

Case No. 17ZONE1078 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Waiver of Section 10.2.4 to eliminate all property perimeter landscape buffers and plantings on Tract 1 (Waiver #1); the requested Waiver of Section 5.5.1.A.3.a to eliminate the 3' masonry wall requirement within the vehicle use area buffer on Tract 2 (Waiver #2); and 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 Develop Louisville, 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 building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
5. 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.
6. 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.
7. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Planning Commission's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for off-street parking without further review and approval by the Board/Planning Commission.

PRELIMINARY APPROVAL
 Condition of Approval:
 Development Review Date
 Tary Kelly 4-11-18
 LOUISVILLE & JEFFERSON COUNTY
 METROPOLITAN SEWER DISTRICT

PRELIMINARY APPROVAL
 DEVELOPMENT PLAN

CONDITIONS:

BY: [Signature]
 DATE: 7/11/18
 LOUISVILLE & JEFFERSON COUNTY
 METROPOLITAN SEWER DISTRICT

DEL SLAYTON
 2677 LINCOLN DR.
 CLARKSVILLE, IN 47129-1854
 D.B. 8685, PG. 792

LOUISVILLE GAS & ELECTRIC CO.
 311 W. CHESTNUT ST.
 LOUISVILLE, KY 40202-1809
 D.B. 5469, PG. 156

ROBERT THORNTON
 881 S. CLAY ST.
 LOUISVILLE, KY 40203-2549
 D.B. 7006, PG. 700

STEER BICKEL, LLC
 711 SPECKERT CT.
 LOUISVILLE, KY 40203-2633
 D.B. 8661, PG. 984

BARNEY & ANNA MARIE LONG
 2792 ASH AVE.
 LOUISVILLE, KY 40245-5004
 D.B. 9919, PG. 462

JESSE FRANCIS & FRED PIZZONIA
 4757 ROCKFORD PLZ.
 LOUISVILLE, KY 40203-2630
 D.B. 8892, PG. 541

JESSE HARGIS & NICHOLAS EMBRY
 635 E. KENTUCKY ST.
 LOUISVILLE, KY 40203-2642
 D.B. 8659, PG. 656

WYLE & ANGE NATHAN
 701 E. KENTUCKY ST.
 LOUISVILLE, KY 40203-2529
 D.B. 5387, PG. 932

KYLE JOSEPH THOMAS
 & DENNIS CONNELL
 705 E. KENTUCKY ST.
 LOUISVILLE, KY 40203-2529
 D.B. 10878, PG. 370

MELANIE LUDEMANN
 703 E. KENTUCKY ST.
 LOUISVILLE, KY 40203-2529
 D.B. 10446, PG. 902

CATHERINE & JAMES SEARS
 709 E. KENTUCKY ST.
 LOUISVILLE, KY 40203-2529
 D.B. 9162, PG. 647

ROBERT JOSEPH & KAREN SMITHSON
 1918 RIVERSIDE DR.
 PROSPECT, KY 40056-9085
 D.B. 8891, PG. 649



LOCATION MAP
 NOT TO SCALE

SITE DATA

	TRACT 1	TRACT 2
TOTAL SITE AREA:	0.24 AC (10,300 SF)	0.21 AC (9,150 SF)
EXISTING ZONING:	UN	UN
PROPOSED ZONING:	OR2	UN
ADJACENT ZONING:	UN	UN
EXISTING FORM DISTRICT:	TN	TN
EXISTING USE:	VACANT	VACANT
PROPOSED USE:	ART STUDIO	PARKING
EXISTING FOOTPRINT:	9,000 SF	NA
EXISTING GROSS FLOOR AREA:	27,000 SF	NA
EXISTING FAR:	2.62	NA

PARKING CALCULATIONS

STUDENTS:	10
ARTISTS:	28
MINIMUM PARKING REQUIRED	38 SPACES
ART STUDIO: 1/ARTIST & 1/STUDENT	-40% (15 SPACES)
	-1 SPACE
	22 SPACES
MAXIMUM PARKING ALLOWED	94 SPACES
ART STUDIO: 3/PER ARTIST & 1/STUDENT	
PROPOSED PARKING	22 SPACES
	(INCLUDING 1 H.C. SPACE)

- NOTES:
- THIS SITE QUALIFIES FOR THE FOLLOWING REDUCTIONS PER LDC 8.1.3.F AS FOLLOWS:
 20% REDUCTION - ELIGIBLE FOR NATIONAL REGISTER
 20% REDUCTION - GREEN SITE DESIGN STANDARDS
 1. PREVIOUSLY DEVELOPED SITE
 2. 3X REQUIRED BICYCLE PARKING
 - WE ARE ALSO PROVIDING 5 ADDITIONAL BIKE SPACES IN LIEU OF 1 CAR SPACE.
 - THIS PROJECT WILL BE BUILT IN PHASES WITH THE RENOVATION OF FLOORS 1 & 2 IN PHASE I AND THE RENOVATION OF FLOOR 3 IN PHASE II. WITH 9 ARTISTS AND 10 STUDENTS IN PHASE I, PARKING REQUIREMENTS ARE AS FOLLOWS:
 19 SPACES - 8 (40%) - 1 = 10 SPACES
 10 ON-STREET PARKING SPACES ARE PROVIDED
 CONSTRUCTION OF ALL NEW PARKING SPACES WILL BE COMPLETED WITH PHASE II.

BICYCLE PARKING CALCULATIONS

SHORT TERM PARKING REQUIRED:	2 SPACES
	X3 = 6 SPACES
	+5 = 11 SPACES
LONG TERM PARKING REQUIRED:	2 SPACES
	X3 = 6 SPACES
BICYCLE PARKING PROVIDED:	11 SHORT TERM SPACES
	6 LONG TERM SPACES (INSIDE THE BUILDING)

TREE CANOPY CALCULATIONS

SINCE THERE IS NO CHANGE IN BUILDING AREA OR IMPERVIOUS SURFACE, THIS PROJECT DOES NOT MEET THE THRESHOLD FOR COMPLIANCE WITH CHAPTER 10.1.

ILA / VUA CALCULATIONS

PROPOSED VUA (TRACT 2) 3,312 SF
 THE VUA IS UNDER 6,000 SF SO NO ILA IS REQUIRED.

IMPERVIOUS AREA CALCULATIONS

THERE IS NO ANTICIPATED CHANGE IN IMPERVIOUS AREA

RECEIVED
 APR 08 2018
 PLANNING & DESIGN SERVICES



RECEIVED
 APR 11 2018
 PLANNING & DESIGN SERVICES

CASE # 17ZONE1078
 WM# 11219

TAX BLOCK 22B,
 LOTS 18, 19, 20 & 47

OWNER/DEVELOPER
 SARAH FERGUSON HOLDINGS, LLC.
 853 S. CLAY STREET
 LOUISVILLE, KY 40203
 D.B. 10864, PG. 819

GENERAL NOTES

- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS.
- ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ACCEPTABLE "A.D.A." REQUIREMENTS FOR HANDICAP ACCESSIBILITY.
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA. (FEMA MAP 21111C0042E, DECEMBER 5, 2006)
- ALL NEW PARKING AREAS WILL BE CONSTRUCTED WITH GRASS PAVERS SO NO STORM SEWER OR GMPs ARE REQUIRED.
- COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS APPLICABLE AGENCIES REQUIRE OTHERWISE.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- MOSQUITO CONTROL SHALL BE PROVIDED IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- SITE IS LOCATED WITHIN THE COMBINED SEWER OVERFLOW FLOODPLAIN. ANY NEW STRUCTURES SHALL HAVE A LOWEST FINISHED FLOOR OF 452.9 AND THE MACHINERY SHALL BE AT OR ABOVE 453.9.
- METRO PUBLIC WORKS APPROVAL REQUIRED FOR THE BIKE RACKS ON THE SIDEWALK.
- LOTS SHALL BE CONSOLIDATED PRIOR TO PARKING LOT CONSTRUCTION APPROVAL.
- MSD ENCROACHMENT AGREEMENT REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
- EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT MPW STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
- CONSTRUCTION PLANS, BOND & PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL.
- AN ENCROACHMENT PERMIT AND BOND WILL BE REQUIRED FOR ALL WORK DONE IN THE RIGHT-OF-WAY.
- LICENSE AGREEMENT FOR THE GRASS PAVERS IN THE ALLEY SHALL BE APPROVED PRIOR TO CONSTRUCTION APPROVAL.

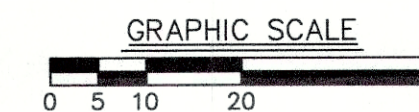
ADDITIONAL REQUESTS

- WAIVER OF LDC CHAPTER 10.2.4 TO ELIMINATE ALL PROPERTY PERIMETER LANDSCAPE BUFFERS AND ASSOCIATED PLANTING ON TRACT 1.
- WAIVER OF LDC 5.5.1.A.3.a TO ELIMINATE THE 3' MASONRY WALL REQUIREMENT WITHIN THE VUA BUFFER ON TRACT 2.

PROPERTY LINE NOTE:
 DISTANCES ARE IN ACCORDANCE WITH THE CURRENT DEED. BEARINGS ARE ASSUMED AND NOT BASED ON A SURVEY.

LEGEND

- 450- EX. MAJOR CONTOUR
- 452- EX. MINOR CONTOUR
- X X EX. FENCE
- [Red Box] AREA OF REZONING
- [Green Box] AREA OF CUP
- LIMITS OF DISTURBANCE (0.12 ACS)
- PROPOSED DRAINAGE ARROW
- [Hatched Box] AREA OF WAIVER



NO.	REVISION	DATE
1	ADJCT COMMENTS (PRE-APP)	07/27/18
2	ADJCT COMMENTS (NORMAL)	02/21/18
3	LDRT REVISIONS	03/22/18

17 Zone 1078

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