 5' landscape buffer along Rosewood Ave

The site changes are most recently represented by the site plan prepared by BTM Engineering and the building addition and modifications are shown on the plan set prepared by VBN Architects.

COMPLETION OF APPLICATION:

The applicant submitted the Overlay Permit application on September 13, 2021. The application was determined to be substantially complete and classified as requiring a non-expedited review

by the Urban Design Administrator on September 20, 2021. There were additional communications with staff regarding the proposal including associated approvals required regarding the Land Development Code (LDC). It was confirmed to proceed with the applications in December 2021. The Committee is scheduled to convene and review the project on January 11, 2022.

The proposed development requires a variance and waiver to LDC provisions (Cases # 21-VARIANCE-0167 and # 21-WAIVER-0155). These applications will be scheduled for review by the Board of Zoning Adjustment. A final landscape plan will be reviewed for compliance with the Land Development Code as part of the LDC review process. Building permit applications have been submitted, but approval is contingent upon on the overlay permit and zoning approvals (BLD-LOT-21-00040 and COM-ADD-21-00048).

FINDINGS

The following Principles and Design Guidelines are applicable to the proposal: 4- Building; and 6- Site Planning, Parking. Staff's findings of fact and conclusions with respect to the Principles and Design Guidelines are attached to this report.

EXISTING CONDITIONS

The property is a corner lot, located southwest of the intersection of Bardstown Rd and Rosewood Ave. Longest Ave, which does not align with Rosewood Ave, terminates on the other side of Bardstown Rd directly across the street. It is zoned C-2 (Commercial) and within a Traditional Marketplace Corridor (TMC) form district.

The property consists of two parcels, approximately 0.21 acres in total size. According to the site plan, these parcels will be consolidated. It is bordered by Bardstown Rd to the northeast, private property to the northwest and southwest, and Rosewood Ave to the southeast.

Two parcels to the northwest are under the same ownership but utilized independently by a restaurant, Skyline Chili. Vehicles can access the subject property from the Mid City Mall parking area and an unnamed alley by crossing over these parcels.

The property is developed with a centrally located building surrounded by surface parking and vehicle drive areas. According to the Jefferson County PVA, the building was constructed in 1996 and consists of 935 sq. ft of floor area. The building has an octagon form, with eight brick facades. The primary façade and its entrance are orientated towards Bardstown Rd. The front and side facing façades are adorned with three attached signs. The building has an octagonal roof clad in shingles. The entrance is a set of half glass doors with an arched transom above. Two cornices wrap the building, with the first crowning the building and the second centering the façades atop the doors/windows (extending out to provide covered areas above the doors and drive thru window). In addition to the entrance, there are three double hung windows on the front/side facades. All three windows are visible from the Corridor; however, one window is partially blocked by an ice machine. Most window panes are covered in signage. There is also a commercial drive thru window located on the façade facing Rosewood Ave, which is visible from the Corridor. This drive thru window was associated with a prior business and has not been utilized for years. The rear of the building is relatively nondescript with little variation.

The building is set back approximately 18' from the front property line along Bardstown Rd and 52' from the property line along Rosewood Ave. The building is highly visible from the Corridor

on three sides due to its setback, its separation from nearby buildings, and a lack of surrounding mature trees.

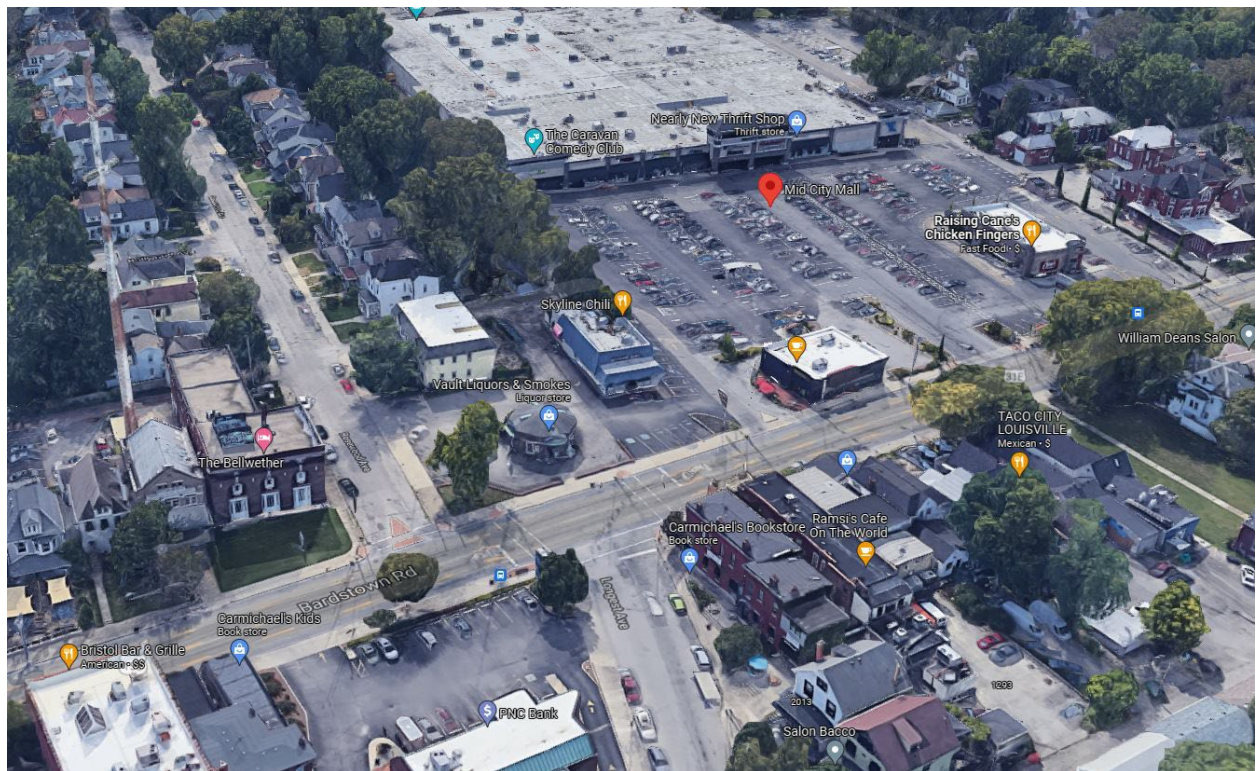
There is a short wall along the Bardstown Rd property line, composed of brick that matches that used in the building. The wall separates the sidewalk from the asphalt areas providing some protection to pedestrians from vehicles using the parking spaces and drive lane. The wall also provides some protection to a grassy area at the corner, which contains single mature tree. There are four new street trees in the public right of ways adjacent to Bardstown Rd and Rosewood Ave (two on each).

To accommodate a mixture of uses and purposes, buildings in the immediate area vary in terms of age, architectural style, height, and mass. The property is located on an outparcel of Mid City Mall, a large shopping center surrounding in large part by parking. Most buildings along Bardstown Rd in this area are 1 to 2-stories in height; however, there are some slightly taller buildings in the area. The age of structures significantly varies, with newer buildings on the Mid City Mall block.

Site Context



Subject Property (LOJIC, Aerial 2019)



Subject Property (Google)



1270 Bardstown, Existing Conditions, from Bardstown Rd
December 21, 2021



1270 Bardstown, Existing Conditions, from Rosewood Ave
December 21, 2021



1270 Bardstown, Existing Conditions, from Side/Northwest Property Line
December 21, 2021



CONCLUSIONS

The appearance of the front of the existing building will remain the same excluding the new door/entrance. The existing set of front doors will be replaced. The size of the opening will not be altered. A solid single pane glass door and matching sidelight replaces two half glass panel doors (each having 6 smaller panes of glass divided by muntins). As a result, the entry is more commercial in style and more reminiscent of a storefront with the additional glass. Storefronts are encouraged on commercial buildings along the Corridor. The transom will remain.

The proposed 1-story addition is located to the rear of the building. As compared to the existing building, it is comparable in terms of massing for an addition but stylistically very different. Having a width of nearly 32', the rectangular addition extends from the rear of the existing building and effectively covers most of the rear facade. Since it is only 10' in height, it is not as tall as the existing structure. Therefore, the building's original octagon form will continue to be visible and noticeable where it rises above the addition.

While the site was developed approximately in 1996, about the time the Overlay District was established, there is no record of an Overlay approval for this development. The existing building is located centrally on the property, a position not in compliance with the Guidelines related to site location. Given the primary role of the addition as storage, it is understandable why the addition would be proposed for the rear. However, although it is not a new structure in and of itself, the addition does not improve the existing site location conditions and there was an opportunity to do so. The building will continue to be significantly set back from the adjacent streets and surrounded by asphalt paving.

The exterior of the addition is sided entirely with vertically oriented fiber cement panels. The addition does not include any openings or architectural detailing other than metal coping at the top. While fiber cement is often an acceptable material on the Corridor, in this context, there are better architectural materials that can be utilized that will provide positive visual interest and be more compatible with the building's existing architecture and materials. With the absence of openings and lack of detailing, this is a utilitarian style that contrasts sharply with the original brick building.

The reintroduction of the drive thru presents several issues. While drive thru windows are not prohibited by the Guidelines and acceptable on the sides and rears of buildings, the Guidelines also require that developments be pedestrian friendly. The property is a corner lot in an area with a lot of pedestrian traffic. The drive thru has not been utilized for many years. Its reopening will require vehicles to be driven closer to the building, reducing the sight lines of motorists and requiring vehicles to exit around the front of the building. Ingress and egress to Rosewood Ave would remain; however, vehicles exiting from the parking spaces and drive thru window would have to drive completely around the building to exit on Rosewood Ave.

The size of parking area will not be significantly altered but the layout will be modified. The installation of the buffer, 5' in width, along Rosewood Ave will soften its impact along the adjacent sidewalk and potentially reduce glare from the headlights of parked vehicles onto Bardstown Rd, Rosewood Ave, and the adjacent Bellwether development. The Guidelines also call for a masonry wall between this parking and the sidewalk along Rosewood. The plan does not show an extension of the existing wall.

The proposed enclosure for the dumpster is a positive addition as it is currently not screened. However given its proposed location closer to Rosewood Ave, further thought should be given

to the material as wood may not be appropriate in this context. A more appropriate material would be brick, possibly tied into a masonry screening wall for the adjacent parking area.

In conclusion there are several major issues with the Design Guidelines. The addition's location and massing are appropriate, but the proposed cladding would result in a stark utilitarian design and not complement the existing building. In relation to the Site Planning Guidelines, the reintroduction of the drive thru window, with its reconfigured drive thru lane, makes the site less pedestrian friendly by creating more points of potential conflict between motorists and pedestrians, particularly from Bardstown Rd. In fact, the connection point from the Bardstown Rd sidewalk to the front door should be improved to better support a pedestrian friendly environment. The buffer along Rosewood Ave should include a 36" high masonry wall and the screening for the dumpster should also be masonry due to its proximity to the public way and relationship to the main building. The signage in the windows should be confirmed for compliance with applicable signage regulations as they greatly, perhaps overly, reduce transparency of the windows.

RECOMMENDATION

The proposed changes do not sufficiently comply with all applicable Design Guidelines for the BROD District. Considering the information furnished, the Urban Design Administrator recommends **denial** of the application for an Overlay Permit.

4 Building

Existing structures along the Bardstown Road/Baxter Avenue Corridor are encouraged to be renovated and reused. 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 NA Not applicable
- Does not meet Guidelines TBD To be determined; insufficient Information
- +/- Meets Guidelines with conditions as noted

Guideline	Finding	Comment
A Existing structures along the Corridor are encouraged to be renovated and reused. 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.	+	The existing building, although not historic nor "character defining" in terms of the District, shall remain and be reused.
B Buildings should be "pedestrian- friendly". Design building facade elements that promote a pedestrian-friendly environment include building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, and lighting.	-	While the amount of asphalt is reduced along Rosewood Ave and to the rear of the property, the addition does not improve the existing site conditions in terms of this Guideline. It is located to the rear of the building. The building will continue to be significantly set back from the Bardstown Rd and Rosewood Ave sidewalks. The new front door and sidelight provide more glass surfacing within an existing opening. No new awnings, canopies, or lighting are proposed to promote a pedestrian friendly environment. A new pedestrian crosswalk is shown across the front drive aisle, connecting the Bardstown Rd sidewalk to the entry. However, reopening the drive thru and routing traffic around the front of the building detracts from the pedestrian friendly environment.
C 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.	+	The new replacement door for the main entry will have more glazing than previous. Existing windows to remain. The existing windows, however, are obscured by signage, likely in excess of what is allowed by sign regulations. This should be rectified.
D 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.	+/-	The proposed new structure is a rear addition to an existing building that is located approx. 19' from the front property line. The purpose of addition, however, is primarily for storage and so is proposed for the rear and not the front. While the location of the addition does not improve the existing conditions in terms of this Guideline, it also does not block off the main entry with a storage function.
E 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.	-	The existing building is of a faux colonial style but is not historic, so the addition does not need to replicate this style. But due to its visibility from Rosewood Ave and the Corridor, it should be complementary to the existing building in terms of style and/or material. The

			addition is proposed to be sided with vertically oriented fiber cement panels. The addition is void of any windows and does not have significant architectural detailing other than its metal coping. This design contrasts sharply with the original brick building and lacks visual interest from available vantage points.
F	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	
G	A visual terminus, such as a cornice at the top of a wall helps articulate the architecture, and gives it a completed finished look.	+	The existing building has a modest cornice at the top of its exterior walls. The new addition has simple metal coping that serves a cornice.
H	Roof forms that are inconsistent with the character of the Corridor include single pitch (shed) roofs, curving roofs. Flat roof forms with parapets are well-suited to the character and image of the Corridor.	+	The addition has a simple shed roof that is deferential to the existing building.
I	Outdoor eating or temporary seating located within public sidewalk areas must receive staff approval prior to installation. A 4' wide pedestrian zone is required in the public "right-of-way" sidewalk area.	NA	
J	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 considered general maintenance and will not require a staff review. Additional permits and approvals by other government agencies or authorities may be required.	TBD	New mechanical equipment is not shown on the plans but given the purpose of cold storage in the addition new equipment is likely and should be located as unobtrusively as possible.
K	Permanent service counters, service bars, decks, or similar structures may not be constructed in front of a building's primary street facing façade.	NA	

6 Site Planning, Parking

Checklist

Site planning is an important part of any project. Your site should incorporate attractive and maintainable landscaping to enhance the hardscape of the building. Plants can be used in minimizing the visual impact of parking lot and service areas along BROD.

- + Meets Guidelines NA Not applicable
- Does not meet Guidelines TBD To be determined; insufficient Information
- +/- Meets Guidelines with conditions as noted

Guideline	Finding	Comment
A 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	As the existing building will remain, it is presumed that utility lines will not be altered unless impacted by the addition. An existing electric line runs from Bardstown Rd to a pole adjacent to the rear of the building. The addition would not impact its location. There is not an adjacent alley to relocate.
B Combining existing, small, under-utilized lots to create shared parking areas that are more efficient and more accessible is strongly encouraged.	NA	The site shares vehicle use and maneuvering areas and access points with its neighbors.
C Parking areas and drive-thru's should be located to the side or rear of structures.	+/-	<p>The building is currently surrounded by asphalt surfacing used for parking, drive lanes, and vehicular use. This existing condition, including the drive thru window, does not fully comply with the Guidelines but does predate them, New changes should, wherever possible, improve such conditions.</p> <p>The proposal does reduce the number of parking spaces on site and increases landscaping along Rosewood Ave. The existing drive thru window is proposed to be reopened. This window is on the side elevation relative to the Corridor, albeit facing Rosewood Ave and visible from the corner. Ideally the drive thru window should be located on the rear on this building.</p>
D 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.	+/-	The proposal is to re-use and reduce the existing parking spaces along Rosewood Ave from 5 to 3. There will be a new 5' landscape buffer installed along this frontage, with final plantings to be confirmed. The side parking does not exceed 40% of the frontage along Bardstown Rd but does along Rosewood Ave. There is an existing brick wall along Bardstown Rd that could be extended around onto Rosewood Ave.
E 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 parking lot. This height will enable drivers of vehicles to safely see and avoid other pedestrians and vehicles while screening most of the parked vehicles' mass.	TBD	Full landscaping details were not provided.
F New development projects should provide adequate and significant screening to adjacent residential structures. Opaque landscape buffers and other forms of screening shall be used to minimize noise and lighting impact.	+	

G	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	TBD	Outdoor lighting details were not provided.
H	Fencing and screening shall be constructed of materials compatible with the principal structure.	+/-	New screening is proposed for the dumpster enclosure relocated to the Rosewood frontage of the site. The enclosure is 6' in height and composed of wood, a material which is not entirely consistent with any materials used in the original building (brick) or addition (fiber cement). As the enclosure is located closer and adjacent to Rosewood Ave more attention to detail should be paid to this feature and a higher quality material such as brick is recommended.
I	Chain link fencing must not be visible from Bardstown Road/Baxter Avenue.	NA	
J	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.	+	The curb cuts are existing. There is not a curb cut directly to/from Bardstown Rd. Access to/from the site is by way of a curb cut on Rosewood Ave or through neighboring parcels to the curb cuts leading to/from Mid City Mall.
K	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	
L	Minimum 4'-0" wide landscape buffer area 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 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 landscape buffer area. Landscape buffer plantings shall be installed prior to occupancy or use of the patio, plaza, or outdoor space.	NA	The landscaping and wall along the Rosewood frontage is addressed in the Parking Guidelines.
M	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 three months of the tree(s) removal or during the next planting season, whichever comes first.	+	No trees shall be removed.
N	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	