



Bardstown Road/Baxter Avenue Corridor Review Overlay District

Report of the Urban Design Administrator To the Overlay Committee

Case No: 15BROD1023
Classification: Non-Expedited

GENERAL INFORMATION

Property Address 1249 East Broadway, 656 Baxter Avenue, 652 Baxter Avenue

Owner: Edwards Companies
495 South High Street, Suite 105
Columbus, OH 43215
614-241-2070

Applicant: Edwards Companies
Jonathan S. Wood, Vice President
495 High Street, Suite 150
Columbus, OH 43215
614-241-2070
jwood@edwardscompanies.com

**Architect/
Site Design:** Gresham, Smith, and Partners
101 S. 5th Street, Suite 1400
Louisville, KY 40202
502-627-8926

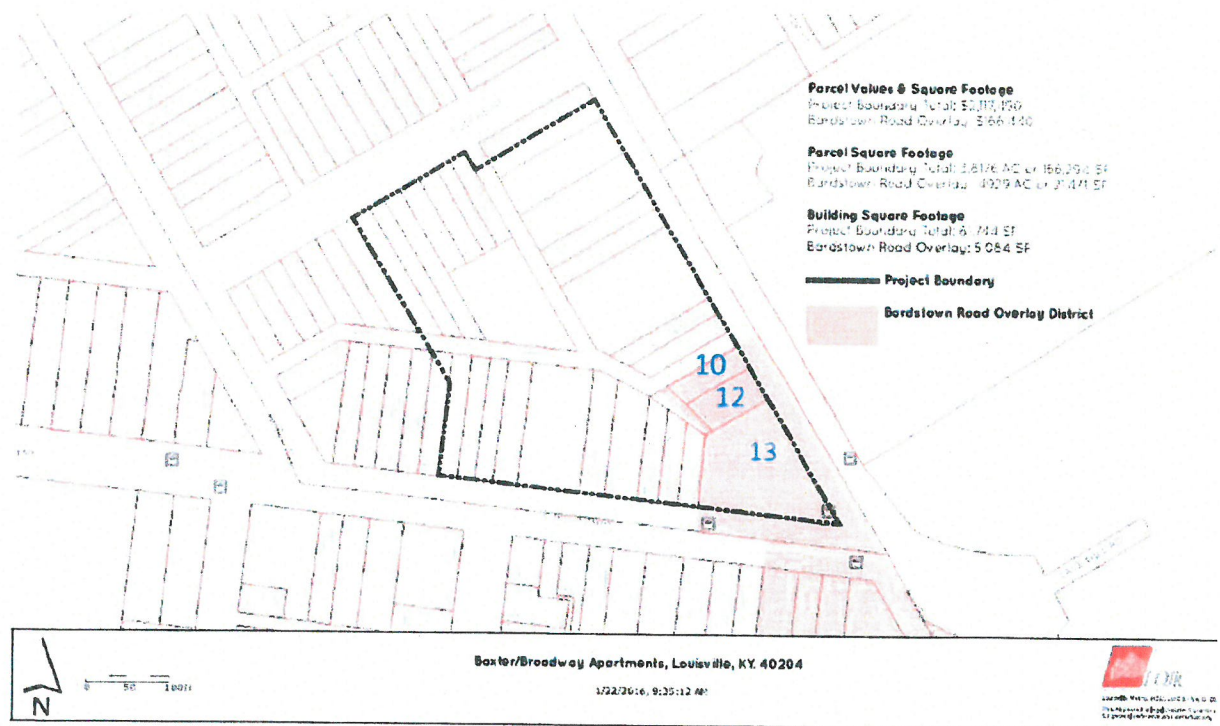
Attorney: William B. Bardenwerper
Bardenwerper Talbott & Roberts, PLLC
1000 N. Hurstbourne Parkway, 2nd Floor
Louisville, KY 40223
502-426-6688
Wbb2bardlaw.net

Estimated Project Cost: \$52,000,000

DESCRIPTION OF PROPOSED DEVELOPMENT:

The applicant requests approval for the development of a mixed-use, multi-family community located at the intersection of Baxter and Broadway Avenues, on approximately 3.6 total acres. Roughly .5 acres of land of the total 3.6 acres is within the BROD. The development, as proposed, is an assemblage, comprised of 35 parcels –

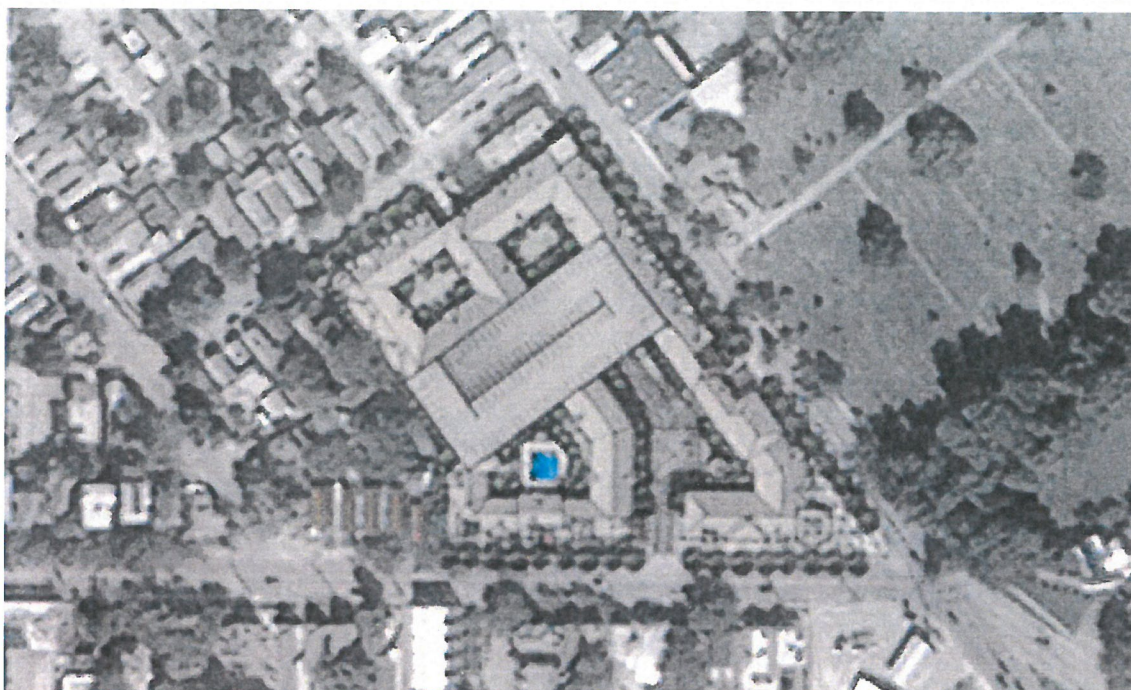
three of which lay within the Bardstown Road Baxter Avenue Overlay. This development will include the removal of a structure located within the Overlay.



These three parcels are shown as #10 (652 Baxter Avenue), #12 (656 Baxter Avenue), and #13 (1249 E Broadway) on the submission map above. Parcel #10 is currently a vacant lot, and the structure on Parcel #12 will be razed for the development. Parcel #13 is currently surface parking. Approximately 15% to 20% (roughly 40,000sf) of the completed improvements will be constructed on these parcels, totaling an estimated \$6 million to \$8 million of the total budget.

The project will include +/- 31,000 square feet of ground floor commercial/retail along Baxter Avenue, wrapping the corner and continuing down east Broadway. It is anticipated that these spaces will be leased to a mix of restaurants, boutiques, salons, financial and other service providers.

The corner of Broadway and Baxter will include a 5 story element to accentuate the prominence of the corner. The two top floors here will be a townhouse style apartment unit with wrap around terrace. The building will be set back at the acute angle of Baxter and Broadway to create a hardscaped outdoor seating area. The streetscapes up and down Baxter and Broadway, in front of the project, will include new sidewalk and landscaping.



The project is anticipated to include approximately 31,000 square feet of ground floor retail, and the construction of a new 5 level, +/- 550 car parking garage. The parking garage will be accessed via ingress/egress along Baxter and East Broadway. The existing alley next to 650 Baxter will remain as the location for access into the project.

The apartment building will include 260 +/- units with a mix of studio, one, and two bedroom options. Amenities included for the property are a 2-story clubhouse with theatre, fitness center, leasing center, business center, lounge, and community clubroom. Additionally, the apartment building will have landscaped interior courtyards, providing communal gathering areas. A third, larger courtyard will include a swimming pool, gazebos, and sun deck area, with direct access to clubhouse facilities.

Communications with Applicant, Completion of Application

The application was initially submitted on November 30, 2015. Staff consulted with the applicant and requested more information in December 2015 and January 2016. The application was considered substantially complete and requiring non-expedited review on February 1, 2016. The Proposed Project is scheduled for a hearing at the regular meeting of the Bardstown Road/Baxter Avenue Corridor Review Overlay District Committee on February 16, 2016 at noon at Metro Development Center located at 444 S. Fifth Street.

FINDINGS

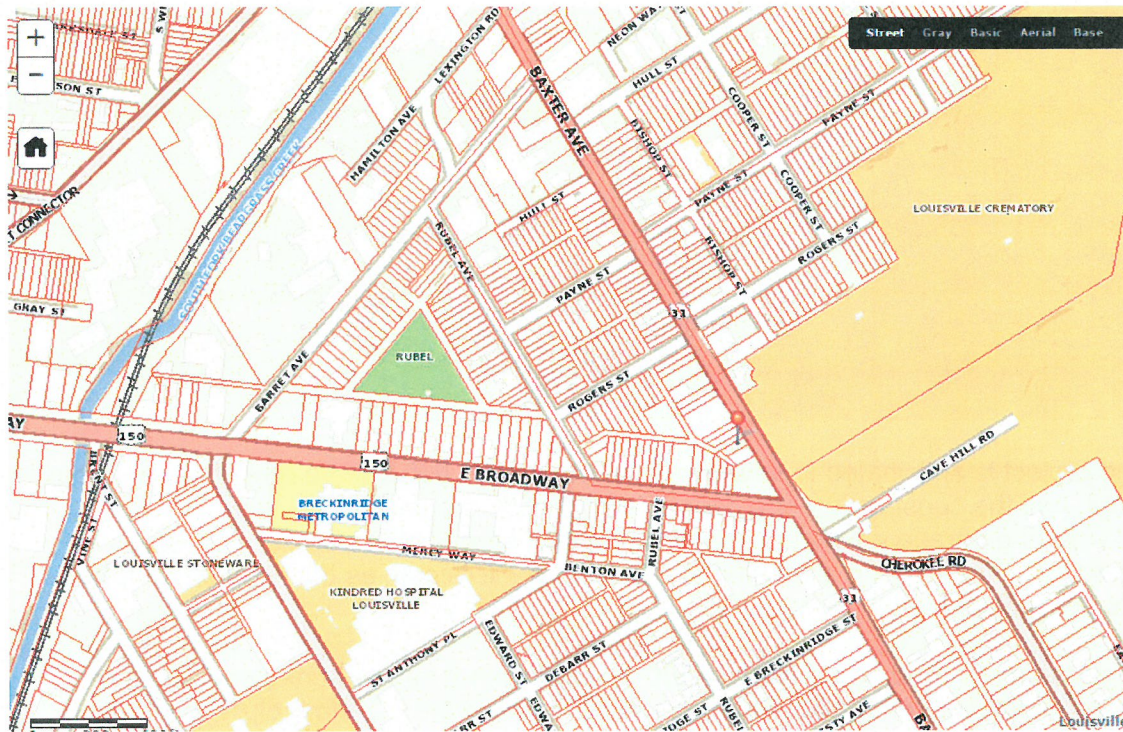
Guidelines

The following design guidelines, approved for the Bardstown Road/Baxter Avenue Corridor Review Overlay District, are applicable to the proposed exterior alteration:

Signage, Sign Mounting and Placement, Awnings and Canopies, Building Design, and Site Planning and Parking. The report of the Design 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/Background



The proposed site is situated at the corner intersection of east Broadway and Baxter Avenue. Located in the Phoenix Hill Neighborhood, and in close proximity to the Cherokee Triangle, Original Highlands, and Irish Hill Neighborhoods, the site is part of the Highlands Historic District. Directly across the site, at the intersection of Baxter Avenue, Cherokee Road, and East Broadway is the entrance to Cave Hill Cemetery.

The Highlands Historic District is significant to Louisville due to its architectural cohesiveness, quality, and quantity. With the Bardstown Road Baxter Avenue commercial corridor as its backbone, the Highlands developed in a very predictable pattern outwardly and southwardly from the corridor. The residential housing stock of the Highland Neighborhood is largely Italianate and Victorian working class shotgun residences with several clusters of grand middle to upper class residences of the same period.

East Broadway is the northernmost street in the Highland Neighborhood and contains a combination of uses. The residences vary in age, material, and style. The north side of this block is generally comprised of shotgun residences dating to the 1890s. 1229 East Broadway (parcel #17) is the oldest structure on Broadway. It is a two story Italianate

residence built in 1872. 1229 E. Broadway has been incorporated into the project design.

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. Examples of this can be seen along the 600 block of Baxter Avenue.

The structure on Parcel #12 (656 Baxter Avenue) is located within the Overlay and will be demolished to accommodate the development as proposed. This structure was constructed approximately circa 1870. However the structure has been variously modified and expanded over the years. It is documented as a contributing historic structure within the Highlands National Register Historic District, and has been a longstanding structure in the Overlay, adding to its character.

Currently, a parking lot (Parcel # 13) compromises 67% (2.4 of the 3.6 acres) of the area that is proposed as being developed. The site is home to handful of residential properties, businesses, and the now closed Phoenix Hill Tavern, along with vacant business sites.

CONCLUSIONS

The 600 block of Baxter Avenue, as it is today, is a mix of dilapidated structures and vacant lots. The building proposed to be demolished (Parcel #12 –656 Baxter Avenue) to make way for the development is older than 65 years old and has historic value, but the structure has been extensively modified. The applicant states that they considered adaptive re-use of the building but were unable to do so due to the condition of the structure and misalignment of the floors and structure with the proposed development. Although the Overlay Ordinance and guidelines support adaptive renovation and re-use of 656 Baxter Avenue, the same Ordinance and guidelines allow demolition of even historically contributing structures if the Urban Design Administrator and Historic Preservation Officer are satisfied that the removal of the structures and construction of the new will have a greater positive impact upon the economic vitality of the district. Accordingly, the applicant has demonstrated that the rehabilitation or adaptive reuse of these two structures would not be economically feasible as required by the project's structural and density requirements.

It is worth noting that the applicant has incorporated other structures into the larger project where feasible. The applicant has revised initial plans that showed the development spanning the entire front of East Broadway, and plans to preserve five, single family residences along the western most frontage, with plans to work with Preservation Louisville to rehabilitate the structures. The applicant also proposes to preserve the façades of the buildings at 650 Baxter Avenue (parcel #9) and 1229 E Broadway (parcel #17). These buildings will be incorporated architecturally into the new development, with the front and one side of each home being preserved.

The commercial tenants have not yet been determined so the final designs for ground floor commercial design items such as storefront, signage, awnings & canopies, materials, and outdoor dining configurations will be forthcoming.

The proposed changes generally comply with the applicable Design Guidelines for the Bardstown Road Baxter Avenue Corridor Overlay District.

RECOMMENDATION

Considering the information furnished, the Urban Design Administrator finds that the proposal substantially complies with the Design Guidelines of the Overlay and therefore **recommends approval** of the application for an overlay permit with the following condition:

1. All proposed signage shall be submitted to staff for review and approval prior to installation.
2. Lighting plans to be submitted to Staff prior to installation for review and approval.
3. Details of awnings and canopies at storefronts to be submitted to Staff prior to installation for review and approval.
4. Final exterior materials, including storefront windows, to be submitted to Staff prior to installation for review and approval.
5. 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.

2-11-14

Date



Burcum Keeton
Architectural Projects Coordinator

2.11.14.

Date



David R. Marchal, AIA
Urban Design Administrator

Attached Documents / Information

1. Staff Checklist/ Findings
2. Submittal materials

Signage

- + Meets Design Guidelines
- Does Not Meet Design Guidelines

NA Not Applicable
NSI Not Sufficient Information

SPECIFICATIONS	DESIGN REVIEW GUIDELINES	REVIEW RESULTS
1. Significant or Contributing Signs	Re-use and reface existing "significant or contributing signs". See list below.	NA
2. Contributing Signs	Contributing signs are encouraged to remain. These signs are recognized as contributing to the historic artistic character of the corridor. See list below.	NA
3. Back-lit Cabinet Signs and monument signs.	Signs including refaced shall have opaque, non-illuminated face panels. Only the individual letters and logos should be back lit, not the entire surface of the sign.	NSI
4. Freestanding Pole Signs.	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 (1) year may be restored or refaced.	NSI
5. Signs that incorporate LED text /image, flashing, animation, moving graphics, or video.	Signs with an image or text change rate greater than (1) hour are prohibited.	NSI
6. Storefront Window Signage.	Window signage including temporary window signage and promotional advertising shall not exceed 25% of the total window area. Neon and hanging window signs are encouraged.	NSI
7. Projecting Wall Signs	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.	NSI
8. Projecting Banner Signs	Projecting banner signs can project no more than 24" from the face of the building.	NSI
9. Attached Wall Signs	Attached wall signs composed of individual letters or projecting signs are preferred.	NSI
10. Monument Sign	Monument signs are allowed only for businesses with a minimum front yard of 15'-0" as measured from the street to the wall of the structure. Monument signs must also be set back a minimum of 15'-0" from the adjacent side property line.	NSI
11. Existing Non Conforming Signage	Existing non conforming signage must be removed prior to new approved signs being installed. A "Significant or Contributing Sign" as defined by the guideline in A1.1 is exempt from this requirement.	NSI
12. Neon and Neon Simulated Signs.	Neon and simulated neon such as fiber optic and LED lighting strips are encouraged.	NSI
13. Projecting Lighting Fixtures	Projecting Lighting fixtures used for externally illuminated signs shall be simple and unobtrusive in appearance. They should not obscure the graphics of the sign.	NSI
14. Directional Signage	Directional signage is used to direct pedestrian or vehicular traffic. No more than 1 image, logo or text combined with the "entry" or "exit" text is allowed on each directional sign. Directional signage can not exceed 3'-0" in height above finished grade.	NSI
15. Exposed Conduit	Exposed conduit, electrical transformer boxes, and electrical	NSI

	raceways should be concealed from public view, or painted to blend in with background.	
16. Multiple Signs Placed on A Building'	Multiple signs placed on a building's façade should be compatible with other surrounding signage located on the structure.	NSI
17. Permanent Banner Signage	Permanent banner signage shall be made of canvas material or matte textured vinyl material.	NSI

SIGNIFICANT and/or CONTRIBUTING SIGNS

* Doo Wop Shop	1587 Bardstown Rd.
* Leatherhead	1601 Bardstown Rd.
* Cricket	1707 Bardstown Rd.
* Twig and Leaf	2122 Bardstown Rd.
* Tom Drexler Plumbing	2233 Bardstown Rd.
* Jarfi's	1543 Bardstown Rd.
* Old Town Liquors	1529 Bardstown Rd.
* Sonotone	1839 Tyler Parkway
* Rose	2307 Bardstown Rd.
* Buffalo Wild Wings	1055 Bardstown Rd.
* Horton's Porter Hardware	2202 Dundee Rd.
* Falls City Beer Sign for Outlook Inn	916 Baxter Ave.

Sign Mounting and Placement

- + Meets Design Guidelines
- Does Not Meet Design Guidelines

NA Not Applicable
NSI Not Sufficient Information

SPECIFICATIONS	DESIGN & REVIEW GUIDELINES	REVIEW RESULTS
1. Sign Mounting	Signs shall be mounted or erected so they do not obscure the architectural features or openings of a building.	NSI
2. Sign Location	Signs may not be located in the right-of-way unless they are approved by the public works department. Exceptions include portable "A" Frame Signs which must be removed at the close of business day. "A" frame signs can not exceed 4'-0" in height and 3'-0" in width.	NSI
3. Wood Signs	All wood signs need to be stained or painted and have a finished appearance.	NSI
4. Sign Placement on the Building.	No sign or portion of a sign shall extend above the cornice line at the top of the building façade or exceed 20 feet in height above finished grade. Rooftop signs are prohibited..	NSI
5. Outdoor Advertising Billboards	New outdoor advertising billboards are not permitted. Removal of existing billboards is encouraged to promote an active and engaging atmosphere for pedestrians and vehicle traffic.	NSI

Awnings and Canopies

+ Meets Design Guidelines
- Does Not Meet Design Guidelines

NA Not Applicable
NSI Not Sufficient Information

SPECIFICATIONS	DESIGN REVIEW GUIDELINES	REVIEW RESULTS
1. Lettering, Logos, and Symbols.	Lettering, logos, and other symbols shall take up less than 33% of the total area of an awning that is attached to a commercial structure. It is recommended that signs and logos be located on the valance area of awnings that have them.	NSI
2. Awning Design and Shapes	Convex or (bull nose) awnings are not allowed. Awnings with back-lit graphics or other kinds of illumination are not allowed.	NSI
3. Awning Materials	Approved awning fabric materials include canvas and vinyl.	NSI
4. Metal or Glass Canopies.	Metal or glass canopies may be appropriate on some buildings if they are compatible with the design and scale of the building.	NSI
5. Awning height and projecting design dimensions.	Awnings and canopies are to be installed at a minimum of 8'-0" above finished grade so that pedestrian entry clearances are operationally functional. Awnings must project a minimum of 24" from the building. They should be mounted on the wood or metal framing within a door or window opening (and not on the wall surrounding the opening).	NSI
6. Awning Mounting Locations	In openings with transoms, the awnings should be mounted on the horizontal framing element separating the storefront window from the transom. Awnings should be designed to project over individual window and door openings and not be a continuous feature extending over masonry piers or arches.	NSI

Building Design

- + Meets Design Guidelines
- Does Not Meet Design Guidelines

NA Not Applicable
NSI Not Sufficient Information

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.	+/- Existing building located on the Overlay parcel is proposed to be removed, but structures in other areas of the proposal to be incorporated into project
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.	+ To be finalized
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.	NSI
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.	+ a setback is proposed at the acute angle of Broadway and Baxter due to the angle but will contain a design element or outdoor amenity to be finalized
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.	+

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.	+
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.	+
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.	+
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.	+
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 considered general maintenance and will not require a staff review. Additional permits and approvals by other government agencies or authorities may be required.	NSI
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.	NA

Site Planning, Parking

- + Meets Design Guidelines
- Does Not Meet Design Guidelines

NA Not Applicable
NSI Not Sufficient Information

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.	NSI
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.	+
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 that 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.	NSI none currently proposed; Landscape plan not currently submitted
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.	NSI none currently proposed
6. Residential Screening	New development projects should provide adequate significant screening to residential structures.	NA Within overlay
7. Lighting	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	NSI
8. Fencing	Fencing and screening shall be constructed of materials compatible with the principal structure.	NA
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.	+
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 form the property.	NSI Patio proposed at corner of Baxter and Broadway

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 ¾" 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.	NSI none currently proposed
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 9 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.	+/- Small shrubby and some trees to be removed.
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 buildings that are cantilevered or bracketed, scaled to match the building's façade, and utilize contextual materials are appropriate.	NA

Historic Preservation

- + Meets Design Guidelines
- Does Not Meet Design Guidelines

NA Not Applicable
NSI Not Sufficient Information

SPECIFICATIONS	DESIGN REVIEW GUIDELINES	REVIEW RESULTS
1. Changes to Contributing Historic Structures	Changes to the exterior of Contributing Historical Structures and other structures within the corridor that 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, but the Planning and Design Director or Committee may relax these standards in the interest of accomplishing the intentions of these Guidelines.	NA Demolition proposed
2. Design of Remodeled Structures	The design of new or substantially remodeled structures which are adjacent to Contributing Historic Structures should be compatible with them and should incorporate similar design details or references where appropriate.	NA existing structures are to be removed in their entirety
3. Demolition	<p>No application to demolish any Contributing Historical Structure or structure built shall be approved by the Urban Design Administrator unless the applicant demonstrates to the satisfaction of Urban Design Administrator and the Historic Preservation Officer:</p> <p>(a) That the rehabilitation of a Structure or construction of a new Structure will have a greater positive impact on the District'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</p> <p>(b) That the applicant cannot obtain a reasonable economic return from the property or Structure unless the Contributing Historical Structure or Structure constructed years is demolished in accordance with the application.</p>	<p>+/-</p> <p>The structure proposed to be removed is historical, and more than 65 years old but has been significantly modified. The applicant has demonstrated to the satisfaction of the Urban Design Administrator and Metro Historic Preservation Officer that condition "a" is met.</p>

