



# Landmarks Certificate of Appropriateness & Overlay District Permit

Louisville Metro Planning & Design Services

Case No.: 21-COA-0079 Intake Staff: Tara Sorrells

Date: 4-19-21 Fee: No Fee

## Instructions:

For detailed definitions of *Certificate of Appropriateness* and *Overlay District Permit*, please see page 4 of this application.

## Project Information:

Certificate of Appropriateness: ☒ Butchertown ☐ Clifton ☐ Cherokee Triangle ☐ Individual Landmark  
☐ Limerick ☐ Old Louisville ☐ Parkland Business ☐ West Main Street

Overlay Permit: ☐ Bardstown/Baxter Ave Overlay (BRO) ☐ Downtown Development Review Overlay (DDRO)  
☐ Nulu Review Overlay District (NROD)

Project Name: 835 E Main Street

Project Address / Parcel ID: 835 E Main Street - See attached list of addresses/Parcel Numbers

Total Acres: 1.041

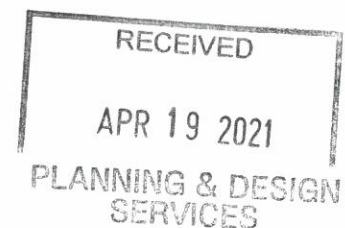
Project Cost (exterior only): \_\_\_\_\_ PVA Assessed Value: \_\_\_\_\_

Existing Sq Ft: \_\_\_\_\_ New Construction Sq Ft: \_\_\_\_\_ Height (Ft): \_\_\_\_\_ Stories: \_\_\_\_\_

Project Description (*use additional sheets if needed*):

Click or tap here to enter text.

See attached Project Description.



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**Contact Information:**

**Owner:** ☐ Check if primary contact

**Applicant:** ☐ Check if primary contact

Name: \_\_\_\_\_

Name: Same as Owner

Company: NuLu East Main, LLC

Company: \_\_\_\_\_

Address: 10602 Timberwood Circle, #9

Address: \_\_\_\_\_

City: Louisville State: KY Zip: 40223

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Phone: \_\_\_\_\_

Primary Phone: \_\_\_\_\_

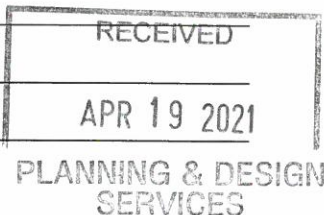
Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

**Owner Signature (required):** \_\_\_\_\_



**Attorney:** ☒ Check if primary contact

**Plan prepared by:** ☐ Check if primary contact

Name: Clifford Ashburner

Name: Mitchell Kersting

Company: Dinsmore & Shohl, LLP

Company: Work Design & Architecture

Address: 101 S Fifth Street Suite 2500

Address: 1122 Rogers Street

City: Louisville State: KY Zip: 40202

City: Louisville State: KY Zip: 40204

Primary Phone: 502-540-2300

Primary Phone: 502-632-3232

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: clifford.ashburner@dinsmore.com

Email: information@wrkarc.com

**Certification Statement:** A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, \_\_\_\_\_, in my capacity as \_\_\_\_\_, hereby  
representative/authorized agent/other

certify that NuLu East Main, LLC is (are) the owner(s) of the property which  
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

**Please submit the completed application along with the following items:**

**Required for every application:**

- ☐ Land Development Report<sup>1</sup>
- ☐ Current photographs showing building front, specific project area, and surrounding buildings
- ☐ Elevations, pictures, samples, brochures, or other technical data describing materials, such as windows, doors, roofing, fencing, etc. to be used in the renovation or replacement

**Site and Project plan:** *(required for building additions, new structures and fencing)*

- ☐ Site plan *drawn to scale* with dimensions, as applies to the project, indicating property lines, structures, landscaping, fencing, and parking
- ☐ Floor plans *drawn to scale* with dimensions and each room labeled
- ☐ Elevation drawings (a drawing showing exterior walls) *drawn to scale* with dimensions.  
For fencing, only photos/drawings of the proposed fence are required.

**Committee Review Only**

*Committee reviews may be required due to the complexity of the case. The necessity of these items will be determined by staff upon review. Projects requiring committee level review include construction of new buildings, demolition, and projects that vary widely from design guidelines.*

- ☐ Two sets of 11"x17" format site plans drawn to scale with dimensions
- ☐ Two sets of 11"x17" elevation drawings to scale with dimensions
- ☐ Two sets of 11"x17" landscaping drawings to scale with dimensions
- ☐ One set of mailing label sheets for: 1<sup>st</sup> tier Adjoining Property Owners (APOs)<sup>3</sup>, owners, applicants, contacts, and Case Manager. Applicant is responsible for mailing.
- ☐ One copy of the mailing label sheets



**Resources:**

1. For a Land Development Report, go to the following website and enter address in the search bar. After the map zooms to the location, click on the icon that looks like the letter "d" in a green circle. Print report.  
<https://www.lojic.org/lojic-online>
2. Deeds and plats can be found at the Jefferson County Clerk's Office (527 West Jefferson Street, 2<sup>nd</sup> fl, 502-574-6220. Many deeds, plats and other records are available online at:  
<https://search.jeffersondeeds.com/>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/property-search/>

## Submittal Instructions:

Applications are due on Fridays at 5:00 p.m. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <https://louisvilleky.gov/government/planning-design/>

## Definitions:

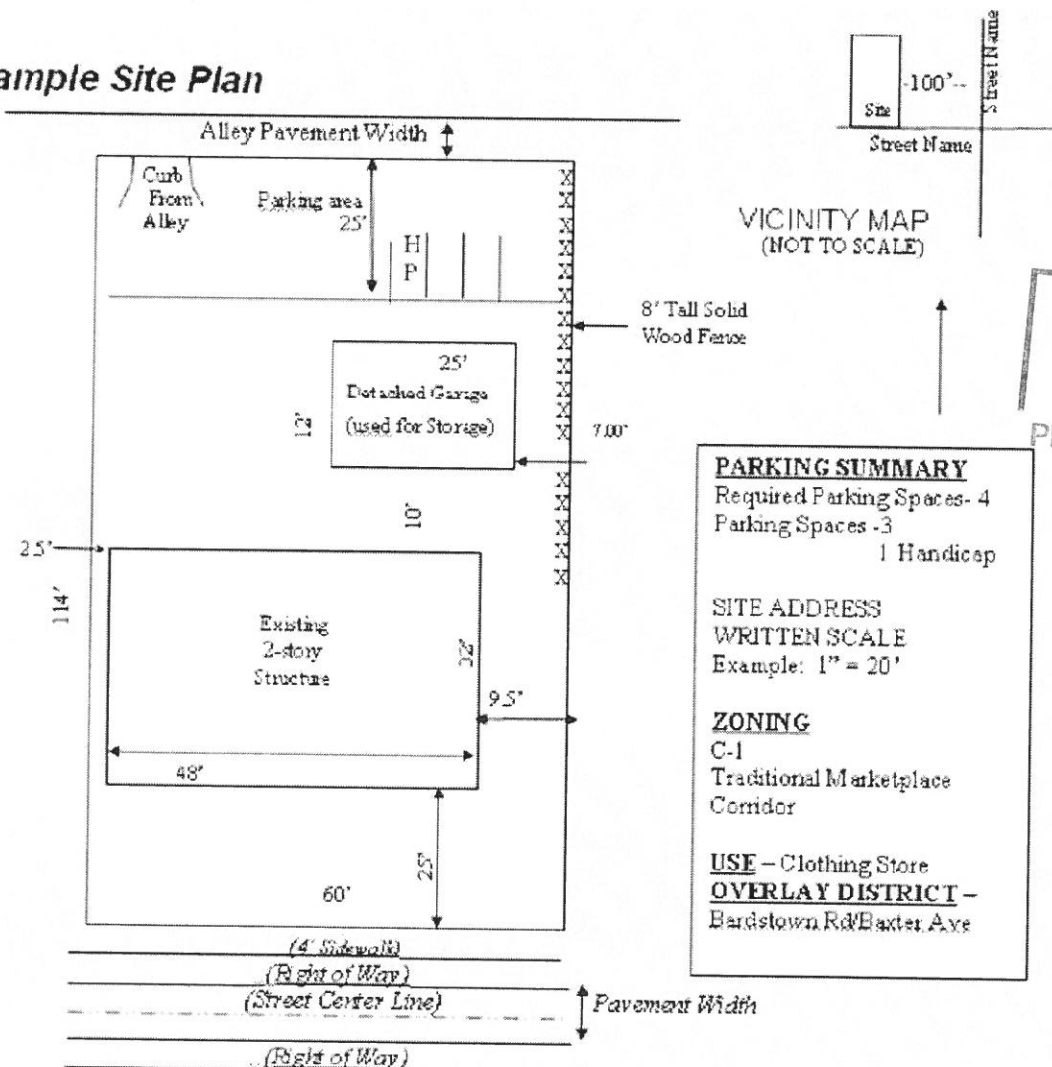
**Certificate of Appropriateness:** A project involving physical changes to the exterior of a building, structure, or property designated as a local landmark or located within a local preservation district shall require prior approval in the form of a Certificate of Appropriateness. An approval requires substantial conformance to design guidelines established for each landmark and district. The design guidelines, along with other information regarding local preservation districts, may be found at the website of the Landmarks and Preservation Districts Commission:

<https://louisvilleky.gov/government/planning-design/historic-preservation-landmarks-and-overlay-districts>

**Overlay District Permit:** A project involving physical changes to the exterior of a building, structure, or property within an overlay district shall require prior approval in the form of an Overlay Permit. An approval requires substantial conformance to design guidelines established for each overlay district. The design guidelines, along with other information regarding overlay districts, may be found at the following website:

<https://louisvilleky.gov/government/planning-design/historic-preservation-landmarks-and-overlay-districts>

## Sample Site Plan





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835 E. Main St.

Updated Project Narrative

Nulu E. Main Street, LLC (the “Applicant”) has engaged in an intense planning effort in order to create a mixed-use development at the northwest corner of Main and Campbell Streets that both respects the existing properties in the area and creates a significant new connection between Nulu, Butchertown and the Main Street corridor. Over the past year, the development team has engaged with community stakeholders and modified the proposal to address concerns raised and generally to create a slightly less intense development. Below is an explanation of the modifications to the proposed development.

First, the Applicant has modified the development by reducing the retail/restaurant footprint from approximately 30,000 square feet to approximately 10,000 square feet. Second, the Applicant has increased the number of dwelling units from 78 to 141. Third, the Applicant has reduced the overall number of parking spaces provided from 180 to 122. Fourth, the Applicant has removed the underground parking garage and replaced it with surface parking and one floor of parking deck that sits between the retail section of the building and the upper residential floors.

The main impact of these changes is to create a much more residential mixed-use development. Instead of the first two floors of the building being a large commercial/restaurant space, the Applicant will create a smaller restaurant space and smaller retail spaces along Main and Campbell Streets. In addition, there will now be vehicular access on both Main and Campbell Streets. The proposal will retain a pool and other residential amenities but move the pool area to the third floor at the corner of Main and Campbell Streets.

Another impact of the proposed changes is that the construction will be less intense. During discussions with community stakeholders, several adjoining property owners expressed concern about underground construction. The Applicant has now moved parking to the surface and a parking deck, eliminating that concern. The parking deck has been designed to minimize any light or sound impacts on adjoining property owners. Design elements include a solid wall adjacent to the ramp and taller walls along the residential sides of the deck to prevent light spill.

The reduction in commercial space is also reflected in an overall reduction in parking spaces. The Land Development Code was recently modified to remove parking minimums for multi-family residential development in Traditional Form Districts, like the subject property. The Applicant is providing indoor bike storage, as well.

An additional impact of the proposed changes is that this proposal addresses E. Washington Street more openly. Where the first version of the proposed development had utility structures and service areas along E. Washington Street, the current version contains a corner commercial space

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The proposed development at 835 E. Main Street is an opportunity to create a mixed-use building that is both impactful along the Main Street corridor and sensitive to the residences to its north. The Applicant has revised its design to respond to area stakeholder comments and to create the best possible outcome for the property.

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## CERTIFICATE OF APPROPRIATENESS – PROJECT DESCRIPTION

### **Nulu East Main, LLC**

#### **835 E. Main St.**

Nulu East Main, LLC (the “Applicant”) proposes to develop the property at 835 E. Main Street with a mixed use building, including apartments, restaurant space, and retail space. The proposed development covers the site of the former Barry Wooley Design and its surface parking lot. It is directly across Main Street from the Nulu Lofts, a 5 story apartment/condominium building and is at the confluence of Butchertown and NuLu. To the east is Pohl Iron Works. There are homes along E. Washington St. to the northwest of the subject property. The subject property is mapped within the “Residential Character Area” of the Butchertown Preservation District. The existing buildings on the subject property are listed as non-contributing on the Butchertown Preservation District map.

As set forth in the attached Updated Project Narrative, the proposed development is responsive to the Character Defining Features listed in the Butchertown Preservation District guidelines and the New Construction-Commercial and Institutional Design Guidelines. The proposed development does not alter the street pattern, maintaining the urban grid. The entrance to the two-level garage is on Campbell Street, limiting the proposal’s impact on E. Washington and maintaining a vibrant, pedestrian orientation toward Main Street. The proposed development incorporates materials including masonry and wood that are found in structures in the area. While the proposed development involves completely new construction, the subject property is not truly an “infill” site and will remove a non-contributing structure and surface parking lot.

The proposed development further complies with Guidelines NC 3, NC 4, NC 5, and NC 6 as the proposed building has been designed to fit the scale of the other buildings along Main Street near the subject property while incorporated stepped back sections and materials that allow the building to act as a transition from the scale of Main Street to the scale of E. Washington Street.

The proposed development complies with Guidelines NC 12, NC 13, NC 14 and NC 24. The proposed building will hold a similar setback line along E. Washington Street as the existing residences along the south side of E. Washington Street, an improvement over the current commercial building on the subject property. The proposed building will contain retail spaces along Main Street, making it more pedestrian oriented than some of the nearby commercial/industrial buildings.

The proposed development complies with Guidelines NC 18, NC 26 and NC 27. The proposed building is oriented toward the corner of Main and Campbell Streets. The other buildings along Main Street hold to a near zero or zero foot setback. The proposed building will maintain a zero foot setback and will open to the sidewalk to provide for a fluid pedestrian-oriented feeling along Main Street.



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The proposed development complies with Guidelines N 34 and N 35, as the proposed building will be clad in brick, wood, metal screening and other materials and address the historic materials in the area without mimicking them. See the attached Updated Project Narrative.

The proposed development complies with Guidelines N 37 through N 40. Almost all of the parking for the subject property will be in an incorporated two-level parking garage on the first and second floors. The primary access to the parking area is on Campbell Street, the “secondary” street for the subject property.

The proposed development complies with the intent and applicable design guidelines of the Butchertown Preservation District.



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