

Case No. 22-ZONE-0075 Binding Elements (March 30, 2023 public hearing)

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested 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, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Prior to Certificate of Occupancy, the applicant shall file an application seeking designation of the Basil Doerhoefer House as an individual landmark
 - 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 shared parking, access and crossover agreement in a form acceptable to Planning Commission legal counsel shall be created between the sites and recorded. A copy of the recorded instrument shall be submitted to the Office of Planning and Design Services prior to requesting a certificate of occupancy.
 - e. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff and shall be substantially similar to the elevations shown at the Planning Commission public hearing. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.
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 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.
6. The development shall be in accordance with a Certificate of Appropriateness approved by the Historic Landmarks and Preservation District Commission and/or Historic Preservation Staff. The development shall follow all associated Conditions of Approval.

GENERAL NOTES

- 1. PARKING AREAS AND DRIVE LANES TO BE A HARD AND DURABLE SURFACE.
2. ALL DUMPSTERS AND SERVICE STRUCTURES ARE TO BE SCREENED PER CHAPTER 10.
3. ANY PROPOSED LIGHTING TO NOT SURPASS 0.5 FOOT CANDLES PAST THE PROPERTY LINE, PER CODE.
4. SITE LIGHTING SHOULD NOT SHINE IN THE EYES OF DRIVERS. IF IT DOES, IT SHOULD BE RE-AIMED, SHIELDED, OR TURNED OFF.
5. THE DEVELOPER WILL BE RESPONSIBLE FOR ANY UTILITY RELOCATION COMPLETED ON THIS PROPERTY.
6. THE LOUISVILLE WATER COMPANY WILL PROVIDE DOMESTIC WATER TO THE SITE. THE EXPENSES FOR ANY IMPROVEMENTS REQUIRED TO PROVIDE SERVICE TO THE SITE WILL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER.
7. AN ENCROACHMENT PERMIT AND BOND WILL BE REQUIRED FOR ALL WORK DONE IN THE RIGHT-OF-WAY.
8. CONSTRUCTION PLANS, BOND AND PERMIT ARE REQUIRED METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL.
9. COMPATIBLE UTILITIES, IF NEEDED, SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
10. MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
11. SIGNAGE TO COMPLY WITH LOCAL ZONING REQUIREMENTS.
12. CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE, AND FEDERAL ORDINANCES.
13. EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT UPW STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
14. ALL NEW AND EXISTING SIDEWALKS SHALL EITHER BE BROUGHT UP TO OR BUILT TO CURRENT ADA STANDARDS.
15. ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
16. MOSQUITO CONTROL SHALL BE IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
17. PLANS MUST BE SUBMITTED TO THE HEALTH DEPARTMENT PRIOR TO CONSTRUCTION.
18. EXISTING PROPERTY LINE BETWEEN THE TWO SUBJECT PROPERTIES IS TO BE REMOVED AND THE PROPERTIES CONSOLIDATED INTO ONE PROPERTY. CURRENTLY BOTH PROPERTIES ARE OWNED BY THE SAME ENTITY. NO CONSTRUCTION ACTIVITY WILL BE COMPLETED PRIOR TO A REVISED PLAT BEING COMPLETED.
19. UPON APPROVAL OF THE ZONING CHANGE, A CROSSOVER ACCESS AGREEMENT WILL BE RECORDED BETWEEN THE THREE PARCELS CONCURRENT WITH THE CREATION OF THE PLAT CREATING SAID PARCELS.

MSD NOTES

- 1. THE SITE IS LABELED AS ZONE "X" WITHIN THE 100-YEAR FLOODPLAIN AND IS BEING PROTECTED FROM THE 1 PERCENT-ANNUAL-CHANCE OR GREATER FLOOD HAZARD BY A LEVEE SYSTEM PER FIRM MAPS NO. 21111C0023F & 21111C0039F, DATED FEBRUARY 26TH, 2021.
2. DRAINAGE PATTERN DEPICTED BY ARROW () IS FOR CONCEPTUAL PURPOSES. FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
3. THERE ARE NO WETLANDS OR FLOODPLAIN RECORDED ON THIS PROPERTY.
4. SANITARY SEWER SERVICE WILL BE PROVIDED BY PROPERTY SERVICE CONNECTION. WASTE WATER TREATMENT PROVIDED BY MORRIS FORMAN TREATMENT PLANT.
5. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY CONSTRUCTION ACTIVITIES ON SITE. ALL DISTURBED AREAS NOT INDICATED TO RECEIVE A SPECIFIC SURFACE TREATMENT WILL BE SEEDED.
6. AN EPSC PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.
7. NO NEW SANITARY CONNECTIONS ARE PROPOSED WITH THIS DEVELOPMENT. SANITARY SEWER SERVICE TO BE PROVIDED BY EXISTING 8" PSC'S.
8. 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.
9. SITE DISCHARGES INTO THE COMBINED SANITARY SEWER SYSTEM AND SHALL LIMIT THE 100-YEAR POST DEVELOPED DISCHARGE TO THE 10-YEAR PRE-DEVELOPED DISCHARGE PER SECTION 10.3.1.2 OF THE MSD DESIGN MANUAL. PRE-DEVELOPED DRAINAGE AREA AND FLOW RATE TO BE EVALUATED AND DOWNSTREAM CAPACITY TO BE VERIFIED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
10. UNDERGROUND DETENTION BASIN MUST MEET THE REQUIREMENTS OF SECTION 10.3.8.4 OF MSD'S DESIGN MANUAL.
11. KYTC APPROVAL MAY BE REQUIRED PRIOR TO MSD CONSTRUCTION.
12. SITE MUST UTILIZE THE EXISTING ONSITE PSC'S TO TIE INTO THE 126" SEWER LINE. STORM CONNECTION AND SANITARY SEWER CONNECTION SHALL CONNECT SEPARATELY. PSC'S SHALL BE FIELD LOCATED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.

EROSION PREVENTION & SEDIMENT CONTROL NOTES

CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICTS DESIGN MANUAL AND STANDARD SPECIFICATIONS AS WELL AS OTHER LOCAL, STATE, AND FEDERAL ORDINANCES.

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.

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 SEEDED, MULCHED AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT 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 PRACTICABLE, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

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.

UTILITIES NOTE

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER, "KENTUCKY 811" (TOLL FREE PHONE NO. 1-800-752-6007 OR LOCAL NO. 502-266-5123) FORTY EIGHT HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATION SO EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS AND WATERLINES). WHEN CONTRACTING THE "KENTUCKY 811" CALL CENTER, PLEASE STATE THAT THE WORK TO BE DONE IS FOR A PROPOSED MSD SEWER OR DRAINAGE FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

STORMWATER CALCULATIONS

Table with 2 columns: Description and Value. Includes rows for Total Site Area (191.034 SF, 0.439 AC), Total Site Disturbance (46,900 SF, 1.08 AC), Existing Impervious Surface (101,475 SF), Proposed Impervious Surface (123,969 SF), and Net Change in Impervious (22,494 SF, 0.2217% Increase).

TREE CANOPY REQUIREMENTS

NO TREE CANOPY IS REQUIRED PER LDC TABLE 10.1.1, AS THIS SITE IS LOCATED IN A TRADITIONAL FORM DISTRICT.

LANDSCAPE REQUIREMENTS

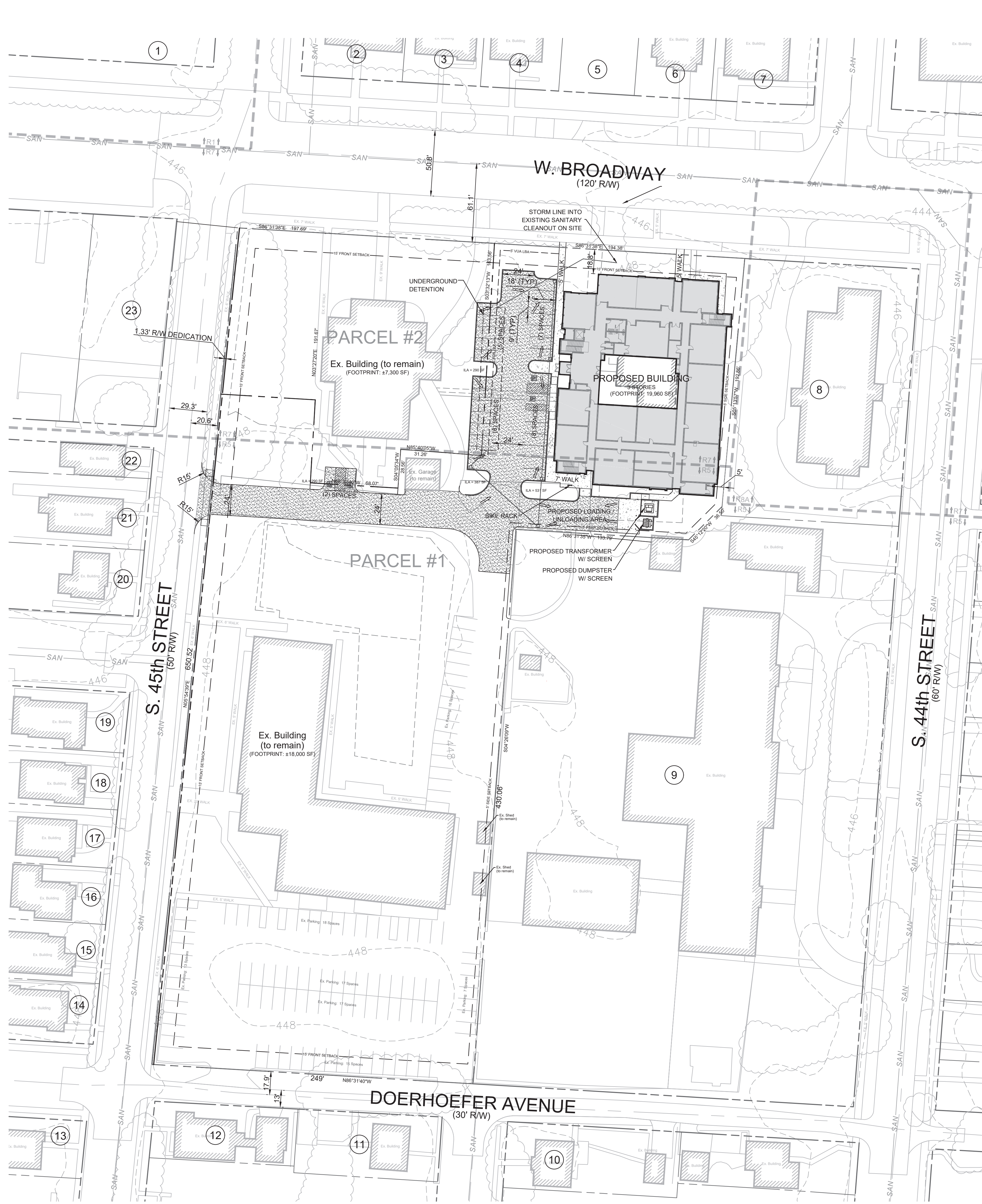
Table with 2 columns: Requirement and Value. Includes rows for Applicability (SEE LDC 10.2.2.A.2), Perimeter Landscape Buffers (NONE*), Vehicle Use Area (19,560 SF), Required Buffer (5 FT), Interior Landscape Areas (5% (978 SF)), ILA's Provided (1,498 SF), ILA Trees Required (5 MEDIUM OR LARGE TREES), and Street Trees Required (4 LARGE TREES**).

* NO BUFFER IS REQUIRED BETWEEN R7 & R5 PER LDC 10.2.4.B.5. THE USE ON THE ADJACENT R5 PROPERTY IS A CHURCH.

** 4 EXISTING TREES ALREADY EXIST IN THIS VICINITY.

WAIVER REQUESTS

- 1. A LANDSCAPE WAIVER IS REQUESTED TO NOT PROVIDE THE REQUIRED VUA LANDSCAPE BUFFER AREA TO SCREEN THE VUA FROM THE ADJACENT PARCEL LOCATED TO THE SOUTHEAST OF PARCEL 1.



1st TIER ADJOINING PROPERTY OWNERS

Table listing 23 adjacent property owners with their parcel numbers, addresses, owners, and zoning information.



VICINITY MAP NOT TO SCALE

SITE DATA

Table providing site data including existing form district (TRADITIONAL NEIGHBORHOOD), existing zoning (R-5 / R-7 RESIDENTIAL), proposed zoning (R-7 RESIDENTIAL), site area (4.38+ acres), and proposed building area (3 stories / 54,600 GSF).

DIMENSIONAL INFO

Table providing dimensional information such as front setback (15 FT), maximum building height (53.75 FT), and proposed density (11.54 UNITS/ACRE).

PARKING REQUIREMENTS

Table detailing parking requirements for existing and proposed uses, including unit of calculation, required parking spaces, and total parking provided (175 SPACES).

BICYCLE PARKING REQUIREMENTS

Table detailing bicycle parking requirements, including existing use (CHURCH), required parking (3 SPACES), and total bicycle parking provided (4 SPACES).

LEGEND

Legend table defining symbols for new building, new concrete pavement, new asphalt pavement, and proposed drainage flow arrows.



Renaissance on Broadway DEVELOPMENT PLAN

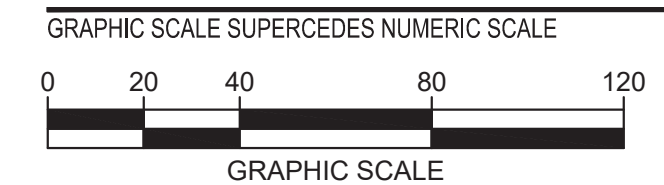


Table with owner and developer information, including names, addresses, and phone numbers.

SOURCE OF TITLE

Table providing source of title information for parcels 043801190000 and 043800760000.

22-ZONE-0075 WM# 124444

SCALE SHOWN TO ENSURE REPRODUCTION ACCURACY

Lockett & Farley Architecture | Engineering | Interior Design. 737 South Third Street, Louisville, Kentucky 40202-2100. 502.585.4181 | 502.587.0488 Fax | www.lockett-farley.com

RENAISSANCE ON BROADWAY 4422 WEST BROADWAY, LOUISVILLE, KY 40211

Revisions table with columns for Date, Description, and Revisions.

Development plan metadata table including date (05/27/2022), title (DEVELOPMENT PLAN), and drawing number (DP-101).