District Development Plan Application

Louisville Metro Planning & Design Services

Case No.: 19Devplan1047 Intake Staff: KP

Date: 3/4/19 Fee: $631.50

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit http://www.louisvilleky.gov/PlanningDesign.

Project Information:

Application Type: ☐ Detailed District Development Plan ☒ Revised District Development Plan ☐ General District Development Plan

Project Description (e.g., retail center and office development, etc.): Convert existing car wash into a restaurant – 3,382 SF

Project Name: Scooter's Triple B's Restaurant

Primary Project Address: 3840 S. Hurstbourne Parkway

Additional Address(es):

Primary Parcel ID: 0044 0474 0000

Additional Parcel ID(s): 3,382 SF Restaurant

# of Residential Units: Commercial Square Footage: 3,412 SF Ex. Retail

Proposed Use: Retail/Restaurant Existing Use: Retail/Carwash

Existing Zoning District: C-2/R-6 per LOJIC Existing Form District: SMC

Deed Book(s) / Page Numbers[2]: DB 9715, Page 673

The subject property contains 1.27 acres. Number of Adjoining Property Owners: 6

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*[1] ☒ Yes ☐ No

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If yes, please list the docket/case numbers:

Docket/Case #: 09-047-94 Docket/Case #:

Docket/Case #: 09-029-88 Docket/Case #:

Contact Information:

Owner: ☐ *Check if primary contact*

Name: Scott A. Weis

Company: Weis Properties, LLC

Address: 2230 Ampere Drive

City: Louisville State: KY Zip: 40299

Primary Phone:

Alternate Phone:

Email:

Applicant: ☐ *Check if primary contact*

Name: Chris Guffey

Company: Allegiant Construction, LLC

Address: 15505 Crystal Valley Way

City: Louisville State: KY Zip: 40299

Primary Phone: 502-609-2071

Alternate Phone: 502-873-5551

Email: Chris@ThinkAllegiant.com

Owner Signature (required):

Attorney: ☐ *Check if primary contact*

Name:

Company:

Address:

City: State: Zip:

Primary Phone:

Alternate Phone:

Email:

Plan prepared by: ☒ *Check if primary contact*

Name: Jason L. Hall, PE

Company: Prism Engineering

Address: 2309 Watterson Trail, Suite 200

City: Louisville State: KY Zip: 40299

Primary Phone: 502-491-8891 Ext 1

Alternate Phone: 502-494-1317

Email: Jason@PEDGLLC.com

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Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Scott A. Weis, in my capacity as Manager, hereby
representative/authorized agent/other

certify that Weis Properties, LLC is (are) the owner(s) of the property which
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: Date: 2/28/19

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

District Development Plan Justification:

In order to justify approval of any district development plan, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. **Are there any natural resources on the property, including trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites? And are these natural resources being preserved?**

   This is an existing commercial site. The existing improvements will be maintained to the extent possible.

2. **Is safe and efficient vehicular and pedestrian transportation provided both within the development and the community?**

   Safe and efficient vehicular and pedestrian transportation accommodations are provided.

3. **Is sufficient open space (scenic and recreational) to meet the needs of the proposed development being provided?**

   This is an existing commercial site. The existing improvements will be maintained to the extent possible.

4. **Are provisions for adequate drainage facilities provided on the subject site in order to prevent drainage problems from occurring on the subject site or within the community?**

   The existing drainage system will remain in place.

5. **Is the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses compatible with the existing and projected future development of the area?**

   The proposed design is compatible with existing and projected development of the area, since the area is zoned C-2.

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6. **Is the proposal in conformance with the Comprehensive Plan and Land Development Code?**

   This plan complies with the comprehensive plan and the LDC, in conjunction with the requested waiver.

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Please submit the completed application along with the following items:

Project application and description

☒ Land Development Report[1]

☒ A copy of the current recorded deed[2] (*must show "End of Document" stamp on last page*)

☒ Letter of explanation for the proposed development

Site plan (please refer to the site plan requirements on page 4)

☒ Twelve copies of the site plan, 24" x 36" or other appropriate size to legibly convey the site plan requirements. All plans should be folded no larger than 9" x 9" with the bottom right corner as the front.

☒ One set of renderings of the building(s) proposed for the site. The rendering must contain views of **ALL** sides of the building(s).

Mailing labels to notify Adjoining Property Owners (APOs)[3]

For applications that are not staff approvable:

☒ Notice of filing of this application is required to be mailed to all 1st tier APOs and individuals who provided oral or written testimony in support or opposition of a previous rezoning of the site within 17 days of the filing deadline day. A copy of the notice should be provided to Planning & Design Services as soon as possible to be emailed to the Council District notification list. A notice template can be found on the Planning & Design website.

☒ One set of mailing label sheets of 1st tier APOs, those listed on the application and individuals who provided oral or written testimony in support or opposition of a previous rezoning of the site. These labels are to be used for the public meeting notice.

☒ One copy of the APO mailing label sheets

Fee (Cash, charge or check made payable to Planning & Design Services)

☒ Application Fee: $ 375.00
Clerk's Fee: $ 25.50
(If two or more applications are submitted simultaneously for the same site, only one Clerk's Fee is required.)

☒ Notice Fee: $1 per Adjoining Property Owner
(Not required for applications that are staff approvable, or for any case filed under the same case number with a Rezoning or Conditional Use Permit.)

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Resources:

1. Land Development Reports can be obtained online by entering the site address at: https://www.lojic.org/lojic-online

2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2nd floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: https://search.jeffersondeeds.com

3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: https://jeffersonpva.ky.gov/property-search

4. View agency comments at: http://portal.louisvilleky.gov/codesandregs/mainsearch. Enter your case number in the 'Permit/Case/Docket Number' search bar and then select your case under the 'Application Number' tab.

Site Plan Requirements:

Plans must be drawn to engineer's scale

Description

- ☐ Owner's name and address
- ☐ Developer's name and address
- ☐ Engineer's name and address
- ☐ Site Address
- ☐ Tax block and lot number
- ☐ Zoning of property
- ☐ Zoning of adjacent properties
- ☐ Existing Use
- ☐ Proposed Use
- ☐ Plan date
- ☐ Revision date

Map Elements

- ☐ North Arrow
- ☐ Vicinity Map
- ☐ Legend
- ☐ Plan Scale

Site Information & Labels

- ☐ Street names
- ☐ Property lines with dimensions (new lots shall show bearings)
- ☐ Location, ownership, deed book & page of all adjacent property owners
- ☐ Form District boundaries and transition zones shown if required by regulations

Project Plan

- ☐ Right of way / sidewalks (with widths shown)
- ☐ Existing and/or proposed structures shown and identified
- ☐ Gross building footprint area
- ☐ Gross floor area of buildings
- ☐ Net and gross acreage of site
- ☐ Height of structures
- ☐ Off-street loading areas if applicable
- ☐ Accessory structures shown with required screening if applicable
- ☐ ILA/VUA calculations (may be shown on tree canopy plan) if applicable
- ☐ Landscape buffer areas in accordance with Chapter 10 of the LDC
- ☐ Parking calculations (minimums and maximums)
- ☐ Required building setbacks with dimensions
- ☐ Net and gross density, and number of dwelling units
- ☐ Typical dimensions of parking spaces and aisles

MSD Requirements (*All items shall be checked as included or marked N/A*)

- ☐ Existing MSD Easements
- ☐ Proposed MSD Easements
- ☐ MSD Standard EPSC notes
- ☐ SUB/WM number
- ☐ Landscape Buffer Areas/WPAs
- ☐ Downstream Facilities Capacity Request
- ☐ Existing Storm & Sanitary Sewer Systems
- ☐ Topography of Site + Minimum 50' beyond property lines
- ☐ Concept Drainage (i.e. proposed storm pipes, ditches, swales, and drainage flow arrows)
- ☐ Detention Basin Location, with outlet identified & MSD easement shown for basin
- ☐ Concept Sanitary Sewers (i.e. lateral extension or location of property service connection) & identification of outlet system
- ☐ Name of sewage treatment plant serving site
- ☐ Preliminary detention calculation (x=CRA/12) including basin surface area, depth, volume required and volume provided
- ☐ Limits of FEMA and/or Local Regulatory Floodplains, if applicable
- ☐ Approximate increase or reduction in impervious area, in square feet

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General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 19Devplan1047 Intake Staff: KP

Date: 3/4/19 Fee: $631.50

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit http://www.louisvilleky.gov/Planning-Design.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

☒ Landscape Waiver of Chapter 10, Part 2

☐ Other: Waiver of Section _____

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: Waiver of 10.2.4.A to not provide the full 25'/35' property perimeter buffer along south and west lot lines; allow ex. improvements to encroach; allow ex. Plantings to satisfy reqmts.

Primary Project Address: 3840 S. Hurstbourne Parkway

Additional Address(es): _____

Primary Parcel ID: 0044 0474 0000

Additional Parcel ID(s): _____

Proposed Use: Retail/Restaurant Existing Use: Retail/Carwash

Existing Zoning District: C-2/R-6 Per LOJIC Existing Form District: SMC

Deed Book(s) / Page Numbers[2]: DB 9715, Page 673

The subject property contains 1.27 acres. Number of Adjoining Property Owners: 6

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*[1] ☒ Yes ☐ No

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If yes, please list the docket/case numbers:

Docket/Case #: 09-047-94 Docket/Case #: _____

Docket/Case #: 09-029-88 Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. **Will the waiver adversely affect adjacent property owners?**

   Granting of the waiver will not adversely affect adjacent property owners since this is an existing condition that existed prior to the current Land Development Code.

2. **Will the waiver violate the Comprehensive Plan?**

   Granting of the waiver will not violate the comprehensive plan since this is an existing condition that existed prior to the current Land Development Code.

3. **Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

   Yes, this is the extent of waiver necessary to afford relief to the applicant. Applicant will provide a compliant plan, in conjunction with the associated waiver.

4. **Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

   Strict application of the provisions would deprive the applicant of the reasonable use of the land and would create unnecessary hardship on the applicant.

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Contact Information:

Owner: ☐ *Check if primary contact*

Name: Scott A. Weis

Company: Weis Properties, LLC

Address: 2230 Ampere Drive

City: Louisville State: KY Zip: 40299

Primary Phone:

Alternate Phone:

Email:

Applicant: ☐ *Check if primary contact*

Name: Chris Guffey

Company: Allegiant Construction, LLC

Address: 15505 Crystal Valley Way

City: Louisville State: KY Zip: 40299

Primary Phone: 502-609-2071

Alternate Phone: 502-873-5551

Email: Chris@ThinkAllegiant.com

Owner Signature (required):

Attorney: ☐ *Check if primary contact*

Name:

Company:

Address:

City: State: Zip:

Primary Phone:

Alternate Phone:

Email:

Plan prepared by: ☒ *Check if primary contact*

Name: Jason L. Hall, PE

Company: Prism Engineering

Address: 2309 Watterson Trail, Suite 200

City: Louisville State: KY Zip: 40299

Primary Phone: 502-491-8891 Ext. 1

Alternate Phone: 502-494-1317

Email: Jason@PEDGLLC.com

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Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Scott A. Weis, in my capacity as Manager, hereby
representative/authorized agent/other

certify that Weis Properties, LLC is (are) the owner(s) of the property which
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: Date: 2/28/19

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

Please submit the completed application along with the following items:

- ☒ Land Development Report[1]
- ☒ Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
  - ☐ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
  - ☐ Vicinity map that shows the distance from the property to the nearest intersecting street
  - ☐ North arrow
  - ☐ Street name(s) abutting the site
  - ☐ Property dimensions
  - ☐ Building limit lines
  - ☐ Electric, telephone, drainage easements with dimensions
  - ☐ Existing and proposed structures with dimensions and distance from property lines
  - ☒ Highlight (in yellow) the location of the waivers
- ☒ One set of mailing label sheets for: 1st tier Adjoining Property Owners (APOs) [3]; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site
- ☒ One copy of the APO mailing label sheets
- ☒ $225 Application Fee + $1 per mailing label (*Cash, charge or check made payable to Planning & Design Services*)

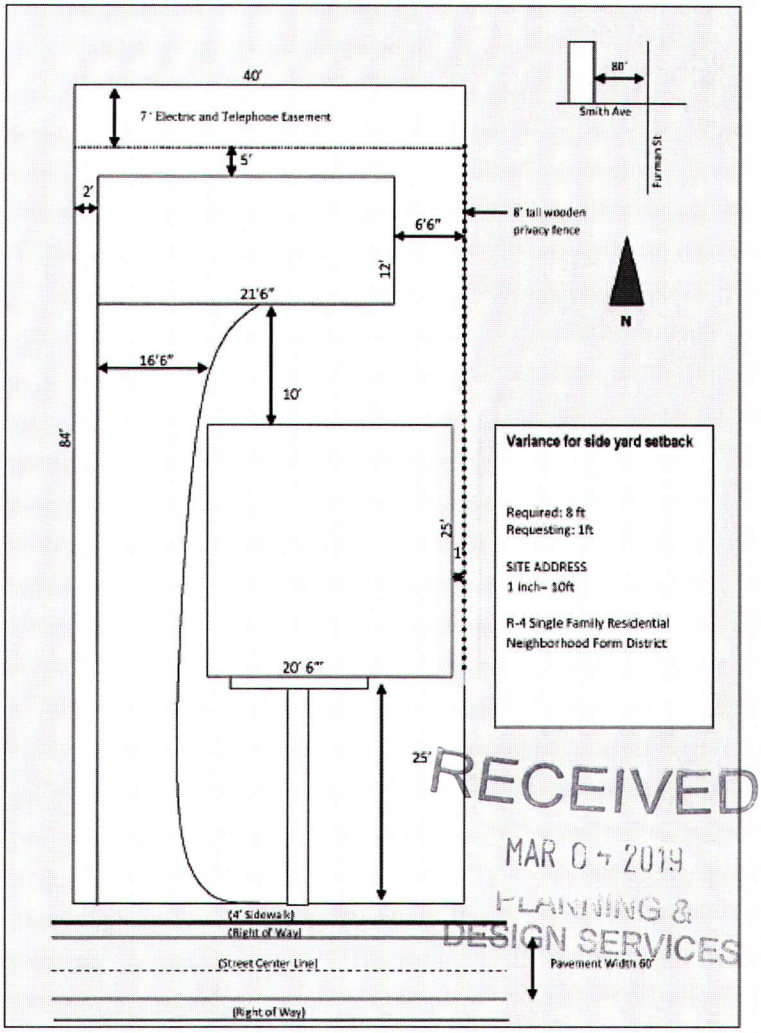
Resources:

1. Land Development Reports can be obtained online by entering the site address at: https://www.lojic.org/lojic-online

2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2nd floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: https://search.jeffersondeeds.com

3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: https://jeffersonpva.ky.gov/property-search

Sample site plan is for example purposes only and not drawn to scale



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4. View agency comments at: http://portal.louisvilleky.gov/codesandregs/mainsearch. Enter your case number in the 'Permit/Case/Docket Number' search bar and then select your case under the 'Application Number' tab.

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LOJIC

Land Development Report

March 4, 2019 7:50 AM

About LDC

Location	
Parcel ID:	004404740000
Parcel LRSN:	163975
Address:	MULTIPLE ADDRESSES
Zoning	
Zoning:	R6, C2
Form District:	SUBURBAN MARKETPLACE CORRIDOR
Plan Certain #:	09-047-94, 09-029-88
Proposed Subdivision Name:	NONE
Proposed Subdivision Docket #:	NONE
Current Subdivision Name:	HURSTBOURNE PARKWAY SECTION 3
Plat Book - Page:	38-079
Related Cases:	NONE
Special Review Districts	
Overlay District:	NO
Historic Preservation District:	NONE
National Register District:	NONE
Urban Renewal:	NO
Enterprise Zone:	NO
System Development District:	NO
Historic Site:	NO
Environmental Constraints	
Flood Prone Area	
FEMA Floodplain Review Zone:	NO
FEMA Floodway Review Zone:	NO
Local Regulatory Floodplain Zone or Combined Sewer Floodprone Area:	NO
Local Regulatory Conveyance Zone:	NO
FEMA FIRM Panel:	21111C0062E
Protected Waterways	
Potential Wetland (Hydric Soil):	NO
Streams (Approximate):	NO
Surface Water (Approximate):	NO
Slopes & Soils	
Potential Steep Slope:	NO
Unstable Soil:	NO
Geology	
Karst Terrain:	YES
Sewer & Drainage	
MSD Property Service Connection:	NO
Sewer Recapture Fee Area:	NO
Drainage Credit Program:	MS4 (outside of incentive area)
Services	
Municipality:	LOUISVILLE
Council District:	11
Fire Protection District:	JEFFERSONTOWN
Urban Service District:	NO

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DEED

THIS DEED between **WASH 'N SHINE, LLC**, a Kentucky Limited Liability Company, Grantor, with a mailing address of 2500 Brown & Williamson Tower, Louisville, Kentucky 40202 to **WEIS PROPERTIES, LLC**, a Kentucky Limited Liability Company, Grantee, with a mailing address of 2230 Ampere Drive, Louisville, Kentucky 40299 is dated this 2nd day of May, 2011.

The in-care address to which the 2011 Jefferson County Property Tax Bill should be sent is 2230 Ampere Drive, Louisville, Kentucky 40299.

WITNESSETH: That for a valuable consideration in the sum of $1,450,000.00, the receipt of which is hereby acknowledged, the Grantor does hereby sell and convey unto the Grantee, in fee simple, with Covenant of GENERAL WARRANTY, the following described property known as 3840 and 3862 S. Hurstbourne Parkway, located in Jefferson County, Kentucky, to-wit:

> Beginning at a point in the West line of Hurstbourne Parkway, said point being the southeast corner of the property conveyed to Newcomb Oil Company by deed recorded at Deed Book 6646, Page 466, thence North 87°31'01" West, 250 00 feet to a point, thence North 02°28'59" East, 218.34 feet to a point, thence South 87°31'01" East, 256.61 feet to a point, thence with the west line of Hurstbourne Parkway, with the arc of a curve to the left having a radius of 3891 72 feet and a chord of South 04°13'06" West, 218.44 feet to the point of beginning, containing 1.265 acres, more or less.
>
> Being Lot 1, as shown upon the Minor Subdivision Plat approved by the Louisville and Jefferson County Planning Commission on May 27th, 1998 (bearing Docket No 147-98), which Plat appears of record in deed Book 7069, Page 327, et seq, in the Office of the Clerk of Jefferson County, Kentucky, and a copy of which is attached hereto, incorporated by this reference, and designated as Exhibit "A" to this instrument.
>
> Being the same property conveyed to Wash 'N Shine, LLC, a Kentucky Limited Liability Company, by Deed dated August 28, 2002, of record in Deed Book 7954, Page 386, in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

TO HAVE AND TO HOLD the same, together with all appurtenances thereunto belonging unto Grantee, its successors and assigns forever, in fee simple, with covenant of General Warranty. Provided, however, that there is excepted from the foregoing warranty, and this conveyance is made subject to, all applicable planning, zoning and other governmental laws, rules and regulations, and all easements, roads, covenants, conditions, restrictions and limitations of record in the Office of the Clerk of Jefferson County, Kentucky, and excepting the restrictions and reservations set forth as follows, to all of which this conveyance is made subject, to wit:

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As Part of the consideration hereof, the GRANTEE, for itself and its successors and assigns, particularly agrees as follows:

(a) That no motor fuel or petroleum products related to motor fuels shall be distributed or sold from the premises herein conveyed,

(b) That no convenience store or food mart type items shall be distributed or sold from the premises herein conveyed. Provided, however, that the restriction set

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forth in this subparagraph shall not be construed to prohibit the incidental sale of vending machine items from the premises,

(c) Enforcement of these restrictions may be had by Proceedings at law or in equity against any person or entity violating or attempting to violate the same, either to obtain injunctive relief to restrain a violation or to recover damages, or both, which remedies shall be available to and may be maintained by the GRANTOR and/or its successors or assigns. In the event of any violation of the restrictions set forth herein, the GRANTOR, and/or its successors and assigns, as the case may be, shall be further entitled to recover all reasonable costs and expenses, including reasonable attorney fees, incurred in the enforcement of the terms hereof,

(d) That failure or delay by the GRANTOR to furnish notice of any violation shall not operate as a waiver by GRANTOR of the rights herein retained in the event of any subsequent violation,

(e) Except as is specifically provided otherwise to the contrary herein, the within covenants shall run with the land and shall be applicable and continue in full force and effect from and after the date of this Deed, and

(f) The rights and obligations as set forth in the deed Conveying title to Lot 4B Stony Brook South from The Fifth Third Bank of Kentucky, Inc., to WKB Associates, Inc., dated March 10, 1995, and recorded in Deed Book 6565, Page 853, in the Office of the Clerk of Jefferson County, Kentucky.

The parties hereto state the consideration reflected in this deed is the full consideration paid for the property. The Grantee joins this Deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

The Grantor further covenants lawful seizin of the estate hereby conveyed, with full right and power to convey the same, and that said estate is free of all encumbrances, except easements and restrictions of record, and zoning laws affecting said property, if any, and except State, County, City and School taxes assessed and payable in the year 2011, which taxes shall be prorated between the parties hereto as of the date hereof, and all subsequent taxes which the Grantee does hereby assume and agree to pay.

IN TESTIMONY WHEREOF, witness the signatures of the parties on this 2nd day of May, 2011.

WASH 'N SHINE, LLC,
A Kentucky Limited Liability Company, Grantor

Dennis C. Ott

By: Dennis C. Ott, Member

WEIS PROPERTIES, LLC,
A Kentucky Limited Liability Company, Grantee

By: Scott A. Weis, Member

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STATE OF KENTUCKY

COUNTY OF JEFFERSON

I, a Notary Public, within and for the State and County aforesaid, hereby do certify that on the 2nd day of May, 2011, the foregoing instrument was produced to me in said State and County by Dennis C. Ott, a duly authorized Member of Wash 'N Shine, LLC, a Kentucky Limited Liability Company, Grantor, and was acknowledged and sworn by him to be his duly authorized act and deed.

IN WITNESS WHEREOF, I hereunto affix my signature this 2nd day of May, 2011.

My Commission Expires: 11-9-2013.

NOTARY PUBLIC, STATE AT LARGE

STATE OF KENTUCKY

COUNTY OF JEFFERSON

I, a Notary Public, within and for the State and County aforesaid, hereby do certify that on the 2nd day of May, 2011, the foregoing instrument was produced to me in said State and County by Scott A. Weis, a duly authorized Member of Weis Properties, LLC, a Kentucky Limited Liability Company, Grantee, and was acknowledged and sworn by him to be his duly authorized act and deed.

IN WITNESS WHEREOF, I hereunto affix my signature this 2nd day of May, 2011.

My Commission Expires: 11-9-2013

NOTARY PUBLIC, STATE AT LARGE, KY

THIS INSTRUMENT PREPARED BY:

PAUL B. CONWAY, Attorney At Law
108 Browns Lane
Louisville, KY 40207
(502) 749-3600

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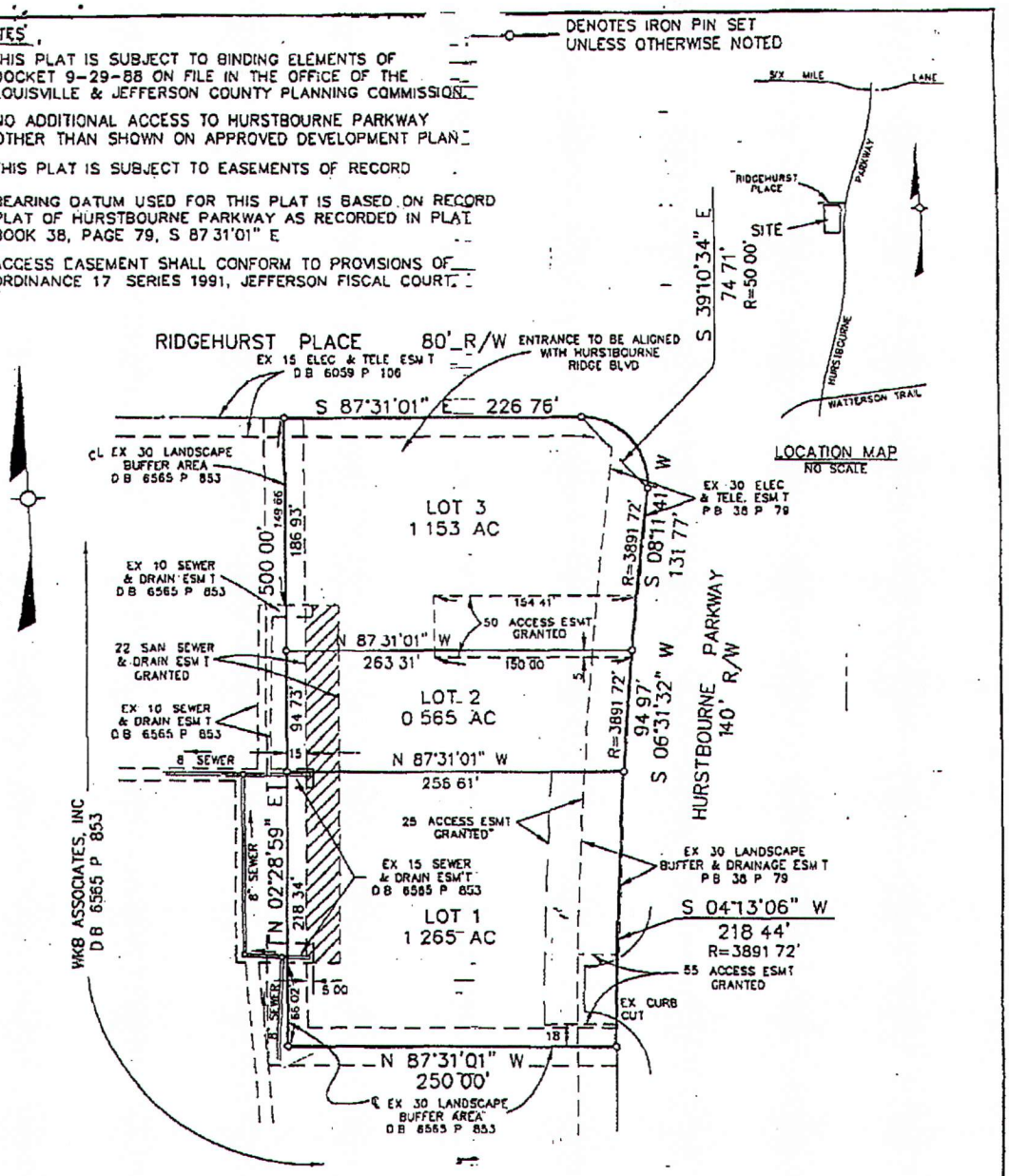
NOTES

1. THIS PLAT IS SUBJECT TO BINDING ELEMENTS OF DOCKET 9-29-88 ON FILE IN THE OFFICE OF THE LOUISVILLE & JEFFERSON COUNTY PLANNING COMMISSION
2. NO ADDITIONAL ACCESS TO HURSTBOURNE PARKWAY OTHER THAN SHOWN ON APPROVED DEVELOPMENT PLAN
3. THIS PLAT IS SUBJECT TO EASEMENTS OF RECORD
4. BEARING DATUM USED FOR THIS PLAT IS BASED ON RECORD PLAT OF HURSTBOURNE PARKWAY AS RECORDED IN PLAT BOOK 38, PAGE 79, S 87 31'01" E
5. ACCESS EASEMENT SHALL CONFORM TO PROVISIONS OF ORDINANCE 17 SERIES 1991, JEFFERSON FISCAL COURT



GRAPHIC SCALE

0 25 50 100 200

STATE OF KENTUCKY
STEVEN L. BURCH
3022
REGISTERED
LAND SURVEYOR

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat and survey were made under my supervision and that the angular and linear measurements as witnessed by monuments shown hereon, are true and correct to the best of my knowledge and belief. This survey and plat meets or exceeds the minimum standards of all applicable regulations

Steven L. Burch 05/18/98

Land Surveyor License No 3022 Date

SABAK, WILSON & LINGO INC
Engineers, Landscape Architects & Planners
315 West Market Street
Louisville, Kentucky 4

CERTIFICATE OF APPROVAL

Approved this 27th day of May, 1998

Invalid if not recorded before this date 5/27/99

LOUISVILLE AND JEFFERSON COUNTY PLANNING COMMISSION

By R. Wayne Bonnie

Approval subject to attached Certificates

Special requirement(s) N/A

Docket No 147-98

MINOR SUBDIVISION PLAT

OWNER NEWCOMB OIL CO
1360 JOHN ROWAN BOULEVARD
BARDSTOWN, KENTUCKY 40004
DB 6646 P 466
TAX BLOCK 44, LOT 445

LOCATION INTERSECTION OF HURSTBOURNE PARKWAY & RIDGEHURST PLACE

DATE 04-03-98 SCALE 1" = 100'
JOB NO 1914MP DWG NO 1496MP11

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EXHIBIT "A"

Sheet 1 of 7

147-98

19 DEVPLAN 1047

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METROPOLITAN SEWER DISTRICT REVIEW

This plat has been reviewed for storm drainage and sanitary sewer related considerations and Metropolitan Sewer District has no objection to this plat. However, this review does not constitute any form of construction approval for work on this site.

R. Stanley Bes — 5-22-98
Storm Drainage Review — Date

SEWER AVAIL.
Sanitary Sewer Review — Date

MINOR PLAT
APPROVAL
JEFFERSON COUNTY
DEPT. OF PUBLIC WORKS
BY RKB
DATE: 5-22-98

PLAT APPROVAL

No present objections as submitted * Must comply with Jefferson County Ordinance # 17 and/or the current local ordinance, and shall be subject to construction review and approval

DATE 5/27/98

DISTRICT Jeffersontown Fire Department

COMMENTS

The contention of the fire department that it is the responsibility of the developer to make clear any request for variance or exception to standard. The fire department views the subdivision or revised subdivision, of the property however will take exception to unannounced or unnamed variance or exception

Access easements (used for public and emergency access to developing parcels shall be reviewed and to fire protection requirements defined in the Ordinance, as would any developing street)

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ZONING CERTIFICATE

I hereby certify all of the lots of this minor subdivision and any existing buildings and improvements thereon and/or any buildings and improvements included in a building permit either applied for or approved thereon, are in compliance with all of the provisions of the Zoning District Regulations. Any such buildings or improvements not in compliance with the Zoning District Regulations have been granted all necessary variances by the Board of Zoning Adjustment as described in Docket No. N/A or documentation of the existence of the buildings or improvements prior to the adoption of the Zoning District Regulations has been accepted by the Planning Commission staff as valid evidence of their non-conforming status.

Newcomb Oil Co By John D Newcomb
OWNER Vice President

CERTIFICATE OF OWNERSHIP AND DEDICATION

This is to certify that the undersigned is the owner of the land shown on this plat and hereby acknowledges the same to be the plat of
Newcomb Oil Company
Deed Book 6646, Page 466
and does hereby dedicate to public use N/A shown thereon

Newcomb Oil Co By John D Newcomb
OWNER Vice President

PO Box 390 Bardstown Ky
ADDRESS

Vice President
TITLE

CERTIFICATE OF ACKNOWLEDGEMENT

State of Kentucky)
)SS
County of NELSON)

I, LAURA H BLAIR, a notary public in and for the County aforesaid, do certify that the foregoing plat of Newcomb Oil Company, Deed Book 6646, Page 466 was this day presented to me by WILLIAM D NEWCOMB, known to me, who executed the Certificate in my presence and acknowledged it to be his free act and deed

Witness my hand and seal this 20th day of May, 1998
My commission expires on the 18th day of January, 1999

Laura H Blair
Notary Public

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Sabak, Wilson, & Lingo, Inc
Engineers, Landscape Architects & Planners
315 West Market Street
Louisville, Kentucky 40202

MINOR SUBDIVISION PLAT
FOR. Newcomb Oil Company
Deed Book 6646, Page 466
Tax Block 44, Lot 445
LOCATION Intersection of Hurstbourne Pky and Ridgehurst Place
DATE 4-3-98 JOB NO: 1914-MP

SHEET 2 OF 7

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147-98

19 DEVPLAN 1047

CERTIFICATE OF RESERVATION OF
ACCESS EASEMENT

An easement for access (ingress and egress) purposes is hereby reserved on, over, and under the strips of land and spaces as defined and bounded by dashed lines marked "Access Easement"

No permanent structure of any kind shall be placed on, over, or under the land within the said easement(s). The easement(s) shall be for the benefit of Lot 2

Newcomb Oil Co By [illegible] Vice President

OWNER(S)

CERTIFICATION OF ACKNOWLEDGEMENT

State of Kentucky)
)SS
County of NELSON)

I, LAURAH BLAIR, a Notary Public in and for the County aforesaid, do hereby certify that the foregoing plat of MINOR SUBDIVISION was this day presented to me by WILLIAM O NEWCOMB known to me, together with the Certificate of Ownership and Dedication shown thereon, which he executed in my presence and acknowledged to be his free act and deed

Witness my hand and seal this 20th day of May, 1998

My commission expires on the 13th day of Jan, 1999

This instrument Prepared by

Laura H Blair
Notary Public

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ACCESS EASEMENT GRANT
FOR Newcomb Oil Company
Deed Book 6646, Page 466
Tax Block 44, Lot 445
LOCATION: Intersection of Hurstbourne Pky and Ridgehurst Place
DATE 4-3-98 JOB NO 1914-MP

Sabak, Wilson, & Lingo, Inc
Engineers, Landscape Architects
& Planners
315 West Market Street
Louisville, Kentucky 40202

SHEET 3 OF 7

147-98

19 DEVPLAN 1047

CERTIFICATE OF SANITARY SEWER AND DRAINAGE EASEMENT

For valuable consideration, the receipt of which is hereby acknowledged by GRANTOR, GRANTOR hereby grants to **LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD)**, its successors and assigns, a perpetual easement on, over, and under strips of land and spaces as defined and marked "Sanitary Sewer and Drainage Easement" on the plat attached hereto

This grant is made on the following terms

1 MSD has the right of ingress and egress over GRANTOR'S property to and from the easement at all times for the purpose of constructing, operating, maintaining, repairing, and reconstructing sanitary sewers, drains, and related equipment, structures or materials, hereinafter referred to as appurtenances, under MSD's jurisdiction, control, and supervision

2 Nothing shall be placed in, on, over, or under the sanitary sewer and drainage easement which will obstruct or interfere with the purposes of said easement

3 MSD may authorize any public agency or others to carry out the purposes as set forth in Paragraph 1

4 The GRANTOR covenants that they are (he/she is) lawfully seized of the property through which the sanitary sewer and drainage easement is granted and that they have (he/she has) full right and power to convey the same and said property is free from all encumbrances, except current taxes and restrictions and/or mortgages of record

5. The GRANTOR acknowledges that the consideration received for the conveyance made herein does not include any express or implied release or waiver by MSD of rights to subject GRANTOR and their (his/her) property to sewer rates, drainage fees, rentals, and other charges, including special assessments, as may be authorized by law

6 MSD covenants that it will assume full responsibility for claims resulting from damage to any land improvement, or the environment within or outside the sanitary sewer and drainage easement granted herein, or to any land or improvements used for ingress and egress to such easement, caused by MSD during construction, operation, maintenance, repair, or reconstruction of said sanitary sewers, drains, and appurtenance unless damage is caused by the placing of any structure within or outside the easement in violation of this certificate, in such case no liability will be assumed by MSD

7 If shown, a temporary easement, as defined and marked "Temporary Construction Easement" on the plat attached hereto is hereby reserved for MSD's use as needed during original construction of said sanitary sewers, drains, and appurtenances Such easement shall terminate and automatically revert to the property owners upon completion of the original construction

IN TESTIMONY WHEREOF, witness the signature of the GRANTOR on this 20th day of May, 1998.

Laura H Blair
WITNESS

Newcomb Oil Co 872 Ann O'Neal
GRANTOR Vice President

GRANTOR

LOUISVILLE AND JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT
700 WEST LIBERTY STREET
LOUISVILLE, KENTUCKY 40203-1913

Record No. _____

Parcel No _____

Sheet 4 of 7

147-98

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COMMONWEALTH OF KENTUCKY

COUNTY OF NELSON

I, the undersigned Notary Public in and for the Commonwealth and County aforesaid, do hereby certify that the foregoing instrument was this day presented to me by _____ and _____ being the within named GRANTOR(S), who being by me first duly sworn, declared that _____ signed the foregoing instrument as _____ true and proper act and deed

OR

I, the undersigned Notary Public in and for the Commonwealth and County aforesaid, do hereby certify that the foregoing instrument was this day presented to me by WILLIAM D NEWCOMB, who, being by me first duly sworn, declared that he, signed the foregoing instrument as VICE PRESIDENT of NEWCOMB OIL CO by authority and direction of its Board of Directors, as a true and proper act and deed.

Witness my hand this 20th day of May, 1998.

My Commission expires. January 18, 1999

Laura H Blair
NOTARY PUBLIC

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LOUISVILLE AND JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT
700 WEST LIBERTY STREET
LOUISVILLE, KENTUCKY 40203-1913

Record No. _____

Parcel No. _____

05/05/94
NP

Sheet 5 of 7

147-98

79 DEVPLAN 1047

EASEMENT, RESTRICTIONS AND MAINTENANCE REQUIREMENTS FOR TWO LOTS ON A MINOR PLAT

THIS INSTRUMENT made and entered in to on this 20 day of MAY, 1998 by the undersigned Owners, Newcomb Oil Company, per Deed Book 6646, Page 445 confers the rights and obligations regarding certain real property as follows

1 The owner(s) or occupants of tracts 2 and 3 are hereby granted the easement shown on the attached plat for ingress and egress across the property designated as 50' Access Easement Said easement shall be for the benefit of said owners or occupants, their guests, and invitees.

2 The rights conveyed by said easement are limited to such as is customarily incidental to commercial usage of the lot

3 All costs or expenses incidental to the maintenance, repair, or rebuilding of said road so as to keep it in a good and passable condition as an asphalt road shall be borne solely by the owner of lot 3

4 The road shall not be dedicated to or maintained by the public except by agreement of the owners of said lots and approval of the Louisville and Jefferson County Planning Commission after finding that it meets all standards required for a newly created public road.

5 The provisions of this document may not be modified except by agreement of the owners of said lots and approval of the Louisville and Jefferson County Planning Commission

6 The provisions of this instrument shall be considered a covenant running with the land, shall be binding on the parties hereto and their respective successors, heirs, and assigns, and may be enforced by any one or more owners of said lots in a civil action in law or equity

7 The provisions hereof are severable, and if one or more of said provisions are held invalid, the remaining provisions shall remain in full force and effect

In testimony whereof, witness the signatures of the owners of said lots as of the day and year set out above

Newcomb Oil Co. By Wm. D. Newcomb VICE PRESIDENT
Owner's Signature

Newcomb Oil Co. by Wm. D Newcomb
Name Typed

State of Kentucky)
)SS
County of Nelson)

I, LAURA H BLAIR, a notary public in and for the County aforesaid, do hereby certify the foregoing instrument was this day presented to me by WM D NEWCOMB, who acknowledged it to be his free act and deed
Witness my hand this 20TH day of MAY, 1998

My Commission expires on 4/15/99

Laura H. Blair
NOTARY PUBLIC

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MAR 04 2019
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Sabak, Wilson & Lingo, Inc.
Engineers, Landscape Architects
& Planners
315 West Market Street
Louisville, Kentucky 40202

MINOR SUBDIVISION PLAT
FOR Newcomb Oil Company
Deed Book 6646, Page 466
Tax Block 44, Lot 445
LOCATION Intersection of Hurstbourne Parkway and Ridgehurst Pl

DATE 5-15-98 JOB NO 1914-MP
SHEET 6 OF 7

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'19 DEVPLAN 1047

EASEMENT, RESTRICTIONS AND MAINTENANCE REQUIREMENTS FOR TWO LOTS ON A MINOR PLAT

THIS INSTRUMENT made and entered in to on this 20 day of MAY, 1998 by the undersigned Owners, Newcomb Oil Company, per Deed Book 6646, Page 445 confers the rights and obligations regarding certain real property as follows

1. The owner(s) or occupants of tracts 1 and 2 are hereby granted the easement shown on the attached plat for ingress and egress across the property designated as 25' and 55' Access Easement. Said easement shall be for the benefit of said owners or occupants, their guests, and invitees

2. The rights conveyed by said easement are limited to such as is customarily incidental to commercial usage of the lot.

3 All costs or expenses incidental to the maintenance, repair, or rebuilding of said road so as to keep it in a good and passable condition as an asphalt road shall be borne one-half by the owners of each lot

The lot of any owner who fails to pay his share of said expense promptly upon demand by the person who has initially borne it shall be subject to a lien upon filing of an appropriate notice in the County Clerk's Office The lien of such assessments may be enforced against the property in the same manner as mortgages are foreclosed upon real property

4 The road shall not be dedicated to or maintained by the public except by agreement of the owners of said lots and approval of the Louisville and Jefferson County Planning Commission after finding that it meets all standards required for a newly created public road

5 The provisions of this document may not be modified except by agreement of the owners of said lots and approval of the Louisville and Jefferson County Planning Commission

6 The provisions of this instrument shall be considered a covenant running with the land, shall be binding on the parties hereto and their respective successors, heirs, and assigns, and may be enforced by any one or more owners of said lots in a civil action in law or equity

7 The provisions hereof are severable, and if one or more of said provisions are held invalid, the remaining provisions shall remain in full force and effect

In testimony whereof, witness the signatures of the owners of said lots as of the day and year set out above

Newcomb Oil Co by [signature] VICE PRESIDENT
Owner's Signature

Newcomb Oil Co. by Wm Newcomb
Name Typed

State of Kentucky)
)SS
County of Nelson)

I, LAURA H BLAIR, a notary public in and for the County aforesaid, do hereby certify the foregoing instrument was this day presented to me by WILLIAM D NEWCOMB, who acknowledged it to be his free act and deed.
Witness my hand this 20th day of May, 1998

My Commission expires on Jan. 18, 1999

Laura H Blair
NOTARY PUBLIC

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Sabak, Wilson & Lingo, Inc
Engineers, Landscape Architects & Planners
315 West Market Street
Louisville, Kentucky 40202

MINOR SUBDIVISION PLAT
FOR Newcomb Oil Company.
Deed Book 6646, Page 466
Tax Block 44, Lot 445
LOCATION Intersection of Hurstbourne Parkway and Ridgehurst Pl
DATE 5-15-98 JOB NO 1914-MP
SHEET 7 OF 7

END OF DOCUMENT

H \DOC\1998\CORRESP\1914-2MP DOC

147-91

Document No.: DN2011055115
Lodged By: CONWAY
Recorded On: 05/03/2011 03:47:31
Total Fees: 1,491.00
Transfer Tax: 1,450.00
County Clerk: BOBBIE HOLSCLAW-JEFF CO KY
Deputy Clerk: EVEMAY

END OF DOCUMENT

19 DEVPLAN 1047

PRISM ENGINEERING & DESIGN GROUP, LLC
2309 WATTERSON TRAIL, SUITE 200
LOUISVILLE, KENTUCKY 40299
TELEPHONE (502) 491-8891
FAX (502) 491-8898

March 4, 2019

Louisville Metro Planning & Design Services
Metro Development Center
444 S Fifth Street, 3rd Floor
Louisville, Kentucky 40202

RE: Revised Detailed District Development Plan
3840 S. Hurstbourne Parkway
Louisville, Kentucky

To Planning & Design Services:

Approval of a Revised Detailed District Development Plan is requested for 3840 S. Hurstbourne Parkway. The site contains an existing retail building and an existing car wash building, with existing parking facilities and landscaping. The project area of the site is zoned C-2 and is located within a Suburban Marketplace Corridor Form District. The site is subject to Plan Certain Case Number 09-047-94 and 09-029-88.

As part of the proposed project, the existing car wash building will be renovated to allow for operation of a proposed restaurant. The proposed restaurant will have sit-down dining, as well as an outdoor dining patio. The existing site infrastructure and landscaping are to remain intact, to the fullest extent possible. The existing retail building will remain unchanged.

If you have questions, please feel free to contact me at (502) 491-8891, Ext. 1 or by email at Jason@PEDGLLC.com

Sincerely,

Prism Engineering & Design Group, LLC

Jason L. Hall, PE
Director of Engineering

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PRISM ENGINEERING & DESIGN GROUP, LLC
2309 WATTERSON TRAIL, SUITE 200
LOUISVILLE, KENTUCKY 40299
TELEPHONE (502) 491-8891
FAX (502) 491-8898

NOTICE OF REVISED DETAILED DISTRICT DEVELOPMENT PLAN APPLICATION FILED WITH PLANNING & DESIGN SERVICES FOR 3840 S. HURSTBOURNE PARKWAY

March 4, 2019

An application for a Revised Detailed District Development Plan for 3840 S. Hurstbourne Parkway to renovate the existing car wash building to allow operation of a proposed restaurant on the existing site was filed with the department of Louisville Metro Planning & Design Services on March 4, 2019.

ADDRESS: 3840 S. Hurstbourne Parkway
Louisville, Kentucky

CASE NO.:

PDS CASE MANAGER:

To view documents related to this proposal, please visit: http:/louisvilleky.gov/government/planning-design and click on "*Search Case Information*"

If this application requires a public meeting, another notice will be sent notifying you of the date, time and location of the meeting.

If you have questions about this proposal, or would like to view the case file, please contact Louisville Metro Planning & Design Services at:

Metro Development Center
444 S. 5th Street, 3rd Floor
Louisville, KY 40202
(502) 574-6230

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Thank you,

Jason L. Hall, PE
Prism Engineering & Design Group, LLC

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