

Case No. 21-ZONE-0105 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested 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.
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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter. The plan shall include, at a minimum, the landscaping shown at the Planning Commission public hearing on January 5, 2023 and located in the case file as Exhibit 1.
 - c. 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. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the

property line.

6. No idling of trucks shall take place within 200 feet of residential structures. No overnight idling of trucks shall be permitted on-site.
7. All outdoor storage must be screened from adjoining properties and from the right-of-way.
8. 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.
9. 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.
10. No power equipment that will cause a noise disturbance will be run between the hours of 10 p.m. and 6 a.m.

LOUISVILLE METRO
APPROVED DISTRICT
DEVELOPMENT PLAN
DOCKET NO. 21-ZONE-0105
APPROVAL DATE January 5, 2023
EXPIRATION DATE _____
SIGNATURE OF PLANNING COMMISSION _____
PLANNING COMMISSION

BY: MD for BS
DATE: 12/27/2022
LOUISVILLE/JEFFERSON COUNTY
METRO PUBLIC WORKS

Condition of Approval:

W. H. for T.K. 12-20-22
Development Review

LOUISVILLE & JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT

GRAPHIC SCALE SUPERCEDES NUMERIC SCALE

0 15' 30' 60

SCALE: 1" = 30'

TYPICAL PARKING DETAIL
NO SCALE

1. 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.
2. DRAINAGE PATTERN DEPICTED BY ARROWS IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND DESIGN OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
3. AN APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATION TO THE APPROVED EPPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPPSC BMP'S SHALL BE INSTALLED PRE THE PLAN AND MSD STANDARDS.
4. 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.
5. ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADSWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.
6. 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.
7. 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 NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.
8. SANITARY SEWER SERVICE PROVIDED BY NEW PSC, SUBJECT TO FEES AND ANY APPLICABLE CHARGES.
9. MSD DRAINAGE BOND REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
10. IF SITE HAS THRU DRAINAGE, AN EASEMENT PLAT WILL B REQUIRED PRIOR TO MSD GRANTING CONSTRUCTION PLAN APPROVAL.
11. AN EPPSC PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.
12. SITE IS SUBJECT TO REGIONAL FACILITY FEES. CAPACITY OF THE DOWNSTREAM SYSTEM TO BE VERIFIED PRIOR TO ISSUE OF ANY BUILDING PERMITS OR MSD CONSTRUCTION PLAN APPROVAL. IF CAPACITY DOES NOT EXIST, DOWNSTREAM IMPROVEMENTS OR SITE MODIFICATIONS WILL BE REQUIRED. EXISTING IMPERVIOUS CONDITIONS SHALL BE IDENTIFIED FROM THE AIRC AERIAL IMAGE FOR 2013.

4. THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT-OF-WAY.
5. THERE SHALL BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
6. THERE SHALL BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT. TREE SPECIES PLANTED IN THE RIGHT-OF-WAY MUST CONFORM WITH DISTRICT 5 LIST OF APPROVED TREES.
7. NO INCREASE IN VELOCITY AT POINT OF DISCHARGE AT PROPERTY LINE.
8. SITE TO UTILIZE EXISTING STRUCTURES, NO NEW CONSTRUCTION.
9. BOUNDARY INFORMATION TAKEN FROM DEED AND MSD LOJIC MAPPING.
10. DUMPSTERS AND SERVICE STRUCTURES TO BE SCREENED PER CHAPTER 10 REQUIREMENTS.
11. SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS. IF IT DOES, IT SHOULD BE RE-AIMED, SHIELDED OR TURNED OFF.
12. ALL DRAINAGE STRUCTURES WITHIN STATE RIGHT-OF-WAY SHALL BE OF STATE DESIGN.
13. ALL NEW AND EXISTING SIDEWALKS SHALL BE EITHER BROUGHT UP TO OR BUILT TO ADA CURRENT STANDARDS.
14. DESIGN OF ACCESS TO STATE HIGHWAYS SHALL COMPLY WITH KYTC STANDARD DRAWING; COMMERCIAL ACCESS CORNER RADI SHALL BE 35' MINIMUM; ACCESS THROAT WIDTH 24'-36" WIDE. ACCESS SHALL BE EITHER CONCRETE OR ASPHALT WITHIN THE RIGHT-OF-WAY.
15. CALCULATIONS WILL BE REQUIRED FOR ANY RUNOFF DEEMED NECESSARY TO BE TAKEN TO THE STATE RIGHT-OF-WAY. PROPOSALS TO ALTER OR SIGNIFICANTLY INCREASE A DRAINAGE AREA OR RUNOFF FACTORS OR TO CHANGE IN ANY WAY THE PERFORMANCE OF AN EXISTING DRAINAGE STRUCTURE SHALL BE ACCOMPANIED BY A COMPLETE DRAINAGE SURVEY AND HYDROLOGIC ANALYSIS (UPSTREAM AND DOWNSTREAM) BASED ON 25-YEAR AND 100-YEAR STORMS. THIS ANALYSIS SHALL INCLUDE A COMPARISON OF EXISTING AND PROPOSED CONDITIONS REQUESTS TO ALTER DRAINAGE ON A RIGHT-OF-WAY SHALL RESULT IN CONDITIONS THAT ARE EQUAL TO OR BETTER THAN THE EXISTING FACILITIES.
16. MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF THE LOUISVILLE/JEFFERSON COUNTY METRO ORDINANCES.
17. ALL SITE SIGNAGE SHALL COMPLY WITH CHAPTER 8 REQUIREMENTS OF THE LAND DEVELOPMENT CODE.
18. COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY THE APPROPRIATE AGENCIES.
19. STREET TREES SHALL BE PLANTED PER CHAPTER 10 OF THE L.O.C.

1. CONDITIONAL USE PERMIT REQUEST FOR A CONTRACTOR'S YARD WITH OUTDOOR STORAGE WITHIN A C-2 ZONING DISTRICT PER CHAPTER 4.251 OF THE LAND DEVELOPMENT CODE.

1. REQUEST VARIANCE OF CHAPTER 5.3.1, TABLE 5.3.2 TO ALLOW EXISTING STRUCTURES TO ENCRoACH INTO THE 50' RESIDENTIAL TO NON-RESIDENTIAL SETBACK ALONG THE SIDE YARD.
2. REQUEST VARIANCE OF CHAPTER 5.3.1, TABLE 5.3.2 TO ALLOW EXISTING CONCRETE PAVI AND PROPOSED CANOPY TO ENCRoACH INTO THE 35' RESIDENTIAL TO NON-RESIDENTIAL SETBACK ALONG THE REAR YARD.
3. REQUEST WAIVER OF CHAPTER 10.2.4.A TO ALLOW ENCRoACHMENTS INTO THE REQUIRED 35' LANDSCAPE BUFFER ALONG THE EAST SIDE AND SOUTH REAR YARDS.
4. REQUEST WAIVER OF CHAPTER 10.2.10 AND 10.2.11 TO OMIT THE USE AREA LANDSCAPE BUFFER AREA AND PLANTING REQUIREMENTS ALONG THE WEST PROPERTY LINE ALONG THE EXISTING DRIVEWAY.

NET SITE AREA -----	0.94 ACRES
AREA OF DISTURBANCE -----	0.22 ACRES
EXISTING IMPERVIOUS SURFACE -----	0.38 ACRES
PROPOSED IMPERVIOUS SURFACE -----	0.60 ACRES
INCREASE IN IMPERVIOUS SURFACE ----	0.22 ACRES



GRESS SITE AREA	0.92 ACRES (39,881.55 SQ.FT.)
NET SITE AREA	0.89 ACRES (38,876.56 SQ.FT.)
EXISTING ZONING	C-1
EXISTING FORM DISTRICT	NFD
PROPOSED ZONING	C-2
EXISTING USE	LANDSCAPE CONTRACTOR/ RESIDENTIAL
PROPOSED USE	LANDSCAPE CONTRACTOR/ RESIDENTIAL
EX. TOTAL BUILDING AREA	6,794 SQ.FT.
HOUSE	1,004 S.F.
(868 SF FIRST FLOOR, 136 SF SECOND FLOOR)	
GARAGE	690 S.F.
CONTRACTOR SHOP	1,000 S.F.
FLOOR AREA RATIO	0.17
PARKING REQUIREMENT	
MINIMUM PARKING REQUIRED	5 SPACES
RESIDENCE (2 SP/UNIT)	2 SPACES
CONTRACTOR SHOP (1 SF/2,000 SF.)	3 SPACES
MAXIMUM PARKING ALLOWED	15 SPACES
RESIDENCE (5 SF/UNIT)	5 SPACES
CONTRACTOR SHOP (1 SF/500 SF.)	10 SPACES
PARKING PROVIDED	8 SPACES
RESIDENCE	2 SPACES
CONTRACTOR SHOP	5 SPACES
<u>SETBACKS</u>	
FRONT YARD	10' MIN. 80' MAX.
SIDE YARD	0'
FROM R-4	50' (LOADING)
REAR YARD	30' (NON-LOADING)
MAXIMUM ALLOWED BUILDING HT.	30'
<u>LANDSCAPE REQUIREMENTS</u>	
EXISTING V.U.A.	10,504 SQ.FT.
PROPOSED ADDITIONAL V.U.A.	3,691 SQ.FT.
TOTAL PROP. V.U.A.	14,195 SQ.FT. (35% INCREASE)
I.L.A. REQUIREMENT	1,065 SQ.FT.
I.L.A. PROVIDED	1,888 SQ.FT.
I.L.A. REQUIRED IN PROPOSED EXPANDED V.U.A. PER CHAPTER 10.2.2.2.2	

	EXISTING FENCE
	EX. OVERHEAD UTILITIES
	EX. DRAIN WAY
	CENTERLINE
	EX. SANITARY SEWER LINE
	EX. STORM LINE
	EXISTING TREELINE
	EXISTING CONTOUR LINE
	PROP. 6" SOLID PRIVACY FENCE
	LOCAL FLOODPLAIN
	EX. ZONING BOUNDARY
	LIMITS OF POST 2019 LOJIC AERIAL CONSTRUCTION
	PROP. SANITARY SEWER
	EX. UTILITY POLE
	FIRE HYDRANT
	WATER VALVE
	GAS VALVE
	GUY WIRE
	DRAINAGE FLOW
	EX. HEADWALL

CASE # 21-ZONE-0105
MSD WM #12353 / 21 1145

CONDITIONAL USE PERMIT PLAN &

DETAILED DEVELOPMENT PLAN SECOND NATURE LAWN CARE, LLC

OWNER: LBNB PROPERTIES, LLC
74114 DECLARATION DR.
LOUISVILLE, KY 40214-4372

DEVELOPER:
LOUISVILLE, KY 40214
SECOND NATURE LAWN CARE, LLC
74111 ST. ANDREWS CHURCH RD.
LOUISVILLE, KY 40214

7411 ST. ANDREWS CHURCH RD.
LOUISVILLE, KY 40214
D.B. 10622 PG. 187
PARCEL # 103300420000

210155 DDP-2
DRAWING

**FOR
REVIEW
ONLY**

PLAN STATUS	
7/30/2021	REV FOR FORMAL FILING
9/3/2021	REV FOR FORMAL FILING
10/7/2021	REV PER AGENCY COM
11/01/2021	REV PER AGENCY COM
1/28/2022	REV PER METRO WORKS
8/1/2022	ADD KYTC DRAIN ESMT
8/31/2022	REV PER METRO WORKS
10/27/22	REV PER AGENCY COM

DATE	DESCRIPTION	
DHS DESIGN	DHS DRAWN	CR CHK
SCALE	H: 1"=30' V: N/A	
JOB No. 210155		
DATE : 5/6/2021		
FILE No.		

SHEET 1 OF 1

NOT FOR CONSTRUCTION

21-ZONE-0105