



NuLu
Review Overlay District
Report of the Urban Design Administrator to
the Committee

Case No: 16COA1182
Classification: Non-Expedited

GENERAL INFORMATION

Property Address: 700 E. Main Street, 121 S. Clay Street

Applicant: Ryan Foster
Flournoy Development Company
900 Brookstone Centre Pkwy
Columbus, GA 31904

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

Owner: Earl Greer
Service Welding and Machine
2125 W. Highway 42
LaGrange, KY 40031

Estimated Cost: \$52,000,000

DESCRIPTION OF PROPOSED DEVELOPMENT

New Construction: The applicant requests approval for the construction and development of a project site consisting of two parcels; Parcel 1 located at 700 E. Main St. (2.46 acres) spanning the entire city block, and Parcel 2 located at 121 S. Clay Street (0.241 acres). The proposed project consists of two five-story, mixed-use buildings on the site and will include multifamily residential, retail, and structured parking components.

The residential section will include both one and two bedroom units for a total of 276 units. The unit sizes will vary from approximately 550 sf to 1,250 sf. There will be multiple amenities available for the residents such as an interior private courtyard with a pool, an outdoor kitchen, a fire pit, outdoor living spaces, a clubroom and a fitness center. The commercial sections will cover approximately 4,850 sf of retail space on the first floor and will be two stories in height.

The parking structure will include 430 off-street spaces for use by tenants and retail customers. The garage will be screened from the major thoroughfares by the Main Street building and will abut Billy Goat Strut Alley. The garage will be accessed from Main and Shelby Streets.

Streetscape Improvements: The proposed streetscape plan includes improvements such as widening sidewalks. Landscape beds have been placed between the back of the sidewalk and the building façade. Two different pocket courtyards along Main Street are proposed. The eastern courtyard is located between the retail spaces; a center courtyard is utilized for vehicular entry and provides pedestrian access into the building.

Demolition: To construct the new project, all existing buildings on the site are proposed to be removed. Currently a series of warehouse/industrial buildings are located on the subject properties. The buildings vary in age and historic value. Per Cynthia Johnson, Metro Historic Preservation Officer, two of the buildings (121 S. Clay Street and 700 E. Main Street) have been identified as being potentially eligible for listing in the National Register of Historic Places, and are considered to be Contributing Historic Structures in terms of the Overlay Guidelines. The applicant intends to incorporate the façade of 121 S. Clay Street into the development. The new building at 121 S. Clay Street will be five stories and will incorporate the existing facade from the existing 1925 and 1935 building into the design. The new building structure will sit just behind the existing façade. The building at 700 E. Main Street will be demolished; its contributing 'Service Welding and Machine Co' signage will be incorporated into the project. The rest of the existing buildings are not considered contributing historical structures.

COMMUNICATIONS WITH APPLICANT; COMPLETE APPLICATION

Develop Louisville received an application for an Overlay Permit and Development Plan 16DevPlan1165 approval on August 15, 2016. The application was determined to be substantially complete and classified as requiring Non-Expedited Review by the Urban Design Administrator on August 22, 2016. The application was reviewed by appropriate Metro agencies as part of the standard Development Plan review process resulting in some changes to the original proposal. Revised drawings were received on September 12, 2016.

The application was presented to the Nulu Review Overlay Committee at its Hearing on September 28, 2016 at noon in the Old Jail Auditorium located at 514 W. Liberty Street. Committee members in attendance were Bill Marzian, Milton Haskins, Anna Tatman, Natalia Bishop (Chair), Jon Crumbie, Jeff Rawlins, and Kristi Ashby.

The applicant's team included attorney Jeffrey McKenzie and Matt Wolff of Sabak, Wilson, & Lingo.

Presentation: Staff Keeton presented the Staff Report and case file as was submitted to the Planning and Design on September 12, 2016. After the presentation, the applicant Mr. Wolff discussed in further detail the building located at 700 E. Main and the applicants' justification for demolition.

Public Testimony: One citizen spoke in opposition of project and in opposition of proposed demolition of the building at 700 E Main Street.

A resident of the neighboring property at 711 E. Market Street was in attendance and spoke in opposition of the project. A second resident of the same building also spoke in opposition and expressed concern over the brick wall being removed that was shared with 121 S. Clay Street. The resident also expressed concern over the proximity of the balconies and stated that they would prefer to see Juliette style balconies for increased privacy.

Committee Discussion & Decision: After receiving the staff report, applicant comments, and public testimony, the Committee proceeded with discussion.

Mr. Rawlins pointed out that there were discrepancies in the drawings and asked the applicant to clarify the facades and elevations. Mr. Rawlins expressed concern over the demolition of the building at 700 E. Main Street and asked the applicant if adaptive reuse of the structure was possible. Ms. Tatman and Ms. Bishop agreed that the applicant should reconsider incorporating the structure at 700 E. Main Street into the development. Mr. Rawlins also provided feedback to the applicant on the design of the building at 121 S. Clay Street. By simply retaining the existing façade, a complementary design was not achieved. Ms. Tatman suggested that the applicant reconsider the scale and materials of the project, specifically referencing the concerns of the residents living in close proximity of the development at 711 E. Market Street.

Ms. Tatman made a motion to defer the decision and to allow the applicant to respond to the Committee's comments before a decision was made. Mr. Rawlins seconded the motion. The motion passed unanimously.

CONTINUED COMMUNICATIONS WITH APPLICANT; COMPLETE APPLICATION AND REVISED DESCRIPTION OF PROPOSED DEVELOPMENT

Develop Louisville received revised drawings and supplemental materials on November 28, 2016. The application was determined to be substantially complete and classified as requiring Non-Expedited Review by Urban Design Administrator on December 5, 2016. The revised application is scheduled to be presented to the Nulu Review Overlay Committee Hearing on December 14, 2016 at noon in Room 302 located at 444 S. 5th Street.

REVISIONS TO PROPOSED DEVELOPMENT

Revisions to the site plan:

1. Remove the proposed bump out in front of the S. Clay Street building to allow for four additional on street parking spaces
2. Add retail/flex space at the corner of Main and Clay Streets, The additional retail space increases the potential retail square footage to 7,350 sf.

Revisions to the elevations:

1. The full balconies along the south façade overlooking the adjacent properties have been replaced with "Juliette", or recessed, balconies (this is reflected in the revised elevations)
2. For better compliance with Guideline B6, the design of the Main Street building has been revised to better address floors 4 and 5 and a more enhanced cornice and material change has been included between floors 3 and 4

3. The historic signage is proposed to be reused and located as a banner along the proposed parking garage. The existing individual lettering may be used along the garage face or within the amenity spaces throughout the property
4. The applicant is proposing to incorporate multiple sustainability elements within the design
 - a. The design will include a water quality element and an underground detention facility to controlled the site's storm water run off
 - b. The new construction is already taking place on an already developed site
 - c. The buildings will utilize solar reflective roofing materials
 - d. The design includes a multi-level parking facility for both tenants and guests

Historic Preservation/ Economic Analysis:

1. An economic viability analysis for the demolition of the structure at 700 E. Main Street was provided to Staff for review. The analysis shows that the total cost to incorporate the building as residential units into the development would cost approximately \$2.2 million. The option was shown to retain façade only, with a loss of approx. \$1 million to the total project cost.
2. A geotechnical engineering executive summary from Terracon was also submitted. The report's summary states that the existing soil conditions were 'extremely poor and will not support the proposed development without the use of a subsurface pier system', which incurs a unique cost to the project. In addition to the cost of this system, stabilizing the soils and protecting and augmenting the existing basement foundation of the building adds even more cost. .
3. Due to these types of expenses and lost profits, the existing building on the corner of Main and Clay Streets will to be removed due to the fact that the project will not be economically viable with its retention.

Site Context/Background



Parcel 1

The main parcel at 700 E. Main Street covers a large plot bounded on the north by E. Main Street, on the east by S. Shelby Street, on the south by Billy Goat Strut Alley, and on the west by S. Clay Street. There are numerous buildings on the site -multiple single story block buildings, and a three story brick building at the northwest corner of the site which dates to the early 1880s. The buildings located on the 700 E. Main Street parcel are all currently owned by Service Welding and Machine Company, Inc. The three-story building at the northwest corner of the site (at the corner of Main and Clay Streets) with a covered section extending from the east end of the building at the first story is a Contributing Building and has Contributing Signage elements.

There is a curb cut next to the covered extension that currently serves as the E. Main Street entrance to the facility. The E. Main Street entrance has a chain link fence and a large rolling gate spanning the drive. The central building at this site spans from the east end of the E. Main Street entrance to the corner of E. Main and S. Shelby Streets and is T-shaped with a section that stretches to Billy Goat Strut Alley. The building is a large, one story blue metal building with only two breaks in the aluminum façade facing E. Main Street, both of which are for large garage doors. The east end of the building spans half of the city block between E. Main Street and Billy Goat Strut Alley, and the façade is also made up totally of blue metal siding. Just south of the building there is a curb cut entrance to a large gravel lot with a sliding chain link gate. The gravel lot stretches from the rear of the E. Main Street building back to Billy Goat Strut Alley and to the west half of the city block to the T-shaped extension and it is bounded on both the east (S. Shelby St.) and south (Billy Goat Strut Alley) by a chain link fence.

There are two buildings that make up the southwest corner of the site that stretch from the T-shaped extension to S. Clay Street. The eastern building is set lower than the

surrounding structures and is made up of metal siding. The western building at the corner of Billy Goat Strut Alley and S. Clay Street mirrors the building on E. Main Street with the blue metal siding except for the brick that makes up the lower third of the western façade. This building butts up against the south end of the Contributing Building at the corner of S. Clay and E. Main Streets.

The buildings are surrounded by gravel, asphalt, and/or concrete paving. The site has multiple curb cuts located along Main, Shelby, and Clay Streets, as well as access to Billy Goat Strut Alley. The site sits higher than the surrounding grade in the southeast corner of the site a small concrete retaining wall runs along the alley from the southeast corner west and terminates into a single story block building. The alley pavement extends to the face of the buildings and concrete retaining wall.

Parcel 2

121 S. Clay Street faces west and takes up half of the city block between Billy Goat Strut Alley on the north and E. Market Street on the south. This building is considered a Contributing Historic Structure within the Nulu Overlay District.

The structure is bounded on the east by a parking lot and on the south by a row of historic buildings. The building has multiple curb cuts and garage doors accessing the building from both S. Clay Street and Billy Goat Strut Alley. The building abuts a 4-foot alley to the south and a parking lot to the east.

The façade is of red-brick masonry construction and is broken up into two identical sections, both consisting of a garage door in the middle that is flanked on either side by large windows that are covered by metal meshing. In the middle of the building as a whole, where the two sections meet, is a single door. The roofs have a crow-stepped gable with one large portion extending up with a concrete slab containing what is the year it was built embedded in it. An additional slab above the single pedestrian entryway reads "office". These three signs are classified as contributing signs to the Nulu Overlay District.

FINDINGS

Guidelines

The following Principles and Design guidelines are applicable to the proposed exterior alteration: **Principle 1- Signage, Principle 2 – Building, Principle 3- Public Art, Principle 4 – Site Planning and Parking, Principle 5 – Historic Preservation, and Principle 6 - Sustainability.**

The report of the Overlay Staff's findings of fact and conclusions with respect to these guidelines is attached to this report.

CONCLUSIONS

The project as proposed incorporates a mix of retail, residential, parking, and tenant amenities on the two parcels. The new buildings are well proportioned overall but exceed the 3 story height referenced in the guidelines. As a character defining feature of the district, this aspect of the design has been reconsidered from the September 12th drawing set for better compliance. Setbacks in the façade plane and variation in color and material have been added to visually subjugate the 4th and 5th floors to the 3 story

portions. The buildings have well-defined bases at the pedestrian level that fit well into its context. The pedestrian experience is enhanced by the buildings' mix of storefront windows along the eastern retail portion of the building and residential stoops that access individual units along the western portion of the building. The re-use of the façade on S. Clay Street helps retain some sense of historic character and scale although the building itself is not preserved. Additional façade elements that promote a pedestrian-friendly environment are: building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, lighting, and entrances that face the street. The mass of the building located on Parcel 1 has been arranged sympathetically in a response to its surroundings, and relates strongly with the building located on Parcel 2. By utilizing multiple building materials, various brick and paint colors, and varying parapet height, visual interest has been added to the building façades.

The applicant has provided an economic viability analysis and a justification statement along with their application for demolition of the National Register eligible existing buildings on the site. In addition, the executive summary of a geotechnical engineering report states the existing soils conditions are so poor that a pier system would need to be installed to support the new buildings and likely compromise the existing building at 700 E. Main Street.

The applicant has provided documentation concluding that the rehabilitation or adaptive reuse of the two contributing buildings would not be economically feasible as required by the project's structural and density requirements.

The applicant has considered adaptive re-use of the building located at 700 E. Main Street, but has been unable to do so due to the following constraints, as stated by the applicant:

- Aesthetics, structural integrity and economics
- Existing structure has been greatly modified over the years
- Interior layout and design thus modified does is not keeping with current methods of construction, and is incapable of being integrated into the new building design. floor to floor heights vary from level to level 12' to 14' – thus not aligning with new construction floor levels
- Existing foundation system for this structure is unknown and so it cannot be confirmed as being structurally sound for new building use
- Economic – repairing the building will be cost prohibitive and cause further strain on the building budget

The façade of the structure at 121 S. Clay will be preserved and incorporated into the building. The applicant has provided the following concerns:

- The existing structure with its sloped roof and clerestory windows is not suitable for inclusion for the building use being proposed. The structural system does not meet current codes and would likely lose much of its character during updates
- Demolition of the interior structure will allow for the building to meet all existing building code and accessibility code requirements

Although the Overlay ordinance's provisions and guidelines support and encourage adaptive renovation and re-use of the historic properties in the district, the same

provisions and guidelines allow demolition of even historically contributing structures if the Urban Design Administrator and Historic Preservation Officer are satisfied that:

1. the rehabilitation of the structure or construction of a new structure will have a greater economic impact on the area's vitality and appearance, and the rehab of the structure or construction of a new structure would not be possible or economically feasible without the demolition of the existing structure; or
2. The applicant cannot obtain a reasonable rate of return unless the existing building is demolished.

In this instance the Urban Design Administrator and Historic Preservation Officer conclude that the structure at the corner of Main and Clay Streets retains significant value as an increasingly rare example of a turn of the century corner commercial structure in good condition that contributes to the value and character of the district and can be reasonably renovated.. The proposed project contains a variety of uses and space types that the building appears to have the potential to house these spaces even if the floor plates and structure do not align with the new building.

The applicant, however, does provide compelling evidence and thoughtful analysis concluding that the repurposing of the corner structure in the context of this specific project and as dwelling units is not economically feasible, and affects the viability of the whole project which would have significant impact on the economic vitality of the district.

While recognizing the historic value of the building the Urban Design Administrator and Historic Preservation Officer conclude that the retention of the building has significant negative economic impacts to the project and its overall feasibility. In accordance with the Historic Preservation criteria of the Overlay, staff can support its demolition.

The Urban Design Administrator and Historic Preservation Officer also conclude that the smaller building on Clay also has some historic value but is less substantial in its impact on the district and its removal/re-use of the façade is acceptable pending the compliance of the new design with applicable guidelines.

The applicant has additionally responded to initial comments with regard to other Principles: provide further design definition of the facades, particularly at the 3rd floor level; intends to incorporate some element(s) of Public Art; and finally is making efforts to include elements supporting Principle 6 Sustainability.

RECOMMENDATION

The proposed changes generally comply with the applicable Design Guidelines for the Nulu Overlay Review District.

Considering the information furnished, the Urban Design Administrator recommends **approval** of the application for an Overlay Permit with the following conditions:

- 1. The existing corner commercial structure at the corner of Main and Clay Streets and the building on Clay may be demolished provided that:**
 - a. The applicant is encouraged to continue to explore the viability of including the full corner commercial into the project which could perhaps be supported by alternative mix of uses**

b. Both buildings – the corner building at Main and Clay as well as the building on Parcel 2 - be photographed and documented. These documents shall be submitted to staff for inclusion in the project record.

2. Details of signage, re-use of existing Significant Signage, lighting, awnings and canopies and associated features at storefronts to be submitted to the Staff prior to installation for review and approval.

3. Public Art is proposed but has not been finalized. Applicant to work with Overlay Staff and the Public Art Administrator on Public Art proposals. Such items shall conform to Principle 5 – Public Art.

4. Finalized streetscape design including light fixtures, street furnishings, street trees, and paving materials shall be submitted to staff for final review and approval.

Date

Burcum Keeton
Architectural Projects Coordinator

Date

David R. Marchal, AIA
Urban Design Administrator

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.	+/-	Existing contributing signs on this site are highlighted below. Due to demolition of the structure at 700 E Main Street, the painted Service Welding and Machine sign as well as multiple attached signs will be removed. Applicant proposes to reuse contributing signage at another location on the site. The building façade at 121 S. Clay Street will be incorporated into the development and building dates and office sign will remain.
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 at 121 S. Clay Street will not be disturbed. Signage located at 700 E. Main Street will be salvaged and reused on site.
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.	NSI	Final signage plans to be submitted at a later date once tenants are established. See condition #3
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.		
S5	Attached wall signs or projecting signs are preferred. Attached signage composed of individual letters or symbols is also preferred.	NSI	Signage is shown conceptually at this point, final designs to be confirmed.
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.	NSI	Signage is shown conceptually at this point, final designs to be confirmed.
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.	NSI	Signage is shown conceptually at this point, final designs to be confirmed
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.	NSI	Signage is shown conceptually at this point, final designs to be confirmed
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.	NSI	Signage is shown conceptually at this point, final designs to be confirmed
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.	NSI	Signage is shown conceptually at this point, final designs to be confirmed
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.	NSI	It is presumed that there will be directional signage associated with the parking structure. To be finalized.
S14	All exposed conduit, electrical transformer boxes, and electrical raceways should be concealed from public view, or painted to blend in with background.	NSI	
S15	Multiple signs placed on a building's façade should be compatible with other surrounding signage located on the structure.	NSI	Signage is shown conceptually at this point, final designs to be confirmed
S16	Permanent banner signage shall be made of canvas material or matte textured vinyl material.	NSI	Signage is shown conceptually at this point, final designs to be confirmed

LIST OF SIGNIFICANT, HISTORIC, OR CONTRIBUTING SIGNS

Service Welding and Machine Co. – painted	700 U.S. 31E
Building dates and office sign – attached	121 S. Clay St.
Service Tanks multiple signs – attached	700-798 E. Main Street
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
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

Principle 2 – 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	Finding	Comment
B1	Existing structures in the NuLu area are strongly encouraged to be sustainably renovated and reused.	-	All buildings proposed to be removed, save for façade only on S. Clay Street
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.	+	Mix of storefront windows and residential ‘stoops’ with landscaping. While large, the building proposes to “scale down” with the use of alternating facades, detail, materials, and design.
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.	+	To be finalized once tenants are identified and commercial spaces designed
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.	+/-	Some portions of the building are set back from the property line for variation, scale, and to provide a variety of setback as the project takes up the full block along Main Street
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.	+	The ground/floor levels are primarily brick along Main and Clay Streets
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	+/-	Proposed structures’ height is 5 stories high. The larger building mass is broken down

	the increased height is not intrusive towards adjacent structures.		horizontally with the use of detailing, change in materials, and color, Some portions of the façade retain the 5 story look to offer further visual variation along the block face. The building sits alone on the block face and will back up to a future hotel, so there no immediately adjacent buildings, but the excessive height is taller than the general context of the district
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.	+	
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.	+	
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.	+	
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	

Principle 3– Public Art

Design Guideline Checklist

Objective

Public art is the continuously growing record of the community's identity, creativity, values, and its highest aspirations. Public art is defined as art placed on public or publicly-accessible private property, including building exteriors and outdoor public areas. Public art contributes to the local economy, and adds to the richness of the community. The consideration of public art should be included in every project's written development plan.

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

	Guideline	Finding	Comment
PA1	Public art should be available for the enjoyment and enrichment of people within the community. The plan should include a meaningful allowance for public art in the planning and construction of all projects.	+	A space is dedicated for a Public Art element on the E Main frontage, at the parking garage entrance.
PA2	Public art can include all mediums, such as sculpture, mural or painting, film, light, or other forms of creative expression that are viewable on a site or building. Commercial logos or elements of commercial advertising for a business or organization are not considered public art under this definition.	NSI	
PA3	Public art shall be designed, executed, and supervised by recognized artists or other design professionals who have been trained or have consistently provided examples of artistic work in their medium of expression.	NSI	
PA4	Public Art, if implemented, should be integrated with the design of the project or development, and shall aesthetically enhance the urban environment of the Overlay District.	NSI	
PA5	Public Art proposals should conform to the design guidelines and master plan established by the Committee for Public Art (COPA).	+	Public art design and selection to be finalized at a later date in coordination with the Public Art Administrator

Principle 4 – 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.	+	Utilities to be placed in common trench where possible
SP2	Combining existing small, under-utilized lots to create shared parking areas that are more efficient and more accessible is encouraged.	+	New parking structure proposed; surface parking lot to be removed
SP3	Additional surface parking lots and driveways shall not be permitted in the NuLu Review Overlay District.	NA	
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.	NA	
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.	NA	
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.	+	There are no immediate adjacent residential structures to the proposed development.

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.	NA	
SP9	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	NSI	To be submitted for final review
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.	+	The curb cut and vehicular entry on Main has been reviewed with Transportation Review staff in Planning & Design Services and has been determined to be in compliance with applicable standards, An existing curb cut further west on Main will be removed.
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.	+	Proposed for courtyard/patio area on E. Main frontage
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.	NSI	Replacement trees to be approved by City Arborist. Applicant to consult with City Arborist prior to any street tree removal or planting.
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.	+	

Principle 5 – 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.	+	Of the two historic buildings on the site, the building on Main is to be fully removed (see guideline HP3) and the building on Clay is to be partially removed with the primary façade retained. The treatment of the building on Clay is thus reviewed primarily with regard to guideline HP2. Compliance with HP2 could support flexibility in application of HP1.
HP2	The design of new or substantially remodeled structures that are adjacent to Contributing Historic Structures should be compatible with them and should incorporate similar design details or references where appropriate.	+	This guideline is applied to the façade and portion of the building to remain on Clay Street. The new building behind the façade is significantly taller than the existing façade but does work to break down its scale through use of material, and references the organization of the existing façade when organizing new elements such as windows, doors, and balconies.
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:	+	This guideline is applied to the corner building at Main and Clay. It is deemed to be a Contributing Historical Structure in the district, yet is proposed to be demolished.

	<p>(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</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 65 years ago or longer is demolished in accordance with the application.</p>	<p>The applicant, however, does provide compelling evidence and thoughtful analysis concluding that the repurposing of the corner structure in the context of this specific project and as dwelling units is not economically feasible, and affects the viability of the whole project which would have significant impact on the economic vitality of the district.</p> <p>While recognizing the historic value of the building the Urban Design Administrator and Historic Preservation Officer conclude that the retention of the building has significant negative economic impacts to the project and its overall feasibility. In accordance with the Historic Preservation criteria of the Overlay, staff can support its demolition.</p> <p>Given the value of the building, staff still encourages the applicant team to continue to explore ways to incorporate the building if at all possible.</p>
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Principle 6 – Sustainability

Design Guideline Checklist

Objective

Incorporating environmentally sustainable elements into the design and construction of the built environment in the NuLu Review Overlay District (NROD) is an important part of any project. Environmentally sustainable elements include: transit facilities, green buildings, heat island reduction, recycled content in infrastructure, and storm water management.

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

	Guideline	Finding	Comment
SU1	Transit facilities should have a covered shelter, seating, bike racks, information kiosks, and appropriate signage.	NA	
SU2	New commercial, industrial, and residential buildings should pursue LEED or equivalent energy efficiency standards.	NSI	
SU3	New or replacement roofs with energy efficient “radioactive properties” should be considered.	+	
SU4	New Infrastructure is encouraged to use at least 50% by mass, recycled or reclaimed materials.	NA	
SU5	Projects should retain, reuse, and/or infiltrate on-site, all of the storm water that falls on their parcel(s).	+	It is also noted that the project proposes other elements that could be considered to support the Sustainability Principle including re-use of existing infrastructure and use of structured parking to minimize surface parking area
SU6	The surface area of a landscaped or pervious condition slated for a repurposed use must maintain a level of permeability greater than or equal to its current state.	NSI	