

### **Case No. 19ZONE1021 Binding Elements**

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the Waiver of Land Development Code, section 10.2 to reduce the width and planting material of the LBA between the proposed structure and adjacent residential property **AND** the Detailed District Development Plan

#### **Proposed 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. 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. 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/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. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the July 18, 2019 Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
3. 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.
4. 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.
5. 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.

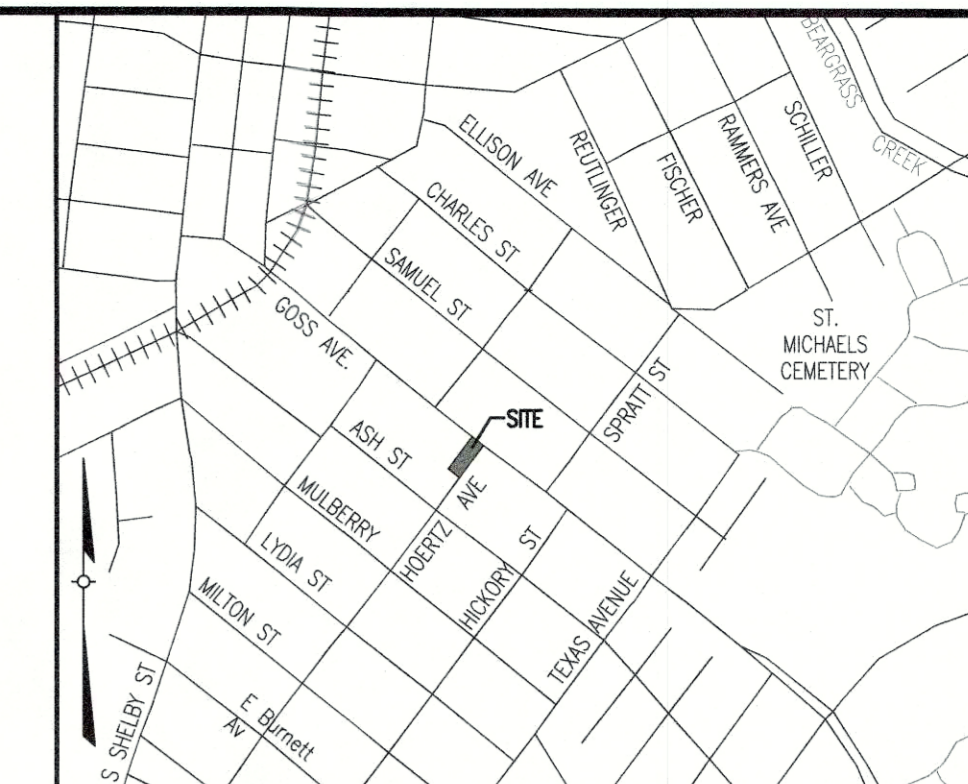


**TREE CANOPY CALCULATIONS** CLASS A

TOTAL SITE AREA = 5,663 S.F.  
 EXISTING TREE CANOPY TO BE PRESERVED = 0% (0 S.F.)  
 REQUIRED TREE CANOPY = 10%  
 PROPOSED TREE CANOPY TO BE PLANTED = 10% (566 S.F.)

**WAIVER REQUEST**

1. A WAIVER IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE CHAPTER 10, PART 2, TABLE 10.2.3 & 10.2.4 TO WAIVE THE REQUIRED 15' LANDSCAPE BUFFER AREA BETWEEN THE PROPOSED C-1 ZONED PROPERTY AND THE EXISTING R-6 ZONED PROPERTY TO THE NORTHWEST.

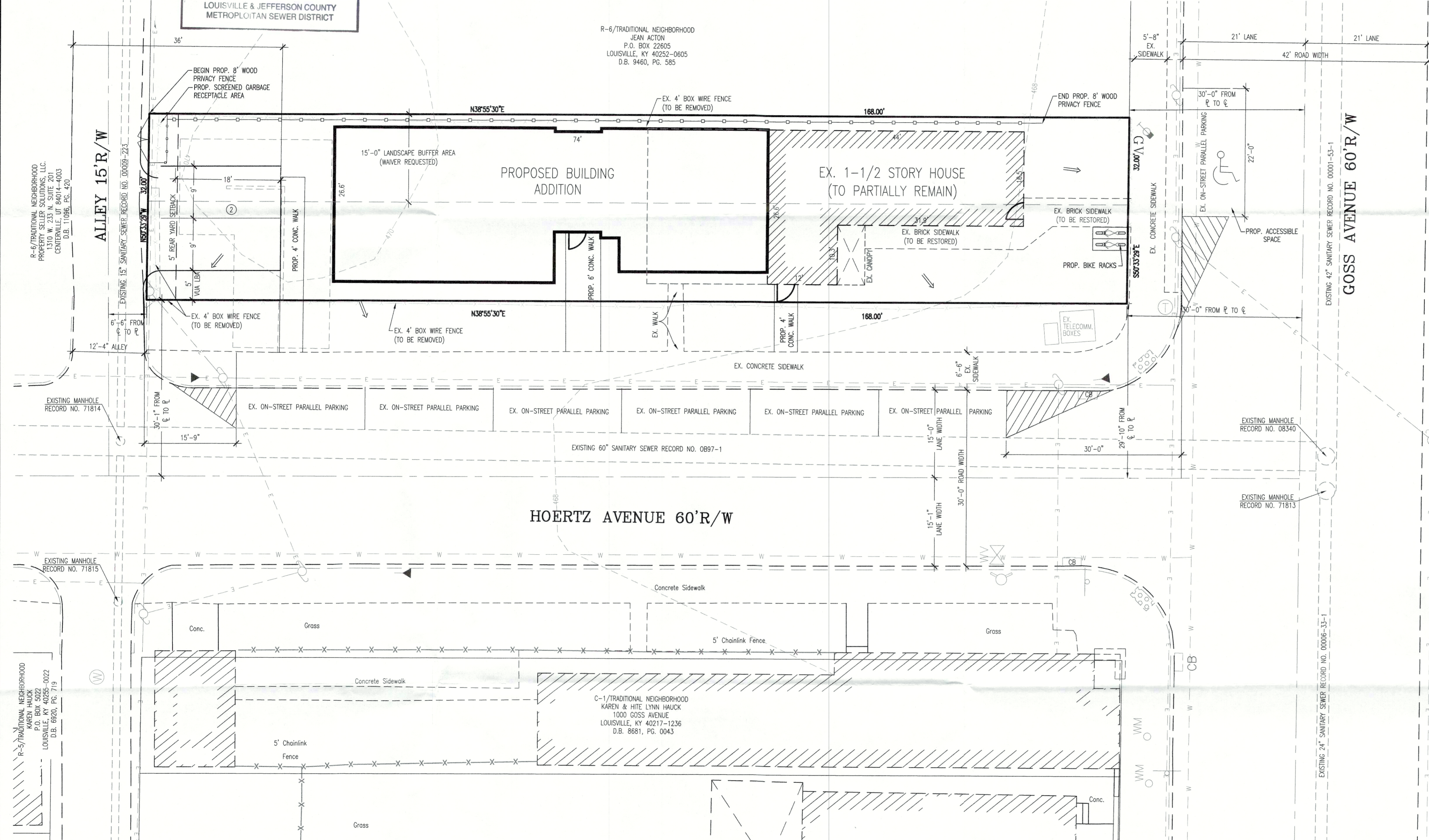


**PRELIMINARY APPROVAL**

Condition of Approval: \_\_\_\_\_

*[Signature]* 6-26-19  
 Date

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT



**PROJECT DATA**

TOTAL SITE AREA	= 0.13 ACRES
EXISTING ZONING	= R-6
PROPOSED ZONING	= C-1
FORM DISTRICT	= TRADITIONAL NEIGHBORHOOD
EXISTING USE	= SINGLE FAMILY RESIDENTIAL
PROPOSED USE	= MULTI-FAMILY /RETAIL = 4 UNITS
RETAIL BUILDING HEIGHT	= 2 STORY (INFILL CONTEXT: LDC 5.112.A.2.d)
EXISTING BUILDING AREA	= 1,740 S.F.
EX. BLDG. DEMOLISHED	= 548 S.F.
EX. BUILDING TO REMAIN	= 1,192 S.F.
PROPOSED BUILDING AREA	= 800 S.F.
RETAIL MULTI-FAM. RESIDENTIAL	= 4,150 S.F.
TOTAL BUILDING AREA	= 4,950 S.F.
EXISTING BLDG. FOOTPRINT	= 1,332 S.F.
PROP. TOTAL FOOTPRINT	= 2,875 S.F. (INCLUDING EX. BLDG.)
F.A.R.	= 0.87 (1.0 MAX. ALLOWED)
NET DENSITY	= 30.7 DU/AC. (34.84 DU/AC. MAX) MIN. MAX.
<b>PARKING REQUIRED</b>	
MULTI-FAMILY RESIDENTIAL	1.5 SPACES /D.U. (1.5(4)) = 6 SPACES
RETAIL	2.5 SPACES /D.U. (2.5(4)) = 10 SPACES
15P./500 S.F. MIN.	= 2 SPACES
15P./150 S.F. MAX.	= 5 SPACES
TOTAL PARKING REQUIRED	= 8 SPACES 15 SPACES
-10% PARKING REDUCTION (9.1.3.F.2)	= 1 SPACE
-20% PARKING REDUCTION (9.1.3.F.8)	= 2 SPACES
TOTAL PARKING REQUIRED	= 5 SPACES 15 SPACES
TOTAL PARKING PROVIDED	= 2 SPACES
ON-SITE PARKING	= 7 SPACES
ON-STREET PARKING	= 9 SPACES
TOTAL PARKING PROVIDED	= (1 ACCESSIBLE SPACE INCLUDED) (PROVIDED INSIDE BUILDING)
BIKE PARKING REQ./PROVIDED	= 2 SHORT TERM/2 LONG TERM (PROVIDED INSIDE BUILDING)
TOTAL VEHICULAR USE AREA	= 368 S.F.
EXISTING IMPERVIOUS	= 1,756 S.F.
PROPOSED IMPERVIOUS	= 3,283 S.F. (87% INCREASE)

**GENERAL NOTES:**

- Parking areas and drive lanes to be a hard and durable surface.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- There shall be no commercial signs in the right-of-way.
- Site lighting shall not shine in the eyes of drivers. If it does it shall be re-aimed, shielded, or turned off.
- Construction fencing shall be erected prior to any construction or grading activities preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the drip line of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- Existing sidewalk reconstruction and repairs shall be required, as necessary, to meet current MPW standards and shall be inspected prior to final bond release. This includes the removal and replacement of the existing apron along Hoertz Av. at the alley.

**MSD NOTES:**

- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standard Specifications and other local, state and federal ordinances.
- Sanitary sewer service will be provided by existing connection and subject to applicable fees. A Downstream Facilities Capacity request will be submitted to MSD.
- No portion of the site is within the 100 year flood plain per FIRM Map No. 21111C0042E dated December 5, 2006.
- Drainage pattern depicted by arrows (⇒) is for conceptual purposes.
- Site will be subject to MSD Regional Facilities Fee.
- All drainage, EPSC and Water Quality practices shown on this plan are for conceptual purposes only. Final design of these elements will be determined prior to construction plan approval and shall comply with all MS4 and MSD Design Manual requirements.
- All retail shops must have individual connections per MSD's Fats, Oils, and Grease Policy.
- Increased run-off generated shall be directed to the Hoertz Avenue right of way.

**LEGEND**

	PROPOSED STORM SEWER, CATCH BASIN
	PROPOSED SEWER AND MANHOLE
	EXISTING SEWER AND MANHOLE
	SIGN
	UTILITY POLE
	GUY ANCHOR
	GAS VALVE
	GAS METER
	WATER VALVE
	WATER METER
	STORM SEWER CATCH BASIN
	TELECOMM. MANHOLE
	WATER MANHOLE
	OVERHEAD ELECTRIC LINE

**PRELIMINARY APPROVAL DEVELOPMENT PLAN**

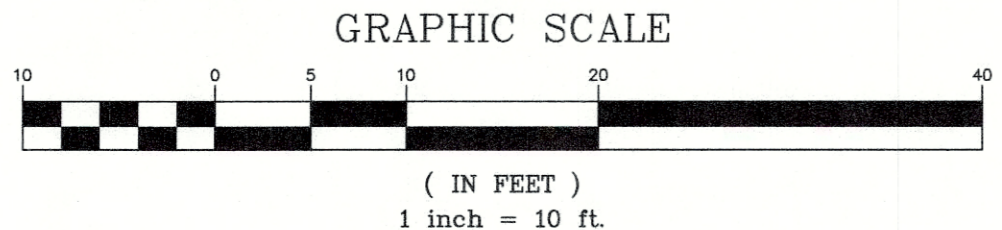
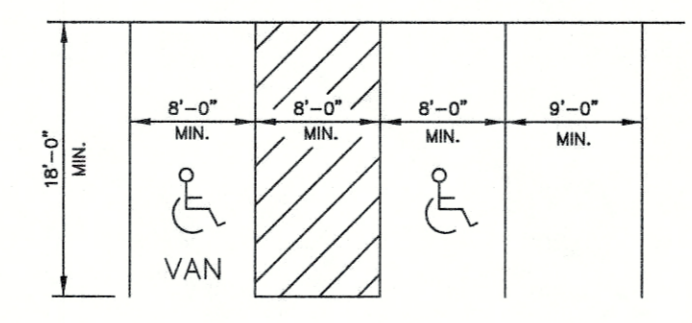
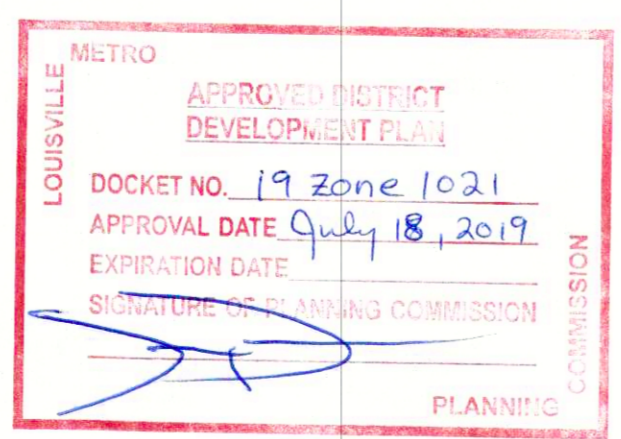
CONDITIONS: \_\_\_\_\_

BY: *[Signature]* 6/26/19  
 DATE: 6/26/19

LOUISVILLE/JEFFERSON COUNTY METRO PLANNING & DESIGN SERVICES

**NOTICE**

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



OWNER: GEORGE & JEAN HAUCK  
 9101 OLD BARDSTOWN ROAD  
 LOUISVILLE, KENTUCKY 40291-4407

SITE ADDRESS: 998 GOSS AVENUE  
 LOUISVILLE, KY 40217  
 TAX BLOCK 26B, LOT 129  
 D.B. 4003, PG. 421

COUNCIL DISTRICT - 10  
 FIRE PROTECTION DISTRICT - LOUISVILLE #4  
 MUNICIPALITY - LOUISVILLE

RECEIVED JUN 19 2019  
 PLANNING & DESIGN SERVICES  
 CASE: 19ZONE1021  
 RELATED CASES: NONE  
 WM# 11947

**LD&D LAND DESIGN & DEVELOPMENT, INC.**  
 ENGINEERING • LAND GRADING • LANDSCAPE ARCHITECTURE  
 905 WASHINGTON AVENUE SUITE 100 PHOENIX, ARIZONA 85012  
 TEL: 602.998.8888 FAX: 602.998.8889 WWW.LD-D.COM

**RETAIL/MULTI-FAMILY RESIDENTIAL 998 GOSS AVENUE**  
 OWNER/DEVELOPER: LMS DESIGN  
 816 FRANKLIN STREET  
 LOUISVILLE, KY 40206  
 317.345.4398

JOB NO. 18208  
 SHEET 1 OF 1

REVISIONS:

NO.	DATE	DESCRIPTION	BY
1	4/10/19	PER AGENCY COMMENTS	BB
2	5/20/19	REVISED BLDG FOOTPRINT	SBS
3	6/18/19	REVISED PER DEVELOPER	ARRH

PROJECT DATA:  
 FILE NAME: 18208\_ZONE\_CHANGE.dwg  
 DATE: 3/25/2019  
 SCALE: AS SHOWN  
 CHECKED BY: SBS  
 DRAWN BY: SBS

REVISIONS: \_\_\_\_\_  
 SURVEYOR'S SEAL  
 ENGINEER'S SEAL