

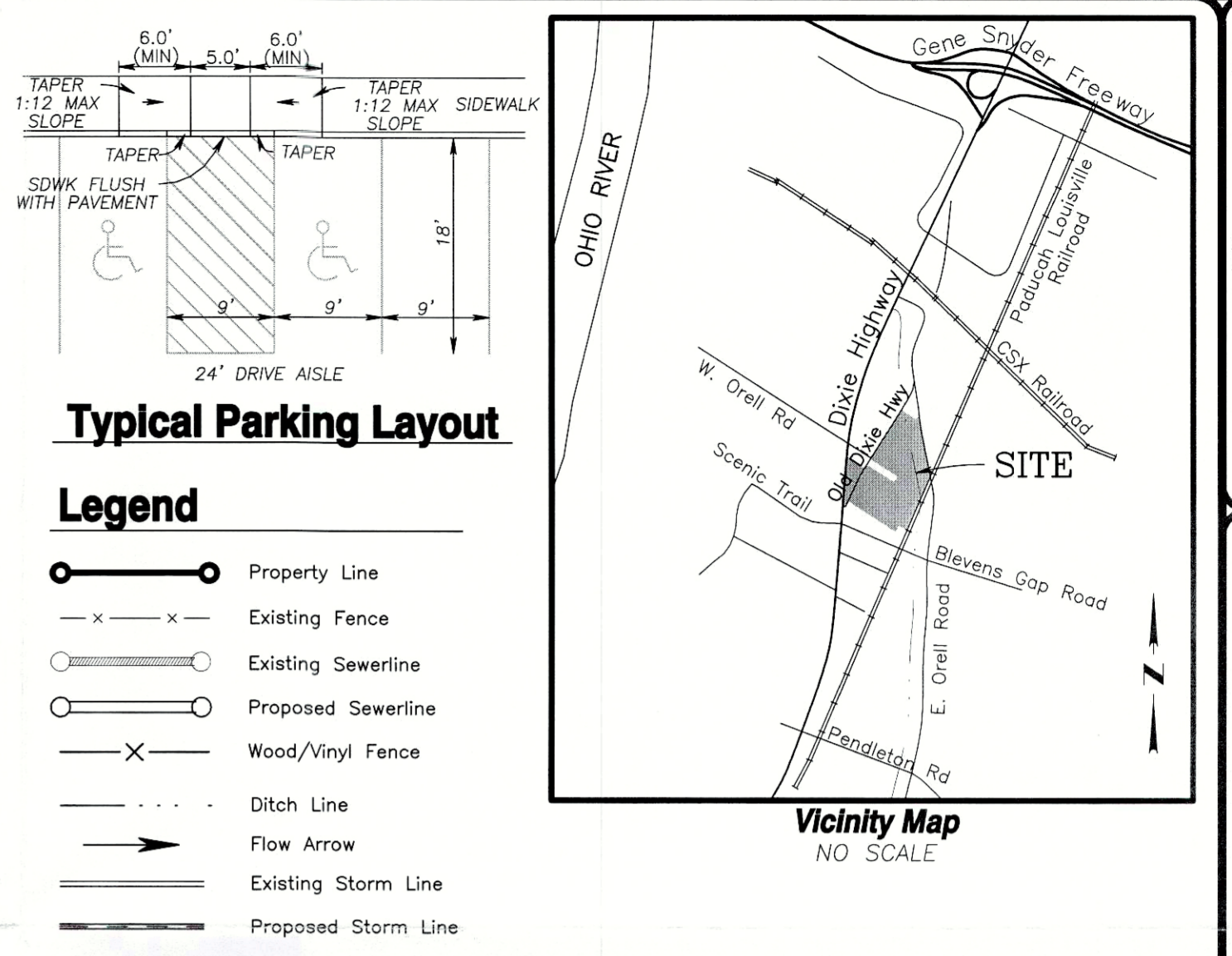
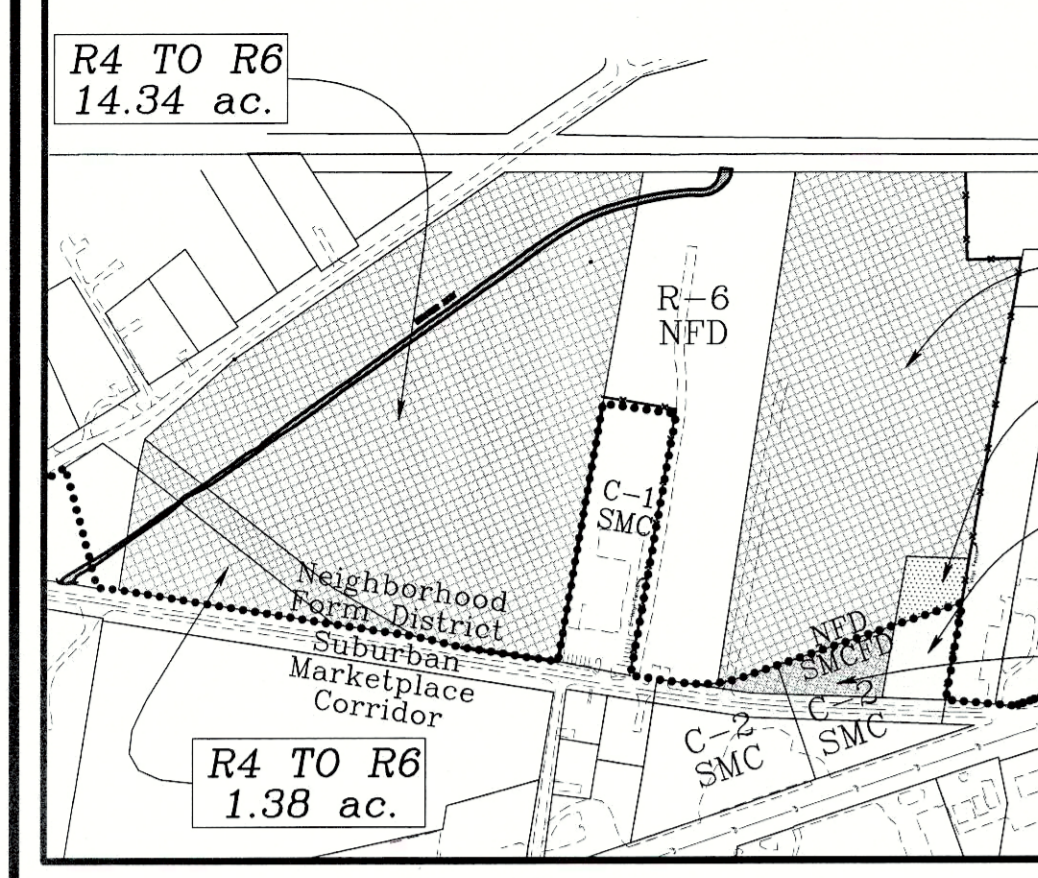
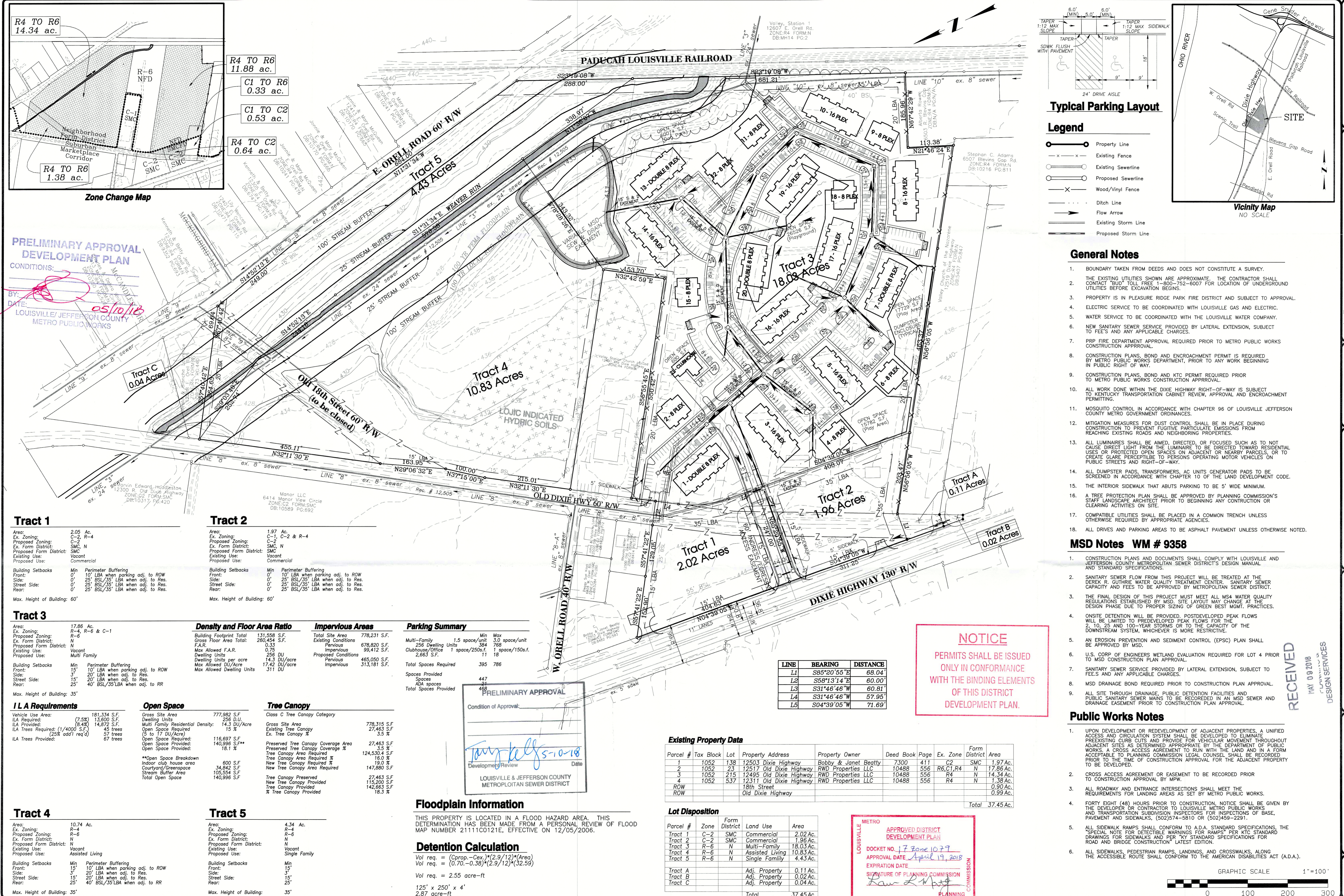
Case No. 17ZONE1079 Binding Elements

01:19:44 On a motion by Commissioner Carlson, seconded by Commissioner Tomes, the following resolution, based on the applicant's justification, is adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested General/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.
 - a. Prior to development (includes clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. 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.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) 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 Department of Transportation, Bureau of Highways.
 - c. A minor subdivision plat 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.
 - d. 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.
 - e. A road closure approval for Old Dixie Hwy and Old 18th Street shall be approved prior to requesting a building permit.
 - f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.

5. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
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. 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.
8. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the April 19, 2018 Planning Commission meeting.
9. Upon development, redevelopment, of the properties adjacent to the subject property to the south(12519 and 12521 Dixie Highway, the "South Properties"), a unified access and circulation system shall be developed that will provide the subject property commercially reasonable access through the South Properties to Dixie Highway, as determined by the parties in consultation with Louisville Metro Public Works and the Kentucky Transportation Cabinet. The property owners of the South Properties and the subject property shall enter into a construction and maintenance agreement concerning the access which shall be on commercially reasonable terms. This agreement shall be memorialized in an easement agreement that is approved by the Jefferson County Attorney's office.
10. All proposed gates will comply with emergency services standards.



- ### General Notes
- BOUNDARY TAKEN FROM DEEDS AND DOES NOT CONSTITUTE A SURVEY.
 - THE EXISTING UTILITIES SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL CONTACT "BU" TOLL FREE 1-800-752-6007 FOR LOCATION OF UNDERGROUND UTILITIES BEFORE EXCAVATION BEGINS.
 - PROPERTY IS IN PLEASURE RIDGE PARK FIRE DISTRICT AND SUBJECT TO APPROVAL.
 - ELECTRIC SERVICE TO BE COORDINATED WITH LOUISVILLE GAS AND ELECTRIC.
 - WATER SERVICE TO BE COORDINATED WITH THE LOUISVILLE WATER COMPANY.
 - NEW SANITARY SEWER SERVICE PROVIDED BY LATERAL EXTENSION, SUBJECT TO FEE'S AND ANY APPLICABLE CHARGES.
 - PRP FIRE DEPARTMENT APPROVAL REQUIRED PRIOR TO METRO PUBLIC WORKS CONSTRUCTION APPROVAL.
 - CONSTRUCTION PLANS, BOND AND ENCROACHMENT PERMIT IS REQUIRED BY METRO PUBLIC WORKS DEPARTMENT, PRIOR TO ANY WORK BEGINNING IN PUBLIC RIGHT OF WAY.
 - CONSTRUCTION PLANS, BOND AND KTC PERMIT REQUIRED PRIOR TO METRO PUBLIC WORKS CONSTRUCTION APPROVAL.
 - ALL WORK DONE WITHIN THE DIXIE HIGHWAY RIGHT-OF-WAY IS SUBJECT TO KENTUCKY TRANSPORTATION CABINET REVIEW, APPROVAL AND ENCROACHMENT PERMITTING.
 - MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES.
 - MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
 - ALL LUMINAIRES SHALL BE AIMED, DIRECTED, OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE DIRECTED TOWARD RESIDENTIAL USES OR PROTECTED OPEN SPACES ON ADJACENT OR NEARBY PARCELS, OR TO CREATE GLARE PERCEPTIBLE TO PERSONS OPERATING MOTOR VEHICLES ON PUBLIC STREETS AND RIGHT-OF-WAY.
 - ALL DUMPSTER PADS, TRANSFORMERS, AC UNITS GENERATOR PADS TO BE SCREENED IN ACCORDANCE WITH CHAPTER 10 OF THE LAND DEVELOPMENT CODE.
 - THE INTERIOR SIDEWALK THAT ABUTS PARKING TO BE 5' WIDE MINIMUM.
 - A TREE PROTECTION PLAN SHALL BE APPROVED BY PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT PRIOR TO BEGINNING ANY CONSTRUCTION OR CLEARING ACTIVITIES ON SITE.
 - COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
 - ALL DRIVES AND PARKING AREAS TO BE ASPHALT PAVEMENT UNLESS OTHERWISE NOTED.

- ### MSD Notes WM # 9358
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS.
 - SANITARY SEWER FLOW FROM THIS PROJECT WILL BE TREATED AT THE DEREG EX-GUTTER WATER QUALITY TREATMENT CENTER. SANITARY SEWER CAPACITY AND FEES TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
 - 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 MGMT. PRACTICES.
 - ON-SITE 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 STRUCTURE, WHICHEVER IS MORE RESTRICTIVE.
 - AN EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE APPROVED BY MSD.
 - U.S. CORP OF ENGINEERS WETLAND EVALUATION REQUIRED FOR LOT 4 PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
 - SANITARY SEWER SERVICE PROVIDED BY LATERAL EXTENSION, SUBJECT TO FEE'S AND ANY APPLICABLE CHARGES.
 - MSD DRAINAGE BOND REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
 - ALL SITE THROUGH DRAINAGE, PUBLIC DETENTION FACILITIES AND PUBLIC SANITARY SEWER MAINS TO BE RECORDED IN AN MSD SEWER AND DRAINAGE EASEMENT PRIOR TO CONSTRUCTION PLAN APPROVAL.

- ### Public Works Notes
- UPON DEVELOPMENT OR REDEVELOPMENT OF ADJACENT PROPERTIES, A UNIFIED ACCESS AND CIRCULATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PREEXISTING CURB CUTS AND PROVIDE FLOW 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.
 - CROSS ACCESS AGREEMENT OR EASEMENT TO BE RECORDED PRIOR TO CONSTRUCTION APPROVAL BY MPW.
 - ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
 - FORTY EIGHT (48) HOURS PRIOR TO CONSTRUCTION, NOTICE SHALL BE GIVEN BY THE DEVELOPER OR CONTRACTOR TO LOUISVILLE METRO PUBLIC WORKS AND TRANSPORTATION SUBDIVISION INSPECTORS FOR INSPECTIONS OF BASE, PAVEMENT AND SIDEWALKS. (502)574-5810 OR (502)459-2291.
 - ALL SIDEWALK RAMP SHALL CONFORM TO A.D.A. STANDARD SPECIFICATIONS, THE "SPECIAL NOTE FOR DETECTIBLE WARNINGS FOR RAMPS" PER KTC STANDARD DRAWINGS FOR SIDEWALKS AND PER KY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" LATEST EDITION.
 - ALL SIDEWALKS, PEDESTRIAN RAMPS, LANDINGS, AND CROSSWALKS, ALONG THE ACCESSIBLE ROUTE SHALL CONFORM TO THE AMERICAN DISABILITIES ACT (A.D.A.).

PRELIMINARY APPROVAL DEVELOPMENT PLAN
 CONDITIONS:
 BY: [Signature]
 DATE: 05/10/18
 LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

Tract 1		Tract 2	
Area:	2.05 Ac.	Area:	1.97 Ac.
Ex. Zoning:	R-4, R-6 & C-1	Ex. Zoning:	C-1, C-2 & R-4
Proposed Zoning:	C-2	Proposed Zoning:	C-2
Ex. Form District:	SMC, N	Ex. Form District:	SMC, N
Proposed Form District:	SMC	Proposed Form District:	SMC
Existing Use:	Vacant	Existing Use:	Vacant
Proposed Use:	Commercial	Proposed Use:	Commercial
Building Setbacks:	Min 10' LBA when parking adj. to ROW	Building Setbacks:	Min 10' LBA when parking adj. to ROW
Front:	0' 25' BSL/35' LBA when adj. to Res.	Side:	0' 25' BSL/35' LBA when adj. to Res.
Side:	0' 25' BSL/35' LBA when adj. to Res.	Rear:	0' 25' BSL/35' LBA when adj. to Res.
Street Side:	0' 25' BSL/35' LBA when adj. to Res.	Max. Height of Building:	60'
Rear:	0' 25' BSL/35' LBA when adj. to Res.		

Tract 3		Density and Floor Area Ratio		Impervious Areas		Parking Summary	
Area:	17.86 Ac.	Building Footprint Total	131,558 S.F.	Total Site Area	778,231 S.F.	Multi-Family	1.5 space/unit
Ex. Zoning:	R-4, R-6 & C-1	Gross Floor Area Total:	260,454 S.F.	Existing Conditions	678,820 S.F.	256 Dwelling Units	3.0 space/unit
Proposed Zoning:	R-6	F.A.R.	0.33	Impervious	99,412 S.F.	Clubhouse/Office	1 space/250sq.ft.
Ex. Form District:	N	Max Allowed F.A.R.	0.76	Proposed Conditions	2663 S.F.		1 space/150sq.ft.
Proposed Form District:	N	Dwelling Units	256 DU	Pervious	465,050 S.F.	Total Spaces Required	395 786
Existing Use:	Vacant	Dwelling Units per acre	14.3 DU/acre	Impervious	313,181 S.F.	Spaces Provided	447
Proposed Use:	Multi Family	Max Allowed DU/Acre	17.42 DU/acre			ADA spaces	48
Building Setbacks:	Min 10' LBA when parking adj. to ROW	Max Allowed Dwelling Units	311 DU			Total Spaces Provided	468
Front:	0' 25' BSL/35' LBA when adj. to Res.						
Side:	0' 25' BSL/35' LBA when adj. to Res.						
Street Side:	0' 25' BSL/35' LBA when adj. to Res.						
Rear:	0' 25' BSL/35' LBA when adj. to RR						

I LA Requirements		Open Space		Tree Canopy	
Vehicle Use Area:	181,334 S.F.	Gross Site Area	777,982 S.F.	Class C Tree Canopy Category	
LA Required:	75,500 S.F.	Dwelling Units	256 DU	Gross Site Area	778,231 S.F.
LA Provided:	6,425 S.F.	Multi Family Residential Density:	14.3 DU/Acre	Existing Tree Canopy	27,463 S.F.
LA Trees Required: (1/4000 S.F. (25% adj'l req))	45 trees	Open Space Required:	15 %	Ex. Tree Canopy %	3.5 %
LA Trees Provided:	57 trees	Open Space Provided:	116,697 S.F.	Preserved Tree Canopy Coverage %	27,463 S.F.
	67 trees	Open Space Provided:	140,996 S.F.**	Tree Canopy Area Required %	124,530.4 S.F.
		**Open Space Breakdown	600 S.F.	New Tree Canopy Required %	16.0 %
		Indoor club house area	34,842 S.F.	New Tree Canopy Area Required	147,880 S.F.
		Courtyard/Greenspace	105,554 S.F.	Tree Canopy Preserved	27,463 S.F.
		Stream Buffer Area	140,996 S.F.	New Tree Canopy Provided	115,200 S.F.
		Total Open Space		Tree Canopy Provided:	142,663 S.F.
				% Tree Canopy Provided	18.3 %

Tract 4		Tract 5	
Area:	10.74 Ac.	Area:	4.34 Ac.
Ex. Zoning:	R-4	Ex. Zoning:	R-4
Proposed Zoning:	R-6	Proposed Zoning:	R-6
Ex. Form District:	N	Ex. Form District:	N
Proposed Form District:	N	Proposed Form District:	N
Existing Use:	Vacant	Existing Use:	Vacant
Proposed Use:	Assisted Living	Proposed Use:	Single Family
Building Setbacks:	Min 10' LBA when parking adj. to ROW	Building Setbacks:	Min 15'
Front:	0' 25' BSL/35' LBA when adj. to Res.	Side:	0' 25' BSL/35' LBA when adj. to Res.
Side:	0' 25' BSL/35' LBA when adj. to Res.	Street Side:	0' 25' BSL/35' LBA when adj. to Res.
Street Side:	0' 25' BSL/35' LBA when adj. to Res.	Rear:	0' 25' BSL/35' LBA when adj. to RR
Rear:	0' 25' BSL/35' LBA when adj. to RR	Max. Height of Building:	35'

Tract 5	
Area:	4.34 Ac.
Ex. Zoning:	R-4
Proposed Zoning:	R-6
Ex. Form District:	N
Proposed Form District:	N
Existing Use:	Vacant
Proposed Use:	Single Family
Building Setbacks:	Min 15'
Front:	0' 25' BSL/35' LBA when adj. to Res.
Side:	0' 25' BSL/35' LBA when adj. to Res.
Street Side:	0' 25' BSL/35' LBA when adj. to Res.
Rear:	0' 25' BSL/35' LBA when adj. to RR
Max. Height of Building:	35'

PRELIMINARY APPROVAL
 Condition of Approval:
 [Signature]
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

Floodplain Information
 THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA. THIS DETERMINATION HAS BEEN MADE FROM A PERSONAL REVIEW OF FLOOD MAP NUMBER 21111C0121E, EFFECTIVE ON 12/05/2006.

Detention Calculation
 $Vol req. = (Cprop - Cex) * (2.9/12) * (Area)$
 $Vol req. = (0.70 - 0.38) * (2.9/12) * (32.59)$
 $Vol req. = 2.55 acre-ft$
 125' x 250' x 4' = 2.87 acre-ft

Existing Property Data

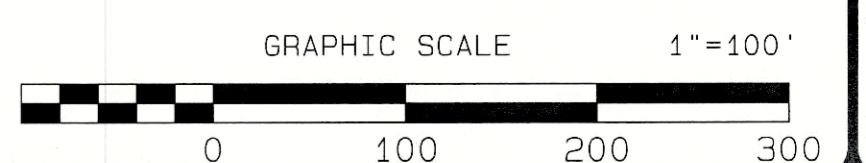
Parcel #	Tax Block	Lot	Property Address	Property Owner	Deed Book	Page	Ex. Zone	Form District	Area
1	1052	138	12503 Dixie Highway	Bobby & Janet Beatty	7300	411	C2	SMC	1.97 Ac.
2	1052	23	12517 Old Dixie Highway	RWD Properties LLC	10488	556	R6,C1,R4	N	17.86 Ac.
3	1052	215	12495 Old Dixie Highway	RWD Properties LLC	10488	556	R4	N	14.34 Ac.
4	1052	537	12311 Old Dixie Highway	RWD Properties LLC	10488	556	R4	N	1.38 Ac.
ROW			18th Street						0.90 Ac.
ROW			Old Dixie Highway						0.99 Ac.
									Total 37.45 Ac.

Lot Disposition

Parcel #	Zone	Form District	Land Use	Area
Tract 1	C-2	SMC	Commercial	2.02 Ac.
Tract 2	C-2	SMC	Commercial	1.96 Ac.
Tract 3	R-6	N	Multi-Family	18.03 Ac.
Tract 4	R-6	N	Assisted Living	10.83 Ac.
Tract 5	R-6	N	Single Family	4.43 Ac.
Tract A			Adj. Property	0.11 Ac.
Tract B			Adj. Property	0.02 Ac.
Tract C			Adj. Property	0.04 Ac.
				Total 37.45 Ac.

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

METRO APPROVED DISTRICT DEVELOPMENT PLAN
 DOCKET NO. 17 Zone 1079
 APPROVAL DATE April 19, 2018
 EXPIRATION DATE
 SIGNATURE OF PLANNING COMMISSION
 [Signature]
 PLANNING COMMISSION



AL ENGINEERING INC.
 Civil Engineering & Land Development Services
 10500 Montepark Place Circle, Suite 5
 Louisville, KY 40223
 (502) 817-4444
 (502) 817-4444 Cell

ACCOUNT: 2017-507
 DATE: 04-19-2018
 DESIGNED BY: AMR
 CHECKED BY: AMR
 APPROVED BY: AMR

RWD Properties, LLC
 10500 Montepark Place Circle, Suite 5
 Louisville, KY 40223

River Pointe Apartments
 12508 Dixie Highway
 Louisville, KY 40272

Re-Zone Plan
 General Development Plan
 Detail Development Plan

DATE: _____
 REVISION: _____

DRAWING: 1
 SHEET OF 1

17 Zone 1079