

Docket Number 9-39-94
Project Name: Meijer
Location: Hurstbourne Parkway
Request: Revised Detailed
Development Plan.
Staff Case Manager, Cynthia
Patterson, Planner I.

RESOLVED, That the Land
Development and Transportation
Committee does hereby APPROVE
the revised detailed district
development plan for Docket No. 939-94, subject to the following
binding elements:

- 1. The development shall be in accordance with the approved district development plan, land use and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission.
- 2. Prior to development of Outlots 1 5 of this project, a detailed district development plan shall be submitted to the Planning Commission for approval. Each plan shall be in adequate detail and subject to additional binding elements. The additional binding elements may relate, but not be limited, to the following items:
- a) screening, buffering, landscaping b) density, floor area, size

and height of buildings

- c) points of access and site layout with respect to on-site circulation
- d) land uses
 e) signs
 f) loading berths
 g) parking
- sidewalks site design elements relating to alternative transportation modes.
- j) outdoor lightingk) minor subdivision plat approval
- l) air pollution
 m) the timing of
 construction to
 coincide with the
 availability of flood
 protection measures,
 municipal sewer and
 water service, and
 adequate fire
- protection n) dumpster.
- The development shall not exceed 269,659 square feet of gross floor area for retail; 34,006 square feet of gross floor area for outdoor garden center, and 26,000 square feet of gross floor area for restaurant uses.
- The following uses, although permitted generally in the C-2 Commercial District, are prohibited uses within the C-2 areas of Stony Brook South: adult entertainment, automobile repair garages, bookbinding facilities, dance halls, kennels, monument sales, plumbing and heating

- shops, sign painting, skating rinks, taverns, theaters, used car sales areas unless in connection with a new car sales dealership, advertising signs (billboards). The remainder of the C-2 Commercial uses (being those that are not also specifically listed in the C-1 District) shall be allowed in the C-2 areas of Stony Brook South, but only to the extent of one-third of the allowable commercial square footage allowed 1/3 x 620,670 = 206,890 square feet).
- 5. There shall be no direct vehicular access to Watterson Trail from Outlots 3 and 1. There shall be no direct vehicular access to Hurstbourne Parkway from
- Outlots 6 and 1.

 6. The only permitted signs for Outlot 6 and the Meijer lot shall be located as shown on the approved district development plan. The signs shall not exceed the following:

 a. 63 square feet in area
 - signs on Meijer lot,
 b. 40 square feet in area,
 6 feet tall convenience store lot,

and 8 feet tall - two

c. 50 square feet in area,6 feet tall -convenience store lot.

Signs for Outlots 1-5 must be approved by the Planning Commission.

- 7. No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
- 8. There shall be no outdoor storage on the site.
- Outdoor lighting shall be directed down and away from surrounding residential properties.
- 10. The applicant shall submit a plan for approval by the Planning Commission staff's landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by the Planning Commission staff's landscape architect if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
 - a. Proposed site plan
 (showing buildings,
 edges of pavement,
 property/lot lines,
 easements, existing
 topography, and other
 significant site features
 (LOJIC topographic
 information is
 acceptable).

- b. Preliminary drainage considerations (retention/detention, ditches/arge swales,
- etc.).

 c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or LOJIC maps.
- d. Location of construction fencing for each tree/tree mass designated to be preserved.
- 11. The western boundary of the site (Outlots 3, 4, 5 and the Meijer lot) shall contain a buffer transition area 40 feet in width which shall contain a berm at least six feet in height and landscaping as approved by the Commission staff. This 40 foot buffer transition area shall remain residentially zoned. Structures shall be no more than one-story, not to exceed 35 feet in height.
- 12. Within 60 days of the provision of trans t service on Hurstbourne Parkway, the owner shall construct two (2) transit shelters in ocations to be determined by the Transit Authority of River City.
- 13. Before a building or alteration permit and/or a certificate of occupancy is requested:
 - a) The development plan
 must be re-approved
 by the Jeffe son
 County Department of

- Public Works and Transportation and the Metropolitan Sewer District
- District.
 b) Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
- The property
 owner/developer must
 obtain approval of a
 detailed plan for
 screening
 (buffering/landscaping)
 as described in Article
 12. Such plan shall be
 implemented prior to
 requesting a certificate
 of occupancy and
 maintained thereafter.
- d) A major subdivision
 plat creating the lots
 and roadways as
 shown on the approved
 district development
 plan shall be recorded
 prior to issuance of any
 building permits.
 An access and
- crossover easement agreement shall be executed to permit shared access as shown on the development plan. A copy of the recorded instrument shall be submitted to the Planning Commission counsel.
- Revised plans must be approved for **Docket**

Nos. 9-29-88, 10-13-88, and 10-14-88.

- 14. If a building permit is not issued within two years of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
- 15. A certificate of occupancy must be received from the appropriate code enforcement office 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.

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