

ORDINANCE No. 184, SERIES 2016

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO OR-3 OFFICE/RESIDENTIAL AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO REGIONAL CENTER ON PROPERTIES LOCATED AT 4113, 4190, 4200 AND 4206 SIMCOE LANE CONTAINING 4.50 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1070).

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. 15ZONE1070; 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. 15ZONE1070 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records;

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

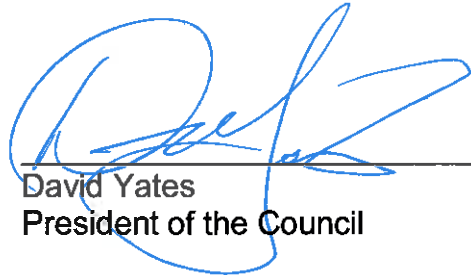
Section I: That the zoning of the properties located at 4113, 4190, 4200 and 4206 Simcoe Lane containing 4.50 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 15ZONE1070, is hereby changed from R-4 Residential Single Family to OR-3 Office/Residential and the form district of the aforesaid properties is hereby changed from Neighborhood to Regional Center; provided, however, said property shall be

subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 15ZONE1070.


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



H/ Stephen Ott
Metro Council Clerk PRO - TEM



David Yates
President of the Council



Greg Fischer
Mayor

Approved: 10/26/16
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 

**LOUISVILLE METRO COUNCIL
READ AND PASSED
October 20, 2016**

O-359-16



- VARIANCE(S) REQUESTED**
- A VARIANCE IS REQUESTED FROM TABLE 6.3.2 OF THE LDC TO ALLOW PARKING IN THE 5' NON-RESIDENTIAL TO RESIDENTIAL SETBACK
- WAIVER(S) REQUESTED**
- A WAIVER IS REQUESTED FROM TABLE 10.2.2 TO REDUCE THE REQUIRED 15' L&A TO 5'
 - A WAIVER IS REQUESTED FROM SECTION 6.2.1 TO REDUCE THE REQUIRED RIGHT OF WAY 60' TO 40'
 - A WAIVER IS REQUESTED FROM TABLE 10.2.2 TO REDUCE THE REQUIRED C/DR L&A TO 5' EACH SIDE OF THE PROPERTY LINE, AND 0' THROUGH THE PROPOSED BUILDING & PARKING

INCREASED RUNOFF CALCULATIONS

Down = 0.23
 Slope = 0.87
 AREA = 0.84 AC
 (0.82 - 0.33) X 2.8/12 X 0.84 AC = 0.312 AC-FT

TREE CANOPY CALCULATIONS

CLASS 1ST 764-1000 COVERED
 SITE AREA 0.26 AC (24,000 S.F.)
 TREE CANOPY REQUIRED 66,336 S.F. (24%)
 REQUIRED NEW TREE CANOPY 43,752 S.F. (16%)
 EXISTING TREE CANOPY PRESERVED 14,284 S.F. (10%)
 NEW TREE CANOPY PROVIDED 43,752 S.F. (16%)
 11+1 3.47FT/AC X TREES
 TOTAL TREE CANOPY PROVIDED: 58,336 S.F. (24%)

ONE BACK CALCULATIONS

LOT-1 RETAIL (10,000 S.F.) REQUIRED:
 (2) LONG TERM (WITHIN BUILDING)
 (2) SHORT TERM
 LOT-2 OFFICE BUILDING(S) (47,030 S.F.) REQUIRED:
 (2) LONG TERM (WITHIN BUILDING)
 (2) SHORT TERM

PARKING SUMMARY

MEDICAL OFFICE (47,030 S.F.)	168 SPACES
MAX. (1 SPACE/250 S.F.)	314 SPACES
DRIVE THRU (3 QUEUE SPACES - NOT IN TOTALS)	
RETAIL (10,000 S.F.)	
MIN. (1 SPACE/250 S.F.)	40 SPACES
MAX. (1 SPACE/200 S.F.)	50 SPACES
DRIVE THRU (3 QUEUE SPACES - NOT IN TOTALS)	
TOTAL PARKING REQUIRED	228 SPACES
MR. MAX.	384 SPACES
10% TARD CREDIT	
MEDICAL OFFICE MIN.	168 SPACES
RETAIL MIN.	38 SPACES
TOTAL PARKING PROVIDED	206 SPACES
STANDARD HANDICAP	18 SPACES
CARPPOOL	3 SPACES
TOTAL	212 SPACES

PROJECT SUMMARY

EXISTING ZONE	R-4
EXISTING FORM DISTRICT	NEIGHBORHOOD VACANT
PROPOSED USE	MEDICAL OFFICE & RETAIL
PROPOSED ZONE	C-1 & DR
PROPOSED BUILDINGS TOTAL S.F.	57,030 S.F.
PROPOSED BUILDINGS FOOTPRINT	34,870 S.F.
PROPOSED BUILDING MAX. HEIGHT	2-3 STORY/30 FT.
SITE ACREAGE	0.26 ACRES
TRA	20,807 S.F.
TRA REQUIRED (7.5%)	8,798 S.F.
TRA PROVIDED	11,244 S.F.
F.A.R.	0.23

LOT-1 (BUILDING A)

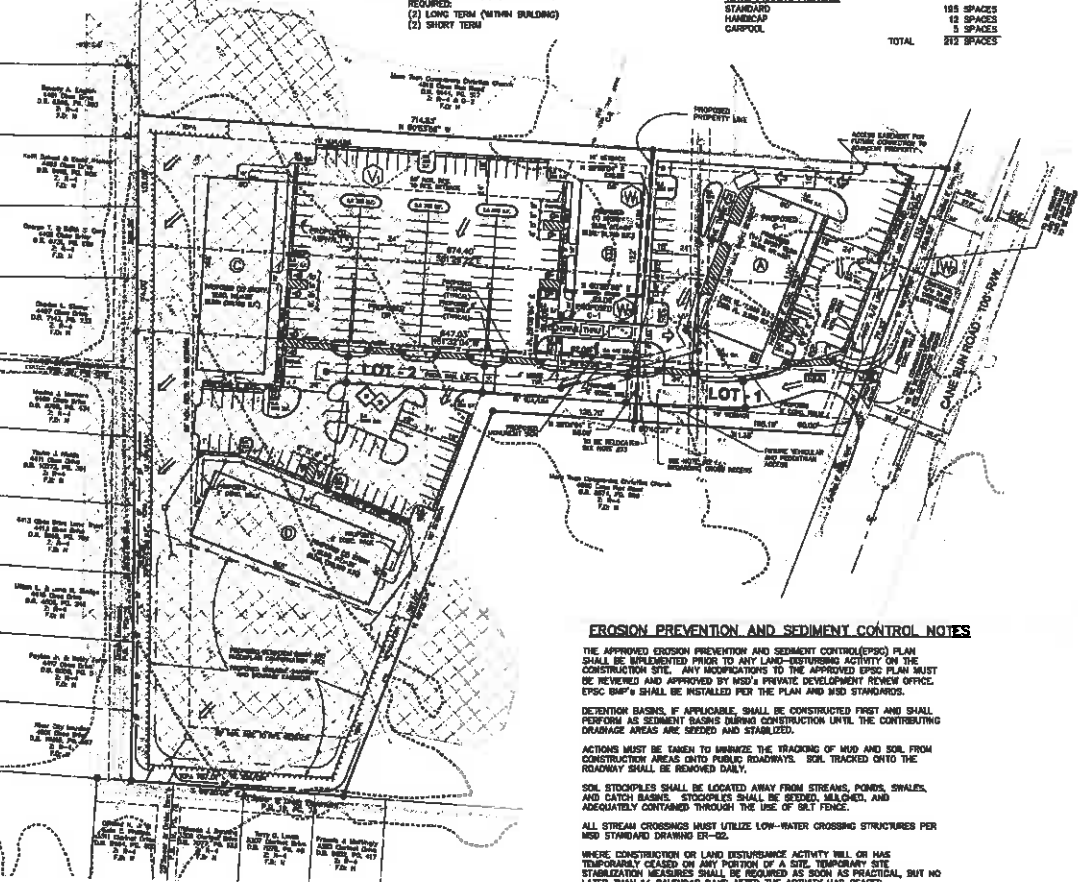
PROPOSED USE	RETAIL
PROPOSED ZONE	C-1
PROPOSED BUILDINGS S.F.	10,000 S.F.
PROPOSED ACREAGE	1.18 ACRES
TRA	20,807 S.F.
TRA REQUIRED (7.5%)	1,940 S.F.
TRA PROVIDED	3,244 S.F.
F.A.R.	0.19

LOT-2 (BUILDINGS B, C & D)

PROPOSED USE	MEDICAL OFFICE OR C-1
PROPOSED ZONE	C-1
PROPOSED BUILDINGS(S) S.F.	47,030 S.F.
PROPOSED ACREAGE	4.42 ACRES
TRA	84,721 S.F.
TRA REQUIRED (7.5%)	4,888 S.F.
TRA PROVIDED	6,202 S.F.
F.A.R.	0.24

- LEGEND**
- EX. UTILITY POLE
 - EX. CONDUIT
 - EX. OVERHEAD ELECTRIC
 - EX. SANITARY SEWER
 - EXISTING FENCE
 - 100 YEAR FEMA FLOOD PLAN
 - EXISTING PROPERTY LINE TO BE REMOVED
 - PROPOSED DRAINSTER
 - PROPOSED SIDEWALK RAMP
 - PROPOSED CATCH BASIN
 - PROPOSED CURB INLET
 - PROPOSED HEADWALL
 - PROPOSED ZONING LIMITS
 - POTENTIAL WETLANDS (HYDRIC SOIL)
 - PROPOSED BIKE TRACKS
 - SOFT FENCE EF-08-02
 - TEMPORARY GRAVEL CONSTRUCTION ENTRANCE DR-01-03
 - STORM WATER FLOW ARROW
 - TO BE REMOVED

- GENERAL NOTES**
- (C) depicts direction of storm water flow for schematic purposes only. A DETAILED DRAINAGE PLAN WILL BE SUBMITTED TO MSD FOR FINAL APPROVAL PRIOR TO CONSTRUCTION.
 - ALL LUMINAIRS 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) OR 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.
 - CONSTRUCTION FENCING SHALL BE ERRECTED AT THE EDGE OF THE AREA OF DEVELOPMENT PRIOR TO ANY GRADING OR CONSTRUCTION TO PROTECT THE EXISTING TREE STANES AND THEIR ROOT SYSTEMS FROM CONSTRUCTION. 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 AREA.
 - ALL DRAINPETERS AND SERVICES STRUCTURES SHALL BE SCREENED IN ACCORDANCE WITH CHAPTER 10 OF THE LAND DEVELOPMENT CODE.
 - CONSTRUCTION PLANS, BOND AND ENCROACHMENT PERMIT ARE REQUIRED BY KYTD AND/OR METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL, OR ANY WORK BEING PERFORMED IN THE LOUISVILLE METRO RIGHT-OF-WAY.
 - THERE SHOULD BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
 - THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
 - ERROSION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
 - ANY SITE LIGHTING SHALL COMPLY WITH THE LOUISVILLE METRO LDC.
 - ALL CONSTRUCTION AND SALE TRAILERS MUST BE PERMITTED BY THE DEVELOPMENT OF PUBLIC HEALTH AND WELFARE WITHIN CHAPTER 115 OF THE LOUISVILLE JEFFERSON COUNTY METRO ORDINANCE.
 - MISCELLANEOUS CONTROL IN ACCORDANCE WITH CHAPTER 99 OF THE LOUISVILLE JEFFERSON COUNTY METRO ORDINANCE.
 - PRIOR TO CONSTRUCTION APPROVAL, A AGREEMENT ADDRESSING PARKING, ACCESS & UTILITIES WILL BE PREPARED AND RECORDED PRIOR TO CONSTRUCTION APPROVAL.
 - ALL SIDEWALKS SHOWN SHALL HAVE A MINIMUM WIDTH OF 5 FEET.
 - ALL RETAIL SHOPS MUST HAVE INDIVIDUAL CONNECTION PER WHO'S FATS, OIL AND GREASE POLICY.
 - THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MS4 WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY VARY AT THE DESIGN PHASE DUE TO PROPER BEING OF GREEN BEST MANAGEMENT PRACTICES.
 - 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, WHICH EVER IS MORE RESTRICTIVE.
 - LOTS TO BE CONSOLIDATED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
 - LOWEST FINISHED FLOORS SHALL BE AT OR ABOVE 442.1.
 - MSD DRAINAGE BOND REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
 - MSD AND ADE APPROVAL REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
 - FLOODPLAIN COMPENSATION WILL BE DONE AT A RATIO OF 1:1.
 - SANITARY SEWERS TO BE PROVIDED BY A LATERAL EXTENSION AND INSTALLATION OF PSC'S SUBJECT TO ANY APPLICABLE FEES.
 - THE EXISTING SANITARY SEWER AND EASEMENT SHALL BE REMOVED AND/OR RELOCATED AT THE APPLICANT'S EXPENSE PRIOR TO OBTAINING SITE CONSTRUCTION APPROVAL.
 - ALL PROPOSED INTERIOR WALLS ARE A MINIMUM OF 5 FEET.
 - THE APPLICANT SHALL PROVIDE A VEHICULAR CONNECTION TO THE ADJACENT PROPERTY TO THE NORTH WITHIN THE AREA LABELED ON THE APPROVED PLAN AS "ACCESS EASEMENT FOR FUTURE CONNECTION TO ADJACENT PROPERTY" AT SUCH TIME AS THE ADJACENT PROPERTY TO THE NORTH IS PROPOSED FOR DEVELOPMENT/REDEVELOPMENT 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 RECORDABLE ACCESS AND CROSSOVER EASEMENT AGREEMENT IN A FORM ACCEPTABLE TO PLANNING COMMISSION LEGAL COUNSEL. A COPY OF THE RECORDED INSTRUMENT SHALL BE SUBMITTED TO THE DIVISION OF PLANNING AND DESIGN SERVICES TRANSMITTAL OF ADJACENT PROPERTY APPROVED PLANS TO THE OFFICE RESPONSIBLE FOR PERMIT ISSUANCE WILL OCCUR ONLY AFTER RECEIPT OF SAID INSTRUMENT. FAILURE OF THE APPLICANT TO COMPLY WITH THESE REQUIREMENTS SHALL RESULT IN THE DEVELOPMENT BEING OUT OF COMPLIANCE WITH THE APPROVED PLAN, AND THEREFORE SUBJECT TO APPROPRIATE ENFORCEMENT ACTION.



EROSION PREVENTION AND SEDIMENT CONTROL NOTES

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DESTRUCTING 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.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEIZED AND STABILIZED.

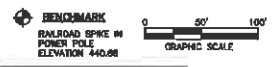
ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEIZED, MAINTAINED, AND ADEQUATELY CONTAINED THROUGHOUT THE USE OF SOIL FENCE.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02.

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 PRACTICAL, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING FRENCHING, 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.



MS #11245 100296r.dwg



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 Louisville, Ky 40223
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OSA MEDICAL OFFICE PARK
 4524, 4526 & 4528 CANE RUN ROAD

DATE: 1/13/18
 DRAWN BY: JLM
 CHECKED BY: JMM
 SCALE: 1"=50' (HORIZ)
 SHEET: N/A (VERT)

- REVISIONS**
- 1. PREP COMMENTS 6/2/16
 - 2. AGENCY COMMENTS 10/29/16
 - 3. NEW DESIGN 12/1/16
 - 4. AGENCY COMMENTS 3/19/17
 - 5. AGENCY COMMENTS 6/21/17
 - 6. AGENCY COMMENTS 8/7/17

RECEIVED
 SEP 08 2018
 PLANNING
 DESIGN SERVICES

DEVELOPMENT PLAN

JOB NUMBER
 16029

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