



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

Report of the Urban Design Administrator to the
Committee

From: Becky Gorman, Planning and Design Coordinator
Through: David R. Marchal, AIA, Deputy Director / Urban Design Administrator
Date: December 21, 2020
Meeting Date: February 9, 2021

CASE INFORMATION:

Case No: 20-OVERLAY-0057
Classification: Non-Expedited

GENERAL INFORMATION:

Property Address: 1279 Bardstown Rd
Applicant: Janky Singh
6103 Willow Place
Louisville, KY 40207
jankysngh@gmail.com
Property Owner: Kashmira Singh
6103 Willow Place
Louisville, KY 40207
jankysngh@gmail.com
Project Cost: \$800,000

DESCRIPTION OF PROPOSED DEVELOPMENT:

The applicant is requesting an Overlay Permit to redevelop the subject property by demolishing the existing building and replacing it with a new mixed-use building. The scope of work includes the following:

- Demolition of an existing building, a 1-story wood frame structure currently occupied by Time & Space;
- Construction of a new building, a 2-story frame structure with fiber cement lap and panel siding with 6142 sq. ft. of floor area; the first part facing Bardstown Road will be customized for bar/restaurant space, the back part will be residential with 4 units approximately 700 sq.ft each, built on concrete piers to access parking;
- A new storage addition and fencing is proposed at 1283-Taco City building;
- New concrete sidewalks are proposed between the buildings;
- Existing rear parking would be used.

The subject property consists of 2 consolidated parcels located at 1279 and 1283 Bardstown Road. In total area the two combined parcels are approximately 0.2572 acres. The property is bordered by Bardstown Rd to the southwest, private property to the northwest, an alley to the northeast, and private property to the southeast. The parcel is zoned C-2 (Commercial) and within the Traditional Marketplace Corridor (TMC) for district. The Time & Space building on property is currently vacant, and Taco City occupies the other building.

The subject property is surrounded by a mix of uses and building types, including: residential in 1- to 2-story residential garages and carriage houses across the alley; restaurant/bar in a 1- to 1½-story historic buildings on the adjacent properties; across the street is a large commercial parking lot and mall (Mid-City Mall) and 1-story commercial building (Heine Bros. Coffee).

To construct the new building, the existing building at 1279 Bardstown Road will be demolished. The new building is contemporary in style. A 2-story frame building built in the footprint of the existing building has a stepped back elevated story in the back on concrete piers access to ground level parking below. The new building extends across the lot behind the existing building that is to remain.

The front façade consists of large storefront windows and fiber-cement lap-siding and a detached gable front element. The residential rear portion of the building will be fiber-cement panels, metal coping gives the flat roof a finished visual terminus. A sliver of the front façade of the setback portion building will be visible from the street, behind the front portion of the new building, as well as, between the two buildings. A 2nd story door, window and railing will be visible between the buildings. The rear façade has a sliding window and Juliette balcony proposed symmetrically on each side.

The 1283 building, that is to remain, has a new rear addition with a shed roof, clad with fiber-cement lap-siding, and rear entry stoop and stairs. A wood fence and gate are proposed to enclose the new stair and addition.

The patio is proposed to extend between the between for a new courtyard. A new cmu dumpster enclosure is proposed at the rear of the lot.

COMPLETION OF APPLICATION:

The applicant submitted the Overlay Permit application on December 21, 2020. The application was determined to be substantially complete and classified as requiring a non-expedited review by the Urban Design Administrator on January 4, 2021. The committee meeting was then scheduled to accommodate coordination with Development Plan review and agency comment cycles. The Committee will review the application at Noon on February 9, 2021.

The proposal has been submitted as a Category 2B development plan review (case #20-CAT2-0036) for review for compliance with the Land Development Code. Waivers or Variances may be needed, which will require review by BOZA or DRC. A final landscape plan shall be reviewed by the Planning & Design Services for compliance with the Land Development Code and the Guidelines.

FINDINGS:

The following Principles and Design Guidelines are applicable to the proposal: **4- Building; 6 - Site Planning, Parking; and 7- Historic Preservation.** Guidelines 1-Signage, 2-Sign Mounting & Placement, 3-Awning, and 5-Public Art are not applicable. These elements were not submitted as part of the proposal. Staff's findings of fact and conclusions with respect to the Guidelines are attached to this report.

Site Context



Subject Property (LOJIC, Aerial 2016)



Subject Property (Google Earth)

Existing Conditions, 1279 Bardstown Rd (Parcel ID 075E00270000):

The 0.2572-acre parcel is two combined lots and consists of two structures currently used as restaurants. They are setback from the public sidewalk approximately 25' and 32' and each has approximately 1769 sq.ft and 1550 sq.ft. of floor area, respectively. There is a large, shared asphalt parking area in the rear of the lot. The historically residential structures have been adaptively reused for commercial purposes. The majority of the structures along the block face have been converted to new uses but have maintained their historic character and materials. New patios and outdoor seating elements have contributed to the pedestrian experience and the character of the corridor.

The 1279 building is a circa 1924 1-story shotgun structure. It has a front gable roof and is sheathed with non-historic stucco and vinyl. A commercial storefront window was installed in the front façade, replacing original residential style windows and the original door has been replaced with a new unsympathetic door. The front and side yards have been converted into a patio as an outdoor eating area.



1279 Bardstown Road
Staff Photo 2021

The 1283 building is a circa 1904 Colonial Revival 2-story frame structure that currently houses a restaurant. It has a front gable roof with dentil molding and an asymmetrical entry with a covered porch and columns. The structure is sheathed in wood lap-siding and has a limestone foundation. Although a front patio and ADA ramp have been added to the front, the structure maintains a high level of historic integrity with much of its historic character, materials, roof forms, and window and door openings in-tact.



1283 Bardstown Road
Staff Photo 2021



Back of subject property
Staff photo 2021



Alley view from subject property
Staff photo 2021



Subject property from Bardstown Rd
Staff photo 2021

Conclusions

To construct the new building, the existing Time & Space building is to be demolished. The Historic Preservation Officer has deemed the structure non-contributing in terms of historic preservation due to the non-sympathetic changes and loss of historic fabric, setting and feeling. While this circa 1925 shotgun structure has been adaptively reused for commercial purposes for many years, it has lost much of its historic fabric over that time due to replacement of materials for siding, windows and doors, and more recently an interior kitchen fire.

The new building is to be located on the footprint of the existing structure which is setback from the sidewalk. Although this conflicts with Building guideline B, which recommends building to the sidewalk, the new building will be closely aligned with the adjacent structures. The new structure is proposed to be built to the side property line. Staff recommends a side setback for access and maintenance to the side façade. It is 2-stories with a proposed height of 26'-6", slightly lower than the 1283 building which stands at 27'-4". The new building is consistent in size and scale and setback to many buildings in the immediate vicinity.

The new building is contemporary in style and has architectural details and design elements that are common of other modern commercial developments. Fiber cement lap-siding/panels, and metal coping and fascia are proposed for the building materials. The lap-siding on the front portion of the building will differentiate it from the rear residential portion and is reflective of the historic wood siding. The front facade includes large storefront windows on both levels. A metal/wood gable arch is a proposed in front of the building and adds visual interest. The existing patio and trees are to remain.

Overall, the proposed design generally meets the Building guidelines and objectives of the Corridor. The structure is appropriately scaled, uses high quality materials, and visually engaging. The flat roof form with metal coping serves as a visual terminus and is established in the Corridor. The large storefront window openings and an architectural gable arch element, as well as the patio and courtyard are pedestrian friendly. The new structure adds density and mixed-use to the site but is complimentary to the adjacent structures with its setback, use of lap-siding, and gable arch element.

The development utilizes the existing rear parking which includes 13 spaces. The building, assisted by a change in grade, screens the parking from view along Bardstown Rd. Vehicle access is solely from the alley. A 5' LBA is shown on the development plan, but details were not provided.

In comparing the proposed development and existing conditions, the evaluation includes HP Guideline "C," "if 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." As stated earlier, the existing structure has been modified over time and lost historic fabric, although its historic form remains. Replacement of existing deteriorated materials could ultimately result in total reconstruction. The proposed new structure will offer a greater use and density to the property as a 2-story mixed-use commercial and retail structure, which will contribute to the character of the corridor.

Based on information provided, the use will be restaurant/retail/multi-family residential which is permitted with C-2. The proposed parking meets the requirement. LDC infill standards will require a variance for the proposed front setback. A 15' landscape buffer is required at the rear of the lot for the transitional zone from R5B to Traditional Marketplace Corridor. Currently, a 5' buffer is shown on the development plan, therefore, a landscape waiver would be required. This buffer should be further developed to meet Site Planning, Parking guideline F.

RECOMMENDATION

The application complies with the applicable Design Guidelines for the BROD District.

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

1. Building side setback should provide side yards wide enough to allow for maintenance of the building unless common party walls are provided on the lot line.
2. Signage proposed in the future shall comply with the Signage Design Guidelines and be submitted to staff for final review and approval.
3. Minimum 4'-0" wide landscape buffer area containing a 36" minimum height (at maturity) screen shall run along 90% of the lineal area in front of the patio, plaza, or outdoor space that faces the street. Final landscape materials shall comply with applicable Design Guidelines and be submitted to staff for final review and approval.
4. A final landscaping plan shall be submitted for review by Planning & Design Services for compliance with the Land Development Code and the Guidelines including Site Planning, Parking guideline F.

5. Any proposed outdoor lighting shall be submitted to staff for final review and approval.
6. Windows shall have clear glass or light tinting only. Window details shall be submitted to staff for final review and approval.
7. Fencing details shall be submitted to staff for final review and approval.
8. 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.
9. Should the patio be disturbed during construction, the proposed new design for the patio shall be submitted to staff for review and approval prior to installation.

Becky P. Gorman
Planning & Design Coordinator

David R. Marchal, AIA
Urban Design Administrator

4 Building

Checklist

Existing structures along the Bardstown Road/Baxter Avenue Corridor are encouraged to be renovated and reused. The Overlay Staff can assist a licensed architect or design professional to develop designs that adaptively reuse these structures to meet the needs of new businesses and services. The Overlay Staff will also assist the applicant through the review and approval process.

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

Guideline	Finding	Comment
A Existing structures along the Corridor are encouraged to be renovated and reused. The Overlay Staff can assist a licensed architect or design professional to develop designs that adaptively reuse these structures to meet the needs of new businesses and services. The Overlay Staff will also assist the applicant through the review and approval process.	-	The existing structure is proposed for demolition due to fire damage and incompatibility with new uses
B Buildings should be "pedestrian- friendly". Design building facade elements that promote a pedestrian-friendly environment include building to the edge of sidewalk, large storefront window openings at the ground floor, awnings, canopies, and lighting.	+/-	The new structure will be pedestrian friendly with large storefront windows at the ground level. It will not be located at the sidewalk, as recommended by the guideline. It is being constructed on the original footprint, which is setback from the street, and aligned with neighboring structures.

C	All storefront windows and doors at ground level shall have clear glass or light window tinting. Severe window tinting or mirrored glass is not permitted unless pre-approved by staff for "special conditions". Examples of "special conditions" may include restaurant kitchen areas, storage space, and restrooms that would need to be hidden from public view.	TBD	Window details were not provided in the submittal materials should be confirmed as the details are finalized. See Condition.
D	New structures should be located at the front property line. Building sites should provide side yards wide enough to allow for maintenance of the building unless common party walls are provided on the lot line.	+/-	As noted in Guideline "B" above, the structure will be setback from sidewalk but will be built on the original footprint of the existing building which aligns with the neighboring buildings The new structure is proposed to be built to the side property line. A side setback/yard is not provided for maintenance. See Condition. .
E	High quality materials and historically appropriate architectural details at the ground floor/street level of buildings can both accent buildings, and provide visual interest for pedestrians and motorists.	+/-	Fiber cement lap-siding/panels, and metal coping and fascia are proposed for the building materials. The front facade includes large storefront windows and door providing visual interest for the pedestrians, and a metal/wood gable arch reflective of the historic gable roofs. The lap-siding, large storefront, and gable arch are complimentary to the adjacent historic structures.
F	New structures greater than three stories high may be permissible if taller portions are set back from the street frontage so that overall sight lines are compatible, and if the increased height is not intrusive towards adjacent structures.	NA	
G	A visual terminus, such as a cornice at the top of a wall helps articulate the architecture, and gives it a completed finished look.	TBD	The new structure has a flat roof, reflective of the contemporary architecture.
H	Roof forms that are inconsistent with the character of the Corridor include single pitch (shed) roofs, curving roofs. Flat roof forms with parapets are well-suited to the character and image of the Corridor.	+	The proposed structure has a flat roof. The clean lines are reflective of the contemporary architecture. The metal coping at the roof line is a band across the top and provides a visual terminus.
I	Outdoor eating or temporary seating located within public sidewalk areas must receive staff approval prior to installation. A 4' wide pedestrian zone is required in the public "right-of-way" sidewalk area.	NA	Outdoor seating area is proposed between the front of the structure and the public sidewalk, entirely on private property.
J	All new mechanical equipment that is visible from a public right-of-way should be installed to have a minimal impact on adjacent properties and from public view. Replacement of existing mechanical equipment is considered general maintenance and will not require a staff review. Additional permits and approvals by other government agencies or authorities may be required.	TBD	Location of mechanical equipment was not provided in the submittal and should be confirmed as the details are finalized. See Condition.
K	Permanent service counters, service bars, decks, or similar structures may not be constructed in front of a building's primary street facing façade.	NA	The renderings do not show a service counter, service bar, or deck in front of the building.

6 Site Planning, Parking

Checklist

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

+ Meets Guidelines

NA Not applicable

- Does not meet Guidelines

TBD To be determined; insufficient Information

+/- Meets Guidelines with conditions as noted

Guideline		Finding	Comment
A	Development plans shall minimize the adverse visual impact of utility lines on the Corridor. Underground lines or service from the alley, where feasible, is encouraged.	NA	Utility connection will be in existing locations. No changes proposed.
B	Combining existing, small, under-utilized lots to create shared parking areas that are more efficient and more accessible is strongly encouraged.	+	Existing rear parking area will be utilized.
C	Parking areas and drive-thru's should be located to the side or rear of structures.	+	Parking is accessed off the alley in the rear of the structure.
D	Parking areas adjacent to the public sidewalks must use landscaping, trees, colonnades or other construction, to maintain the building line created by structures along the sidewalk. Side parking lots which exceed 40% of the total linear lot frontage adjacent to right-of-way shall provide a 36" high masonry, stone, or concrete wall that makes reference to a similar design within the surrounding area extending from the principal structure across the front of the parking area. Surface parking lots with no principal structure shall provide the 36" wall as described. The 36" tall wall can wrap around any existing or proposed monument signage to maintain visibility.	NA	Parking is not adjacent to the public sidewalk. Vehicle access is off the alley in the rear of the structures.
E	Adequate perimeter landscaping, fencing, or a combination of both is required to help screen parked vehicles from full public view. The screening height shall be 36" above finished grade of parking lot. This height will enable drivers of vehicles to safely see and avoid other pedestrians and vehicles while screening most of the parked vehicles' mass.	TBD	Landscaping details were not provided. A final landscaping plan shall be reviewed by Planning & Design Services for compliance with the Land Development Code and the Guidelines. See Condition.
F	New development projects should provide adequate and significant screening to adjacent residential structures. Opaque landscape buffers and other forms of screening shall be used to minimize noise and lighting impact.	TBD	Landscaping details were not provided. A final landscaping plan shall be reviewed by Planning & Design Services for compliance with the Land Development Code and the Guidelines. See Condition.
G	Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	TBD	Outdoor lighting details were not provided. See Condition.
H	Fencing and screening shall be constructed of materials compatible with the principal structure.	+	The fence will be either wood or wood posts with cement board. See Condition.
I	Chain link fencing must not be visible from Bardstown Road/Baxter Avenue.	NA	
J	The number and width of curb-cuts on the Corridor should be minimized to promote pedestrian circulation. Existing continuous curb-cuts should be reduced to widths necessary for vehicular traffic.	NA	
K	Patios, plazas, or outdoor spaces, constructed, created, or installed in front of a structure that replaces existing turf and/or landscaped areas, shall use permeable pavers, pervious concrete, or equivalent permeable hard surface to reduce water runoff from the property.	NA	The existing patio area will remain. Should the patio be disturbed during construction it should be reconstructed in compliance with the guidelines. See Condition.
L	Minimum 4'-0" wide landscape buffer area containing a 36" minimum height (at maturity) screen shall run along 90% of the lineal area in front of the patio, plaza, or outdoor space that faces the street. This landscape buffer area shall include permanent landscaping material such as trees (minimum 1-3/4" caliper size at time of planting), shrubs (minimum 18" height at time of planting), groundcover, and /or perennials. Fences, planters, and/or walls (maximum height of 36") are permitted within the landscape buffer area. Landscape buffer plantings shall be installed prior to occupancy or use of the patio, plaza, or outdoor space.	TBD	Landscaping details were not provided. A final landscaping plan shall be reviewed by Planning & Design Services for compliance with the Land Development Code and the Guidelines. See Condition.
M	Existing trees located within the property or adjacent property along the street, alley, or access easement shall be preserved and protected unless the City Arborist determines they are not healthy or are dangerous and should be removed. Removed trees should be replaced with appropriate	+	Existing trees will remain.

	trees approved by the City Arborist. The replacement trees shall be sized at a minimum of 1-3/4" caliper (at time of planting). Replacement tree(s) shall be planted within three months of the tree(s) removal or during the next planting season, whichever comes first.		
N	The construction or installation of a deck or structure built off the ground and over existing landscaped areas in front of a building's primary façade is prohibited. Balconies located on the second or third floors of buildings that are cantilevered or bracketed, scaled to match the building's façade, and utilize contextual materials are appropriate.	NA	

7 Historic Preservation

Checklist

Historic buildings (65 years of age or older) help to anchor the District to our community's history. Buildings can serve as reminders to future generations how Louisville's citizens lived and worked in the past while serving business and residential requirements today through adaptive reuse. These buildings can serve as future adaptive reuse opportunities. Contributing historical structures are structures that have unique designs, are constructed with unusual materials, or served the public in a manner that was important to the local area. Such structures also add character to the pattern of established development in the Corridor. Given the significant role of historic structures in the Corridor, demolition of any structure will entail stringent review.

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

Guideline		Finding	Comment
A	Changes to the exterior of contributing historical structures and other structures within the Corridor which were constructed in the last 65 years and that have not been significantly altered shall be reviewed in accordance with the standards established for contributing historic structures by the U.S. Secretary of the Interior, but the Planning and Design Director or Committee may relax these standards in the interest of accomplishing the intentions of the guidelines	NA	The Historic Preservation Officer has deemed the structure non-contributing in terms of historic preservation due to the non-sympathetic changes and loss of historic fabric, setting and feeling.
B	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.	+	The new building is in the proximity of many historic structures. Its design is compatible with those structures in terms of height and mass. The new building also utilizes fiber-cement lap-siding as a material, which is reflective of wood siding used on historic buildings in the District.
C	No application to demolish any contributing historical structure or structure built within the last 65 years shall be approved by the Urban Design Administrator unless the applicant demonstrates to the satisfaction of Urban Design Administrator and the Historic Preservation Officer: 1) 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 2) That the applicant cannot obtain a reasonable economic return from the property or structure unless the contributing historical structure or structure constructed within the last 65 years is demolished in accordance with the application.	+	The Historic Preservation Officer has deemed the structure non-contributing due to the non-sympathetic changes over-time and loss of historic material. Replacement of existing deteriorated materials could ultimately result in total reconstruction. The proposed new structure will offer a greater use and density to the property as a 2-story mixed-use commercial and retail structure, which will contribute to the character of the corridor.