

# Development Review Committee

## Staff Report

March 15, 2023



<b>Case No:</b>	22-CAT2-0044
<b>Project Name:</b>	101 N. 32 <sup>nd</sup> Street
<b>Location:</b>	101 N. 32 <sup>nd</sup> Street
<b>Owner(s):</b>	West End Transport Partners, LLC
<b>Applicant:</b>	CRP & Associates, Inc.
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	5 – Donna Purvis
<b>Case Manager:</b>	Julia Williams, AICP, Planning Manager

### REQUEST(S)

- Waivers:
  1. Waiver from Land Development Code section 5.6.1 to allow animating features to comprise less than 50% of the exterior façade along West Market. (22-WAIVER-0242)
  2. Waiver from 5.6.2.A.1.C.4 to allow traffic circulation in front of the principal building in the Traditional Workplace Form District (22-WAIVER-0243)

### CASE SUMMARY/BACKGROUND

The applicant is proposing to reconstruct a 10,049 square foot warehouse that was destroyed in a fire. Three walls have already been re-built and the proposal is to add the remaining wall and roof to the existing structure. The site will be accessed from South 32<sup>nd</sup> Street and the drive lane to access the site is proposed to be located in front of the proposed warehouse along West Market Street. Loading and parking will be provided within the interior of the site and access from the primary entrance to the existing sidewalks will also be provided.

Staff recommended to the contractor to provide street trees along 32<sup>nd</sup> Street and a mural along the West Market Street façade. The applicant has agreed to a mural or painting the façade with different colors.

### STAFF FINDING

Staff finds that the proposal meets the guidelines of the Comprehensive plan and generally meets the requirements of the Land Development Code.

### TECHNICAL REVIEW

A portion of the site is zoned R-5 and is being used as truck loading and maneuvering and is being shown on the plan as a gravel loading area.

### INTERESTED PARTY COMMENTS

Staff has received no interested party comments on this case.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of 5.6.1**

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

STAFF: The requested waiver will not adversely affect adjacent property owners since this section of wall is existing and will be painted with different colors or will have a mural.

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

STAFF: Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1, Policy 12 calls for the proposal to Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes. The request is mitigated because this section of wall is existing and will be painted with different colors or will have a mural.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since this section of wall is existing and will be painted with different colors or will have a mural.

- (d) Either:  
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR  
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant because this section of wall is existing and will be painted with different colors or will have a mural.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of 5.6.2**

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

STAFF: The waiver will not adversely affect adjacent property owners because the site is existing, and this is the same drive lane that is already used to access the site.

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

STAFF: Community Form Goal 1, Policy 12 calls for the proposal to Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes. No screening or buffering being proposed at the corner due to truck circulation but landscape materials will be provided in a small green space near the railroad.

(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 this is the existing primary access to the site.

(d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant because this is currently being used as the primary access to the site. Otherwise, the applicant would have to obtain a crossover access with the property to the east in order to access the site.

### **REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waivers**

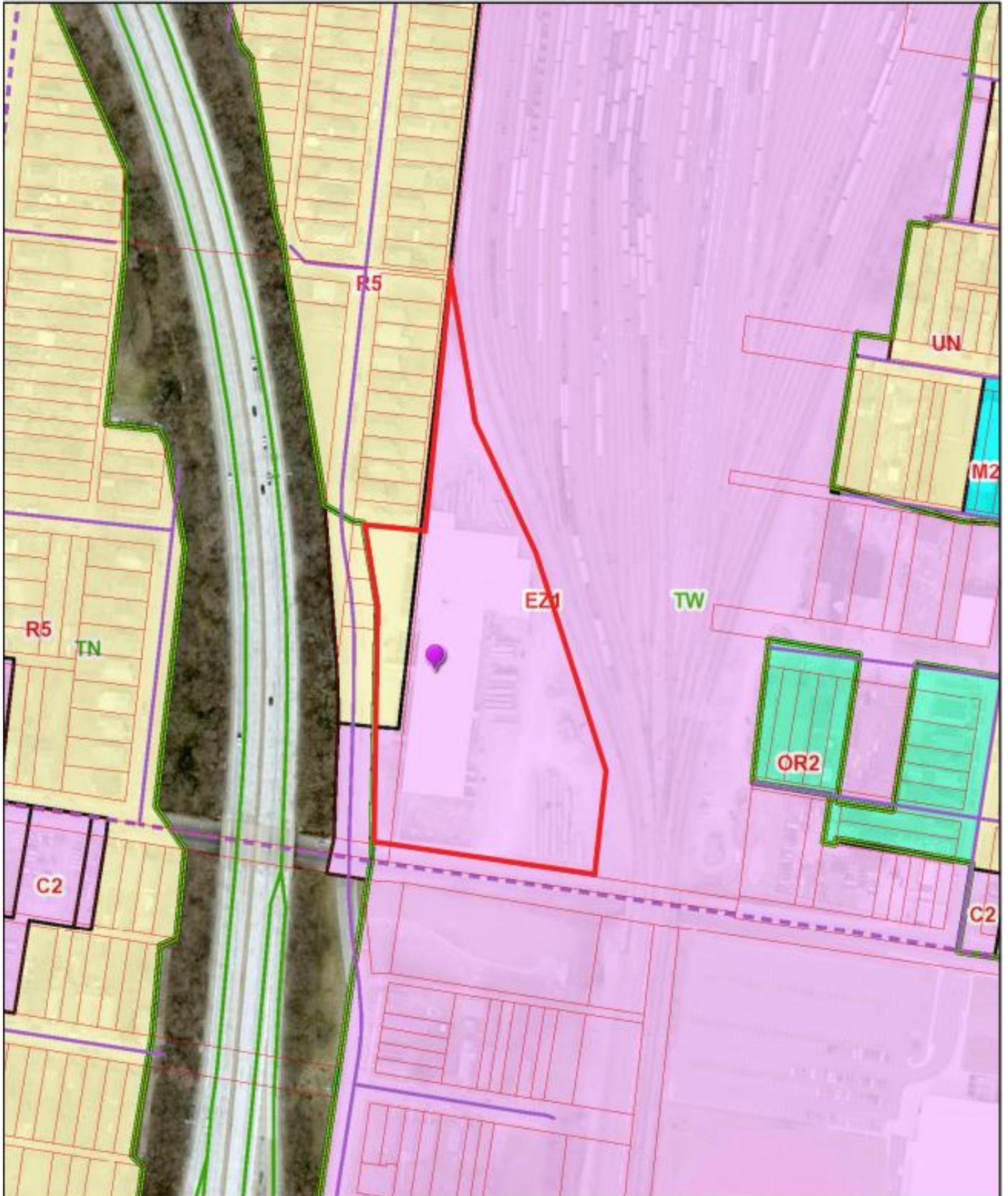
### **NOTIFICATION**

Date	Purpose of Notice	Recipients
	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 5

### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

