

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. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) 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. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owner to the south 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.
4. 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.
5. 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.
6. The property owner shall provide a cross over access easement if the property to the north is ever developed for a nonresidential use. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.
7. No idling of trucks shall take place within 200 feet of residences. No overnight idling of trucks shall be permitted on-site.
8. No deliveries shall be permitted by any commercial use between 10:00 pm and 7:00 am
9. A 2-5 foot berm shall be provided similar to what was described at the December 5, 2019 Planning Commission meeting.
10. The only permitted access for Ford Motor Company parking, and/or any future commercial/industrial use, of the property shall be from the property to the south, 5540 Minor Lane. Users of the current school and church shall continue to utilize the access points along Minor lane and Dupin Drive until they cease operations.
11. Applicant shall work with Staff to create a "No Truck Traffic" signage plan for Dupin Drive and Minor Lane from Preston and the Outer Loop back to the site, and place it into action prior to the church parking lots being used for vehicle parking and storage and before the remainder of the property may be used for any future commercial or industrial use.

ORDINANCE NO. 016, SERIES 2020

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PEC PLANNED EMPLOYMENT CENTER AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO SUBURBAN WORKPLACE ON PROPERTY LOCATED AT 5400 & 5402 MINOR LANE AND 3101, 3201, 3202, & 3206 DUPIN DRIVE CONTAINING APPROXIMATELY 68 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0065)(AS AMENDED).

SPONSORED BY: COUNCILWOMAN MADONNA FLOOD

WHEREAS, The Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 19ZONE0065; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning changes and form district changes in Case No. 19ZONE0065 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records, with additional and amended binding elements;

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: That the zoning of the property located at 5400 & 5402 Minor Lane and 3101, 3201, 3202, & 3206 Dupin Drive containing approximately 68 Acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 19ZONE0065, is hereby changed from R-4 Residential Single Family PEC Planned Employment Center and the form district of the same property is hereby changed from Neighborhood to Suburban Workplace; provided, however, said property shall be subject to the binding elements as set forth in the minutes

of the Planning Commission in Case No. 19ZONE0065-, with the following amendments to binding elements 4 and 7 and the addition of binding element 12:

- 4. A permanent 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 permanent certificate of occupancy, unless specifically waived by the Planning Commission.

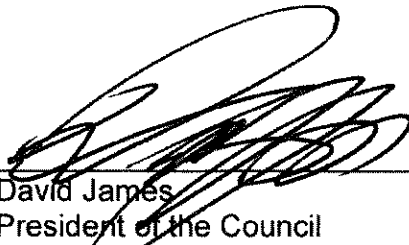
- 7. No idling of trucks shall take place within 200 feet of residences. No overnight idling of trucks shall be permitted on-site between the hours of 10:00 pm and 7:00 am.

- 12. Any change to the development plan requiring a meeting before the Planning Commission shall also require approval by Metro Council.

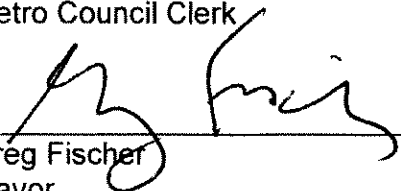
SECTION II: This Ordinance shall take effect upon its passage and approval.



Sonya Harward
Metro Council Clerk



David James
President of the Council



Greg Fischer
Mayor

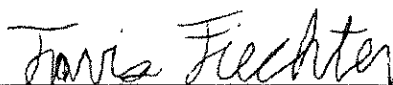
2/21/2020

Approval Date

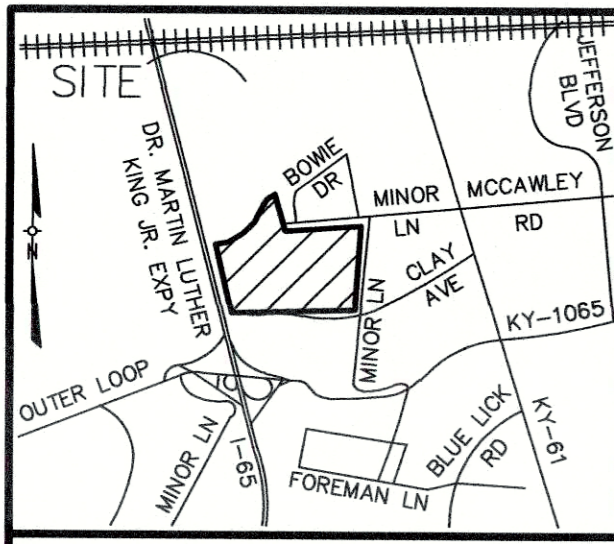
APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

**LOUISVILLE METRO COUNCIL
READ AND PASSED
February 20, 2020**

By: 

O-416-19 19ZONE0065 (Zone+Form) Approval.docx (TF)



LOCATION MAP
NO SCALE

- LEGEND**
- EX. UTILITY POLE
 - EX. CONTOUR
 - EX. FIRE HYDRANT
 - EX. OVERHEAD ELECTRIC
 - EX. SANITARY SEWER
 - EX. SIGN
 - STORM WATER FLOW
 - INTERIOR LANDSCAPE AREA
 - PROPOSED FENCE

GENERAL NOTES:

1. (←) DEPICTS DIRECTION OF STORM WATER FLOW FOR SCHEMATIC PURPOSES ONLY.
2. WASTEWATER FOR THIS DEVELOPMENT IS TREATED AT THE DEREK GUTHRIE WQTF.
3. NO SITE CONSTRUCTION IS PROPOSED WITH THIS ZONING APPLICATION, EXCEPT THE DRIVEWAY CONNECTION FROM THE ADJACENT SOUTH PROPERTY.
4. ALL LUMINARIES SHALL BE AIMED, DIRECTED, OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM LUMINAIRE TO BE DIRECTED TOWARDS RESIDENTIAL USES OR PROTECTED OPEN SPACES (IE. CONSERVATION EASEMENTS, GREENWAYS, PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR CREATE GLARE PERCEPTIBLE TO PERSONS OPERATING MOTOR VEHICLES ON PUBLIC STREETS AND RIGHT-OF-WAYS. IF IT DOES, IT SHOULD BE RE-AIMED, SHIELDED OR TURNED OFF.
5. ALL DUMPSTERS AND SERVICES STRUCTURES SHALL BE SCREENED IN ACCORDANCE WITH CHAPTER 10 OF THE LAND DEVELOPMENT CODE.
6. CHAPTER 10.2 OF THE LDC APPLIES TO THIS ENTIRE SUBJECT PROPERTY.
7. THERE SHOULD BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
8. THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
9. ANY SITE LIGHTING SHALL COMPLY WITH THE LOUISVILLE METRO LDC.
10. MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF THE LOUISVILLE JEFFERSON COUNTY METRO ORDINANCE.
11. MITIGATION MEASURES SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
12. 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.
13. COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.

WAIVERS REQUESTED:

- (W1) TO ALLOW EXISTING PARKING TO ENCOACH INTO THE REQUIRED LBA ALONG DUPIN DRIVE AND TO WAIVE THE REQUIRED SCREENING AND/OR PLANTINGS WITHIN THE REQUIRED LANDSCAPE BUFFER AREA, PER 10.2.4 OF THE LDC.
- (W2) TO ALLOW EXISTING PARKING TO ENCOACH INTO THE REQUIRED LBA ALONG MINOR LANE, AND TO WAIVE THE REQUIRED SCREENING AND/OR PLANTINGS WITHIN THE REQUIRED LANDSCAPE BUFFER AREA, PER 10.2.4 OF THE LDC.
- (W3) TO WAIVE THE REQUIRED INTERIOR LANDSCAPE AREAS FOR EXISTING PARKING LOTS, PER 10.2.12 OF THE LDC.
- (W4) TO ALLOW EXISTING PARKING LOT TO HAVE INTERIOR LANDSCAPE AREAS SPACED MORE THAN 20 PARKING SPACES APART; OF SECTION 10.2.12 OF THE LDC

PROJECT SUMMARY

EXISTING ZONING	R4
PROPOSED ZONING	PEC
EX. FORM DISTRICT	N
PROPOSED FORM DISTRICT	SWFD
EXISTING USE	CHURCH AND SCHOOL CAMPUS
PROPOSED USE	VEHICLE PARKING/STORAGE
EXISTING SITE ACREAGE:	68.01 AC.± (2,962,839 S.F.±)
VUA	518,990 S.F.
ILA REQUIRED (7.5%)	38,924 S.F.
ILA PROVIDED	82,320 S.F.

PARKING SUMMARY

CHURCH:	
PARKING REQUIRED	
MIN. (1 SPACE/50 S.F.) (32850 SF. SANCTUARY)	657 SPACES
MAX. (125% OF REQ'D MIN.)	821 SPACES
PARKING PROVIDED	
STANDARD SPACES	722 SPACES
HANDICAP SPACES	7 SPACES
TOTAL CHURCH PROVIDED	729 SPACES

SCHOOL:	
PARKING REQUIRED	
MIN. 1 SPACE/5 SEATS (W/ 200 SEATS)	40 SPACES
MAX. 1 SPACE/3 SEATS (W/ 200 SEATS)	67 SPACES
PARKING PROVIDED	
STANDARD SPACES	181 SPACES
HANDICAP SPACES	6 SPACES
TOTAL SCHOOL PROVIDED	187 SPACES

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

RADIO STATION:	
PARKING REQUIRED	
MIN. 2 SPACE/1 EMPLOY +1. (W/ 13 EMPLOY.)	7 SPACES
MAX. 5 SPACE/1 EMPLOY +1. (W/ 3 EMPLOY.)	16 SPACES
PARKING PROVIDED	
STANDARD SPACES	12 SPACES
HANDICAP SPACES	0 SPACES
TOTAL RADIO STATION PROVIDED	12 SPACES

TOTAL PARKING PROVIDED	
STANDARD SPACES	12 SPACES
HANDICAP SPACES	0 SPACES
TOTAL RADIO STATION PROVIDED	12 SPACES
TOTAL PARKING PROVIDED	928 SPACES

TREE CANOPY CALCULATIONS (TCCA)

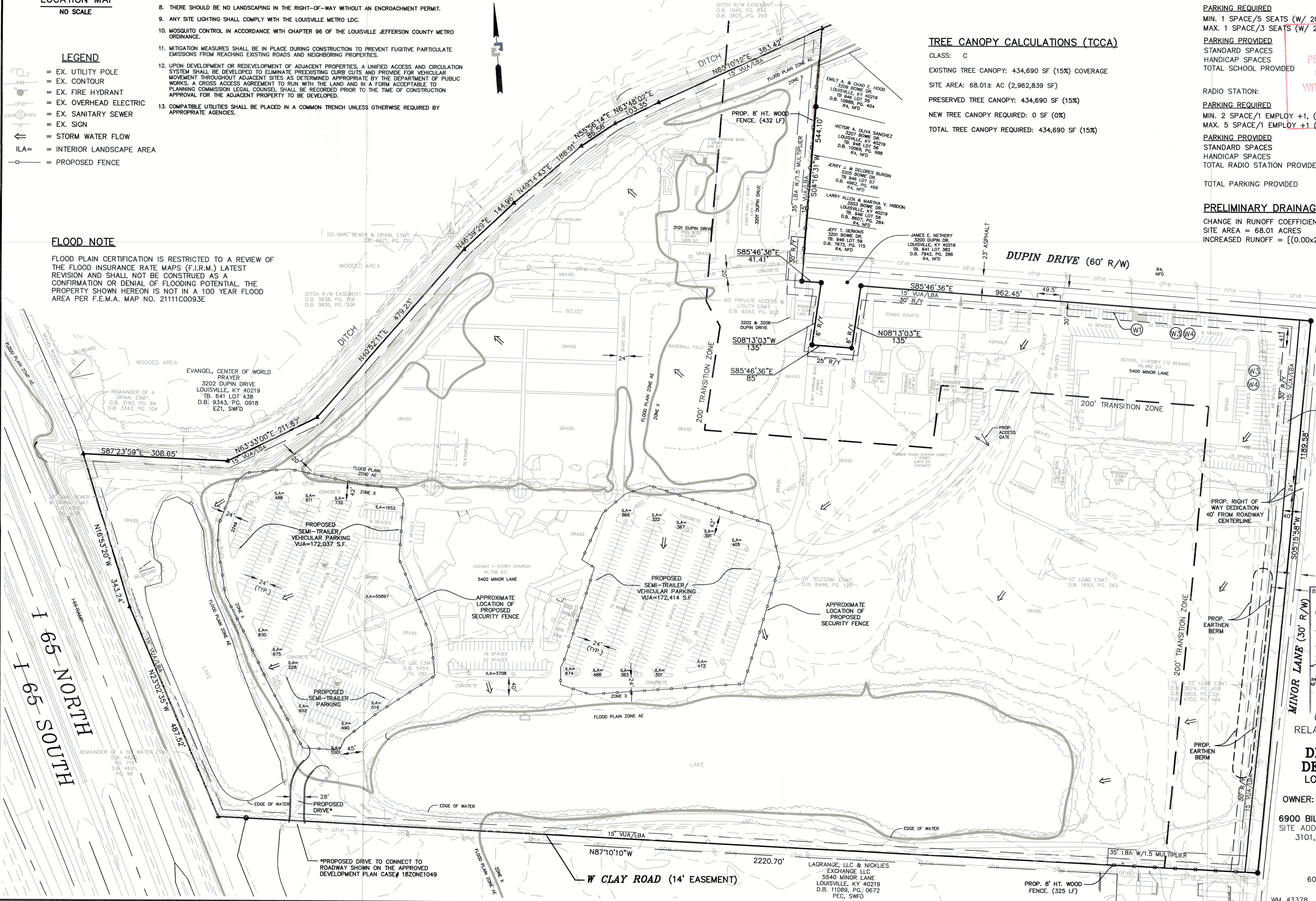
CLASS: C
EXISTING TREE CANOPY: 434,690 SF (15%) COVERAGE
SITE AREA: 68.01± AC (2,962,839 SF)
PRESERVED TREE CANOPY: 434,690 SF (15%)
NEW TREE CANOPY REQUIRED: 0 SF (0%)
TOTAL TREE CANOPY REQUIRED: 434,690 SF (15%)

PRELIMINARY DRAINAGE CALCULATIONS

CHANGE IN RUNOFF COEFFICIENT, C=(0.45-0.45)=0.00
SITE AREA = 68.01 ACRES
INCREASED RUNOFF = [(0.00x2.8/12)x68.01] = 0.00 AC-FT

FLOOD NOTE

FLOOD PLAIN CERTIFICATION IS RESTRICTED TO A REVIEW OF THE FLOOD INSURANCE RATE MAPS (F.I.R.M.) LATEST REVISION AND SHALL NOT BE CONSTRUED AS A CONFIRMATION OR DENIAL OF FLOODING POTENTIAL. THE PROPERTY SHOWN HEREON IS NOT IN A 100 YEAR FLOOD AREA PER F.E.M.A. MAP NO. 21111C0093E



METRO APPROVED DISTRICT DEVELOPMENT PLAN
DOCKET NO. A-Zone-0065
APPROVAL DATE Dec 5, 2019
EXPIRATION DATE Feb 20, 22
SIGNATURE OF PLANNING COMMISSION
PLANNING

PRELIMINARY APPROVAL DEVELOPMENT PLAN
CONDITIONS:

BY: [Signature]
DATE: 12/10/19
LOUISVILLE JEFFERSON COUNTY METRO PUBLIC WORKS

PRELIMINARY APPROVAL
Condition of Approval:
[Signature]
Date: 12/10/19
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

CASE # 19-ZONE-0065
RELATED CASE(S): 10-004-99; B-23-07
DETAILED DISTRICT DEVELOPMENT PLAN
LOGISTICS AIRPARK NORTH

OWNER: EVANGEL WORLD PRAYER CENTER OF KENTUCKY, INC.
6900 BILTOWN RD. LOUISVILLE, KY 40299
SITE ADDRESSES: 5400 & 5402 MINOR LANE, 3101, 3201, 3202 & 3206 DUPIN DR. LOUISVILLE, KY 40219
TAX BLOCK: 0641 LOT: 0437
DEVELOPER: NICKLIES DEVELOPMENT INC 6060 DITCHMANS LANE, SUITE 110 LOUISVILLE, KY 40205 DB. 9343, PG. 918

Milestone design group
108 Davenport Lane, Suite 300 Louisville, KY 40223
502.327.7073 www.milestonedesign.org

LOGISTICS AIRPARK NORTH

DATE: 9/6/19
DRAWN BY: TAL
CHECKED BY: JMM
SCALE: 1"=100' (HORZ)
SCALE: N/A (VERT)

REVISIONS

10/07/19	AGENCY CMTS
10/17/19	AGENCY CMTS
12/9/19	AGENCY CMTS

DEVELOPMENT PLAN

JOB NUMBER
18016

RECEIVED 1
DESIGN SERVICES 1

19 ZONE 0065