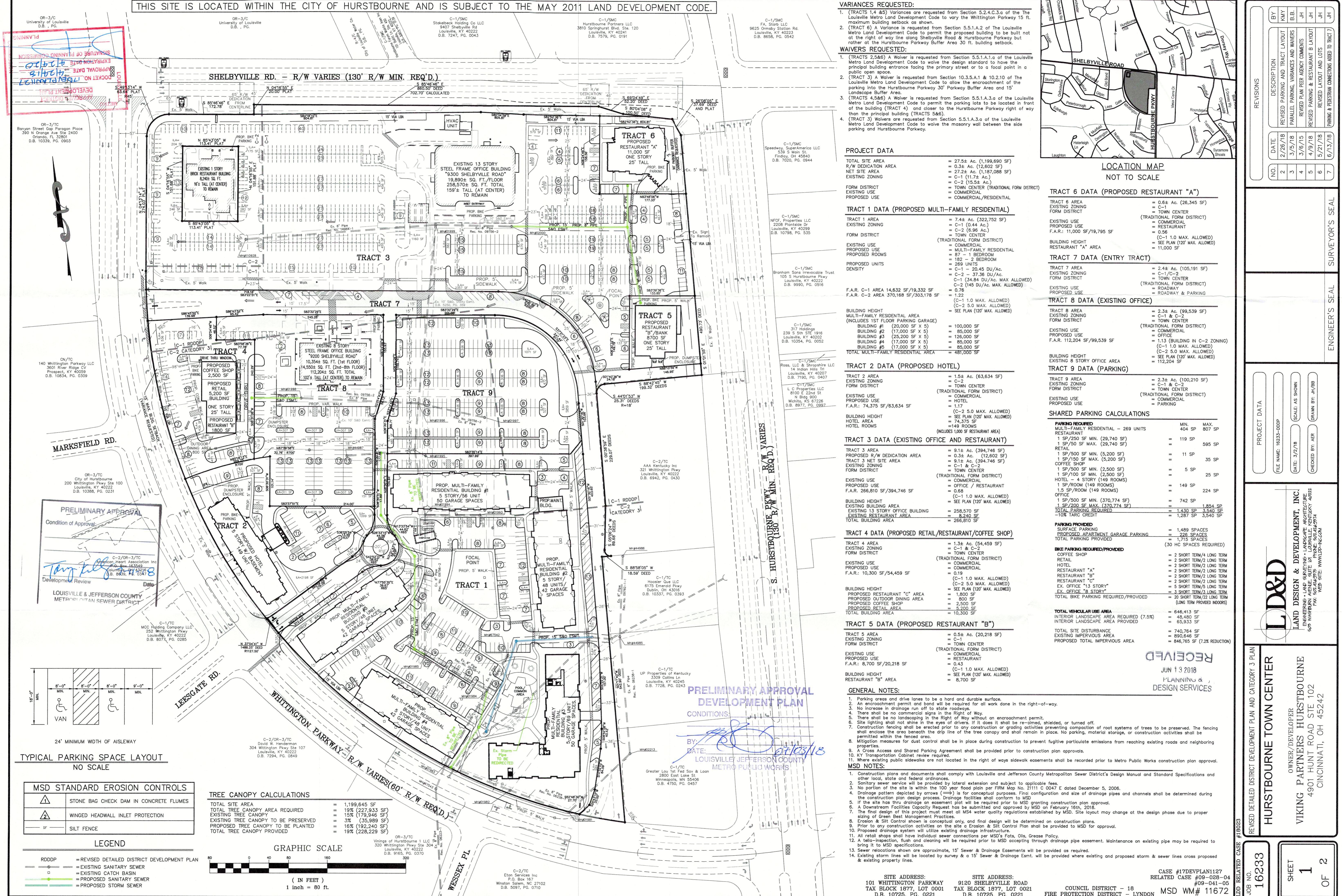


THIS SITE IS LOCATED WITHIN THE CITY OF HURSTBOURNE AND IS SUBJECT TO THE MAY 2011 LAND DEVELOPMENT CODE.



VARIANCES REQUESTED:

- 1. (TRACTS 1,4 &5) Variances are requested from Section 5.2.4.C.3.a of the Louisville Metro Land Development Code to vary the Whittington Parkway 15 ft. maximum building setback as shown.
(TRACT 6) A Variance is requested from Section 5.5.1.1.2 of the Louisville Metro Land Development Code to permit the proposed building to be built not at the right of way line along Shelbyville Road & Hurstbourne Parkway but rather at the Hurstbourne Parkway Buffer Area 30 ft. building setback.

WAIVERS REQUESTED:

- 1. (TRACTS 2,5&6) A Waiver is requested from Section 5.5.1.1.a of the Louisville Metro Land Development Code to waive the design standard to have the principal building entrance facing the primary street or to a focal point in a public open space.
(TRACT 3) A Waiver is requested from Section 10.3.5.A.1 & 10.2.10 of the Louisville Metro Land Development Code to allow the encroachment of the parking into the Hurstbourne Parkway 30' Parkway Buffer Area and 15' Landscape Buffer Area.
(TRACTS 4,5&6) A Waiver is requested from Section 5.5.1.3.a of the Louisville Metro Land Development Code to permit the parking lots to be located in front of the building (TRACT 4) and closer to the Hurstbourne Parkway right of way than the principal building (TRACTS 5&6).
(TRACT 3) Waivers are requested from Section 5.5.1.3.a of the Louisville Metro Land Development Code to waive the masonry wall between the side parking and Hurstbourne Parkway.

PROJECT DATA

TOTAL SITE AREA = 27.5± Ac. (1,199,690 SF)
R/W DEDICATION AREA = 0.3± Ac. (12,602 SF)
NET SITE AREA = 27.2± Ac. (1,187,088 SF)
EXISTING ZONING = C-1 (1.7± Ac.)
C-2 (15.5± Ac.)
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL/RESIDENTIAL
PROPOSED USE = COMMERCIAL/RESIDENTIAL

TRACT 1 DATA (PROPOSED MULTI-FAMILY RESIDENTIAL)

TRACT 1 AREA = 7.4± Ac. (322,752 SF)
EXISTING ZONING = C-1 (0.44 Ac.)
C-2 (6.96 Ac.)
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED ROOMS = 87 - 1 BEDROOM
182 - 2 BEDROOM
269 UNITS
DENSITY = C-1 - 20.45 DU/Ac.
C-2 - 37.36 DU/Ac.
C-1 (34.84 DU/Ac. MAX. ALLOWED)
C-2 (145 DU/Ac. MAX. ALLOWED)
F.A.R. C-1 AREA 14,632 SF/19,332 SF
F.A.R. C-2 AREA 370,168 SF/303,178 SF

TRACT 2 DATA (PROPOSED HOTEL)

TRACT 2 AREA = 1.5± Ac. (63,634 SF)
EXISTING ZONING = C-2
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED USE = HOTEL
F.A.R.: 74,375 SF/63,634 SF
BUILDING HEIGHT = C-2 5.0 MAX. ALLOWED
SEE PLAN (120' MAX. ALLOWED)
HOTEL AREA = 74,375 SF
HOTEL ROOMS = 149 ROOMS
(INCLUDES 1,000 SF RESTAURANT AREA)

TRACT 3 DATA (EXISTING OFFICE AND RESTAURANT)

TRACT 3 AREA = 9.1± Ac. (394,746 SF)
EXISTING ZONING = C-1 & C-2
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED USE = OFFICE / RESTAURANT
F.A.R.: 266,810 SF/394,746 SF
BUILDING HEIGHT = C-1 1.0 MAX. ALLOWED
SEE PLAN (120' MAX. ALLOWED)
EXISTING BUILDING AREA = 258,570 SF
EXISTING RESTAURANT AREA = 8,240 SF
TOTAL BUILDING AREA = 266,810 SF

TRACT 4 DATA (PROPOSED RETAIL/RESTAURANT/COFFEE SHOP)

TRACT 4 AREA = 1.3± Ac. (54,459 SF)
EXISTING ZONING = C-1 & C-2
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED USE = COMMERCIAL
F.A.R.: 10,300 SF/54,459 SF
BUILDING HEIGHT = C-1 1.0 MAX. ALLOWED
C-2 5.0 MAX. ALLOWED
SEE PLAN (120' MAX. ALLOWED)
PROPOSED RESTAURANT "C" AREA = 1,800 SF
PROPOSED OUTDOOR DINING AREA = 800 SF
PROPOSED COFFEE SHOP = 2,500 SF
PROPOSED RETAIL AREA = 10,300 SF
TOTAL BUILDING AREA = 10,300 SF

TRACT 5 DATA (PROPOSED RESTAURANT "B")

TRACT 5 AREA = 0.5± Ac. (20,218 SF)
EXISTING ZONING = COMMERCIAL
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = RESTAURANT
PROPOSED USE = RESTAURANT
F.A.R.: 8,700 SF/20,218 SF
BUILDING HEIGHT = C-1 1.0 MAX. ALLOWED
SEE PLAN (120' MAX. ALLOWED)
RESTAURANT "B" AREA = 8,700 SF

TRACT 6 DATA (PROPOSED RESTAURANT "A")

TRACT 6 AREA = 0.6± Ac. (26,345 SF)
EXISTING ZONING = C-1
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED USE = RESTAURANT
F.A.R.: 11,000 SF/19,795 SF
BUILDING HEIGHT = C-1 1.0 MAX. ALLOWED
SEE PLAN (120' MAX. ALLOWED)
RESTAURANT "A" AREA = 11,000 SF

TRACT 7 DATA (ENTRY TRACT)

TRACT 7 AREA = 2.4± Ac. (105,191 SF)
EXISTING ZONING = C-1/C-2
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = ROADWAY & PARKING
PROPOSED USE = ROADWAY & PARKING

TRACT 8 DATA (EXISTING OFFICE)

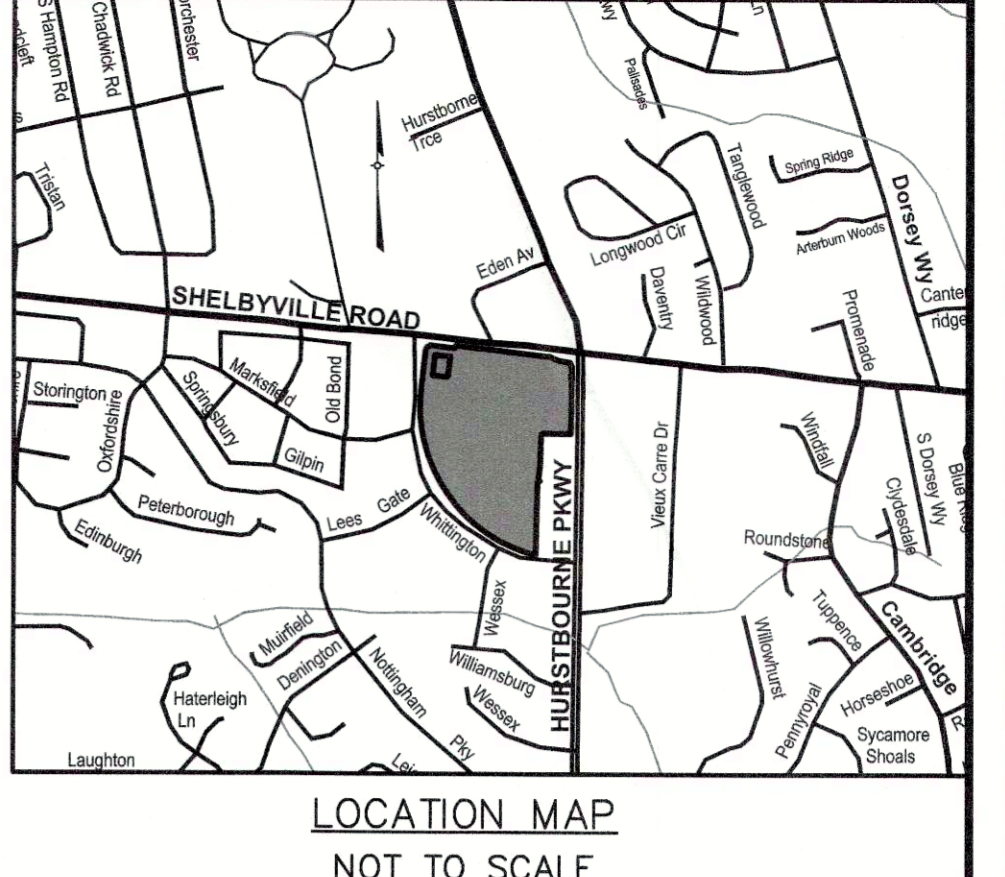
TRACT 8 AREA = 2.3± Ac. (99,539 SF)
EXISTING ZONING = C-1 & C-2
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED USE = OFFICE
F.A.R.: 112,204 SF/99,539 SF
BUILDING HEIGHT = C-1 1.0 MAX. ALLOWED
C-2 5.0 MAX. ALLOWED
SEE PLAN (120' MAX. ALLOWED)
EXISTING 8 STORY OFFICE AREA = 112,204 SF

TRACT 9 DATA (PARKING)

TRACT 9 AREA = 2.3± Ac. (100,210 SF)
EXISTING ZONING = C-1 & C-2
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED USE = PARKING

TRACT 10 DATA (PARKING)

TRACT 10 AREA = 2.3± Ac. (100,210 SF)
EXISTING ZONING = C-1 & C-2
FORM DISTRICT = TOWN CENTER (TRADITIONAL FORM DISTRICT)
EXISTING USE = COMMERCIAL
PROPOSED USE = PARKING



TRACT 6 DATA (PROPOSED RESTAURANT "A")
TRACT 7 DATA (ENTRY TRACT)
TRACT 8 DATA (EXISTING OFFICE)
TRACT 9 DATA (PARKING)
TRACT 10 DATA (PARKING)

SHARED PARKING CALCULATIONS
PARKING REQUIRED: MULTI-FAMILY RESIDENTIAL - 269 UNITS
RETAIL: 595 SP
COFFEE SHOP: 35 SP
HOTEL: 224 SP
OFFICE: 742 SP
TOTAL PARKING PROVIDED: 1,287 SP

PARKING PROVIDED: SURFACE PARKING = 1,489 SPACES
PROPOSED APARTMENT GARAGE PARKING = 226 SPACES
TOTAL PARKING PROVIDED = 1,715 SPACES
BIKE PARKING REQUIRED/PROVIDED: 30 HC SPACES (REQUIRED)

TOTAL VEHICULAR USE AREA = 646,413 SF
TOTAL SITE DISTURBANCE EXISTING IMPERVIOUS AREA = 890,646 SF
PROPOSED TOTAL IMPERVIOUS AREA = 846,765 SF (7.2% REDUCTION)

REVISIONS table with columns for NO., DATE, DESCRIPTION, and SURVEYOR'S SEAL.

PROJECT DATA table with fields for FILE NAME, DATE, SCALE, and DRAWN BY.

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LD&D LAND DESIGN & DEVELOPMENT, INC.
1420 WILSON AVENUE, SUITE 200, CINCINNATI, OH 45228
PHONE: 513.441.8888
FAX: 513.441.8889
WEB SITE: WWW.LD-D.COM

HURSTBOURNE TOWN CENTER
VIKING PARTNERS HURSTBOURNE
4901 HUNT ROAD STE 102
CINCINNATI, OH 45242

PLANNING DEPARTMENT
CITY OF HURSTBOURNE
140 WHITTINGTON PARKWAY, LLC
3601 RIVER RIDGE CV
PROSPERITY, KY 40059
D.B. 10339, PG. 0903

PRELIMINARY APPROVAL
Condition of Approval
Tary Hill
Development Review

PRELIMINARY APPROVAL
Condition of Approval
Tary Hill
Development Review

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Condition of Approval
Tary Hill
Development Review

OR-3/TC University of Louisville
D.B. 916, PG. 0102

C-1/S/MC Stakebeck Holding Co LLC
18407 Shelbyville Rd
Louisville, KY 40221
D.B. 7247, PG. 0043

C-1/S/MC Hurstbourne Partners LLC
3810 Springhurst Blvd, Ste. 120
Louisville, KY 40221
D.B. 7579, PG. 0191

C-1/S/MC Speedway SuperAmerica LLC
539 S Main St
Findlay, OH 45840
D.B. 7020, PG. 0944

C-1/S/MC NPO Properties LLC
2208 Pleasantide Dr
Louisville, KY 40299
D.B. 10796, PG. 535

C-1/S/MC Brantam Sons Irrevocable Trust
100 S Hurstbourne Pkwy
Louisville, KY 40222
D.B. 8990, PG. 0016

C-1/S/MC Ross, LLC & Shropshire LLC
14 Indian Hills Tr
Louisville, KY 40007
D.B. 7190, PG. 0407

C-1/S/MC L C Properties LLC
410 E 22nd St
N Big 800
Wilho, KS 67226
D.B. 8977, PG. 0997

C-1/TC AAA Kentucky Inc
321 Whittington Pkwy
Louisville, KY 40222
D.B. 6942, PG. 0430

C-1/TC MCC Holding Company LLC
252 Whittington Pkwy
Louisville, KY 40222
D.B. 8074, PG. 0255

C-2/OR-3/TC American Heart Association Inc
200 W. Main St
Louisville, KY 40202
D.B. 8659, PG. 0348

C-2/OR-3/TC City of Hurstbourne
200 Whittington Pkwy, Ste 100
Louisville, KY 40222
D.B. 10358, PG. 0231

C-2/OR-3/TC Dan W. Henderson
304 Whittington Pkwy Ste 107
Louisville, KY 40222
D.B. 7294, PG. 0848

C-1/TC UP Properties of Kentucky
3359 Collins Ln
Louisville, KY 40245
D.B. 7728, PG. 0243

C-1/TC Greater Lou Int Fed Sav & Loan
2800 East Lane St
Minneapolis, MN 55408
D.B. 4750, PG. 0457

C-2/TC Eton Services Inc
P.O. Box 167
Winston-Salem, NC 27102
D.B. 5097, PG. 0710

C-2/TC City of Hurstbourne
200 Whittington Pkwy, Ste 100
Louisville, KY 40222
D.B. 10358, PG. 0231

C-2/TC City of Hurstbourne
200 Whittington Pkwy, Ste 100
Louisville, KY 40222
D.B. 10358, PG. 0231

MSD STANDARD EROSION CONTROLS table with symbols for stone bag check dam, winged headwall inlet protection, and silt fence.

TREE CANOPY CALCULATIONS table showing total site area, existing tree canopy, and proposed tree canopy.

LEGEND table defining symbols for RDDDP, existing sanitary sewer, existing catch basin, proposed sanitary sewer, and proposed storm sewer.

GRAPHIC SCALE
1 inch = 80 ft.

PRELIMINARY APPROVAL
DEVELOPMENT PLAN
CONDITIONS
BY: [Signature]
DATE: 08/13/18
LOUISVILLE & JEFFERSON COUNTY
METRO PUBLIC WORKS

RECEIVED
JUN 13 2018
PLANNING &
DESIGN SERVICES

**CITY OF HURSTBOURNE  
MUNICIPAL ORDER 18-26  
A MUNICIPAL ORDER RELATING TO THE APPROVAL OF A DETAILED  
DISTRICT DEVELOPMENT PLAN ON A PROPERTY LOCATED AT 101  
WHITTINGTON PARKWAY CONTAINING 28 ACRES AND BEING IN THE CITY OF  
HURSTBOURNE (CASE NO. 17DEVPLAN1127)**

WHEREAS, the City Commission of the City of Hurstbourne has received and reviewed the findings and recommendations made by the Louisville Metro Planning Commission meeting April 5<sup>th</sup>, 2018,

WHEREAS, the Planning Commission recommended to the City Commission of the City of Hurstbourne that the Applicant's request to approve a Detailed District Development Plan on property located at 101 Whittington Parkway be approved, subject to certain agreed upon Binding Elements in Case No. 17DEVPLAN1127, and,

WHEREAS, the owners of the property herein described have agreed to certain Binding Elements on said property, which are conditions of approval and are set out fully herein,

**BE IT ORDAINED BY THE CITY OF HURSTBOURNE:**

**Section 1:** That subject to full compliance with the restrictions contained in all the Binding Elements placed on this site in Section 2 herein, the requested Detailed District Development Plan on property known as 101 Whittington Parkway (that property being more particularly described as a 28 acre tract with legal description as set out in the Planning Commission record of Case Number 17DEVPLAN11270), **BE AND HEREBY IS APPROVED**, subject to the agreed upon Binding Elements set out in Section 2 herein. Further, the City of Hurstbourne Commission does hereby specifically adopt in full (incorporated as if set out in full herein) the Findings set out in the record of Case Number 17DEVPLAN1127, supporting the application.

**Section 2:** The following shall be Binding Elements which shall be applicable and enforceable concerning the future use of the real property described in Section 1 of this Municipal Order:

**Case Number 17DEVPLAN 1127**

1. The development shall be in accordance with the approved Detailed 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), or the Detailed District Development Plan, shall be submitted to the Planning Commission or the Planning Commission's designee and to the City of Hurstbourne for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. There shall be no direct vehicular access to Hurstbourne Parkway or Shelbyville Road.
3. There shall be no street parking marked, constructed, or allowed, on Whittington

Parkway and the Detailed District Development Plan shall be revised to remove the street parking that it shows on Whittington Parkway.

4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit, or demolition permit) is requested for each tract:
  - a. The property owner/developer must obtain approval from Louisville Metro and from the City of Hurstbourne of a detailed plan for screening (buffering/landscaping) as described in Chapter 10.
  - b. A subdivision plat creating the tracts as shown on the approved district development plan shall be recorded, excluding clearing and grading, site disturbance, alteration, or demolition permits.
  - c. Renderings of each building shall be provided to Planning and Design Services and the City of Hurstbourne for review and approval and incorporated into the case file, excluding the renderings for the apartment project on Tract 1, which shall be substantially similar to those presented to the Planning Commission and the City of Hurstbourne in connection herewith.
  - d. A cross access and shared parking agreement shall be recorded for all tracts as shown on the approved detailed district development plan. A blanket cross parking and access easement shall satisfy this requirement.
  - e. The applicant shall receive the approval of MSD that its construction plans comply with current drainage requirements.
5. Except as otherwise permitted by the City of Hurstbourne Sign Ordinance, no outdoor advertising signs, small freestanding signs, pennants, balloons or banners shall be permitted. All signs must be in compliance with City of Hurstbourne ordinances and applicant must obtain City of Hurstbourne sign permits for any signage.
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 and the City of Hurstbourne.
7. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
8. The applicant shall provide documentation to Planning and Design Services staff for incorporation into the case file showing that the development complies with the regulations from Chapter 4, Part 1, Section 3, Lighting, prior to the issuance of a construction permit. These regulations include the following items:
  - a. Mounting Height Limit
  - b. Luminaire Shielding
  - c. Canopy Lighting Level
  - d. Light Trespass
9. The applicant, its successors and assigns, shall maintain the apartments and site in a high

- state of repair, including, but not limited to:
- a. Maintenance of exterior finishes, no peeling paint, broken or non-functioning light fixtures, holes in the exterior, windows, and stairways in good condition.
  - b. Maintenance of grounds, including regular mowing, landscape upkeep and replacement of any plant material which might die, sidewalks repaired, exterior light kept functioning, common areas picked up and kept clean.
  - c. Maintenance of parking and all interior access roads, no significant pavement degradation allowed, no abandoned cars allowed to remain in parking area, snow removal, keeping any signage painted and well kept.
10. The applicant, its successors and assigns, shall develop a set of rules and regulations for the residents of the apartments, to help insure that the structures and grounds remain in a high state of repair and provide those rules to the City of Hurstbourne.
  11. The applicant, its successors and assigns, agree that during the construction phase, the site shall be kept mowed and picked up, to the greatest extent possible, given the necessities of the construction operations. Construction vehicles shall not cut through Hurstbourne local access streets and shall be directed to access the site through Whittington Parkway.
  12. The applicant, developer and 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. The applicant agrees that the City of Hurstbourne may also enforce these binding elements along with Louisville Metro.

**Section 3:** This Municipal Order shall take effect upon its passage and approval as required by law.

