

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. The development shall not exceed 7,500 square feet of gross floor area.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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 Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. A minor subdivision plat or legal instrument shall be recorded creating the lot lines 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.
 - 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 Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
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. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

8. 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.
9. The property owner shall provide a cross over access easement if the property to the north is ever redeveloped. The property owner shall provide a cross over access easement if the property to the south is ever developed non-residentially. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.
10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the June 16, 2016 Planning Commission meeting.
11. No idling of trucks shall take place within 200 feet of residential development. No overnight idling of trucks shall be permitted on-site.

LEGEND

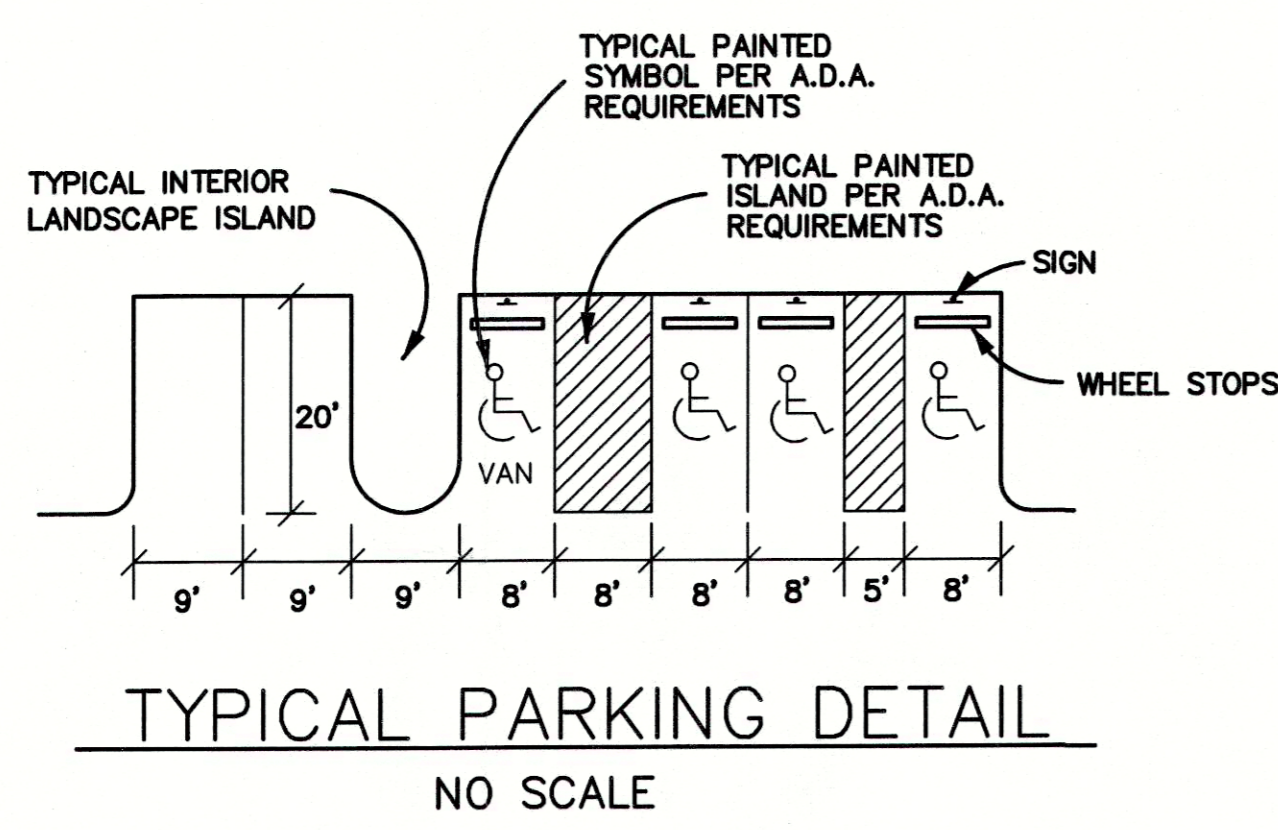
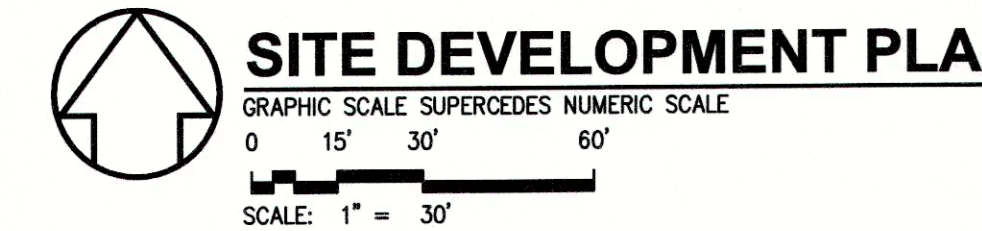
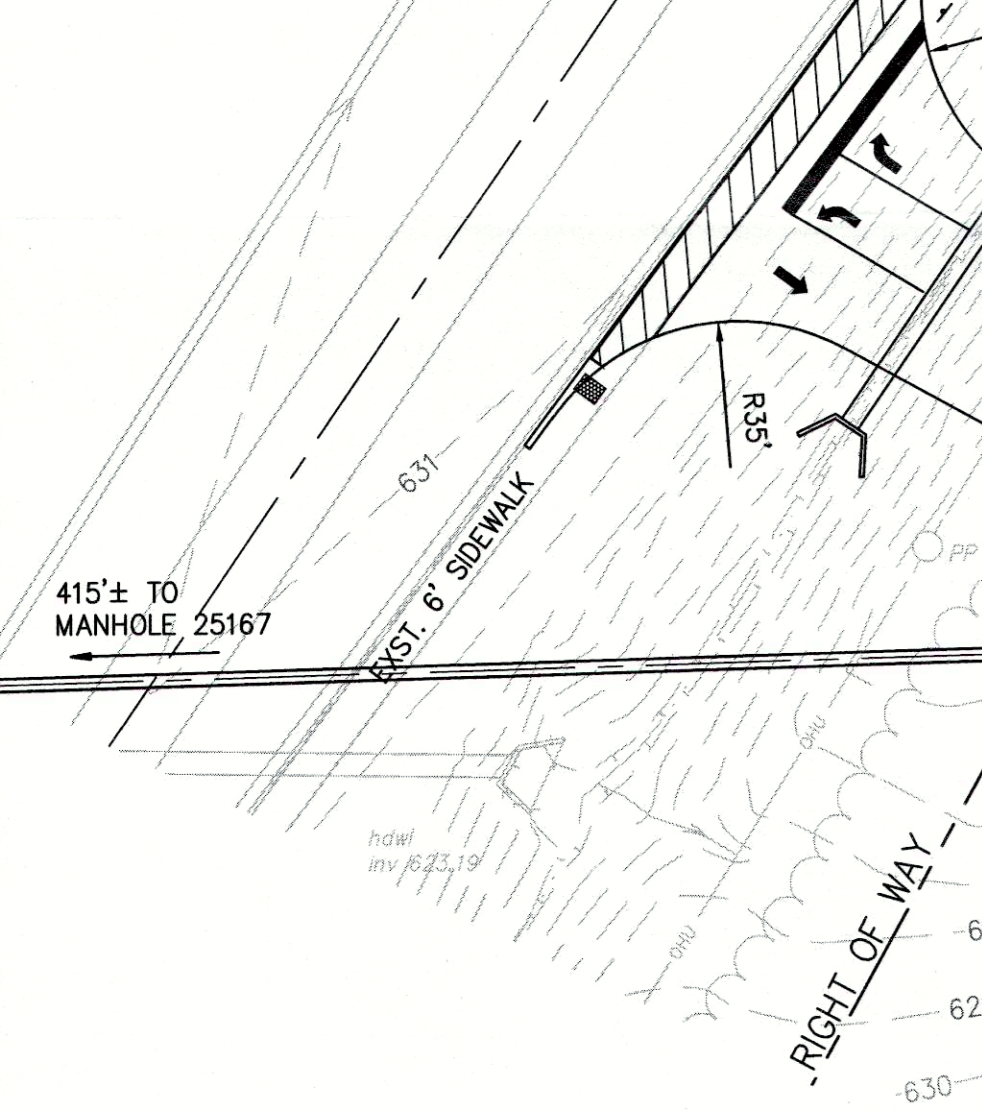
- = OVERHEAD UTILITIES
- = EXISTING TREE LINE
- = TREE CANOPY TO BE PRESERVED IN TCPA
- = GUY POLE
- = LIGHT POLE
- = DRAINAGE SWALE
- = PROPOSED DRAINAGE SWALE
- = CONCRETE DRAINAGE SWALE
- = STORM SEWER OUTLET
- = STORM SEWER PIPE
- = PROPOSED STORM SEWER PIPE
- = PROPOSED DIRECTION OF FLOW
- = STONE BAG CHECK DAM (MSD DWG. EF-12-02)
- = TEMPORARY GRAVEL CONSTRUCTION ENTRANCE (MSD DWG. ER-01-03)
- = REINFORCED SILT FENCE (MSD EF-10-02)

Maple Key
 Deed Book 7897 Page 590
 9260 Smyrna Parkway
 Tax Block 662 Lot 114
 Zoned C1 / Neighborhood Form District

Robert Eugene Penrod
 Deed Book 6580 Page 92
 9211 Maple Road
 Tax Block 662 Lot 264
 Zoned R4 / Neighborhood Form District
 23,272.605 sf (0.534 ac)

R-4

PRELIMINARY APPROVAL
 DEVELOPMENT PLAN
 CONDITIONS
 BY: *[Signature]*
 DATE: 6/16/16
 LOUISVILLE, KENTUCKY
 METRO PLANNING COMMISSION

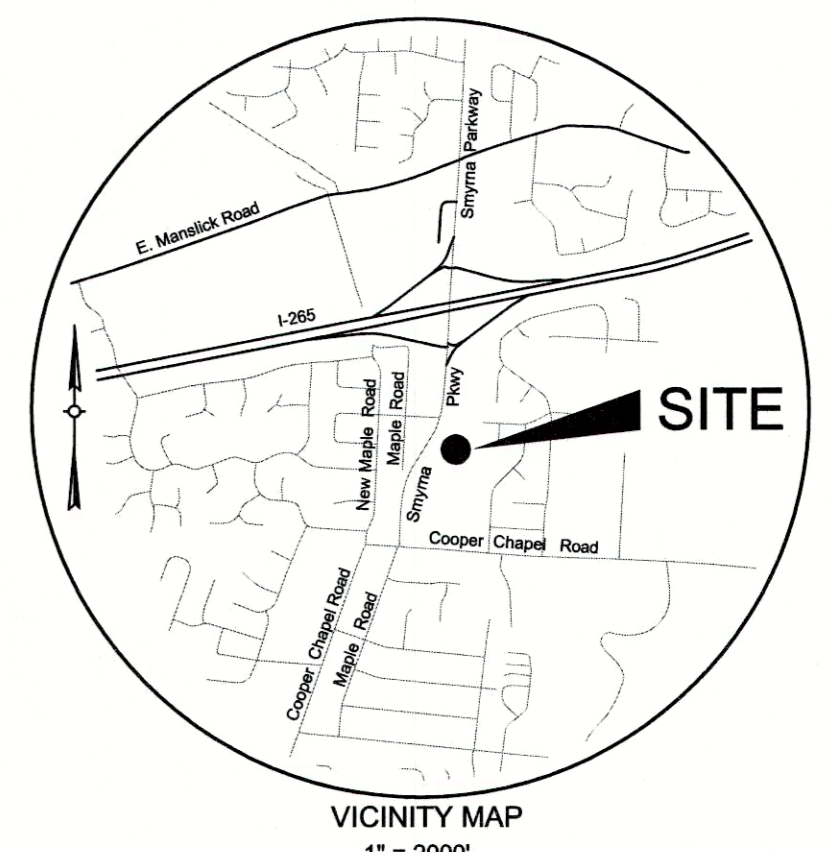


TYPICAL PARKING DETAIL
 NO SCALE

GENERAL NOTES

1. SEWER AVAILABLE BY LATERAL EXTENSION.
2. DRAINAGE PATTERN DEPICTED BY ARROWS (→) IS TO CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND DESIGN OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
3. BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM SURVEY BY BTM ENGINEERING, INC.
4. 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'S BMP'S SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.
5. 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.
6. 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.
7. SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.
8. 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 NOT LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

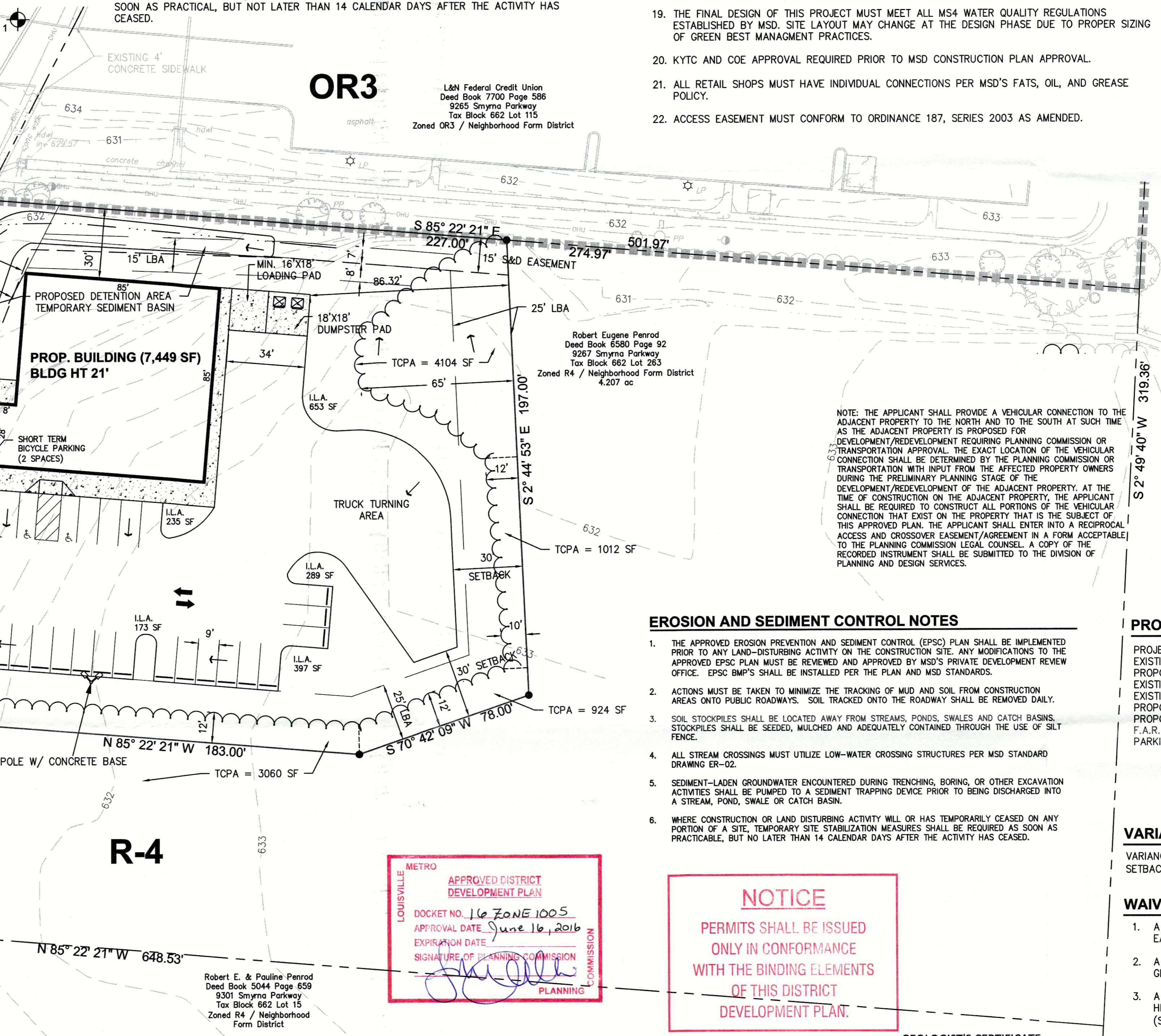
9. THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT OF WAY.
10. THERE SHALL BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
11. THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
12. CONSTRUCTION PLANS, ENCROACHMENT PERMIT AND BOND WILL BE REQUIRED BY METRO PUBLIC WORKS FOR ALL WORK DONE WITHIN STREET RIGHT-OF-WAY.
13. NO INCREASE IN VELOCITY AT POINT OF DISCHARGE AT PROPERTY LINE.
14. VERGE AREAS WITHIN PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
15. COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
16. 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.
17. 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 2'X8'X7" IN DIMENSION AS REQUIRED IN THE LDC.
18. ONSITE DETENTION WILL BE PROVIDED. POSTDEVELOPED PEAK FLOWS WILL BE LIMITED TO PREDEVELOPED PEAK FLOWS FOR THE 2, 10, 25, AND 100-YEAR STORMS OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE.
19. 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.
20. KYTC AND COE APPROVAL REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
21. ALL RETAIL SHOPS MUST HAVE INDIVIDUAL CONNECTIONS PER MSD'S FATS, OIL, AND GREASE POLICY.
22. ACCESS EASEMENT MUST CONFORM TO ORDINANCE 187, SERIES 2003 AS AMENDED.



PRELIMINARY APPROVAL
 Condition of Approval: _____
Tony Kelly
 DATE: _____
 LOUISVILLE, KENTUCKY
 METRO PLANNING COMMISSION

NO.	BY	DESCRIPTION	DATE	CHK
1		REVISION PER PRE-APP CONFERENCE	3/7/16	
2		DEFINITION CALCULATIONS	5/16/16	
3		ADDITIONAL WAIVER REQUEST	6/9/16	

BTM Engineering, Inc.
 Consulting Engineers, Landscape Architects, Planners & Surveyors
 "Serving the Bluegrass and Beyond"
 3001 Taylor Springs Drive
 Louisville, Kentucky 40220
 (502) 439-0900
 www.btmeng.com



NOTE: THE APPLICANT SHALL PROVIDE A VEHICULAR CONNECTION TO THE ADJACENT PROPERTY TO THE NORTH AND TO THE SOUTH AT SUCH TIME AS THE ADJACENT PROPERTY IS PROPOSED FOR DEVELOPMENT/REDEVELOPMENT REQUIRING PLANNING COMMISSION OR TRANSPORTATION APPROVAL. THE EXACT LOCATION OF THE VEHICULAR CONNECTION SHALL BE DETERMINED BY THE PLANNING COMMISSION OR TRANSPORTATION WITH INPUT FROM THE AFFECTED PROPERTY OWNERS DURING THE PRELIMINARY PLANNING STAGE OF THE DEVELOPMENT/REDEVELOPMENT OF THE ADJACENT PROPERTY. AT THE TIME OF CONSTRUCTION ON THE ADJACENT PROPERTY, THE APPLICANT SHALL BE REQUIRED TO CONSTRUCT ALL PORTIONS OF THE VEHICULAR CONNECTION THAT EXIST ON THE PROPERTY THAT IS THE SUBJECT OF THIS APPROVED PLAN. THE APPLICANT SHALL ENTER INTO A RECIPROCAL ACCESS AND CROSSOVER EASEMENT/AGREEMENT IN A FORM ACCEPTABLE TO THE PLANNING COMMISSION LEGAL COUNSEL. A COPY OF THE RECORDED INSTRUMENT SHALL BE SUBMITTED TO THE DIVISION OF PLANNING AND DESIGN SERVICES.

EROSION AND SEDIMENT CONTROL NOTES

1. THE 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 MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.
2. 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.
3. SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES AND CATCH BASINS. STOCKPILES SHALL BE SEEDED, MULCHED AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.
4. ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02.
5. SEDIMENT-LADEN 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.
6. WHERE CONSTRUCTION OR LAND DISTURBING ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NOT LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

PROJECT DATA

PROJECT SITE AREA	1.65 ACRES
EXISTING ZONING	R4
PROPOSED ZONING	CN
EXISTING FORM DISTRICT	N
EXISTING USE	VACANT
PROPOSED USE	RETAIL
PROPOSED BUILDING AREA	7449 SF
F.A.R.	0.10
PARKING REQUIREMENTS	
MIN. PARKING REQUIRED	25 SPACES
MAX. PARKING ALLOWED	37 SPACES
TOTAL PARKING PROVIDED	29 SPACES
	INCLUDES 2 HANDICAP SPACES

VARIANCE REQUEST

VARIANCE REQUEST TO REDUCE NON-RESIDENTIAL TO RESIDENTIAL SETBACK FROM 30' TO 25' PER LDC 5.31.C.5.

WAIVERS REQUESTED

1. A WAIVER OF CHAPTER 10.2.4.B TO ALLOW A UTILITY EASEMENT TO ENCROACH MORE THAN 50% INTO A REQUIRED LBA.
2. A WAIVER OF CHAPTER 5.6.1.C TO NOT PROVIDE 50% CLEAR GLAZING ON SMYRNA PARKWAY FACADE.
3. A WAIVER OF CHAPTER 10.3.5.A.1 TO ELIMINATE THE 3 FOOT HIGH CONTINUOUS BERM WITHIN THE PARKWAY BUFFER (SMYRNA PARKWAY).

METRO
 LOUISVILLE, KENTUCKY
 APPROVED DISTRICT DEVELOPMENT PLAN
 DOCKET NO. 16 ZONE 1005
 APPROVAL DATE June 16, 2016
 EXPIRATION DATE _____
 SIGNATURE OF PLANNING COMMISSION
[Signature]
 PLANNING COMMISSION

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

GEOLOGIST'S CERTIFICATE

Per the Kentucky Geologic Survey's online map, Karst Potential on and in the general proximity of the subject property is graphically shown as Low, and there are no mapped sinkholes shown in the immediate area. As shown on the Geologic Map of the Brooks Quadrangle, Bullitt and Jefferson County, Kentucky (Kepferle, 1972), the subject property is underlain by the lower portions of the Louisville Limestone. Information included on that geologic map indicates that springs issue from the base of this formation directly above the Osgood Formation and Waldron Shale. An on-site field inspection of the subject property was conducted on April 27, 2016. At this time, much of the subject property was obscured by tree canopy with heavy undergrowth; however, no sinkholes or active springs were observed.



George Brian Wyatt, PG #20

Date

TREE CANOPY REQUIREMENTS

TREE CANOPY CATEGORY CLASS C	
TOTAL TREE CANOPY AREA	65,175 SF (76-100%)
TOTAL TREE AREA TO BE PRESERVED	9,100 SF (12.8%)
TOTAL SITE AREA	71,003 SF
EX. TREE CANOPY TO BE PRESERVED	9,100 SF (12.8%)
TREE CANOPY REQUIRED	12,781 SF (18%)
ADDITIONAL TREE CANOPY REQUIRED	4,260 SF (6%)
ADDITIONAL TREE CANOPY PROVIDED	4,320 SF (6.1%)
6 - 2" CAL. TYPE A TREES AT 720 SF EACH	
TOTAL TREE CANOPY PROVIDED	13,420 SF (18.9%)

LANDSCAPE REQUIREMENTS

PROPOSED V.U.A.	25,494 SF
7.5% I.L.A. REQUIREMENT	1951 SF
I.L.A. PROVIDED	2005 SF

BICYCLE PARKING REQUIREMENTS

LONG TERM: 2 SPACES REQUIRED (PROVIDED INSIDE BUILDING)
 SHORT TERM: 2 SPACES REQUIRED

DETENTION BASIN CALCULATIONS

$X = \frac{A \cdot C R A}{12}$
 $A C = 0.52 \cdot 0.24 = 0.28$
 $A = 2.18 \text{ ACRES}$
 $R = 2.8 \text{ INCHES}$
 $X = \frac{(0.28)(2.18)(2.8)}{12} = 0.14 \text{ AC.-FT.}$
 $\text{REQUIRED } X = 6,204.11 \text{ CU. FT.}$
 PROVIDED BASIN = 3,585.86 SQ.FT.
 $\text{TOTAL} = 3,585.86 \text{ SQ.FT.} @ \text{APPROX. } 2.00 \text{ FT. DEPTH}$
 $= 7,171.72 \text{ CU.FT.} > 6,204.11 \text{ CU.FT.}$

RECEIVED
 JUN 13 2016
 PLANNING & DESIGN SERVICES

16 ZONE 1005
MSD WM #11349

DETAILED DISTRICT DEVELOPMENT PLAN
9267 SMYRNA PARKWAY
LOUISVILLE, KENTUCKY 40229

BTM PROJECT NO.: 150324
 SITE INFORMATION:
 TAX BLOCK 662 LOT 263
 TAX BLOCK 662 D.B. 6580 P.C. 92
 DEVELOPER:
 ZAREMBA GROUP, LLC
 14650 DETROIT AVENUE SUITE 1500
 BLOOMINGTON, IN 47404
 OWNER:
 ROBERT EUGENE PENROD
 9211 SMYRNA PARKWAY
 BLOOMINGTON, IN 47404
 DRAWN BY: P.M.B.
 CHECKED BY: J.M.A.
 DATE: 2-1-16
 DRAWING: 150324-DDP
 SCALE: 1" = 30'
 SHEET **P1.00**