

Case No. 16ZONE1084 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested the requested **Variance** from Land Development Code (LDC), section 5.4.1.D to eliminate the private yard area **AND** the requested Detailed District Development Plan, **SUBJECT** to the following binding elements:

Proposed 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) 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 materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the July 20, 2017 Planning Commission meeting.
8. The Owner / Developer will maintain the transit stop on an as needed basis.

SITE DATA
 1073 MARY STREET
 LOUISVILLE, KY 40204
 DB 10763 PG 738
 TAX BLOCK 25, LOT 106

TOTAL SITE AREA 0.170 AC/7,411 SF
 FORM DISTRICT TRADITIONAL NEIGHBORHOOD
 EXISTING ZONING R-6
 PROPOSED ZONING R-7
 PROPOSED USE MULTI-FAMILY RESIDENTIAL
 MAXIMUM DENSITY 29.4 DWELLING UNITS/ACRE
 MAXIMUM UNITS PERMITTED 5.92 UNITS
 PROPOSED UNITS 5 UNITS
 FAR 1.00
 FOOTPRINT AREA 3,847.5 SF

BUILDING FINISHED FLOOR AREA
 LOWER LEVEL 120 SF
 FIRST FLOOR 3,442.5 SF
 SECOND FLOOR 3,847.5 SF
 TOTAL AREA 7410 SF

EXISTING BUILDING HEIGHT 29 FT
 MAX BUILDING HEIGHT 45 FT/3 STORIES
 MAX INFILL BUILDING HEIGHT 25% OVER PREVAILING RANGE/7.25 FT OVER EXISTING
 PROPOSED BUILDING HEIGHT 34 FT

TOTAL YARD AREA PROVIDED FOR UNITS 2,547 SF/34%

SETBACK DATA
 MIN/MAX FRONT YARD INFILL 5 FT-10 FT
 STREET SIDE YARD 3 FT
 SIDE YARD 5 FT
 REAR YARD 5 FT

PARKING SUMMARY
 MIN PARKING REQUIRED(1.5 SP/UNIT) 8 SPACES
 MAX PARKING PERMITTED(2.5 SP/UNIT) 13 SPACES
 10% REDUCTION FOR TRANSIT PER LDC9.1.3.F.1 0.5 SPACES
 20% REDUCTION PER 9.1.3.F.9 1.0 SPACES
 MIN PARKING REQUIRED WITH REDUCTIONS 6 SPACES
 PARKING PROVIDED 10 SPACES(GARAGE)
 VUA 0 SF

BICYCLE PARKING REQUIRED 0
 TOTAL SITE DISTURBANCE 7,411 SF
 EXISTING IMPERVIOUS AREA 1,055 SF
 PROPOSED IMPERVIOUS AREA 4,272 SF
 NET IMPERVIOUS AREA 3,217 SF

TREE CANOPY CALCULATIONS
 SITE AREA 7,411 SF
 SITE CANOPY CLASS CLASS B
 EXISTING TREE CANOPY COVERAGE 0%
 TREE CANOPY REQUIRED 15%/1,112 SF
 TREE CANOPY TO BE PROVIDED 0%, 100% REDUCTION PER 10.1.4.B.2.b

VARIANCE REQUESTED:
 A VARIANCE IS REQUESTED OF SECTION 5.4.1.D OF THE LAND DEVELOPMENT CODE(LDC) TO VARY THE PRIVATE YARD AREA REQUIREMENT.

GENERAL NOTES:
 SANITARY SEWER SERVICE PROVIDED BY EXISTING PSC SUBJECT TO FEES AND ANY APPLICABLE CHARGES.

MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.

SITE TO BE SERVED BY THE MORRIS FORMAN SEWAGE TREATMENT PLANT.

NO PORTION OF THIS SITE IS LOCATED WITHIN A FLOODPLAIN PER MAP 21111C0042E.

PROPERTY BOUNDARY AND CONTOUR INFORMATION PER SURVEY BY BENJAMIN SHINABERY DATED MARCH 20, 2017.

LIMESTONE CURB ALONG ALLEY TO BE EITHER PRESERVED OR REMOVED AND DELIVERED TO THE EAST DISTRICT PUBLIC WORKS LOCATION AT 595 HUBBARDS LANE FOR FUTURE REUSE IN REPLACEMENT PROJECTS.

NO INCREASE IN RUNOFF WILL BE PERMITTED ONTO THE ADJACENT PROPERTY AS A RESULT OF THIS PROJECT.

NO DEMOLITION OF EXISTING STRUCTURES SHALL OCCUR EXCEPT IN ACCORDANCE WITH WRECKING ORDINANCE FOR CONTRIBUTING STRUCTURES.

DOWNSIDE SYSTEM CAPACITY TO BE VERIFIED FOR INCREASED RUN OFF PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.

SITE IS SUBJECT TO REGIONAL FACILITY FEES.

PROPOSED BUILDING WILL BE SPRINKLED.

MSD EROSION PREVENTION AND SEDIMENT CONTROL NOTE:
 THE 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 MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.

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

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

ALL STREAM CROSSINGS MUST UTILIZE LOW - WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02.

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

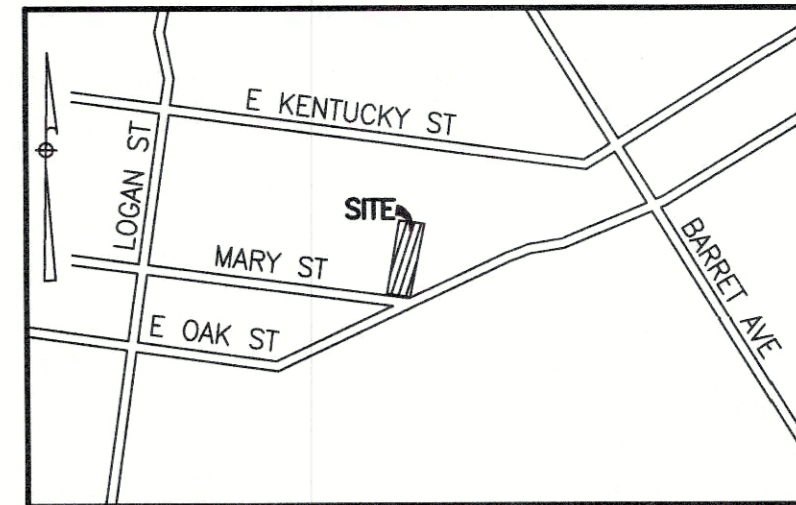
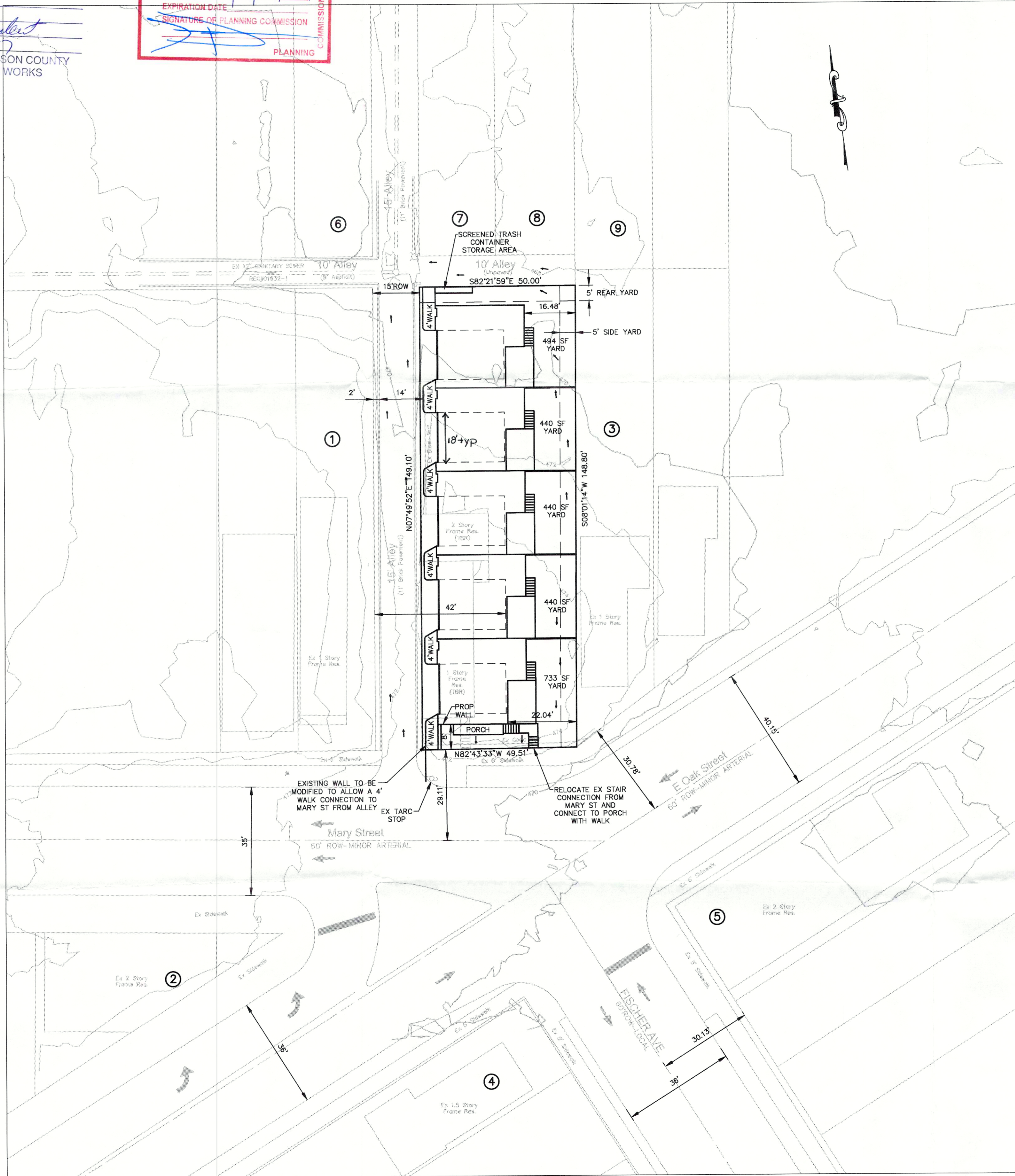
WHERE CONSTRUCTION OR LAND DISTURBING ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

BY: *[Signature]*
 DATE: 5-27-17
 LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

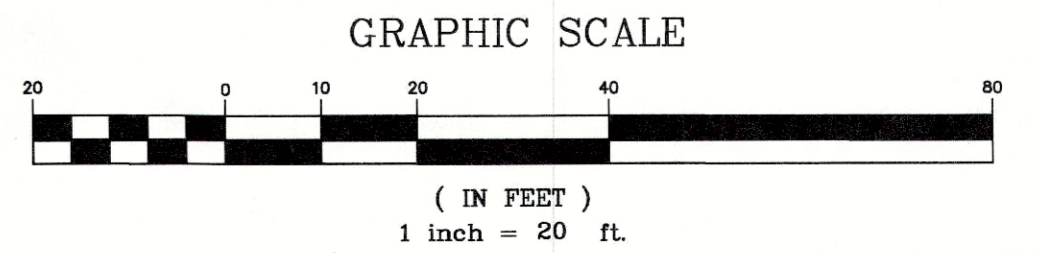
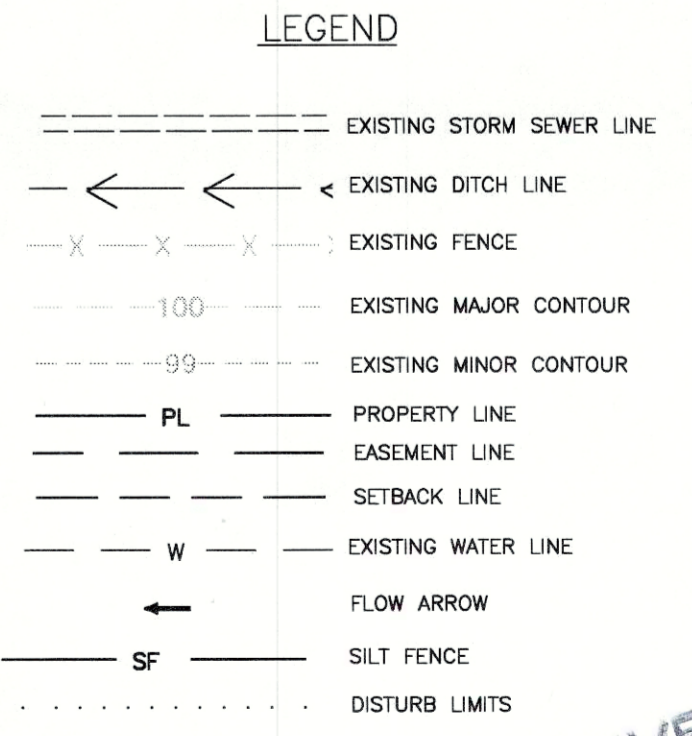
LOUISVILLE METRO APPROVED DISTRICT DEVELOPMENT PLAN
 DOCKET NO. 16 Zone 1084
 APPROVAL DATE July 20, 2017
 EXPIRATION DATE
 SIGNATURE OF PLANNING COMMISSION
 PLANNING COMMISSION



PRELIMINARY APPROVAL
 Condition of Approval:
 Development Review *[Signature]* Date 5-27-17
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

ADJACENT PROPERTY INFORMATION

- ① 1071 MARY ST
TRAN & P PROPERTIES LLC
DB10552 PG454
R-6/TN
- ② 1069 E OAK ST
SUE SIDEBOTTOM GARDNER
DB7168 PG863
R-6/TN
- ③ 1101 E OAK ST
PAUL JACOB BARKER
DB9328 PG2
R-6/TN
- ④ 1100 FISCHER AVE
DAVID DOWNEY
DB10684 PG796
R-6/TN
- ⑤ 1100 E OAK ST
MINERVA PROPERTIES LLC
DB8796 PG473
R-6/TN
- ⑥ 1072 E ST CATHERINE ST
JESSICA SCOTT
DB9976 PG557
R-6/TN
- ⑦ 1100 E ST CATHERINE ST
WHITNEY ST JOHN
DB8487 PG566
R-6/TN
- ⑧ 1102 E ST CATHERINE ST
RAYMOND G BERGER
DB7412 PG63
R-6/TN
- ⑨ 1104 E ST CATHERINE ST
NATASHA KRIDER
DB9805 PG232
R-6/TN



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 2100 JEFFERSON COUNTY HWY. SUITE 114
 JEFFERSONVILLE, IN 47130
 OFFICE (502) 745-7442 FAX (502) 333-8444
 WWW.ACCURUSENG.COM

Prepared By: _____ Date: _____
 Signature: _____ Date: _____
 Signature: _____ Date: _____
 Signature: _____ Date: _____
 Signature: _____ Date: _____

Scale: JCK JCK
 Designed By: 12/19/2016 Drawn By: 10
 Design Date: Print Date & Time:
 CAD Drawing Name:
 Surveyed By: Survey Date:
 NO. DATE BY REVISION DESCRIPTION
 1 5/29/17 update parking & dimension JCK
 Owner/Developer: SIMIC
 9915 CONSTANTINE CIRCLE
 PROSPECT, KY 40059

Project: 1073 MARY STREET
 LOUISVILLE, KY 40204
 PARCEL NO. 025B01060000 0.16720 AC

Sheet Title: REZONING & DETAILED DEVELOPMENT PLAN
 Sheet 1 of 1

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