

Case No. 22-ZONE-0027 – Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan, **SUBJECT** to the following binding elements:

1. The development shall be in accordance with the approved district development 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 element(s) 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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. 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.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition 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 certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
6. 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.
7. 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.

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS: _____

BY: *Quinn H. Stot*
DATE: *7/15/22*

725 E OAK ST
ARMIN BULIC
ZONING: UN
DEED BOOK & PAGE:
8622 0522

727 E OAK ST
LILY D GENTRY
ZONING: UN
DEED BOOK & PAGE:
12209 871

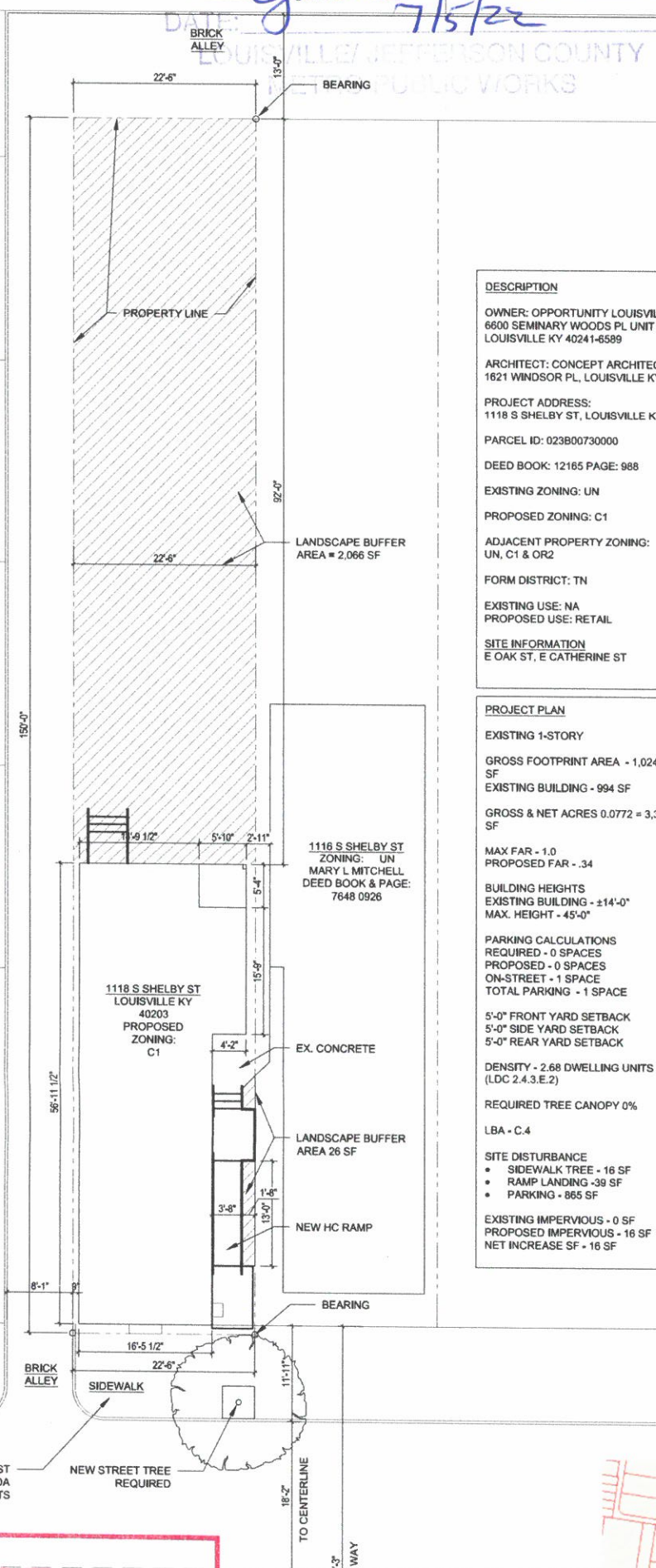
729 E OAK ST
GAELYN PARK
ZONING: UN
DEED BOOK & PAGE:
11084 891

731 E OAK ST
UNCLE KARL DYSON LLC
ZONING: UN
DEED BOOK & PAGE:
10310 0390

733 E OAK ST
3106 HUNSINGER LLC
ZONING: UN
DEED BOOK & PAGE:
12007 81

735 E OAK ST
NICHOLAS CHAPPA
ZONING: UN
DEED BOOK & PAGE:
11878 844

1122 S SHELBY ST
BRIAN CHAMBERS
ZONING: C1
DEED BOOK & PAGE:
11951 406



DESCRIPTION
OWNER: OPPORTUNITY LOUISVILLE II LLC
6600 SEMINARY WOODS PL UNIT 607
LOUISVILLE KY 40241-6599
ARCHITECT: CONCEPT ARCHITECTS
1621 WINDSOR PL. LOUISVILLE KY 40204
PROJECT ADDRESS:
1118 S SHELBY ST, LOUISVILLE KY 40203
PARCEL ID: 023B00730000
DEED BOOK: 12165 PAGE: 988
EXISTING ZONING: UN
PROPOSED ZONING: C1
ADJACENT PROPERTY ZONING:
UN, C1 & OR2
FORM DISTRICT: TN
EXISTING USE: NA
PROPOSED USE: RETAIL
SITE INFORMATION
E OAK ST, E CATHERINE ST

PROJECT PLAN
EXISTING 1-STORY
GROSS FOOTPRINT AREA - 1,024 SF
EXISTING BUILDING - 994 SF
GROSS & NET ACRES 0.0772 = 3,363 SF
MAX FAR - 1.0
PROPOSED FAR - .34
BUILDING HEIGHTS
EXISTING BUILDING - ±14'-0"
MAX. HEIGHT - 45'-0"
PARKING CALCULATIONS
REQUIRED - 0 SPACES
PROPOSED - 0 SPACES
ON-STREET - 1 SPACE
TOTAL PARKING - 1 SPACE
5'-0" FRONT YARD SETBACK
5'-0" SIDE YARD SETBACK
5'-0" REAR YARD SETBACK
DENSITY - 2.68 DWELLING UNITS
(LDC 2.4.3.E.2)
REQUIRED TREE CANOPY 0%
LBA - C.4
SITE DISTURBANCE
• SIDEWALK TREE - 16 SF
• RAMP LANDING - 39 SF
• PARKING - 865 SF
EXISTING IMPERVIOUS - 0 SF
PROPOSED IMPERVIOUS - 16 SF
NET INCREASE SF - 16 SF

GENERAL NOTES:

- COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY THE APPROPRIATE AGENCIES.
- GARBAGE TO BE SERVICED BY ROLL-OUT TRASH CANS
- MITIGATION MEASURE FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- MSD SINGLE FAMILY, DEMOLITION, OR SMALL CONSTRUCTION PERMIT REQUIRED PRIOR TO ISSUE OF BUILDING PERMITS

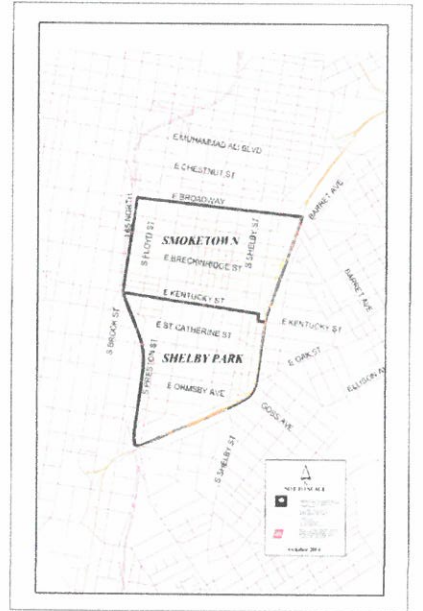


FIGURE 1: Boundary of Study Area

PRELIMINARY APPROVAL

Condition of Approval: _____

M.A. Best for T.K. 6-24-22
Development Review Date

LOUISVILLE & JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT

NOTICE

PERMITS SHALL BE ISSUED
ONLY IN CONFORMANCE
WITH THE BINDING ELEMENTS
OF THIS DISTRICT
DEVELOPMENT PLAN.

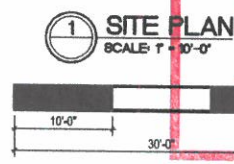
METRO
1137 S SHELBY ST
KRAGES PAINTING INC
ZONING: OR2
DEED BOOK & PAGE:
8851 0249

APPROVED DISTRICT DEVELOPMENT PLAN

DOCKET NO. *22-Zone-0027*
APPROVAL DATE *July 7, 2022*
EXPIRATION DATE _____

SIGNATURE OF PLANNING COMMISSION
[Signature]

PLANNING COMMISSION



**ZONING CHANGE
OPPORTUNITY SHELBY
1118 S SHELBY STREET
LOUISVILLE KY 40203**

RECEIVED
JUN 23 2022
PLANNING & DESIGN SERVICES



22-ZONE-0027

502-494-0221
rachel@conceptarcs.com