

Case No. 16ZONE1060 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby APPROVE the requested **Waiver 1** To reduce the required perimeter LBA from 25 ft. to 5 ft. (LDC 10.2.4.); **Waiver 2** To reduce the required VUA LBA from 10 ft. to 5 ft. (LDC 10.2.10); **Waiver 3** To not provide VUA interior landscape areas (LDC 10.2.12); a **Variance** to reduce the required side yard setback from 25 ft. to 5 ft. (LDC 5.3.2.C.2.b.); and a **Detailed District Development Plan, SUBJECT** to the following binding elements:

1. 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 LDC. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or its 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 Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - c. The property owner/developer must obtain approval of a detailed plan for screening, buffering and/or landscaping as described in LDC Chapter 10, which shall be implemented prior to occupancy of the site and maintained thereafter.
 - d. An approved Tree Preservation Plan in accordance with LDC Chapter 10 is required prior to obtaining approval for site disturbance activities.
5. 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.

6. 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 them. At all times during development of the site, the applicant and developer, their heirs and successors as well as assignees, contractors, subcontractors, and other parties engaged in development of the site shall be responsible for compliance with these binding elements.
7. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the July 6, 2017 Planning Commission meeting.

THIS PROPERTY IS NOT LOCATED IN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON FIRM MAP NO. 2111C0077E TO THE BEST OF MY KNOWLEDGE AND BELIEF. FIRM MAP DATE 12-05-2006.

POPLAR LEVEL ROAD (KY HWY 864)
KYDOT PLANS DATED 1983
PROJECT # M 8751 (8)
(DEED BOOK 4991, PAGE 380)

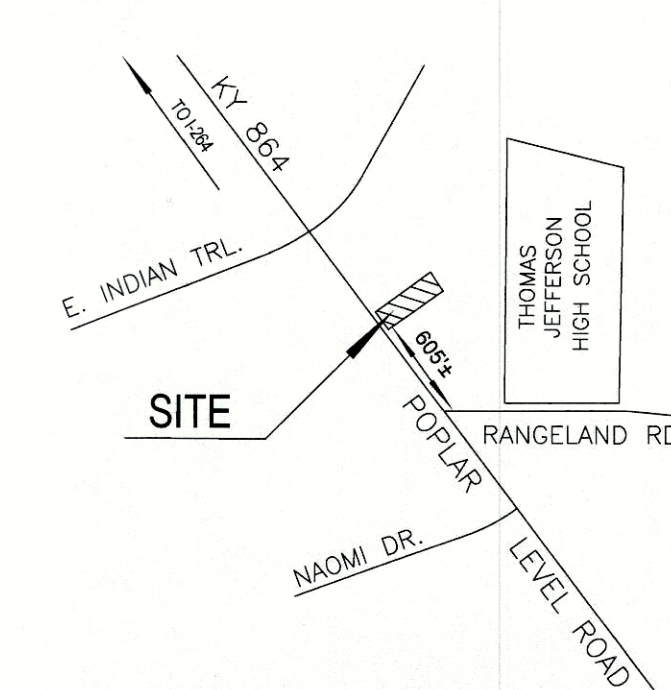
LOUISVILLE METRO
APPROVED DISTRICT DEVELOPMENT PLAN
DOCKET NO. 16 Zone 1060
APPROVAL DATE July 14, 2017
EXPIRATION DATE July 14, 2019
SIGNATURE OF PLANNING COMMISSION
[Signature]
PLANNING COMMISSION

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

SITE DRAINAGE AREA ZONES

ZONE 2	ZONE 1	ZONE 3
A 7,526 S.F.	A 13,231 S.F.	A 15,221 S.F.
O2 0.45 CFS	O2 0.95 CFS	O2 0.21 CFS
O10 0.85 CFS	O10 1.32 CFS	O10 0.41 CFS
O100 0.85 CFS	O100 1.79 CFS	O100 0.56 CFS
C 0.71	C 0.82	C 0.22

VICINITY MAP N.T.S.



LEGEND

- PROPERTY LINE
- EXISTING CONTOUR TO REMAIN
- EXISTING OVERHEAD UTILITY LINE
- EXISTING TREE CANOPY LINE
- EXISTING SANITARY SEWER
- EXISTING CHAIN LINK FENCE
- EXISTING UTILITY POLE
- DRAINAGE FLOW ARROWS
- TRAFFIC DIRECTION
- NEW LIGHT POLE
- PARKING SPACE COUNT
- EXISTING WATER METER
- EXISTING SANITARY MANHOLE
- "VAN ACCESSIBLE PARKING" SIGN SINGLE POST
- PAINTED HANDICAP ACCESSIBLE PARKING SYMBOL
- NEW BUILDING
- NEW ASPHALT DRIVE / PARKING
- NEW CONCRETE SIDEWALK
- SOODED AREA

SITE INFORMATION

EXISTING ZONING:	R-4
EXISTING FORM DISTRICT:	SUBURBAN MARKETPLACE CORRIDOR
EXISTING USE:	VACANT
PROPOSED ZONING:	C2
PROPOSED USE:	COMMERCIAL - AUTO REPAIR
GROSS ACREAGE:	0.934 AC / 40,690 S.F.
BUILDING FOOTPRINT:	5,705 SF (+1,000 SF MEZZANINE)
FAR:	0.14
BUILDING HEIGHT:	25'

PARKING CALCULATION

	MIN. PARKING REQUIRED	MAX. PARKING REQUIRED	PARKING PROVIDED
EMPLOYEE PARKING	1 SPACE PER EMPLOYEE PER SHIFT=10	1 SPACE PER EMPLOYEE PER SHIFT=10	10
SERVICE BAY PARKING	2 SPACES PER SERVICE BAY = 16	5 SPACES PER SERVICE BAY = 40	23*
TOTAL PARKING PROVIDED			33**

* SERVICE BAY MAY COUNT AS 1 OF THE REQUIRED SERVICE BAY PARKING REQUIREMENTS
** INCLUDES 2 HANDICAPPED ACCESSIBLE PARKING SPACES
SHORT TERM BICYCLE PARKING REQUIRED = 1 - PROVIDED = 2
LONG TERM BICYCLE PARKING REQUIRED = 1, PROVIDED INSIDE THE BUILDING

ILA CALCULATIONS

VUA AREA:	13,354 S.F.
ILA REQUIRED:	1,001.55 S.F.F (7.5%)

TREE CANOPY CALCULATION (PRELIMINARY)

TOTAL SITE AREA	40,690 S.F.
REQUIRED TREE CANOPY (20%)	8,164 S.F.
EXISTING TREE CANOPY	35,208 S.F. (86%)
TREE CANOPY TO BE PRESERVED	29,152 S.F. (71%)*
NO NEW TREES REQUIRED TO COMPLY WITH REQUIRED TREE CANOPY	
*MINIMUM TREE CANOPY WILL BE MET BY PRESERVING WOODED AREA IN THE UNDISTURBED AREA. TOPA TO BE DETERMINED ON LANDSCAPING APPLICATION PLAN.	

RUNOFF CALCULATION

	IMPERVIOUS AREA	PERVIOUS AREA	DISTURBED AREA	UNDISTURBED AREA	TOTAL SITE
PRE-DEVELOPMENT	3,400 S.F.	37,290 S.F.	3,400 S.F.	37,290 S.F.	40,690 S.F.
POST-DEVELOPMENT	20,757 S.F.	4,412 S.F.	25,169 S.F.	15,521 S.F.	40,690 S.F.
INCREASE (DECREASE)		17,357 S.F.		(32,878 S.F.)	

REQUESTED VARIANCES, WAIVERS

- VARIANCE 1: TO REDUCE THE REQUIRED SIDE YARD SETBACK FROM 25 FT. TO 5 FT. (LDC 5.3.2.C.2.B.)
- WAIVER 1: TO REDUCE THE REQUIRED PERIMETER LBA FROM 25 FT. TO 5 FT. (LDC 10.2.4.)
- WAIVER 2: TO REDUCE THE REQUIRED VUA LBA FROM 10 FT. TO 5 FT. (LDC 10.2.10)
- WAIVER 3: TO NOT PROVIDE VUA INTERIOR LANDSCAPE AREAS (LDC 10.2.12)

POPULAR PLAZA, LLC
MIAMI, FL 33180
PVA PARCEL: 0624-0066-0000
FORM DISTRICT: SMC
EXISTING USE: SHOPPING CENTER

SITE: 4930 POPLAR LEVEL RD.
3332 NE 190TH ST., APT 1010
DEED BOOK 911, PAGE 658
ZONING DISTRICT: C-1 AND C-2
EXISTING USE: SHOPPING CENTER

POPLAR LEVEL ROAD (KY HWY 864) R.O.W. VARIES - ARTERIAL

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

BY: *[Signature]*
DATE: 6-27-17
LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

PRELIMINARY APPROVAL
Condition of Approval:
[Signature] 6-27-17
Date
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

SITE: 4931 POPLAR LEVEL ROAD
SATICH PROPERTIES #2, LLC.
1212 HOGARTH DRIVE
LOUISVILLE, KY 40222
DEED BOOK 9522, PAGE 0404
PVA PARCEL: 0624-0066-0000
ZONING DISTRICT: R-4
FORM DISTRICT: SMC
EXISTING USE: VACANT

SITE: 4937 POPLAR LEVEL ROAD
MARILLA PROPERTIES, LLC
12313 TAYLORSVILLE ROAD
LOUISVILLE, KY 40299
DEED BOOK 8691, PAGE 94
PVA PARCEL: 0624-0042-0000
ZONING DISTRICT: CM
FORM DISTRICT: SMC
EXISTING USE: AUTOMOTIVE REPAIR

EPSC NOTES

PRELIMINARY EPSC CONTROL TAG 15. AN 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 THE METROPOLITAN SEWER DISTRICT (MSD) REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PER THE PLAN AND BEST PRACTICE STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDED AND STABILIZED. ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOILS TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCING. ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES.

WHERE CONSTRUCTION OR LAND DISTURBANCE 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 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

SEDIMENT-LOADED 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.

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN ON THIS DOCUMENT HAVE NOT BEEN PRECISELY LOCATED BY EXCAVATION METHODS. SUB-SURFACE UTILITIES HAVE BEEN MAPPED FROM APPARENT SURFACE FEATURES AND INFORMATION FROM EXISTING PUBLIC RECORD DRAWINGS. FEATURES NOT IDENTIFIABLE UPON THE GROUND OR WITHIN CLOSE PROXIMITY OF THE PUBLIC UTILITY OF RECORD ARE NOT TO BE CONSIDERED ACCURATE FOR CONSTRUCTION PURPOSES. EVEN THOUGH THEIR POSITIONS MAY BE SCALED CLOSELY UPON THE MAP, THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. (KENTUCKY 811-TOLL FREE PHONE NO. 1-800-752-6007 OR LOCAL 502-266-5125)

GENERAL NOTES

- ALL WORK PERFORMED ON THIS PROJECT SHALL CONFORM TO THE KENTUCKY TRANSPORTATION CABINETS (KYTC) DESIGN STANDARDS AND SPECIFICATIONS, LATEST EDITION. KYTC'S REVIEW WILL BE REQUIRED. ALL KYTC COMMENTS AND RECOMMENDATIONS MUST BE INCORPORATED INTO PLANS PRIOR TO APPROVAL BY LOUISVILLE METRO DEPARTMENT OF PUBLIC WORKS. ALL DRAINAGE STRUCTURES WITHIN THE STATE RIGHT-OF-WAY SHALL CONFORM TO THE KYTC'S DESIGN STANDARDS AND SPECIFICATIONS.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL FEDERAL, STATE AND LOCAL PERMITS NECESSARY TO PERFORM AND COMPLETE THE PROJECT AS SHOWN ON THESE PLANS. CONSTRUCTION STAKING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ADDITIONAL INFORMATION FOR THE PROJECT'S LINES AND GRADES AS SHOWN ON THESE PLANS WILL BE PROVIDED UPON REQUEST.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE UTILITY COMPANIES SUCH THAT ACCESS TO WORK AREAS OR SCHEDULE CONFLICTS DO NOT INTERRUPT OR DELAY THE PROJECT'S SCHEDULE.
- INSTALL EROSION AND SEDIMENT CONTROL PRIOR TO GRADING OPERATIONS.
- ALL STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SEWER DISTRICT'S STANDARD SPECIFICATIONS. ALL STORM SEWER PIPE SHALL BE A MINIMUM OF 12" DIAMETER. ALL CULVERTS UNDER PAVING HAVING LESS THAN 12" COVER SHALL BE CONCRETE ENCASED. DRAINAGE FACILITIES SHALL CONFORM TO KENTUCKY STATE REQUIREMENTS.
- THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND MAXIMUM SHALL BE 10%.
- THE CONTRACTOR SHALL SLOPE ALL FINISH GRADES TO PROVIDE POSITIVE DRAINAGE. FLAT AND PONDING AREAS WILL NOT BE ACCEPTABLE.
- DIMENSIONS SHOWN HEREON ARE FROM THE EDGE OF GUTTERS OR WALLS UNLESS SHOWN OTHERWISE. ALL RADII SHOWN ARE ON FACE OF CURB.
- EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT MPW STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE. VERGE AREAS WITHIN THE PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
- ALL SERVICE STRUCTURES, INCLUDING DUMPSTER SHALL BE SCREENED.
- ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH FEDERAL REGULATIONS 28 CFR PART 36. ADA STANDARDS FOR ACCESSIBLE DESIGN.
- COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS APPLICABLE AGENCIES REQUIRE OTHERWISE.
- SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS AND SHALL BE DIRECTED DOWN AND AWAY FROM ANY RESIDENTIAL PROPERTIES. SITE LIGHTING SHALL NOT EXCEED 0.2 FOOT CANDLES AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL AND SHALL NOT CAUSE GLARE ONTO ADJOINING PROPERTIES.
- ALL SIGNAGE SHALL COMPLY WITH LOUISVILLE LAND DEVELOPMENT CODE REGULATIONS. THERE SHOULD BE NO COMMERCIAL SIGNS ON THE RIGHT-OF-WAY (KYTC).
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT. LANDSCAPING SHOULD NOT OBSTRUCT SIGHT DISTANCE REQUIREMENT AREAS.
- ON-SITE DETENTION WILL BE PROVIDED. POST-DEVELOPED PEAK FLOWS WILL BE LIMITED TO PRE-DEVELOPED PEAK FLOWS FOR THE 2, 10, 25 AND 100-YEAR STORMS OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM. SEE SITE DRAINAGE AREA ZONES.
- SANITARY SEWER SERVICE PROVIDED BY NEW PSC, SUBJECT TO FEES AND ANY APPLICABLE CHARGES.
- MSD DRAINAGE BOND IS REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
- KYTC APPROVAL WILL BE REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
- THE ARMY CORP OF ENGINEERS WETLANDS JURISDICTIONAL DETERMINATION WILL BE DONE PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
- CONSTRUCTION PLANS, BOND AND KYTC ENCROACHMENT PERMIT WILL BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL AND ENCROACHMENT PERMIT BY MPW.
- RIGHT-OF-WAY DEDICATION PER LDC ARE REQUIRED UNLESS WAIVED WITH CONCURRENCE FROM MPW. IF DEDICATION IS REQUIRED, RIGHT-OF-WAY DEDICATION BY DEED OR MINOR PLAT MUST BE RECORDED PRIOR TO CONSTRUCTION APPROVAL BY MPW. IT MAY BE NECESSARY TO MEET AND FURTHER DISCUSS RIGHT-OF-WAY DEDICATION ISSUES WITH MPW AND TRANSPORTATION/PLANNING STAFF IF RIGHT-OF-WAY DEDICATION IS NECESSARY.
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY MPW.
- UPON DEVELOPMENT OR REDEVELOPMENT OF 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 THE DEPARTMENT OF PUBLIC WORKS. A CROSS ACCESS AGREEMENT TO RUN WITH THE LAND AND IN A FORM ACCEPTABLE TO PLANNING COMMISSION LEGAL COUNSEL SHALL BE RECORDED PRIOR TO THE TIME OF CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.
- VERGE AREAS WITHIN THE PUBLIC RIGHT OF WAY TO BE PROVIDED PER METRO PUBLIC WORKS (TABLE 6.2.1)
- BUILDING FAÇADE SHALL BE DESIGNED TO COMPLY WITH REGULATIONS IN LDC 5.6.1.B, C AND D.

GRAPHIC SCALE
1"=20'-0"

RECEIVED
JUN 15 2017

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OWNER / DEVELOPER
VEGA AUTO REPAIR & SALES
4933 POPLAR LEVEL ROAD
LOUISVILLE KENTUCKY 40219

DETAILED DISTRICT DEVELOPMENT PLAN
VEGA AUTO REPAIR
4933 POPLAR LEVEL ROAD, LOUISVILLE KENTUCKY 40219
PRIMARY PARCEL ID 062400430000
TAX BLOCK 0624 - LOT# 0043 - DEED BOOK 10489, PAGE 0916

SHEET TITLE:
DETAILED DISTRICT DEVELOPMENT PLAN
DRAWN: AMN
CKD: MN
DATE: JUNE 14, 2017
SCALE: 1"= 20'
REV:
DRAWING NUMBER
C-1
CASE# 16ZONE1060
WM# 11492