



NuLu Review Overlay 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
Meeting Date: May 5, 2021

CASE INFORMATION:

Case No: 21-OVERLAY-0003
Classification: Non-Expedited

GENERAL INFORMATION:

Property Address: 724, 726, 728, 730, 730R E Market Street

Applicant: Charles Stephen Wendell
Mountain & River City, LLC
123 North Court Street
Fayetteville, WV 25840
843.270.2096
stephenwend@gmail.com

Property Owner: Kaveh Zamanian
Green Building, LLC
1452 Cherokee Road
Louisville, KY 40204
502.377.5594
kaveh@rabbitholedistillery.com

Rabbit Hole Spirits, LLC
1452 Cherokee Road
Louisville, KY 40204

Plan Prepared by: Matthew D. Gullo
Luckett & Farley
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Louisville, KY 40202
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Project Cost: \$30,000,000

DESCRIPTION OF PROPOSED DEVELOPMENT:

The applicant is requesting an Overlay Permit to redevelop the subject property into a hotel with a restaurant/bar. The development will fill the undeveloped parking lots between the “Green Building” at 732 E Market Street to the east and 720 E Market Street to the west. The scope of work includes:

- Construction of a hotel building, and 6-story brick/EIFIS structure with 122 rooms and a restaurant/bar.
- A drop off zone on the west elevation of the hotel;
- A pedestrian pathway, on the west side of the hotel, from Market Street to the hotel lobby to Jefferson Street via Rabbit Hole Distillery;
- art garden featured in the outdoor space;
- Rooftop bar and terrace.

The proposed development consists of 5 contiguous parcels (724, 726, 728, 730, 730R E Market) of approximately .49 acres, which currently serve as surface parking and an undeveloped lot (724 E Market). The site is bordered by W Market Street to the north, commercial property to the east and west, and Nanny Goat Strut alley to the south. The parcels are zoned C-2 (Commercial) and within the Traditional Marketplace Corridor (TMC) form district. 724 E Market was previously reviewed for development under case #16COA1018 as part of the Rabbit Hole Distillery project but is now proposed to be developed as part of this project.

The subject site is surrounded by a mix of uses and building types: AC Hotel Nulu in a new 5-story structure, and a restaurant in a 2-story historic building, across E Market to the north; retail and commercial uses in 3-story, historic structures to the east (The Green Building and Galaxie restaurant/bar) and west (formerly Scout retail); Rabbit Hole Distillery across Nanny Goat Strut alley to the south. Most structures along this block face of E Market are 2- to 3-story historic structures that are considered contributing to the Phoenix Hill National Register District and the Overlay District. Recent new structures include the AC Hotel Nulu and Rabbit Hole Distillery, in the 3- to 5-story range. Note the AC Hotel Nulu was constructed prior to the establishment of the NuLu Overlay.

At its maximum height, the building is 75'. It will include 72,614 sq.ft. of floor area.

COMPLETION OF APPLICATION:

The applicant submitted the Overlay Permit application on February 1, 2021. The application was determined to be substantially complete and classified as requiring a non-expedited review by the Urban Design Administrator on February 1, 2021. At the request of the applicant, the project was discussed by the Nulu Overlay Committee at a preliminary review meeting via WebEx on February 17, 2021. Revised elevations and site plan were submitted on March 11, 2021. The project is scheduled for review by the Nulu Review Overlay District Committee and Board of Zoning Adjustment Hearing Officer on May 5, 2021 at Noon via WebEx, in accordance with safety protocols related to the COVID 19 State of Emergency in the Commonwealth of Kentucky.

The proposed development also requires a Category 2B development plan review (21-CAT2-0002), a variance (21-VARIANCE-0026), and a parking waiver (21-PARKWAIVER-0003). The

variance is scheduled to be reviewed by the Louisville Metro Board of Zoning Adjustment meeting on May 17, 2021.

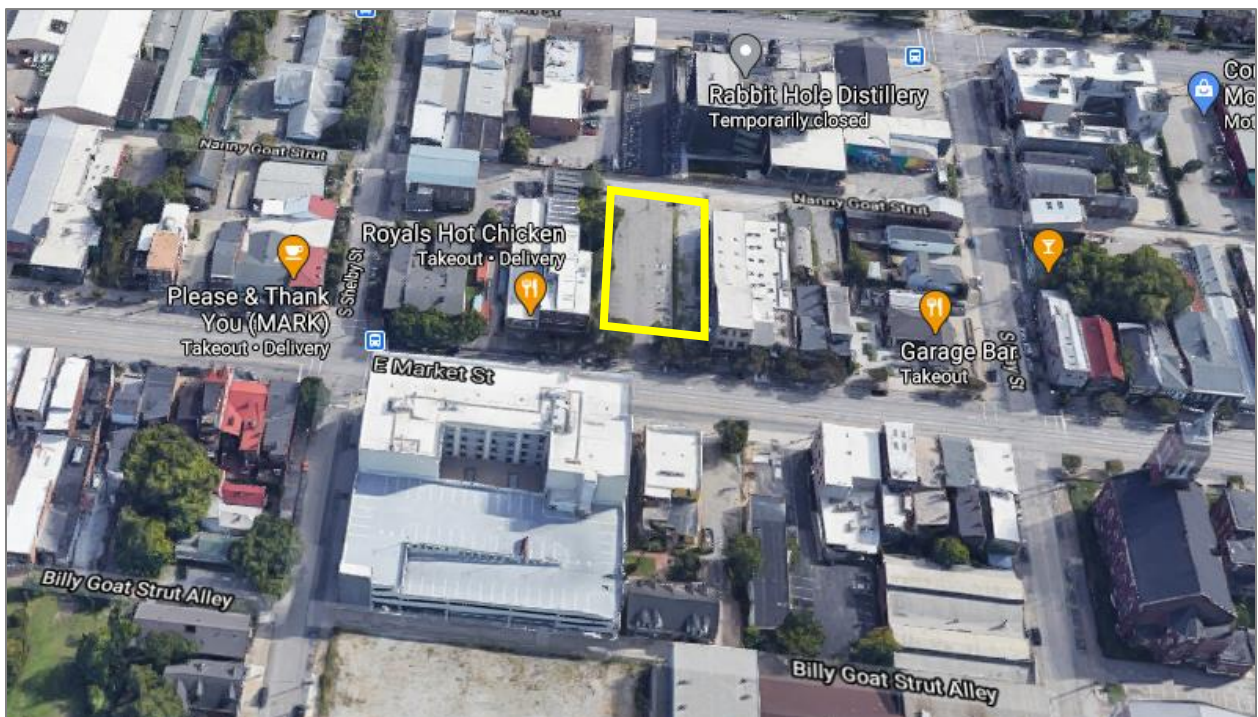
FINDINGS:

The following Principles and Design Guidelines are applicable to the proposal: **3- Awning; 4- Building; 6- Site Planning & Parking; and 8-Sustainability**. Staff's findings of fact and conclusions with respect to the Guidelines are attached to this report.

Site Context



Subject Property (LOJIC, Aerial 2021)



Subject Property (Google 2021)

Existing Conditions, 726 East Market(017D01940000), 728 East Market (017D00850000), 730 E Market (017D00870000), and 730R East Market (017D00860000)

The parcels are currently used for parking and have approximately 40 surface parking spaces facing east and west toward the adjacent lots. The parking area is accessible from a curb cut at 728 E Market and Nanny Goat Strut alley.



726, 728,730, and 730R E Market Street
Staff photo

Existing Conditions, 724 East Market(017D00840000)

This parcel is undeveloped. It is adjacent to 720 E Market, a 3-story historic commercial building. The empty lot is bound by E Market to the north and Nanny Goat Strut alley to the south. Rabbit Hole Distillery is visible south from this lot.



724 E Market Street
Staff photo

Existing Conditions Adjacent Buildings:

732 E Market Street: Adjacent to the east of the subject proposal site, 732 E Market Street served as the former Sternau's Dry Goods, now known as the Green Building. The 3-story historic masonry commercial structure has Romanesque features including a large arched brick opening and rough stone lintels. The first floor has large storefront windows and entries. The 2nd and 3rd stories have large one-over-one windows where the stone lintels almost form a continuous line across the building. There is decorative brick coursework above the window lintels, as well as, at the cornice of the building.



The Green Building, 732 E Market, and the subject site
Staff photo

720 E Market Street: Adjacent to the west of the subject proposal site, is a 3-story Italianate historic masonry commercial structure. It has a first floor with large storefront windows and entries. The 2nd and 3rd stories have large windows with decorative hood moldings and brackets under the eave of the cornice.



Adjacent building at 720 E Market Street
Google street view 2019



Subject site and adjacent buildings looking southwest
Staff photo



Subject site and adjacent buildings looking southeast
Staff photo

Conclusions

The existing surface parking would be replaced with a 6-story hotel/restaurant/bar that will improve the street wall and enhance this site. In addition, the site is currently predominated by surface parking. Surface parking is discouraged due to its negative impact on the street wall, streetscape, and pedestrian-friendly character of the District.

The new building's front facade is traditional commercial in style and has architectural details and design elements that take cues from the brick corbel cornice of the adjacent historic brick structures at 732 E Market Street. The brick corbelling at the 3rd and 4th stories breaks up the massing of the front portion of the building and is complementary to the horizontal sight lines of the adjacent building. The 6th story contrasts in brick color, a light gray, has tall arched windows and brick corbelling at the cornice. The use of the light brick color helps mitigate the height of the structure.

The building has a well-defined base at the pedestrian level. The pedestrian experience is enhanced by the building's ground level entrances and storefront windows. Additional elements that promote a pedestrian-friendly environment include the building's location at the edge of sidewalk, its use of awnings/canopies, and entrances that face E Market Street.

The building incorporates design elements, materials, and colors that reduce its massing and provide interest. The main materials are brick and EIFS. Brick is used on the front façade and

wraps the corners of the structure. The alternating bays of brick and EIFS on the east, west, and south facades break up the massing along these elevations and provide visual interest.

Additionally, along the west façade the brick bays extend out beyond the EIFS bays breaking up the facade plane to provide articulation to this elevation. The first floor with large enhances the pedestrian experience with large storefront windows and entrances with awnings and canopies. This includes the entrance to the hotel lobby where there is vehicular access to the drop off zone. The outdoor space on the west elevation is designed for pedestrian activity and connectivity to Rabbit Hole Distillery which is visible from Market Street. There is a wide hardscape paver pedestrian path connection at E Market Street to Nanny Goat Strut alley which is activated with outdoor seating areas, bollard lights, and the proposed art garden. While this space is not serving as an actual parking area, there is a vehicular drive path. Considering SP5 guideline for screening, the pedestrian path has a different hardscape paver to differentiate it, also, this area is pretty narrow and may not be appropriate for additional screening.

At its maximum height, the building is 75'. It will include 72, 614 sq.ft. of floor area. While taller than other structures on the block, the new building is consistent in size and scale to the other buildings in the immediate vicinity, including the buildings located adjacent to the subject lots. However, the height of the structure conflicts with Building Guideline B6-“New structures greater than 3 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.” The 3-story historic masonry commercial structure to the west of the project is not particularly impacted by the height of the new building due to the vehicular access/ outdoor space between the two buildings. However, if the top story or stories were setback the building would comply better with the guidelines and would be more compatible with the adjacent Green Building to the west of the new structure.

The new building's setback, form, rhythm of openings, rhythm of horizontal building lines, color and materials are complimentary to the adjacent building styles and building details. The proposal will bring density and a more appropriate scale to the subject site which currently consists of surface parking and an undeveloped lot and will contribute to the character of the District.

RECOMMENDATION

The application complies 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 top story of the new building should be stepped back.
2. Prior to the issuance of a building permit for the new building, finalized design details and materials shall be submitted to staff for final review and approval. After a building permit has been issued, if the design or materials change, the applicant shall contact staff for review and approval prior to installation.
3. All storefront windows and doors at ground level shall have clear glass or light window tinting.

4. 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.
5. The proposed attached signage complies with the guidelines in general concept. Final signage details and materials for signs indicated in the application as well as any additional signage proposed in the future shall comply with the Signage Design Guidelines and be submitted to staff for final review and approval.
6. Streetscape improvements are to be coordinated with the East Market Street- NuLu Streetscape Plan.
7. Environmentally sustainable elements shall be incorporated into the project as much as possible.

Becky Gorman
Planning and Design Coordinator

David R. Marchal, AIA
Urban Design Administrator

3 Awning Guidelines

Checklist

Awnings can add aesthetic value as well as provide shade and cover for pedestrians. There are, however, a few guidelines that need to be followed. Awnings and canopies should be mounted in locations that respect the design of a building and the neighboring structures; including the arrangement of bays and openings. In general, they should not obscure transom windows, grillwork, piers, pilasters, or ornamental features of a structure.

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

Guideline	Finding	Comment
A1 Lettering, logos, and other symbols shall take up less than 33% of the total area of an awning that is attached to a commercial structure. It is recommended that signs and logos be located on the valance area of awnings that have them.	NA	
A2 Convex (or bull nose) awnings are not allowed. Shed awnings are visually lighter and have simpler features, and they are more traditional in appearance than convex or bull nose awnings. Awnings with no end panels are more transparent and allow better views into openings and storefronts. Awnings with back-lit graphics or other kinds of interior illumination are not allowed.	NA	
A3 Approved awning fabric materials include canvas and vinyl.	NA	
A4 Metal or glass canopies may be appropriate on some buildings if they are compatible with the design and scale of the building.	+	
A5 Awnings and canopies are to be installed at a minimum of 8'-0" above finished grade so that pedestrian entry clearances are operationally functional. Awnings must project a minimum of 24" from the building. They should be mounted on the wood or metal framing within a door or window opening (and not on the wall surrounding the opening).	+	
A6 In openings with transoms, the awnings should be mounted on the horizontal framing element separating the storefront window from the transom. Awnings should be designed to project over individual window and door openings and not be a continuous feature extending over masonry piers or arches.	NA	

4 Building Guidelines

Checklist

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

Guideline	Finding	Comment
B1 Existing structures in the NuLu area are strongly encouraged to be sustainably renovated and reused.	NA	
B2 Buildings should be "pedestrian-friendly". Design building facade 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.	+	The building has a well-defined base at the pedestrian level. The pedestrian experience is enhanced by the building's ground level entrances and storefront windows, canopies, and awnings. The

			building is located at the edge of the sidewalk. See conditions of approval.
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 reapproved 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	Details on storefront glazing were not provided. See conditions of approval.
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.	+	The building is located at the edge of the sidewalk and provides side yards wide enough to allow for maintenance.
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.	+	Materials include brick, EIFS, storefront systems and entrances with metal canopies. Brick is the main material and is used exclusively on the front façade and the first bay of the side elevations, along with detailed large storefront systems. EIFS is used as a secondary material on the other facades. The main entry to the hotel lobby is on the west elevation at the drop off zone. There is a pedestrian path with hardscape pavers and a canopy over the entrance to the lobby. The large storefronts and canopies enhance the pedestrian experience.
B6	New structures greater than 3 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.	+/-	The 4 th floor cornice element is well designed and serves as a terminus for the building at that point. It aligns well the adjacent buildings which set a taller context for this stretch of Market Street. The last story is rather tall and not setback as recommended by the guideline. Additional height can be justified with some setback.
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.	+	The new building will be 6-stories, 75' in height.
B8	A visual terminus, such as a cornice at the top of a wall helps articulate the architecture and gives it a completed finished look.	+/-	The use of a lower, heavy cornice as a design concept is compatible with adjacent structures. The use of a lighter color and simplified design on the upper story visually reduces the height of the building. Additional brick corbelling at the 5 th story would provide a better visual terminus.
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.	TBD	Location of mechanical equipment was not provided in the submittal and should be confirmed as the details are finalized. See conditions of approval
B10	Permanent service counters, service bars, decks, or similar structures may not be constructed in front of a building's primary street facing facade.	NA	

6 Site Planning and Parking Guidelines

Checklist

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 District.

+ Meets Guidelines

NA Not applicable

- Does not meet Guidelines

TBD To be determined; insufficient Information

+/- Meets Guidelines with conditions as noted

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.	NA	The project will tie into existing utilities.
SP2 Combining existing small, under-utilized lots to create shared parking areas that are more efficient and more accessible is encouraged.	NA	The proposal eliminates surface parking. A parking waiver application has been submitted.
SP3 Additional surface parking lots and drive-throughs shall not be permitted in the 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	The pedestrian path has a different hardscape paver to differentiate it from the vehicular path. Also, this area is pretty narrow and may not be appropriate for screening.
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.	NA	
SP7 Fencing and screening shall be constructed of materials compatible with the principal structure.	NA	
SP8 Chain link fencing must not be visible within the District.	NA	
SP9 Intensity, location, color, and direction of outdoor lighting shall be sensitive to nearby residential areas.	NA	
SP10 The number and width of curb-cuts in the District should be minimized to promote pedestrian circulation. Existing continuous curb-cuts should be reduced to widths necessary for vehicular traffic or removed altogether.	+	The existing curb cut is approximately 24' wide which will be reduced to a new curb cut that is 12' wide for a one-way access to the rear alleyway.
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 LBA shall include permanent landscaping material such as trees (minimum 1 ¾" caliper size at time of planting), shrubs (minimum 18" height at time of planting), groundcover, and/or perennials. Fences, planters, and/or walls (maximum height of 36") are permitted within the LBA. Landscape buffer plantings shall be installed prior to occupancy or use of the patio, plaza, or outdoor space.	NA	
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	+/-	Trees on site will be removed. Two street trees will be provided, and streetscape improvements will be coordinated with

	should be removed. Removed trees should be replaced with appropriate trees approved by the City Arborist. The replacement trees shall be sized at a minimum of 1 ¾" caliper (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.		NuLu Streetscape Plan. See conditions of approval.
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 facade is prohibited. Balconies located on the second or third floors of buildings that are cantilevered or bracketed, scaled to match the building's facade, and utilize contextual materials are appropriate.	NA	

8 Sustainability Guidelines

Checklist

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

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

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.	TBD	
SU3 New or replacement roofs with energy efficient "radioactive properties" should be considered.		Not being pursued at this time.
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 stormwater that falls on their parcel(s).	+/-	There will be coordination with the new streetscape plan to take all storm water through a new infiltration zone on Market Street fronting the new hotel
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.	+	The permeability appears to be equal to its current state. There will be new landscape areas east of the new building.