

REQUIRED YARD ENCROACHMENT

NON-RESIDENTIAL USE VARIANCE REQUEST:

CHAPTER 5, PART 3.2 TO ALLOW A 17' ENCROACHMENT OF THE PARKING LOT ON THE NORTH SIDE OF TRACT "1" IN THE 30' R/Y.

NOTES

- WASTEWATER: SANITARY SEWER BY SEPTIC SYSTEM AND WILL BE SUBJECT TO THE STATE OF KENTUCKY ONSITE SEWAGE AND DISPOSAL SYSTEM REGULATIONS 902 KAR 10-085 AND SHALL BE REVIEWED AND APPROVED BY LOUISVILLE METRO HEALTH DEPARTMENT. AN ONSITE EVALUATION MUST BE CONDUCTED PRIOR TO ANY LAND DISTURBING ACTIVITIES TO DETERMINE IF THE SOIL IS ACCEPTABLE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM.
- DOMESTIC WATER SUPPLY: SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER / DEVELOPER'S EXPENSE.
- DRAINAGE / STORM WATER DETENTION: STORM DRAINAGE SHALL BE ROUTED TO EXISTING DRAINAGE FACILITIES LOCATED ON THE SOUTHEAST SIDE OF THE PROPERTY AND ARE SUBJECT TO A REGIONAL FACILITY FEE WITH A 20% INCREASE FOR NOT PROVIDING A DETENTION BASIN. DRAINAGE PATTERN DEPICTED BY ARROWS (→) IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS. ENGINEER TO VERIFY CAPACITY OF DOWNSTREAM STORMWATER SYSTEM. ONSITE DETENTION, DOWNSTREAM IMPROVEMENTS AND/OR A COMBINATION OF ALL THREE MAY BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL.
- EROSION & SILT CONTROL: A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MSD AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE RECOMMENDATIONS. DOCUMENTATION OF MSD'S APPROVAL OF THE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO GRADING AND CONSTRUCTION ACTIVITIES.
- TREE PRESERVATION: A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
- PROTECTION OF TREES TO BE PRESERVED: CONSTRUCTION FENCING SHALL BE ERECTED PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES— PREVENTING COMPACTION OF ROOT SYSTEMS OF TREES TO BE PRESERVED. THE FENCING SHALL ENCLOSE THE AREA BENEATH THE DRIP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.
- THE DEVELOPMENT LIES IN THE FERN CREEK RIVER DISTRICT.
- NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA'S FIRM MAPPING (21111C0097E).
- ALL EXISTING STRUCTURES AND EXISTING ENTRANCES SHALL BE REMOVE.
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
- VERGE AREAS WITHIN PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO WORKS.
- COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
- CONSTRUCTION PLANS, KTC ENCROACHMENT PERMIT AND BOND WILL BE REQUIRED PRIOR TO THE CONSTRUCTION APPROVAL BY METRO PUBLIC WORKS AND ASSETS AND ISSUANCE OF MPW ENCROACHMENT PERMIT.
- THE DEVELOPER WILL BE RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
- AN ENCROACHMENT PERMIT AND BOND FROM KTC WILL BE REQUIRED FOR ALL WORK INCLUDING LANDSCAPING, DONE IN THE RIGHT-OF-WAY.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
- ALL LUMINAIRES SHALL BE AIMED, DIRECTED, OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE DIRECTED TOWARDS RESIDENTIAL USES OR PROTECTED OPEN SPACES (i.e. CONSERVATION EASEMENTS, GREENWAYS, OR PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR TO CREATE GLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT OF WAYS PER CHAPTER 4.1.3 OF THE LDC.
- ALL DUMPSTER PADS, TRANSFORMERS, AC UNITS, GENERATOR PADS TO BE SCREENED PER CHAPTER 10 OF THE LDC.
- ALL RADII TO BE 4.5' UNLESS OTHERWISE INDICATED.
- BUILDING ARCHITECTURE TO COMPLY WITH CHAPTER 5.4 OF THE LDC.
- A LANDSCAPE PLAN PER CHAPTER 10 OF THE LDC SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- ALL INTERIOR SIDEWALKS THAT ABUT PARKING TO BE 5' WIDE MINIMUM.
- THERE SHALL BE NO INCREASE IN DRAINAGE RUNOFF TO KTC R/W (BARDSTOWN ROAD) WITHOUT APPROVAL FROM KTC.
- ALL NEW OR EXISTING SIDEWALKS SHALL BE CONSTRUCTED OR RECONSTRUCTED TO CURRENT ADA STANDARDS. SIDEWALK RAMP SHALL BE INSTALLED PER "KENTUCKY TRANSPORTATION CABINETS" STANDARDS FOR SIDEWALK RAMPS.
- EXTENSION OF STORMWATER BOUNDARIES AGREEMENT WILL BE REQUIRED BY MSD PRIOR TO CONSTRUCTION APPROVAL.
- UPON DEVELOPMENT OR REDEVELOPMENT OF THE ADJACENT PROPERTIES, A UNIFIED ACCESS AND CIRCULATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PREEXISTING CURB CUTS AND PROVIDE FOR VEHICULAR MOVEMENT THROUGHOUT ADJACENT SITES AS DETERMINED APPROPRIATE BY METRO PUBLIC WORKS AND ASSETS. A RECIPROCAL ACCESS AND CROSSOVER AGREEMENT IN A FORM ACCEPTABLE TO LOUISVILLE METRO LEGAL COUNSEL TO RUN WITH THE LAND SHALL BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.
- MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES.
- A RECIPROCAL ACCESS AND CROSSOVER AGREEMENT IN A FORM ACCEPTABLE TO LOUISVILLE METRO LEGAL COUNSEL BETWEEN THE ADJOINING PROPERTY OWNERS SHALL BE RECORDED PRIOR TO CONSTRUCTION APPROVAL AND TRANSMITTED TO INSPECTIONS, PERMITS AND LICENSE. THIS AGREEMENT SHALL RUN WITH THE LAND.

EROSION PREVENTION AND SEDIMENT CONTROL NOTE:

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S (BEST MANAGEMENT PRACTICES) SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDS AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDS, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING EX-02.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE, OR CATCH BASIN.

WHERE CONSTRUCTION OR LAND DISTURBING ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 DAYS AFTER THE ACTIVITY HAS CEASED.

LEGEND:

- | | | | |
|---------|---------------------------------------|-----------|--|
| — 456 — | EXISTING CONTOUR | — ○ — | PROPOSED SAN. SEWERS AND MANHOLES (CONCEPT) |
| — OHU — | EXISTING OVERHEAD UTILITIES AND POLES | — □ — | PROPOSED STORM SEWERS AND STRUCT. (CONCEPT) |
| — G — | EXISTING GASMAIN | — — — — — | PROPOSED DRAINAGE SWALES (CONCEPT) |
| — S — | EXISTING SAN. SEWERS AND MANHOLES | — ILA — | INTERIOR LANDSCAPE AREAS (I.L.A.) |
| — S — | EXISTING WATERMAIN | — — — — — | EXISTING PAVEMENT / STRUCTURES (TO BE REMOVED) |
| — S — | EXISTING FIRE HYDRANT | — — — — — | FLOW ARROW |
| — S — | EXISTING STORM SEWERS AND STRUCTURES | | |

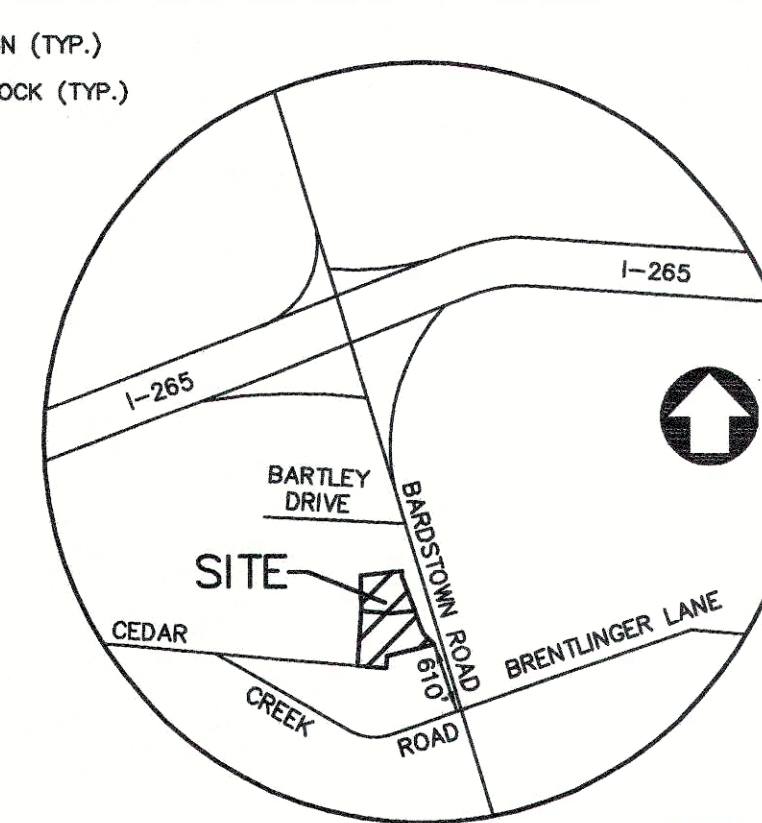
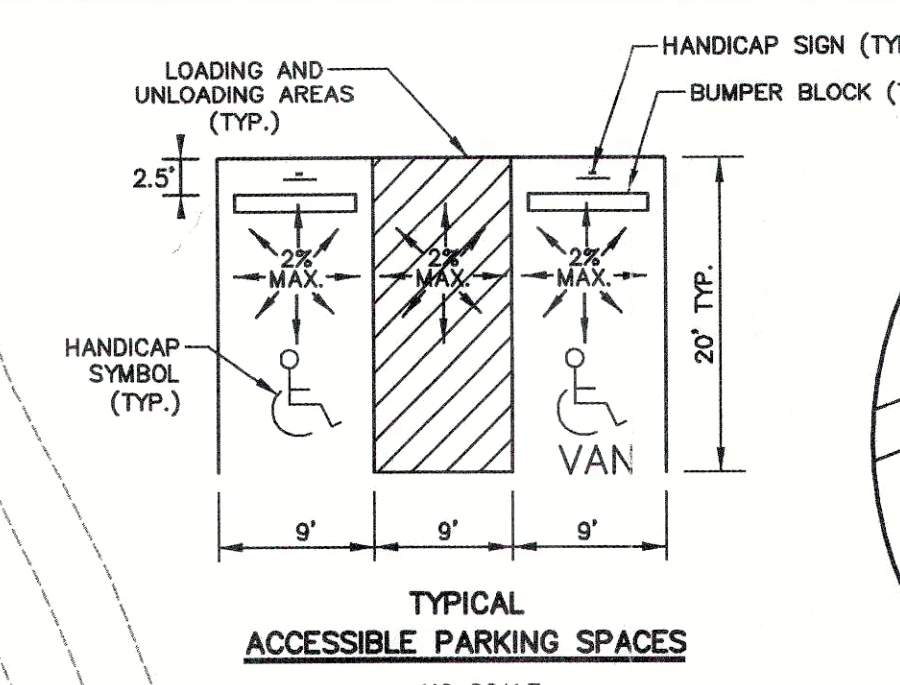
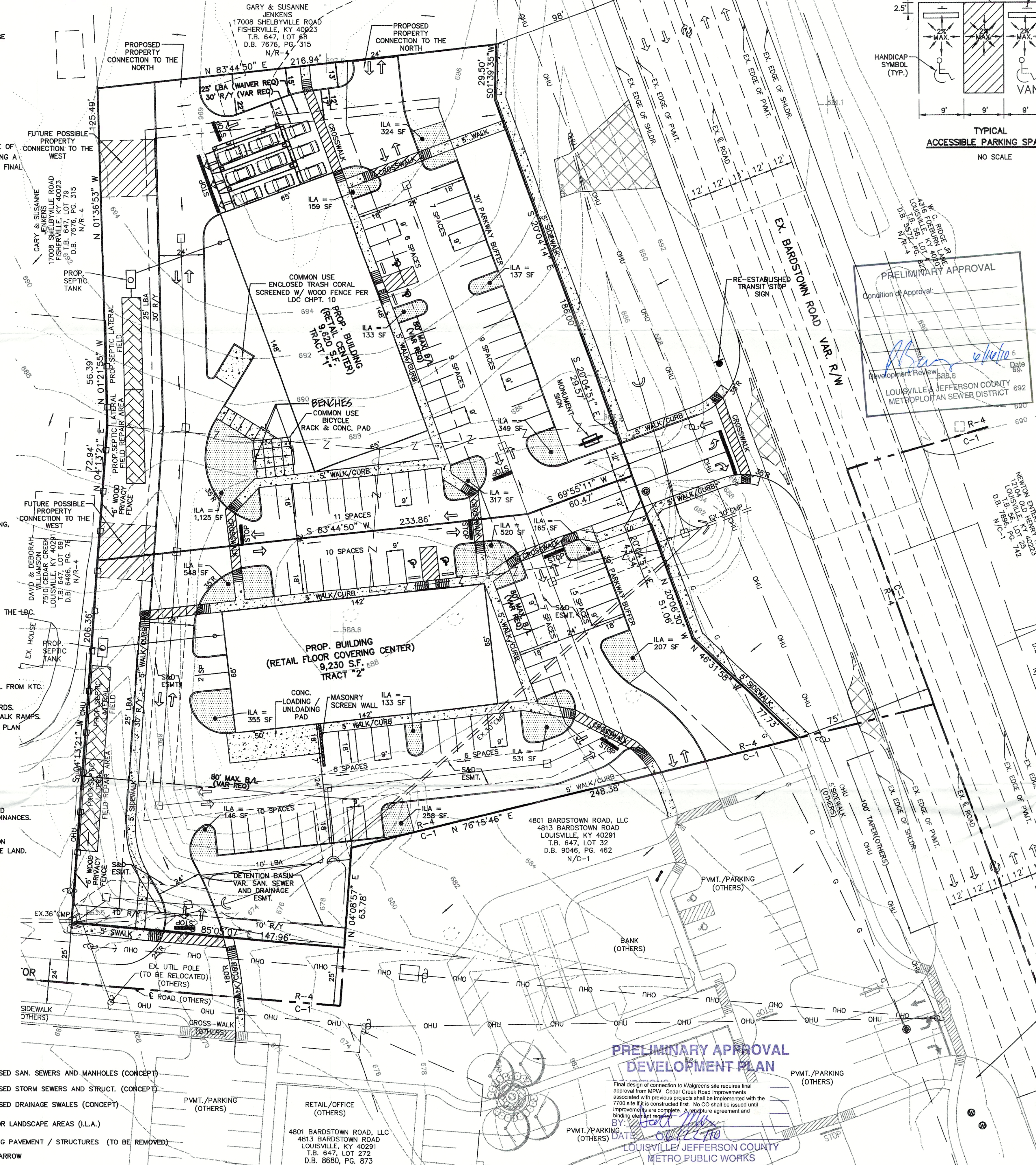
EXCEEDING DIMENSIONAL STANDARDS

NON-RESIDENTIAL USE VARIANCE REQUEST:

CHAPTER 5, PART 3.2 TO ALLOW THE PROPOSED STRUCTURE(S) TO EXCEED THE MAXIMUM 80' SET BACK BY 16' AT THE MINIMUM AND 32' AT THE MAXIMUM ON BOTH TRACTS "1" & "2".

LANDSCAPE WAIVER REQUEST:

CHAPTER 10, PART 2.4 A REDUCTION OF THE LANDSCAPE BUFFER REQUIREMENT FROM 25' TO 12.5' ON THE NORTH PROPERTY LINE ON TRACT "1".



LOCATION MAP

NO SCALE

SITE DATA:

TRACT NO. 1

EXISTING FORM DISTRICT: R-4
EXISTING ZONING: R-4
EXISTING LAND USE: VACANT
PROPOSED FORM DISTRICT: C-1
PROPOSED ZONING: C-1
PROPOSED LAND USE: RETAIL CENTER
LAND AREA: 1.44 AC (62,514 S.F.)

NEIGHBORHOOD: R-4

NEIGHBORHOOD: C-1

NEIGHBORHOOD: RETAIL CENTER

NEIGHBORHOOD: 1.44 AC (62,514 S.F.)

BUILDING DATA:

BUILDING SIZE: 9,620 S.F.

BUILDING HEIGHT: 30'

FLOOR AREA RATIO: 0.15

PARKING DATA:

RETAIL PARKING REQUIRED: 39 PARKING SPACES (1 SP / 250 SF)

RETAIL PARKING MAXIMUM ALLOWED: 64 PARKING SPACES (1 SP / 150 SF)

PARKING PROVIDED: 42 PARKING SPACES W/ 2 HC SPACES

VEHICLE USE AREA (VUA): 27,079 SF

INTERIOR LANDSCAPE AREA REQUIRED: 2,031 SF (7.5%)

INTERIOR LANDSCAPE AREA PROVIDED: 2,544 SF

RETAIL BICYCLE SPACE REQUIRED: 2 BICYCLE SPACES

RETAIL BICYCLE SPACE MAXIMUM ALLOWED: 4 BICYCLE SPACES

BICYCLE SPACES PROVIDED: 4 BICYCLE SPACES

TREE CANOPY DATA:

GROSS SITE AREA: 62,514 SF

TREE CANOPY CATEGORY: CLASS C

EXISTING TREE CANOPY TO BE PRESERVED: 12,503 SF (20%)

TOTAL TREE CANOPY REQUIRED: 12,503 SF (20%)

TREE CANOPY TO BE PLANTED: 12,503 SF (20%)

18 TYPE 'A' TREES @ 1 3/4" CAL

(720 S.F. CREDIT EACH)

TOTAL TREE CANOPY PROVIDED: 12,960 SF (21%)

*TREE CANOPY CALCULATIONS PROVIDED AND REQUIRED WERE BASED ON INFORMATION GIVEN BY MSD DIGITAL LOGIC. FINAL CALCULATION SHALL BE PROVIDED DURING THE CONSTRUCTION PLAN PROCESS.

SITE DATA:

TRACT NO. 2

EXISTING FORM DISTRICT: R-4
EXISTING ZONING: R-4
EXISTING LAND USE: VACANT
PROPOSED FORM DISTRICT: C-1
PROPOSED ZONING: C-1
PROPOSED LAND USE: RETAIL FLOOR COVERING CENTER
LAND AREA: 1.42 AC (61,979 S.F.)

NEIGHBORHOOD: R-4

NEIGHBORHOOD: C-1

NEIGHBORHOOD: RETAIL FLOOR COVERING CENTER

NEIGHBORHOOD: 1.42 AC (61,979 S.F.)

BUILDING DATA:

BUILDING SIZE: 9,230 S.F.

BUILDING HEIGHT: 30'

FLOOR AREA RATIO: 0.15

PARKING DATA:

RETAIL PARKING REQUIRED: 37 PARKING SPACES (1 SP / 250 SF)

RETAIL PARKING MAXIMUM ALLOWED: 62 PARKING SPACES (1 SP / 150 SF)

PARKING PROVIDED: 45 PARKING SPACES W/ 2 HC SPACES

VEHICLE USE AREA (VUA): 27,898 SF

INTERIOR LANDSCAPE AREA REQUIRED: 2,092 SF (7.5%)

INTERIOR LANDSCAPE AREA PROVIDED: 2,328 SF

RETAIL BICYCLE SPACE REQUIRED: 2 BICYCLE SPACES

RETAIL BICYCLE SPACE MAXIMUM ALLOWED: 4 BICYCLE SPACES

BICYCLE SPACES PROVIDED: 4 BICYCLE SPACES

TREE CANOPY DATA:

GROSS SITE AREA: 61,979 S.F.

TREE CANOPY CATEGORY: CLASS C

EXISTING TREE CANOPY TO BE PRESERVED: 12,396 SF (20%)

TOTAL TREE CANOPY REQUIRED: 12,396 SF (20%)

TREE CANOPY TO BE PLANTED: 12,396 SF (20%)

18 TYPE 'A' TREES @ 1 3/4" CAL

(720 S.F. CREDIT EACH)

TOTAL TREE CANOPY PROVIDED: 12,960 SF (21%)

*TREE CANOPY CALCULATIONS PROVIDED AND REQUIRED WERE BASED ON INFORMATION GIVEN BY MSD DIGITAL LOGIC. FINAL CALCULATION SHALL BE PROVIDED DURING THE CONSTRUCTION PLAN PROCESS.

DETENTION CALCULATIONS:

X = ORA/12 FOR 1 HOUR 100 YEAR STORM

= (0.69 - 0.25)(2.9)(2.86)/12

= 0.30 ACRE-Feet

RECEIVED
JUN 07 2010
PLANNING & DESIGN SERVICES

GRAPHIC SCALE 1"=30'
0 15' 30' 60'

CASE #: 12734
PLAN CERTAIN #
WM # 1502

NO.	DATE	DESCRIPTION	BY
7	5/5/10	PER PDS / MPW COMM.	JAS
6	3/30/10	LOADING / UNLOADING VIEWS REV	JAS
5	3/3/10	FORMAL APP COMMENTS	JAS
4	1/5/10	FORMAL APP COMMENTS	JAS
3	10/26/09	FILED FORMAL APP	JAS
2	9/4/09	PER PRE-APP COMMENTS	JAS

DATE: 5/16/09
SHEET NO.: 1 of 1

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Louisville, KY 40238
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Planning • Design • Development Services
1614 Rosewood Avenue
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OWNER / DEVELOPER
WILL REALTY, LLC
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LOUISVILLE, KY 40222
(502) 239-5353

OWNER
JERRY & KAREN VIRENS
6201 BARDSTOWN ROAD
LOUISVILLE, KY 40291
(502) 231-1100

PROJECT
WILL REALTY, LLC PROPERTY
7700, 7702 & 7704 BARDSTOWN ROAD
LOUISVILLE, KY 40291
T.B. 647, LOT 214, 30 & 29
D.B. 5926, PG. 288 D.B. 8718, PG. 110 D.B. 9283, PG. 79

REZONING & DETAILED DISTRICT DEVELOPMENT PLAN

WAIVER / VARIANCES REQUEST

DATE: 5/16/09
SHEET NO.: 1 of 1