

Case No. 20-DDP-0024
Binding Elements from March 25, 2021 LD&T:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested Revised Detailed District Development Plan, subject to the Board of Zoning Adjustment approval; **ON CONDITION** that the pedestrian connection be shifted to pass through the ILA area and not behind the gas pumps as discussed; and **SUBJECT** to the following binding elements:

1. The development shall be in accordance with the approved plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding elements shall be submitted to the Planning Commission or the Planning Commission's Designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Signs shall be in accordance with Chapter 8.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
5. Before any permit (including but not limited to building, parking lot, change of use, or site disturbance permit) is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. The appropriate variances shall be obtained from the Board of Zoning Adjustment to allow the development as shown on the approved district development plan.
 - d. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - e. A minor subdivision plat or legal instrument shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - f. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - g. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.
7. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of

the certificate of occupancy, unless specifically waived by the Planning Commission.

8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
9. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained thereafter. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.
10. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
11. The development shall not permit the following land uses:
 - a. car washes
 - b. restaurants with drive-through windows
12. Service of the dumpster facility shall be permitted only in accordance with the Metro Louisville Code of Ordinances.
13. The applicant shall install an 8' solid wood screening fence and enhanced landscaping as proposed on the Landscape Exhibit presented to the Land Development and Transportation Committee on March 25, 2021. Final location and type of additional plantings will be shown on the approved landscape plan.
14. All landscaping shall be irrigated.
15. There shall be no outdoor music, or outdoor entertainment, or outdoor PA system, audible beyond the property line.

Case No. 21-VARIANCE-0006
Condition of Approval from March 29, 2021 BOZA Meeting

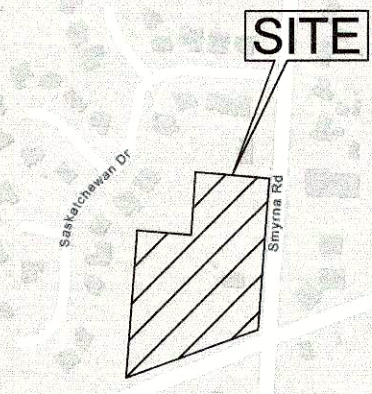
1. The applicant shall extend the fence to the north corner of the property line as discussed in today's meeting (March 29, 2021.)

PRELIMINARY APPROVAL

Condition of Approval:

Development Review

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT



VICINITY MAP (N.T.S.)

PARCEL OWNER, ADDRESS, AND SOURCE OF TITLE

TRACTS 1, 2 & 3

PARKWAY PROFESSIONALS, LLC.
445 BRAXTER AVE., STE. 100
DEED BOOK 8265 PAGE 0086
DEED BOOK 8151 PAGE 371

DEVELOPER'S NAME & ADDRESS

CIRCLE K
PO BOX 347
COLUMBUS, IN 47202
CONTACT: RICK SCHMITT SR.

TREE CANOPY REQUIREMENTS

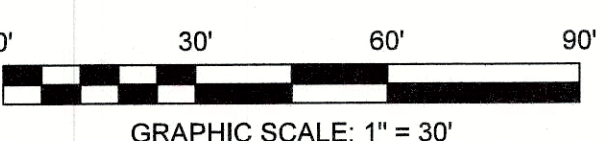
STATISTIC		PERMITTED / REQUIREMENT			
GROSS SITE AREA:		2.65 +/- AC. (115,507 SF +/-)			
REQUIRED CANOPY FOR DEVELOPMENT:		23,102 SF (20.0%)			
EXISTING TREE CANOPY:		0 SF (0.0%)			
PERCENT OF TREE CANOPY PRESERVED:		N/A			
PERCENT OF TREE CANOPY REDUCTION:		N/A			
TREE CANOPY TO BE PLANTED:		37,584 SF (32.54%)			
18 TYPE A DECIDUOUS TREES @ 1-3/4" CAL. (720 SF CREDIT EACH)		12,960 SF			
17 TYPE B DECIDUOUS TREES @ 1-3/4" CAL. (432 SF CREDIT EACH)		7,344 SF			
33 TYPE A EASTERN WHITE PINES @ 6" HT. (432 SF CREDIT EACH)		14,256 SF			
7 TYPE B EVERGREEN TREES @ 6" HT. (432 SF CREDIT EACH)		3,024 SF			
TOTAL TREE CANOPY:		37,584 SF (32.54%)			
PARKWAY BUFFER TREES					
FRONTAGE / 30		TREES REQ. 12 TREES PROV. 13			
359 LF / 30					
BUFFER SCREENING					
LOCATION	DISTANCE	WIDTH	MULTIPLIER	TREES REQ.	TREES PROV.
NORTH	150 LF	35 FT	2.0	9	11
WEST	408 LF	35 FT	2.0	25	31
INTERIOR LANDSCAPING					
TOTAL PROPOSED VUA		43,850 SF			
I/A REQUIRED		3,289 SF (7.5%)			
I/A PROVIDED		3,324 SF (7.58%)			
TREES REQUIRED		11 TREES			
TREES PROVIDED		11 TREES			

TOTAL AREA OF SURVEY

151,096 +/- SQ. FT.
3.47 +/- ACRES

BENCHMARK DATA:

- BENCHMARK 1
1/2" IRON PIN W/ 1" PLASTIC CAP STAMPED "GARBER PLS 1985" LOCATED IN THE SOUTHWEST MOST PROPERTY CORNER
N: 229739.20
E: 1236249.08
KY SPC (NORTH)
ELEV: 626.84
- BENCHMARK 2
1/2" IRON PIN LOCATED IN THE NORTHEAST MOST PROPERTY CORNER
N: 230288.48
E: 1236945.01
KY SPC (NORTH)
ELEV: 642.45



TAX BLOCK: 0653
LOT #: 0237
WM#9499

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- HEAVY DUTY BITUMINOUS PAVEMENT
- FUEL CANOPY / TANK APRON CONC. PAVEMENT (SEE FUEL SYSTEM PLANS)
- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY CONCRETE PAVEMENT
- METRO PUBLIC WORKS COMMERCIAL ENTRANCE
- METRO PUBLIC WORKS SIDEWALK
- SIDEWALK / DISPLAY AREA
- SIDEWALK W/ TURNDOWN EDGE

PORPOSED LOT 1
CURRENT ZONING: C-1
PROPOSED ZONING: C-1
FORM DISTRICT: NEIGHBORHOOD
CURRENT ADDRESS: 6305 E. MANSLICK RD.
2.65 ACRES

CONST. 555 L.F. OF 8' TALL BOARD ON BOARD WOOD SCREENING FENCE

PROPOSED BASIN #1

BASIN #2 OUTFALL

PROPOSED WATER QUALITY UNIT
PROPOSED RISER STRUCTURE

BASIN #1 OUTFALL

EMERGENCY SPILLWAY

PROPOSED DITCH OUTFALL

LOT 13
MICHAEL CASE
DB 10230 PG 0553
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 12
HUBERT FARMER
DB 10230 PG 0510
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 11
WAYNE SELLINGS
DB 10956 PG 867
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 10
JACQUELINE COOPER
DB 9284 PG 0496
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 9
JASMINA HODZIC
DB 11353 PG 864
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 8
JAMES CHILDERS
DB 10530 PG 0858
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 7
BRENDA SUE STARKS
DB 10954 PG 911
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 6
SEAN & ANDREA MANION
DB 9032 PG 0129
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

LOT 5
WAYNE SELLINGS
DB 10956 PG 867
SMYRNA CROSSINGS SUBD.
PB 50 PG 71
ZONED R-4
NEIGHBORHOOD FORM DISTRICT

PROPOSED STORM MANHOLE CONNECTION FOR FUTURE OUTLOT

PROPOSED TRENCH DRAIN

PROPOSED SIGN LOCATION

PROPOSED DUMPSTER ENCLOSURE LOCATION

PROPOSED PEDESTRIAN CONNECTION

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