

Case 16ZONE1059 Binding Elements

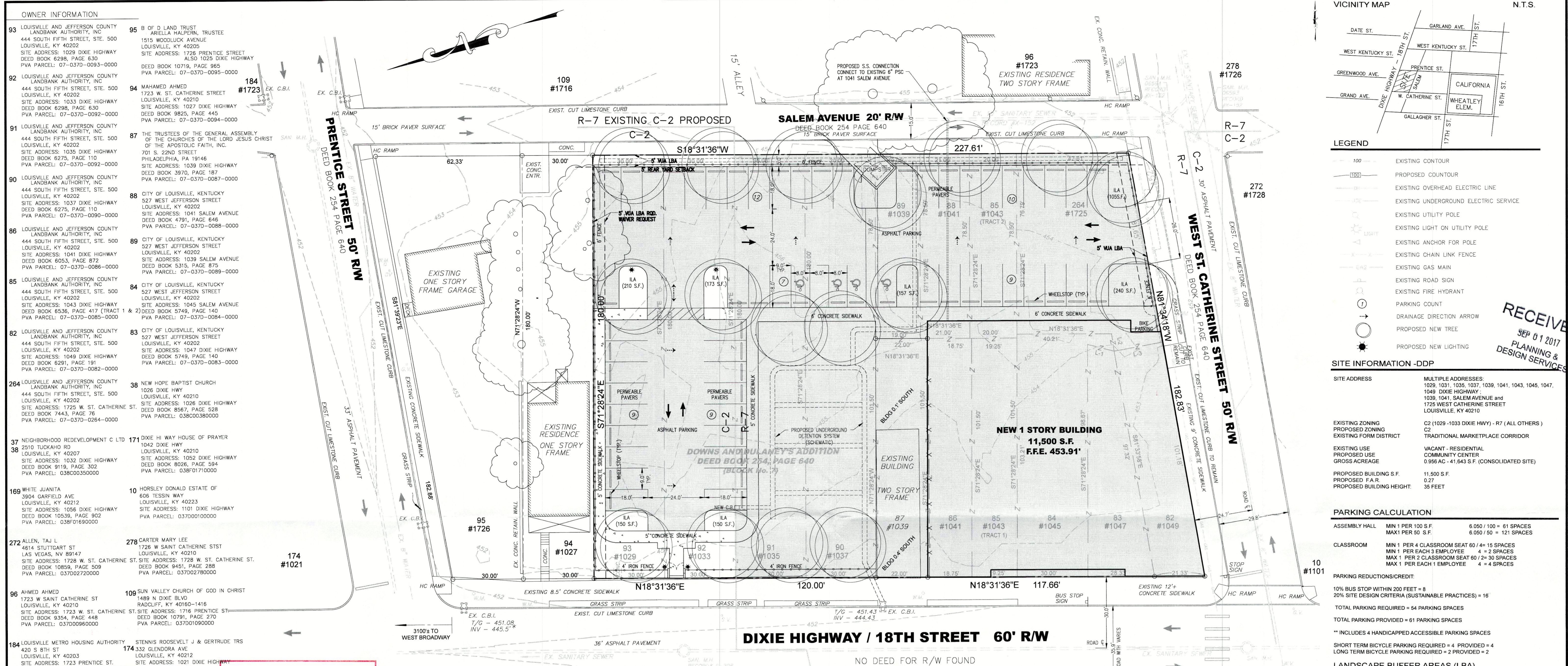
RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the detailed district development plan, **SUBJECT** to the following binding elements:

Binding Elements

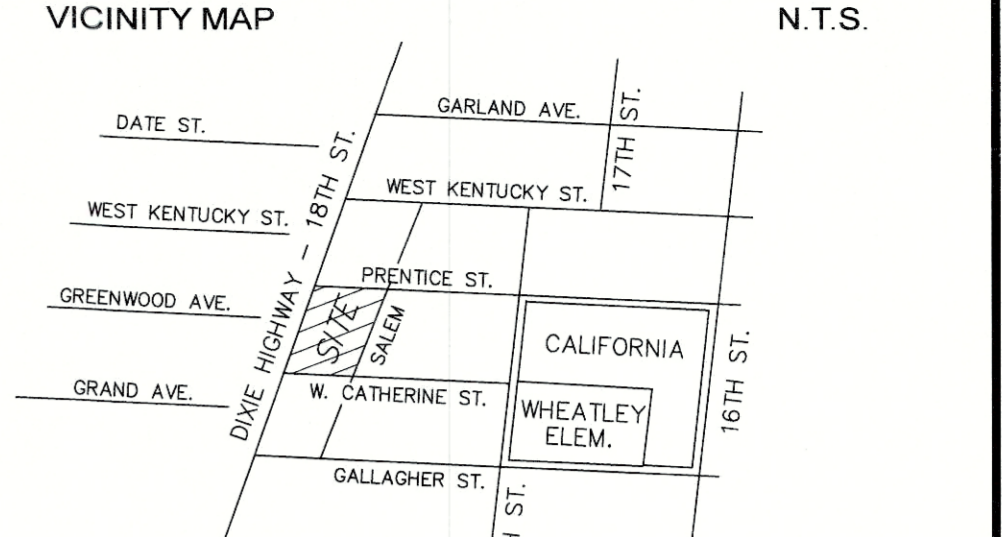
1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be 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) is requested:
 - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. A minor subdivision plat or legal instrument shall be recorded consolidating and creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to issuance of a building permit.
 - d. 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. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line between the hours of 11 pm and 9 am.
7. 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.
8. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the September 7, 2017 Planning Commission meeting.
9. The following uses would be prohibited on the subject site:
 - Bars
 - Dancehalls
 - Micro-breweries
 - Micro-distilleries
 - Package liquor stores
 - Saloons
 - Taverns



- OWNER INFORMATION**
- 93 LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC. 444 SOUTH FIFTH STREET, STE. 500 LOUISVILLE, KY 40202
 - 94 MAHAMED AHMED 1723 W. ST. CATHERINE STREET LOUISVILLE, KY 40202
 - 95 B OF D LAND TRUST ARELLA HALPERN, TRUSTEE 1515 WOODLICK AVENUE LOUISVILLE, KY 40205
 - 96 AHMED AHMED 1723 W. ST. CATHERINE STREET LOUISVILLE, KY 40202
 - 97 THE TRUSTEES OF THE GENERAL ASSEMBLY OF THE CHURCHES OF THE LORD JESUS CHRIST OF THE APOSTOLIC FAITH, INC. 701 S. 22ND STREET PHILADELPHIA, PA 19146
 - 98 CITY OF LOUISVILLE, KENTUCKY 527 WEST JEFFERSON STREET LOUISVILLE, KY 40202
 - 99 CITY OF LOUISVILLE, KENTUCKY 527 WEST JEFFERSON STREET LOUISVILLE, KY 40202
 - 100 LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC. 444 SOUTH FIFTH STREET, STE. 500 LOUISVILLE, KY 40202
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 - 109 SUN VALLEY CHURCH OF GOD IN CHRIST 1489 W SAINT CATHERINE ST LOUISVILLE, KY 40210
 - 110 HORSLEY DONALD ESTATE OF 606 TESSIN WAY LOUISVILLE, KY 40210
 - 111 DIXIE HI WAY HOUSE OF PRAYER 1042 DIXIE HWY LOUISVILLE, KY 40210
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- LEGEND**
- 100 EXISTING CONTOUR
 - 1000 PROPOSED CONTOUR
 - EXISTING OVERHEAD ELECTRIC LINE
 - EXISTING UNDERGROUND ELECTRIC SERVICE
 - EXISTING UTILITY POLE
 - EXISTING LIGHT ON UTILITY POLE
 - EXISTING ANCHOR FOR POLE
 - EXISTING CHAIN LINK FENCE
 - EXISTING GAS MAIN
 - EXISTING ROAD SIGN
 - EXISTING FIRE HYDRANT
 - PARKING COUNT
 - DRAINAGE DIRECTION ARROW
 - PROPOSED NEW TREE
 - PROPOSED NEW LIGHTING
- SITE INFORMATION - DDP**
- SITE ADDRESS** 1029, 1031, 1035, 1037, 1039, 1041, 1043, 1045, 1047, 1049 DIXIE HIGHWAY / 1039, 1041, SALEM AVENUE and 1725 WEST CATHERINE STREET LOUISVILLE, KY 40210
- EXISTING ZONING** C2 (1029-1033 DIXIE HWY) - R7 (ALL OTHERS)
- EXISTING FORM DISTRICT** TRADITIONAL MARKETPLACE CORRIDOR
- EXISTING USE** VACANT - RESIDENTIAL COMMUNITY CENTER
- GROSS ACRES** 0.956 AC - 41,643 S.F. (CONSOLIDATED SITE)
- PROPOSED BUILDING S.F.** 11,500 S.F.
- PROPOSED F.A.R.** 0.27
- PROPOSED BUILDING HEIGHT** 35 FEET

PARKING CALCULATION

ASSEMBLY HALL	MIN 1 PER 100 S.F.	6.050 / 100 = 61 SPACES
	MAX 1 PER 50 S.F.	6.050 / 50 = 121 SPACES
CLASSROOM	MIN 1 PER 4 CLASSROOM SEAT 60 / 4 = 15 SPACES	
	MIN 1 PER EACH 3 EMPLOYEE	4 = 2 SPACES
	MAX 1 PER 2 CLASSROOM SEAT 60 / 2 = 30 SPACES	
	MAX 1 PER EACH 1 EMPLOYEE	4 = 4 SPACES

PARKING REDUCTIONS/CREDIT:

- 10% BUS STOP WITHIN 200 FEET = 8
- 20% SITE DESIGN CRITERIA (SUSTAINABLE PRACTICES) = 16

TOTAL PARKING REQUIRED = 54 PARKING SPACES

TOTAL PARKING PROVIDED = 61 PARKING SPACES

** INCLUDES 4 HANDICAPPED ACCESSIBLE PARKING SPACES

SHORT TERM BICYCLE PARKING REQUIRED = 4 PROVIDED = 4

LONG TERM BICYCLE PARKING REQUIRED = 2 PROVIDED = 2

LANDSCAPE BUFFER AREAS (LBA)

PROPERTY PERIMETER LBA C2 ADJ. TO RESIDENTIAL 15' LBA REQUIRED, WAIVER REQUESTED, SEE BELOW

VEHICULAR USE AREA (VUA) LBA PROPOSED VUA 17,850 SQUARE FEET REQUIRED VUA LBA 5 FEET WAIVER REQUESTED FOR VUA LBA, NORTH PROPERTY LINE, SEE BELOW

INTERIOR LANDSCAPE AREA (ILA) PROVIDED: 862 S.F. (5% OF VUA) 934 S.F. MIN AREA/WAIVER REQUIRED, SEE BELOW

TREE CANOPY - SUMMARY / PRELIMINARY

TREE CANOPY REQUIRED	CLASS A = 10%
PROVIDED	4,385 SQUARE FEET (10%) 19,320 SQUARE FEET (46%)

4 TYPE A TREES (DIXIE HWY STREET TREES) = 6,000 S.F. (25% CREDIT)

5 TYPE A TREES (SALEM AVE STREET TREES) = 7,500 S.F.

2 TYPE A TREES (W. ST. CATHERINE STREET TREES) = 1,600 S.F.

4 TYPE B TREES (INTERIOR LANDSCAPING AREAS) = 2,800 S.F.

2 TYPE B TREES (GENERAL LANDSCAPING) = 1,440 S.F.

PLANTINGS REQUIRED: VUA LBA REQUIRED & PROVIDED 3 FEET CONT. SCREEN ADJ. TO ROADWAY WAIVER REQUESTED FOR NORTH PROPERTY LINE, SEE BELOW

PRELIMINARY RUNOFF CALCULATION

SITE THAT DISCHARGES INTO THE COMBINED SANITARY SEWER 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

	IMPERVIOUS AREA S.F.	PERVIOUS AREA S.F.	TOTAL SITE AREA S.F.	RUNOFF Q10	RUNOFF Q25	RUNOFF Q100
PRE-DEVELOPMENT	15,825	25,818	41,643	2.23 CFS	2.80 CFS	3.03 CFS
POST-DEVELOPMENT	32,446	9,197	41,643	3.90 CFS	4.47 CFS	5.29 CFS
INCREASE (DECREASE)	16,621	(16,621)	-	1.67 CFS	1.67 CFS	2.26 CFS

REQUESTED WAIVERS

WAIVER 1 - TO NOT PROVIDE PROPERTY PERIMETER LANDSCAPE BUFFER AREA (15' REQUIRED, LDC 10.2.4) AND NOT PROVIDE VEHICULAR USE AREA (VUA) LANDSCAPE BUFFER AREA (5' REQUIRED LDC 10.2.10) ALONG NORTH PROPERTY LINE.

WAIVER 2 - TO NOT PROVIDE THE REQUIRED INTERIOR LANDSCAPE AREAS OF 290 S.F. MIN. REQUIRED PER LDC 10.2.12

WAIVER 3 - TO NOT PROVIDE ACCESS FROM THE ALLEY (SALEM AVENUE) PER LDC 5.5.1A.3.B

APPROVED DISTRICT DEVELOPMENT PLAN

DOCKET NO. 16 Zone 1059

APPROVAL DATE 09/07/17

EXPIRATION DATE

SIGNATURE OF PLANNING COMMISSION

COMMISSION PLANNING

NOTICE

PERMITS SHALL BE ISSUED ONLY IN CONFORMANCE WITH THE BINDING ELEMENTS OF THIS DISTRICT DEVELOPMENT PLAN.

* DUE TO SEDIMENT IN THE CATCH BASIN THE BASIN INVERT COULD BE APPROXIMATELY 0.1' TO 0.3' LOWER THAN THE MEASURED ELEV.

GREENWOOD AVE. 60' R/W

NO DEED FOR R/W FOUND

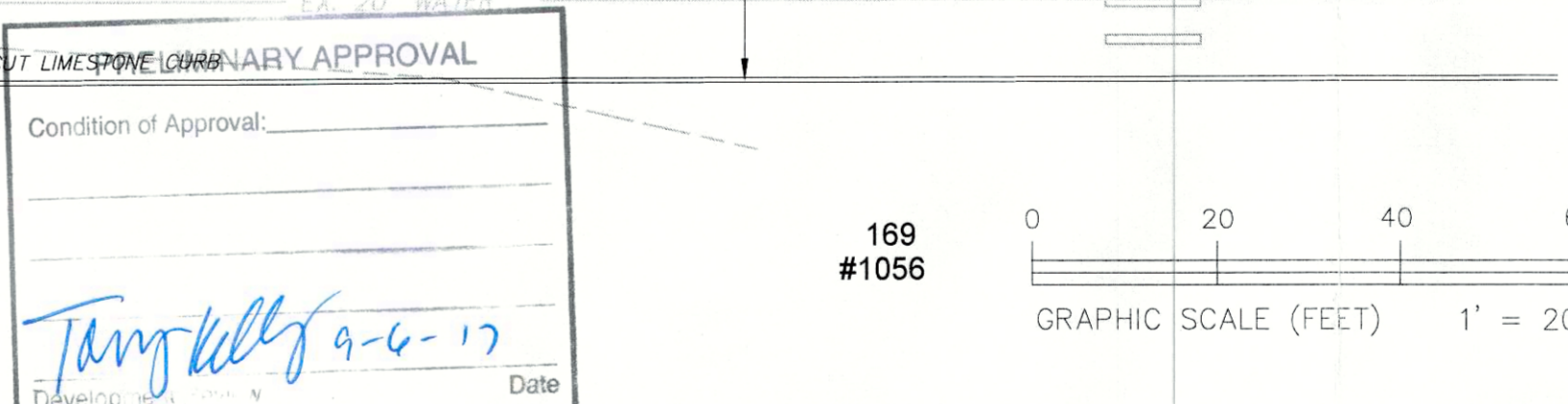
PRELIMINARY APPROVAL

Condition of Approval:

Developed by: [Signature]

Date: 9-6-17

LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT



EROSION PREVENTION AND SEDIMENT CONTROL NOTES

AN 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 THE METROPOLITAN SEWER DISTRICT (MSD) REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PER THE PLAN AND BEST PRACTICE STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEED AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOILS TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCING. ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGE INTO A STREAM, POND, SWALE OR CATCH BASIN.

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.

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN ON THIS DOCUMENT HAVE NOT BEEN PRECISELY LOCATED BY EXCAVATION METHODS. SUB-SURFACE UTILITIES HAVE BEEN MAPPED FROM APPARENT SURFACE FEATURES AND INFORMATION FROM EXISTING PUBLIC RECORD DRAWINGS. FEATURES NOT IDENTIFIABLE UPON THE GROUND OR WITHIN CLOSE PROXIMITY OF THE PUBLIC UTILITY RECORD ARE NOT TO BE CONSIDERED ACCURATE FOR CONSTRUCTION PURPOSES. EVEN THOUGH THEIR POSITIONS MAY BE SCALED CLOSELY UPON THE MAP, THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. (KENTUCKY 811-TOLL FREE PHONE NO. 1-800-752-6007 OR LOCAL 502-266-5123)

- GENERAL NOTES**
- ALL WORK PERFORMED ON THIS PROJECT SHALL CONFORM TO THE KENTUCKY TRANSPORTATION CABINET'S (KYTC) DESIGN STANDARDS AND SPECIFICATIONS, LATEST EDITION. KYTC'S REVIEW WILL BE REQUIRED. ALL KYTC COMMENTS AND RECOMMENDATIONS MUST BE INCORPORATED INTO PLANS PRIOR TO APPROVAL BY LOUISVILLE METRO DEPARTMENT OF PUBLIC WORKS. ALL DRAINAGE STRUCTURES WITHIN THE STATE RIGHT-OF-WAY SHALL CONFORM TO THE KYTC'S DESIGN STANDARDS AND SPECIFICATIONS.
 - IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL FEDERAL, STATE AND LOCAL PERMITS NECESSARY TO PERFORM AND COMPLETE THE PROJECTS SHOWN ON THESE PLANS. CONSTRUCTION STAKING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ADDITIONAL INFORMATION FOR THE PROJECTS LINES AND GRADES AS SHOWN ON THESE PLANS WILL BE PROVIDED UPON REQUEST.
 - IT IS THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE UTILITY COMPANIES SUCH THAT ACCESS TO WORK AREAS OR SCHEDULE CONFLICTS DO NOT INTERRUPT OR DELAY THE PROJECT'S SCHEDULE.
 - INSTALL EROSION AND SEDIMENT CONTROL PRIOR TO GRADING OPERATIONS.
 - ALL STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SEWER DISTRICT'S STANDARD SPECIFICATIONS. ALL STORM SEWER PIPE SHALL BE A MINIMUM OF 12" DIAMETER. ALL CULVERTS UNDER PAVING HAVING LESS THAN 12" COVER SHALL BE CONCRETE ENCASED. DRAINAGE FACILITIES SHALL CONFORM TO KENTUCKY STATE REQUIREMENTS.
 - THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND MAXIMUM SHALL BE 10%.
 - THE CONTRACTOR SHALL SLOPE ALL FINISH GRADES TO PROVIDE POSITIVE DRAINAGE. FLAT AND PONDING AREAS WILL NOT BE ACCEPTABLE.
 - DIMENSIONS SHOWN HEREON ARE FROM THE EDGE OF GUTTERS OR WALLS UNLESS SHOWN OTHERWISE. ALL RECON SHOW ARE ON FACE OF CURB.
 - EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT MPW STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE. VERGE AREAS WITHIN THE PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
 - ALL SERVICE STRUCTURES, INCLUDING DUMPSTER SHALL BE SCREENED.
 - ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH FEDERAL REGULATIONS 28 CFR PART 36: ADA STANDARDS FOR ACCESSIBLE DESIGN.
 - COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS APPLICABLE AGENCIES REQUIRE OTHERWISE.
 - SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS AND SHALL BE DIRECTED DOWN AND AWAY FROM ANY RESIDENTIAL PROPERTIES. SITE LIGHTING SHALL NOT EXCEED 1.2 FOOT CANDLES AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL AND SHALL NOT CAUSE GLARE ONTO ADJOINING PROPERTIES.
 - ALL SIGNAGE SHALL COMPLY WITH LOUISVILLE LAND DEVELOPMENT CODE REGULATIONS. THERE SHOULD BE NO COMMERCIAL SIGNS ON THE RIGHT-OF-WAY (KYTC).
 - MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
 - THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT. LANDSCAPING SHOULD NOT OBSTRUCT SIGHT DISTANCE REQUIREMENT AREAS.
 - ON-SITE DETENTION WILL BE PROVIDED. POST-DEVELOPED PEAK FLOWS WILL BE LIMITED TO PRE-DEVELOPED PEAK FLOWS FOR THE 2, 10, 25 AND 100-YEAR STORMS OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM. SEE SITE DRAINAGE AREA ZONES - TF.
 - SITE DISCHARGES INTO THE COMBINED SANITARY SEWER SYSTEM AND SHALL LIMIT THE 100 POST-DEVELOPED DISCHARGE TO THE 10 YEAR PRE-DEVELOPED DISCHARGE PER SECTION 10.3.1.2 OF THE MSD DESIGN MANUAL.
 - CONSTRUCTION PLANS, BOND AND KYTC ENCROACHMENT PERMIT WILL BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL AND ENCROACHMENT PERMIT BY MPW.
 - EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED AS NECESSARY TO MEET CURRENT MPW STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
 - ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY MPW.
 - VERGE AREAS WITHIN THE PUBLIC RIGHT OF WAY TO BE PROVIDED PER METRO PUBLIC WORKS. (TABLE 6.2.1)
 - BUILDING FACADE SHALL BE DESIGNED TO COMPLY WITH REGULATIONS IN LDC 5.8.1.B.C AND D.
 - MORRIS FORMAN WASTE WATER TREATMENT PLANT SERVING THIS SITE.
 - THE OWNER WILL MAINTAIN THE TRANSIT STOP AND EMPTY TRASH RECEPTACLES ON AN AS NEEDED BASIS.
 - UPON DEVELOPMENT OR REDEVELOPMENT OF ADJACENT PROPERTIES, A UNIFIED ACCESS AND CIRCULATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PREEXISTING CURB CUTS AND PROVIDE FOR VEHICULAR MOVEMENT THROUGHOUT ADJACENT SITES AS DETERMINED APPROPRIATE BY THE DEPARTMENT OF PUBLIC WORKS. A CROSS ACCESS AGREEMENT TO RUN WITH THE LAND AND IN A FORM ACCEPTABLE TO PLANNING COMMISSION LEGAL COUNSEL SHALL BE RECORDED PRIOR TO THE TIME OF CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.

DATE: 9-7-17

LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS: Add road cut zones striping will be checked at construction review

BY: [Signature]

DATE: 9-7-17

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RECEIVED
SEP 01 2017
PLANNING & DESIGN SERVICES

DEVELOPER
ETA OMEGA CHAPTER
AKA SORORITY
P.O. BOX 21133 LOUISVILLE, KY 40241
PHONE: 502.939.4465

ALPHA KAPPA ALPHA SORORITY, INC. ETA OMEGA CHAPTER
HORTENSE B. PERRY FOUNDATION
COMMUNITY CENTER
1048 DIXIE HIGHWAY, LOUISVILLE, KENTUCKY 40210
PRIMARY PARCEL ID 037D0082 (SEE PROPERTY DETAILS)
TAX BLOCK 037D - LOT# 0082 - DEED BOOK 6291, PAGE 191

SHEET TITLE:
DETAILED DISTRICT DEVELOPMENT PLAN

DRAWN: AMN
CKD: MN
DATE: AUGUST 29, 2017
SCALE: 1" = 20'
REV:

DRAWING NUMBER
C-1

16ZONE1059
WM#11495