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## NuLu Review Overlay District

### Overlay District Permit Report of the Committee

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**Case No:** 19COA1067  
**Classification:** Non- Expedited

#### GENERAL INFORMATION

**Property Address:** 820-828 E. Main Street

**Applicant:** Jeff Rawlins  
Architectural Artisans  
213 S. Shelby Street  
Louisville, KY 40202  
502-583-3907  
jr@architecturalartisans.net

**Owner:** Mo Deljoo  
9100 Marksfield Rd  
Suite 100  
Louisville, KY 40222  
502-262-3851  
Mo.deljoo@cbre.com

**Estimated Cost:** not provided

#### DESCRIPTION OF PROPOSED DEVELOPMENT

The applicant requests approval to develop the site composed of the combined parcels at 820-828 E. Main Street. The site is currently comprised of two existing buildings and a vacant, unimproved lot.

#### **820 E. Main Street**

820 E. Main Street is currently a vacant lot. The applicant proposes to build a new two-story building with a drive thru access point to a surface parking area located underneath and behind the structure. The proposed building materials are CMU and metal panels.

Initially, the second story of the building was to be elevated, providing an area of covered parking below. A CMU wall, 4' in height, along the first story of the building was to screen the parking area from the street. Existing landscaping on the western edge of the property line of 820 E. Main Street also was to screen parking area. Signage will be installed atop the façade of the building.

A new curb cut is proposed along E. Main Street to provide vehicular access to the surface parking area. The parking area is designed to provide 34 new parking spaces.

*NOTE: At the committee meeting, the applicant modified the proposal by to delete the proposed building and increase the size of the parking area.*

**826 E. Main Street** The existing building located at 826 E. Main Street is proposed to be renovated. New windows will be installed on the third floor where windows had previously been. The existing storefront will be repaired and renovated as needed. A small covered walkway will be constructed behind the building to provide pedestrian access the new parking area.

**828 and 828R E. Main Street**

A one-story storage shed is currently located at 828 and 828R E. Main Street. 828 will be demolished and a new and a half story retail building will be built in its place. 828R will be renovated to accommodate a new storefront facing the alley. The new building will have metal siding and a new storefront. Signage is shown placed at the parapet level of the building. The existing fencing around the property will be removed.

**COMMUNICATIONS WITH APPLICANT; COMPLETE APPLICATION**

The application was received on March 12, 2019. The application was determined to be complete and classified as requiring expedited review on March 18, 2019. The NuLu Overlay Review Committee is scheduled to hear the case on April 24, 2019 in the Auditorium of the Old Jail Building located at 514 W. Jefferson Street.

**Committee Hearing**

The NuLu Review Overlay Development Committee reviewed the application on April 24, 2019 at 12:00 p.m. in the Old Jail Auditorium located at 514 W. Liberty Street. Committee members present were Anna Tatman, Milton Haskins, Bill Marzian, Kristi Ashby, and Jon Crumby.

Staff Keeton presented the originally submitted site plan, elevations and rendered drawings, and the Staff Report to the Committee.

After the Staff presentation, Applicant and Architect Jeff Rawlins presented a revised design and renderings to the Committee. The revised design documents were on a personal computer and therefore hard copies were unable to be submitted into record during the proceedings (the applicant submitted those renderings to staff by email on April 30, 2019). The revised design eliminated the proposed building at 820 E. Main Street and expanded the proposed surface parking lot. Mr. Rawlins explained that the construction of a building at 820 E. Main was not feasible due to

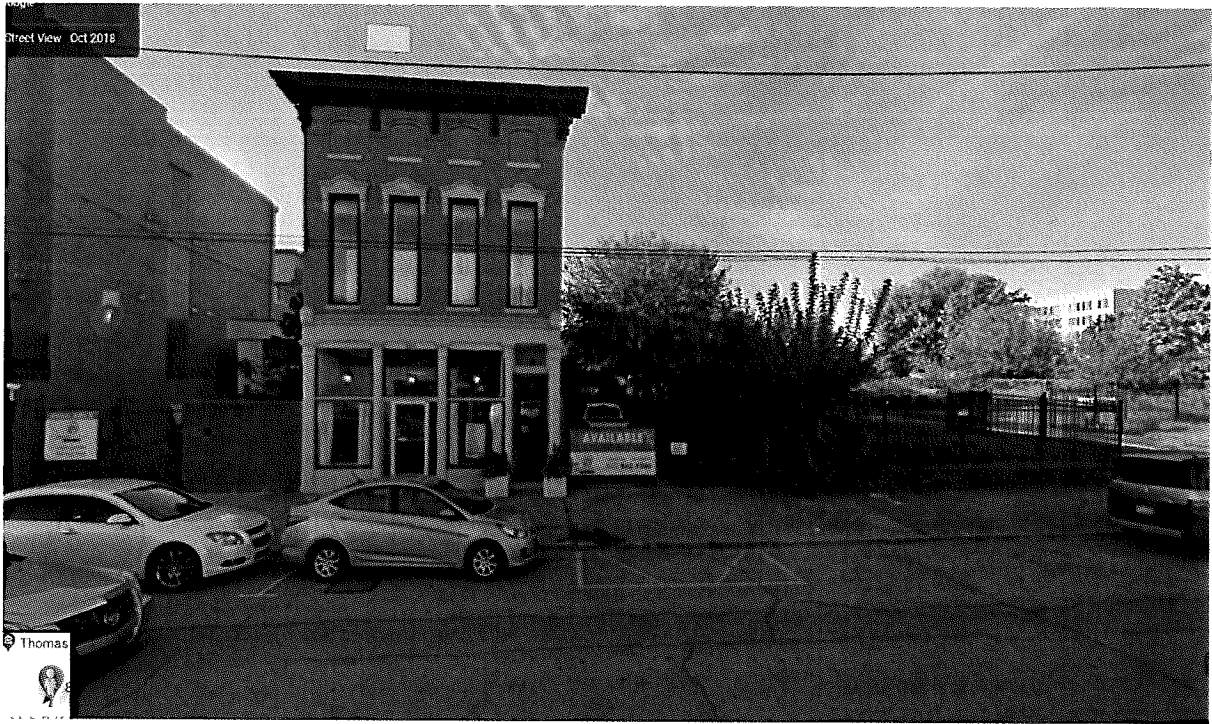
financial concerns at this time. While the property owner may construct the building later, it is no longer planned and should not be reflected in this review. Chair Tatman expressed concern over the lack of a building presence at this location. Ms. Tatman asked the Committee to consider the impact of a surface parking lot to this area of NuLu. Ms. Tatman suggested the applicant present a design with a building façade facing E. Market Street in front of the surface parking. Other committee members agreed on the need to screen the parking area from the public way. Mr. Marzian agreed with Ms. Tatman and was complementary of the general project concept. Mr. Marzian made a motion to approve the Staff Report as written and to accept the plans as presented with the addition of Conditions #3 and #4. Mr. Crumie seconded the motion. The motion passed unanimously.

### **Public Testimony**

No public testimony was submitted in advance of the meeting, and no one was present to provide public testimony.

### **Site Context**





The project site encompasses three lots spanning the width of the block from East Main Street to the Billy Goat Strut Alley. The combined site is zoned EZ1 and is in the Traditional Marketplace Corridor form district. From left to right, 828 and 828R E. Main Street is a one-story storage building with parking and parking gate. 826 E. Main Street is a three-story masonry structure with a commercial storefront constructed in 1890. 820 E. Main Street is an unimproved lot with some parking spaces. To the west of the site, at the intersection of E. Main and S. Campbell Streets, is a five-story multifamily building constructed in 2016. Adjacent to the project site (814, 812, and 810 E. Main Street) is another unimproved lot. The last parcel on the block is a coffee house and roastery, located in a repurposed fire station at 802 E. Main Street. A series of one and two-story commercial buildings as well as surface parking lots are located across the site to the north on E. Main Street. A church built in 1898 and converted into residences is located at the northeast corner of E. Main and Shelby Streets

## FINDINGS & CONCLUSIONS

### Guidelines

The following Principles and Design guidelines are applicable to the proposed exterior alteration: **Principle 1- Signage, Principle 2- Sign Mounting and Placement, Principle 4- Building, and Principle 6 – Site Planning and Parking.**

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

## Conclusions

The Committee found that the proposed design meets the intent of the NuLu Review Overlay District Design Guidelines. The existing contributing building at 826 E. Main is being renovated in accordance with the standards established for Contributing Historic Structures by the United States Secretary of the Interior. The building will be reused to accommodate a new use that will potentially have a positive impact the District. The design and materials used in the new construction at 820 and 828 E. Main Street are compatible with the building adjacent at 826 E. Main Street. Contemporary materials such as metal panels and CMU are used to distinguish new construction from old. New structures are located at the front property line and have building façade elements that promote a pedestrian-friendly environment. Although 1 ½ stories, the proposed building at 830 E. Main shall be of height and design to better fulfill the intent of Guideline B7.

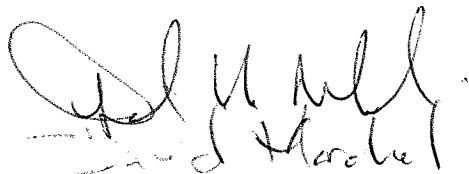
The proposal for a new, unscreened parking lot does not comply with guidelines SP3 and SP4. A new curb cut is proposed to be installed along E. Main Street to allow access into the surface parking lot located behind 820 East Main Street which conflicts with Guideline SP3. In this instance, the proposed surface parking lot is replacing and improving upon what was previously an unimproved lot and will providing parking for an associated development. The curb cut associated with this new lot is of the minimum size required for access. The parking lot, however, will need to be mostly screened from view.

Overall with the adaptive reuse of 826 E. Main and the surrounding new construction, this block of E. Main Street will provide an enhanced pedestrian experience as well as an improved streetscape and the project is found to be in substantial compliance with the applicable Design Guidelines.

## DECISION:

Based on the information furnished by the applicant, the Overlay Permit is **Approved** with the following conditions:

1. Signage shall comply with Design Guidelines and be submitted for review and approval prior to installation.
2. Final building design and materials selection to be submitted to Staff for review and approval.
3. For better compliance with Guideline B7 the applicant shall try to raise the height of the building at 828 East Main Street or otherwise revise the design and submit to Staff for review and approval.
4. The new parking lot at 820 E. Main Street shall be screened in compliance with Guideline SP4. The design shall be submitted to Staff for review and approval.



Urban Design Administrator

5/22/19

Case #19COA1067\_NROD  
Page 5 of 11

# 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
<b>S1</b>	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.	NA	No Significant Signage on the existing buildings
<b>S2</b>	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.	NA	
<b>S3</b>	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	See Condition 1
<b>S4</b>	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.	NA	
<b>S5</b>	Attached wall signs or projecting signs are preferred. Attached signage composed of individual letters or symbols is also preferred.	NSI	See Condition 1
<b>S6</b>	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.	NSI	See Condition 1
<b>S7</b>	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.	NA	
<b>S8</b>	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.	NA	
<b>S9</b>	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.	NA	

<b>S10</b>	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	
<b>S11</b>	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	See Condition 1
<b>S12</b>	Projecting light fixtures used for externally illuminated signs shall be simple and unobtrusive in appearance. They should not obscure the graphics of the sign.	NA	
<b>S13</b>	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.	NA	
<b>S14</b>	All exposed conduit, electrical transformer boxes, and electrical raceways should be concealed from public view, or painted to blend in with background.	NA	
<b>S15</b>	Multiple signs placed on a building's façade should be compatible with other surrounding signage located on the structure.	NSI	See Condition 1
<b>S16</b>	Permanent banner signage shall be made of canvas material or matte textured vinyl material.	NA	

## Principle 2 – Sign Mounting and Placement

### Design Guideline Checklist

#### Objective

*The following signage guidelines help bring greater awareness to businesses while allowing signs to add to the diversity and character of 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
<b>SM1</b>	Signs shall be mounted or erected so they do not obscure the architectural features or openings of a building.	+	
<b>SM2</b>	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 the business day. "A" frame signs cannot exceed 4'-0" in height and 3'-0" in width.	NA	
<b>SM3</b>	All wood signs need to be stained or painted and have a finished appearance.	NSI	See Conditions
<b>SM4</b>	No sign or portion of a sign shall extend above the cornice line at the top of the building facade or exceed 20 feet in height above finished grade. Rooftop signs are prohibited.	NSI	See Conditions
<b>SM5</b>	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.	NA	

# Principle 4 – Building

## Design Guideline Checklist

### Objective

*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 existing 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 and building details should be respected in new projects.*

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

	Guideline	Finding	Comment
<b>B1</b>	Existing structures in the NuLu area are strongly encouraged to be sustainably renovated and reused.	+	826 and 828 R E. Main will be renovated and reused.
<b>B2</b>	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.	+	Storefronts will be created along the property line of E. Market Street.
<b>B3</b>	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, see Condition 2
<b>B4</b>	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.	+	
<b>B5</b>	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.	+	To be finalized, see Condition 2
<b>B6</b>	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	
<b>B7</b>	New structures must be a minimum of two stories high and should be no shorter than one story beneath the height of adjacent properties.	+/-	828 is proposed to be 1 ½ stories, See Condition 3
<b>B8</b>	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.	+	To be finalized, see Condition 2
<b>B9</b>	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.	NA	

<b>B10</b>	Permanent service counters, service bars, decks, or similar structures may not be constructed in front of a building's primary street facing façade.	+	
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## Principle 6 – 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
<b>SP1</b>	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.	NA	
<b>SP2</b>	Combining existing small, under-utilized lots to create shared parking areas that are more efficient and more accessible is encouraged.	NA	
<b>SP3</b>	Additional surface parking lots and drive-thrus shall not be permitted in the NuLu Review Overlay District.	-	Site was previously an unimproved lot
<b>SP4</b>	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.	TBD	Applicant shall provide a screen, see Condition 4
<b>SP5</b>	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.	TBD	Applies to Main Street frontage, see guideline SP4
<b>SP6</b>	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.	NA	
<b>SP7</b>	Fencing and screening shall be constructed of materials compatible with the principal structure.	NA	None proposed
<b>SP8</b>	Chain link fencing must not be visible within the NuLu Review Overlay District.	NA	

<b>SP9</b>	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	NA	
<b>SP10</b>	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.	+/-	New curb cut proposed with addition of parking lot but is of minimum required size
<b>SP11</b>	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.	NA	
<b>SP12</b>	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.	+	Existing trees to remain
<b>SP13</b>	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	

# Principle 7 – 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.	+	
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.	+	
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:  (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  (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.	NA	