

### **Case No. 18ZONE1020 Binding Elements**

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Revised 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. 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, or alteration permit) is requested:
  - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
  - c. 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.
  - d. A minor subdivision plat shall be recorded creating the lot lines and dedicating additional right-of-way as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
  - e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal

of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

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 materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the November 1, 2018 Public Hearing. Final renderings for Lot 3 shall be approved by Planning Commission staff prior to issuance of building permit.
6. Reciprocal and crossover access shall be provided at the time of non-residential development (prior to issuance of building permit) for the properties to the north and south. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.
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:  
 Need to add Vary Along Cedar Creek Cor.  
 BY: *Janet W. [Signature]*  
 DATE: *10/27/18*  
 LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

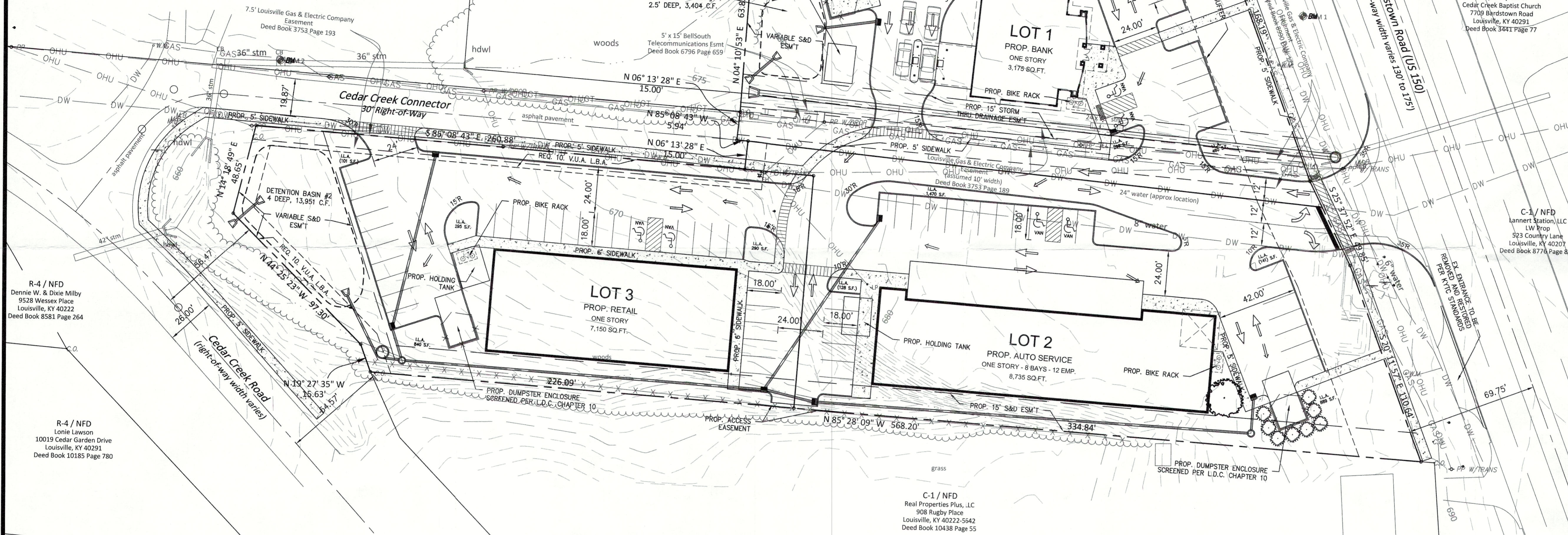
R-4 / NFD  
 David D. & Deborah A. Williamson  
 7510 Cedar Creek Road  
 Louisville, KY 40291-3237  
 Deed Book 6496 Page 76

C-1 / NFD  
 Jerry G. & Karen S. Vires  
 4417 Bardstown Road  
 Louisville, KY 40218-3235  
 Deed Book 9707 Page 366

C-1 / NFD  
 Newton Enterprises, LLC  
 12104 Old Henry Road  
 Louisville, KY 40223  
 Deed Book 7896 Page 742

C-1/R-4 / NFD  
 Cedar Creek Baptist Church  
 7709 Bardstown Road  
 Louisville, KY 40291  
 Deed Book 3441 Page 77

C-1 / NFD  
 Lannett Station, LLC  
 LW Prop  
 923 Country Lane  
 Louisville, KY 40207  
 Deed Book 8776 Page 85



**SITE DATA**

SITE AREA	2.54 ACRES
EXISTING ZONING	C-1
EXISTING FORM DISTRICT	NFD
EXISTING USE	VACANT
PROPOSED ZONING	C-2
PROPOSED USE	
<b>LOT 1</b>	
LOT AREA	0.799 ACRES (34,801.37 SQ.FT.)
PROPOSED USE	BANK
PROPOSED BUILDING AREA	3,175 SQ.FT.
1 STORY - MAX. HT. 30'	
FLOOR AREA RATIO (F.A.R.)	0.09
<b>PARKING CALCULATIONS</b>	
MINIMUM PARKING REQUIRED	11 SPACES
1 SP/300 SQ.FT.	
MAXIMUM PARKING ALLOWED	16 SPACES
1 SP/200 SQ.FT.	
PARKING PROVIDED	12 SPACES
(INC. 2 ACCESSIBLE SPACES)	
<b>LANDSCAPE REQUIREMENTS</b>	
V.U.A.	9,876 SQ.FT.
7.5% REQUIREMENT	741 SQ.FT.
I.L.A. PROVIDED	1,049 SQ.FT.
<b>LOT 2</b>	
LOT AREA	0.948 ACRES (41,283.23 SQ.FT.)
PROPOSED USE	AUTO SERVICE
PROPOSED BUILDING AREA	8,735 SQ.FT.
1 STORY - MAX. HT. 30' - 8 BAYS	
FLOOR AREA RATIO (F.A.R.)	0.21
<b>PARKING CALCULATIONS</b>	
MINIMUM PARKING REQUIRED	28 SPACES
1 SP/EMPLOYEE + 2 SP/SERVICE BAY	
MAXIMUM PARKING ALLOWED	52 SPACES
1 SP/EMPLOYEE + 5 SP/SERVICE BAY	
PARKING PROVIDED	34 SPACES
SERVICE BAYS	8
OUTSIDE SPACES	26
(INC. 2 ACCESSIBLE SPACES)	
<b>LANDSCAPE REQUIREMENTS</b>	
VEHICLE USE AREA	12,795 SQ.FT.
7.5% REQUIREMENT	960 SQ.FT.
I.L.A. PROVIDED	2,359 SQ.FT.
<b>LOT 3</b>	
LOT AREA	0.793 ACRES (34,560.14 SQ.FT.)
PROPOSED USE	RETAIL
PROPOSED BUILDING AREA	7,150 SQ.FT.
1 STORY - MAX. HT. 30'	
FLOOR AREA RATIO (F.A.R.)	0.21
<b>PARKING CALCULATIONS</b>	
MINIMUM PARKING REQUIRED	29 SPACES
1 SP/250 SQ.FT.	
MAXIMUM PARKING ALLOWED	48 SPACES
1 SP/150 SQ.FT.	
PARKING PROVIDED	32 SPACES
(INC. 2 ACCESSIBLE SPACES)	
<b>LANDSCAPE REQUIREMENTS</b>	
VEHICLE USE AREA	13,834 SQ.FT.
7.5% REQUIREMENT	1,045 SQ.FT.
I.L.A. PROVIDED	1,425 SQ.FT.
<b>BICYCLE PARKING</b>	
SHORT TERM	2 SPACES PER BLDG.
LONG TERM	2 SPACES PER BLDG.*
*LONG TERM SPACES LOCATED WITHIN EACH BUILDING.	

R-4 / NFD  
 Dannie W. & Dixie Milby  
 9528 Weissen Place  
 Louisville, KY 40222  
 Deed Book 8581 Page 264

R-4 / NFD  
 Lottie Lawson  
 10019 Cedar Garden Drive  
 Louisville, KY 40231  
 Deed Book 10185 Page 780

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

**SITE DEVELOPMENT PLAN**

GRAPHIC SCALE SUPERCEDES NUMERIC SCALE  
 0 15' 30' 60'  
 SCALE: 1" = 30'

**GENERAL NOTES**

- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICTS DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.
- DRAINAGE PATTERN DEPICTED BY ARROWS (→) IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND DESIGN OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
- AN APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATION TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S 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 SEEDED 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 SEED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.
- WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF THE SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICAL, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.
- THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT-OF-WAY.
- THERE SHALL BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
- THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
- CONSTRUCTION PLANS, ENCROACHMENT PERMIT AND BOND WILL BE REQUIRED BY METRO PUBLIC WORKS FOR ALL WORK DONE WITHIN STREET RIGHT-OF-WAY.
- NO INCREASE IN VELOCITY AT POINT OF DISCHARGE AT PROPERTY LINE.
- VERGE AREAS WITHIN PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
- COMPATIBLE UTILITY LINES (ELECTRIC, TELEPHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATED AGENCIES.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING DEMOLITION AND CONSTRUCTION ACTIVITIES TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- 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.
- SHORT TERM BICYCLE PARKING DEVICE SHALL BE A DURABLE, SECURELY ANCHORED DEVICE THAT SUPPORTS THE FRAME OF THE BICYCLE, IS ABLE TO ACCOMMODATE A HIGH SECURITY LOCK AND IS DIMENSIONED AS REQUIRED BY THE LDC.
- BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM SURVEY BY BTM ENGINEERING, INC.
- SANITARY SEWER SERVICE BY HOLDING TANK. BOARD OF HEALTH APPROVAL REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
- SITE SUBJECT TO MSD DRAINAGE BOND PRIOR TO CONSTRUCTION PLAN APPROVAL.
- THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MS4 WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT THE DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MANAGEMENT PRACTICES.
- ONSITE DETENTION WILL BE PROVIDED. POST DEVELOPED PEAK FLOWS WILL BE LIMITED TO PRE-DEVELOPED PEAK FLOWS FOR THE 2, 10, AND 100 YEAR STORMS OR TO THE CAPACITY OF THE DOWNSTEAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE.
- SIGNAGE WILL FOLLOW LDC REQUIREMENTS OF CHAPTER 8.
- A CROSS ACCESS AGREEMENT SHALL BE RECORDED PRIOR TO PERMITS.
- KENTUCKY TRANSPORTATION CABINET REVIEW REQUIRED.
- BUILDINGS SHALL BE IN COMPLIANCE WITH CHAPTER 5.5 AND 5.6 OF THE LAND DEVELOPMENT CODE.
- DRAINAGE FROM NORTH PROPERTY LINE IS INTERCEPTED IN EXISTING SWALE AND DIRECTED INTO EXISTING DRAINAGE TO THE WEST. ANY FLOW ONTO LOT 1 SHALL BE DIRECTED INTO PROPOSED DETENTION BASIN 1.

**LEGEND**

OHU	OVERHEAD UTILITIES	—	CENTERLINE
U	UTILITY POLE	□	EXISTING CATCH BASIN
FH	FIRE HYDRANT	→	DRAINAGE FLOW
WV	WATER VALVE	○	LIGHT STANDARD
GV	GAS VALVE	~	EX. TREE LINE
GW	GUY WIRE	—	PROP. STORM LINE
TP	TELEPHONE PEDESTAL	—	EX. STORM LINE
BM	BENCH MARK	—	PROPOSED CATCH BASIN
S	SIGN	—	
466	EXISTING CONTOUR LINE	—	
⊞	VEHICLE REPRESENTATION	—	
—	EXISTING FENCE	—	
—	EXISTING BUILDING	—	
—	SWALE	—	

**VARIANCE REQUESTS**

- VARIANCE OF CHAPTER 5.3.1.C TO ALLOW PROPOSED LOT 1 AND LOT 2 BUILDINGS TO EXCEED MAXIMUM 95' SETBACK ALONG BARDSTOWN ROAD PARKWAY.
- VARIANCE OF CHAPTER 5.3.1.C TO ALLOW PROPOSED LOT 3 BUILDING TO EXCEED MAXIMUM 80' SETBACK ALONG CEDAR CREEK ROAD.

**WAIVER REQUESTS**

- WAIVER OF CHAPTER 10.2.10 TO REDUCE THE REQUIRED V.U.A. L.B.A. ALONG CEDAR CREEK CONNECTOR FROM 10' TO 7.5'.
- WAIVER OF CHAPTER 10.2.4.B.3 TO ALLOW LANDSCAPE BUFFER AREAS TO OVERLAP WITH UTILITY AND DRAINAGE EASEMENTS BY MORE THAN 50%.

**IMPERVIOUS AREA (SITE)**

TOTAL SITE AREA	2.54 ACRES
EXISTING IMPERVIOUS SURFACE	1.08 ACRES (42.52%)
PROPOSED IMPERVIOUS SURFACE	1.70 ACRES (67.09%)
INCREASE IN IMPERVIOUS SURFACE	0.62 ACRES (24.41%)
TOTAL SITE DISTURBANCE	2.50 ACRES

**DETENTION CALCULATIONS**

**DETENTION BASIN #1**

$$ExCm = (0.36 \times 0.95) + (0.15 \times 0.22) = 0.74$$

$$PostCm = (0.35 \times 0.95) + (0.16 \times 0.22) = 0.72$$

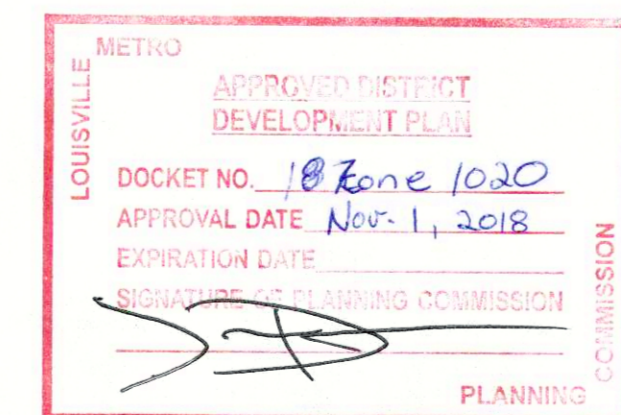
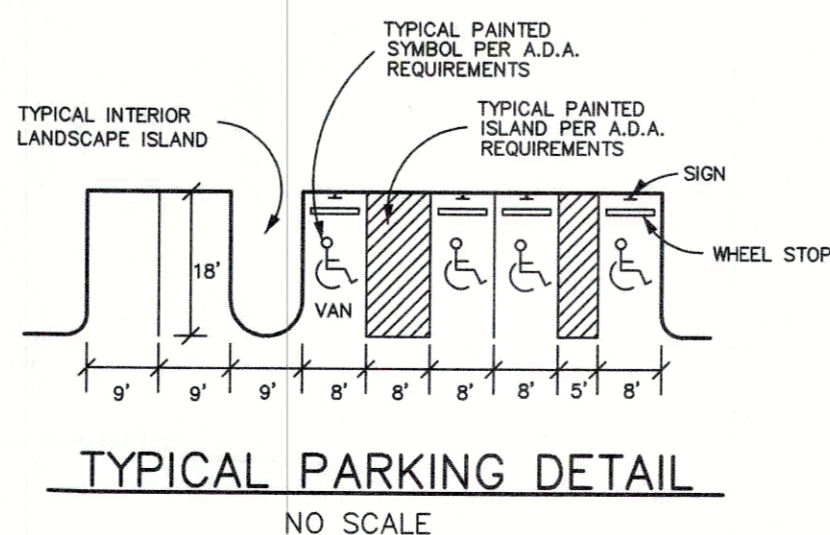
DETENTION CALCS  
 $(0.72 - 0.74) \times (2.8/12) \times (0.51 \text{ Ac.}) = 0.0 \text{ AcF} \sim 0 \text{ CuFt.}$

**DETENTION BASIN #2**

$$ExCm = (0.62 \times 0.95) + (1.06 \times 0.22) = 0.49$$

$$PostCm = (1.42 \times 0.95) + (0.26 \times 0.22) = 0.84$$

DETENTION CALCS  
 $(0.84 - 0.49) \times (2.8/12) \times (1.68 \text{ Ac.}) = 0.137 \text{ AcF} \sim 5,976 \text{ CuFt.}$



PRELIMINARY APPROVAL  
 Condition of Approval:  
*Tony Kelly 10-3-18*  
 Development Engineer  
 Date: 10-3-18

RECEIVED  
 AUG 27 2018  
 PLANNING & DESIGN SERVICES

CASE #18ZONE1020  
 CASE #14DEVPLAN1033  
 MSD WM #10948

**REVISIONS**

NO.	BY	DESCRIPTION	DATE	CHK
1	DHS	REV. PER AGENCY & CLIENT COMMENTS	6-12-18	CRB
2	DHS	REV. PER KYTC COMMENTS	6-12-18	CRB
3	DHS	ADD. REV. PER AGENCY COMMENTS	7-27-18	CRB
4	DHS	ADD. REV. PER MSD COMMENTS	8-14-18	CRB
5	DHS	ADD. REV. PER AGENCY COMMENTS	8-15-18	CRB
6	DHS	REV. PER CLIENT REQUEST	8-21-18	CRB

**BTM Engineering, Inc.**  
 Consulting Engineers, Landscape Architects, Planners & Surveyors  
 "Serving the Bluegrass and Beyond"  
 3001 Taylor Springs Drive, Louisville, Kentucky 40220  
 (502) 659-8402  
 www.btmeng.com

TITLE: REVISED DISTRICT DEVELOPMENT PLAN  
 770 BARDSTOWN RD. & 7509 CEDAR CREEK RD.  
 LOUISVILLE, KY 40291-3207  
 DRAWN BY: DHS  
 CHECKED BY: CRB  
 DATE: 3-1-18  
 DRAWING: 160158-RDDP  
 SCALE: 1" = 30'  
 SHEET: 1.00

OWNER / DEVELOPER: LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT  
 PARCEL ID: 09470320000  
 PARCEL ID: 09470272000  
 TAX BLOCK: 647 LOT: 272  
 C.S.B. 153895 P.C. 918