

Case No. 18ZONE1055 Binding Elements

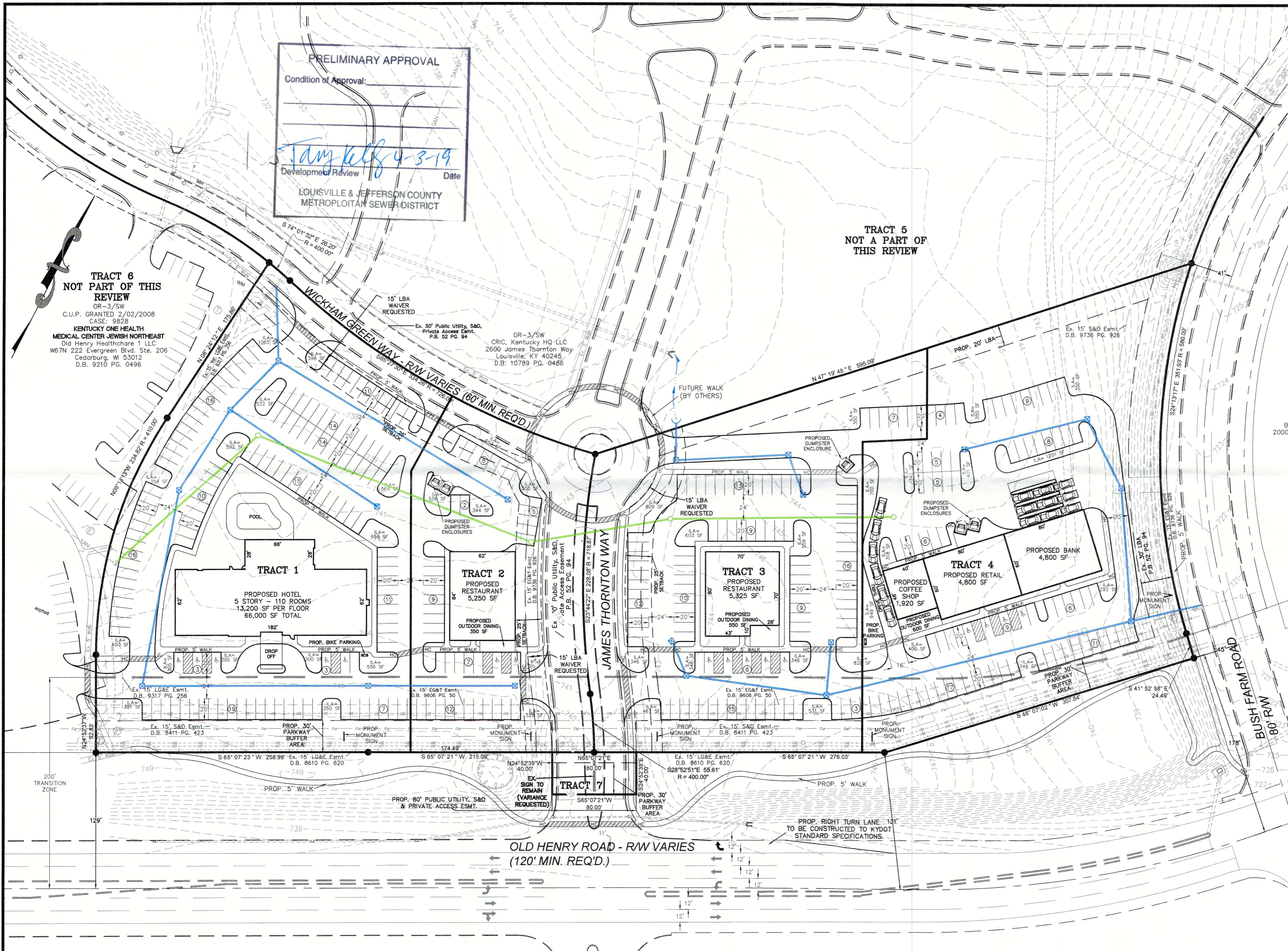
RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Revised General/Detailed District Development Plan, subject to the abandonment of the existing binding elements of Case Numbers 9-99-98 and 13DEVPLAN1012; abandonment of Conditional Use Permit issued under Case No. 13CUP1002, and **SUBJECT** to the following binding elements:

Binding Elements (18ZONE1055)

1. The development shall be in accordance with the approved district development plan and binding elements unless amended pursuant to the Land Development Code. Modifications to the binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any modifications 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. Prior to issuance of a permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) for each site of phase of development:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan sewer District.
 - b. The property owner/developer shall obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A minor subdivision plat shall be recorded 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; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created

between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services.

- e. The façade elevations for each site or phase shall be in accordance with applicable form district standards and shall be submitted to Planning and Design Services staff for review and approval. A copy of each approved rendering shall be on file in the offices of the Planning Commission.
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. All Loading/unloading areas shall not be visible from adjacent public rights-of-way.
8. A minimum of 2 trees shall be planted in each parking lot island.
- ~~9. For each tree of 4-inch caliper or larger that is removed along Old Henry Road during the required road widening, a new two-inch caliper tree shall be planted a safe distance from the roadway as near as reasonable to the removed tree's location.~~
10. The photographs submitted at the January 8, 2001 Planning Commission meeting under docket **9-99-98** are representative of the quality of architecture that will be maintained in Old Henry Crossings and may be used by the Planning Commission or designee to review development plans. In many cases, this will require deviation from the "industry standard design" for such facilities as, but not limited to, fuel stations and eating establishments.

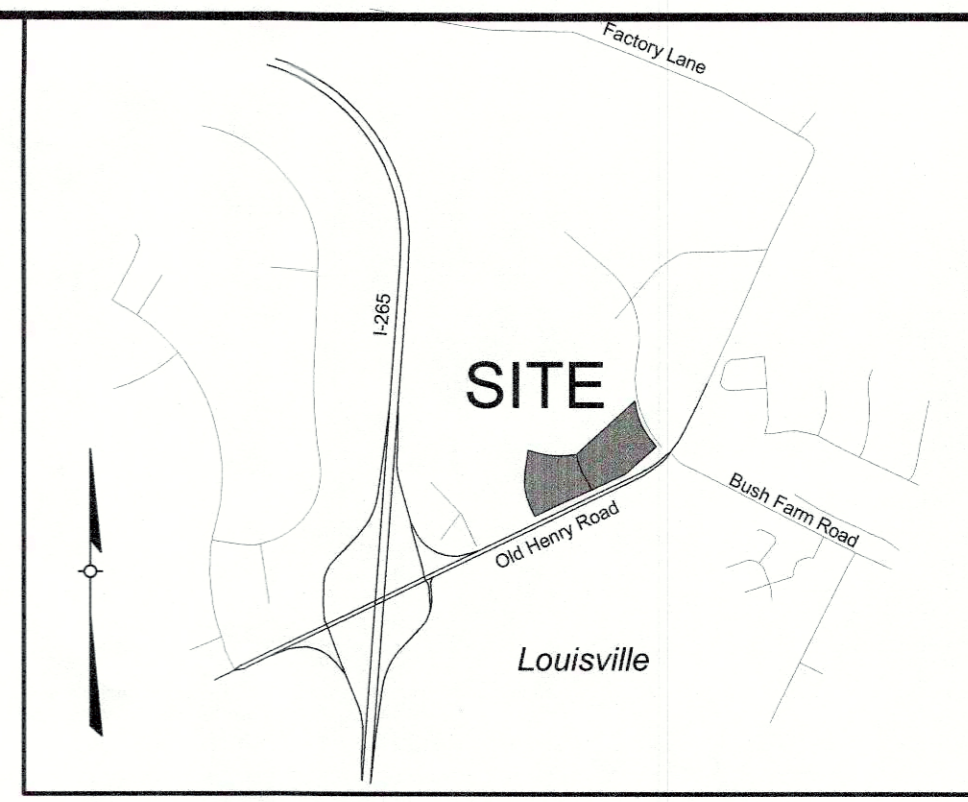


VARIANCE REQUESTED FOR TRACT 7:

- A Variance is requested from Section B.3.3.B.10.a.i of The Louisville Metro Land Development Code to vary the 150 S.F. maximum permitted sign area to 210 S.F.

WAIVER REQUESTED:

- A Waiver is requested from Section 10.2.10 of The Louisville Metro Land Development Code to waive the 15' Landscape Buffer Areas and landscaping adjacent to the existing private access easement.



PROJECT DATA

TOTAL SITE AREA	= 27.80± Ac.
TRACT 1 AREA	= 2.56± Ac.
TRACT 2 AREA	= 1.19± Ac.
TRACT 3 AREA	= 2.05± Ac.
TRACT 4 AREA	= 2.41± Ac.
TRACT 5 AREA	= 2.33± Ac.
TRACT 6 AREA	= 17.02± Ac.
TRACT 7 AREA	(RESUB. TRACT 7 PART OF THIS REVIEW) = 0.07± Ac.

TRACT 1 DATA

TRACT 1 AREA	= 2.56± Ac. (111,527 SF)
EXISTING ZONING	= OR-3
PROPOSED ZONING	= SUBURBAN WORKPLACE
FORM DISTRICT	= UNDEVELOPED
EXISTING USE	= COMMERCIAL
PROPOSED USE	= 5 STORIES (50' MAX. ALLOWED)
BUILDING HEIGHT	= HOTEL
BUILDING AREA	= 66,000 SF TOTAL (13,200 SF PER FLOOR)
F.A.R.	= 0.59 (5.0 MAX. ALLOWED)

TRACT 2 DATA

TRACT 2 AREA	= 1.19± Ac. (51,867 SF)
EXISTING ZONING	= OR-3
PROPOSED ZONING	= SUBURBAN WORKPLACE
FORM DISTRICT	= UNDEVELOPED
EXISTING USE	= COMMERCIAL
PROPOSED USE	= 1 STORY (50' MAX. ALLOWED)
BUILDING HEIGHT	= RESTAURANT
BUILDING AREA	= 5,250 SF
F.A.R.	= 0.10 (5.0 MAX. ALLOWED)

TRACT 3 DATA

TRACT 3 AREA	= 2.05± Ac. (89,153 SF)
EXISTING ZONING	= OR-3
PROPOSED ZONING	= SUBURBAN WORKPLACE
FORM DISTRICT	= UNDEVELOPED
EXISTING USE	= COMMERCIAL
PROPOSED USE	= 1 STORIES (50' MAX. ALLOWED)
BUILDING HEIGHT	= RESTAURANT
BUILDING AREA	= 5,325 SF
F.A.R.	= 0.06 (5.0 MAX. ALLOWED)

TRACT 4 DATA

TRACT 4 AREA	= 2.41± Ac. (104,888 SF)
EXISTING ZONING	= OR-3
PROPOSED ZONING	= SUBURBAN WORKPLACE
FORM DISTRICT	= UNDEVELOPED
EXISTING USE	= COMMERCIAL
PROPOSED USE	= 1 STORIES (50' MAX. ALLOWED)
BUILDING HEIGHT	= COFFEE SHOP
BUILDING AREA	= 1,920 SF
COFFEE SHOP OUTDOOR DINING AREA	= 600 SF
RETAIL	= 4,800 SF
BANK	= 4,800 SF
TOTAL BUILDING AREA	= 12,120 SF
F.A.R.	= 0.12 (5.0 MAX. ALLOWED)

TRACT 5 DATA (NOT A PART OF THIS REVIEW)

TRACT 5 AREA	= 2.33± Ac.
EXISTING ZONING TO REMAIN	= OR-3
FORM DISTRICT TO REMAIN	= SUBURBAN WORKPLACE
EXISTING USE	= COMMERCIAL

TRACT 6 DATA (NOT A PART OF THIS REVIEW)

TRACT 6 AREA	= 17.02± Ac.
EXISTING ZONING TO REMAIN	= OR-3
FORM DISTRICT TO REMAIN	= SUBURBAN WORKPLACE
EXISTING USE	= MEDICAL USE

TRACT 7 DATA (EXISTING USE TO REMAIN)

TRACT 7 AREA	= 0.07± Ac.
EXISTING ZONING	= OR-3
PROPOSED ZONING	= C-2
FORM DISTRICT	= SUBURBAN WORKPLACE

LOUISVILLE METRO APPROVED DISTRICT DEVELOPMENT PLAN
 DOCKET NO. 18 ZONE 1055
 APPROVAL DATE April 18, 2019
 EXPIRATION DATE
 SIGNATURE OF PLANNING COMMISSION

- MSD NOTES:**
- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standard Specifications and other local, state and federal ordinances.
 - Sanitary sewer service will be provided by lateral extension and subject to applicable fees. A Downstream Facilities Capacity request will be submitted to MSD.
 - No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0034 E dated December 5, 2006.
 - Drainage pattern depicted by arrows (→) is for conceptual purposes.
 - If the site has thru drainage an easement plat will be required prior to MSD granting construction plan approval.
 - All drainage, EPSC and Water Quality practices shown on this plan are for conceptual purposes only. Final design of these elements will be determined prior to construction plan approval and shall comply with all MS4 and MSD Design Manual requirements.
 - Detention has been provided in the Old Henry Crossings Subdivision existing retention basins.
 - The final design of this project must meet all MS4 water quality regulations established by MSD. Site layout may change at the design phase due to proper sizing of Best Management Practices.
 - All Retail shops must have individual connections per MSD's fats, oils and grease policy.
 - KYTC approval required prior to MSD construction plan approval.

- GENERAL NOTES:**
- Parking areas and drive lanes to be a hard and durable surface.
 - An Metro Public Works encroachment permit and bond will be required for all work done in the Bush Farm Road right-of-way.
 - State Highway encroachment permit will be required for any work in the state Old Henry Road right-of-way.
 - No increase in drainage run off to state roadways.
 - There shall be no commercial signs in the right-of-way.
 - Site lighting shall not shine in the eyes of drivers. If it does it shall be re-aimed, shielded, or turned off.
 - Construction fencing shall be erected prior to any construction or grading activities preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the drip line of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
 - Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
 - Tracts 1&2 boundary per Minor Plat made part of D.B. 9736 Page 926.
 - Tracts 3 & 4 boundary per 16MINORPLAT1055.

OWNER TRACTS 1,2,3&4
 BLUESTONE DIVERSIFIED INVESTMENTS LLC
 3 ROCKLEDGE DR.
 LOUISVILLE, KY 40222

TRACTS 1&2
 SITE ADDRESS:
 13811 WICKHAM GREEN WAY
 TAX BLOCK 0015, LOT 0617
 D.B. 11318, PG. 0679

TRACTS 3&4
 SITE ADDRESS:
 13820 OLD HENRY ROAD
 TAX BLOCK 0015, LOT 0620
 D.B. 11318, PG. 0679

OWNER TRACTS 5
 CIRC KENTUCKY HQ LLC
 2600 JAMES THORNTON WAY.
 LOUISVILLE, KY 40245

TRACTS 5
 SITE ADDRESS:
 2600 JAMES THORNTON WAY
 TAX BLOCK 0015, LOT 0607
 D.B. 10789, PG. 0486

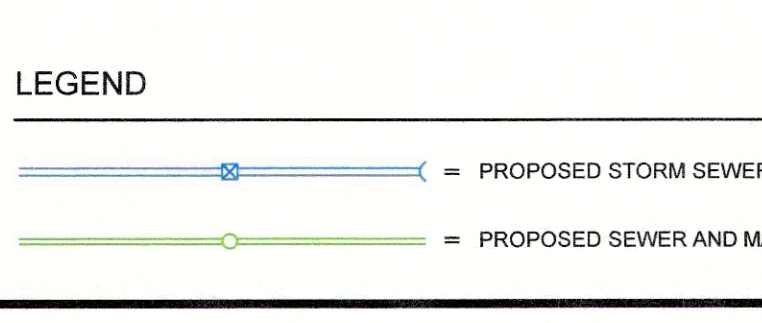
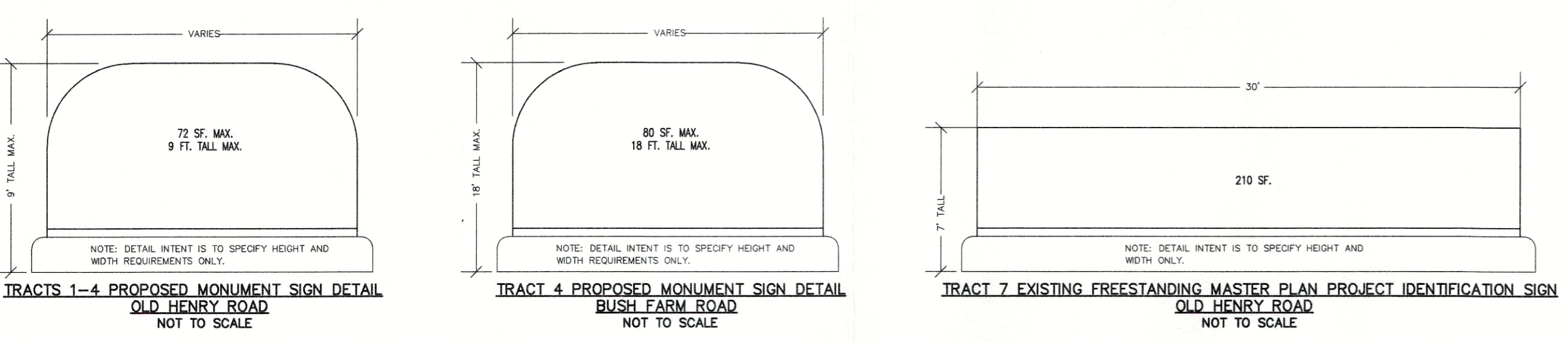
OWNER TRACTS 6
 OLD HENRY HEALTHCARE 1
 W67N222 EVERGREEN BLVD STE 206
 CEDARBURG, WI 53012

TRACTS 6
 SITE ADDRESS:
 2401 TERRA CROSSING BLVD/TAX
 BLOCK 0015, LOT 0607
 D.B. 9210, PG. 0496

PRELIMINARY APPROVAL DEVELOPMENT PLAN
 CONDITIONS:
 C-1/C-2/SW/N
 Chop Partners II LLC
 13307 Magisterial Drive
 Louisville, KY 40223
 D.B. 10467 PG. 0382

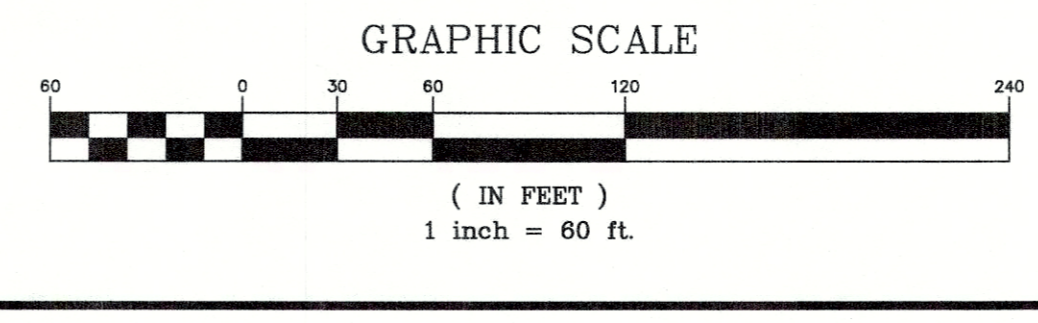
DATE: 4/10/19

LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS



TREE CANOPY CALCULATIONS

TOTAL SITE AREA	= 357,438 S.F.
EXISTING TREE CANOPY AREA	= 0% (0 S.F.)
TOTAL TREE CANOPY AREA REQUIRED	= 20% (71,488 S.F.)
EXISTING TREE CANOPY TO BE PRESERVED	= 0% (0 S.F.)
PROPOSED TREE CANOPY TO BE PLANTED	= 20% (72,000 S.F.)



REVISIONS

NO.	DATE	DESCRIPTION
1	8/13/18	REVISED PER AGENCY COMMENTS
2	12/3/18	REVISED TO ADD PORTION OF R/W TO SITE
3	12/3/18	REVISED PER AGENCY COMMENTS
4	12/3/18	REVISED PER AGENCY COMMENTS
5	2/22/19	CHANGED PROJ. NAME
6	3/27/19	ADDED TRACT 7 TO PROJECT DATA

PROJECT DATA
 FILE NAME: 1824-DDDP
 DATE: 7/9/18
 SCALE: AS SHOWN
 DRAWN BY: JH
 CHECKED BY: KM

ENGINEER'S SEAL
 SURVEYOR'S SEAL

LD&D
 LAND DESIGN & DEVELOPMENT, INC.
 ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTURE
 505 WASHINGTON AVENUE, SUITE 101, LOUISVILLE, KENTUCKY 40202
 TEL: 502-261-1111 FAX: 502-261-1122 WEB: WWW.LD&D.COM

DETAILED DISTRICT DEVELOPMENT PLAN
 BLUESTONE DIVERSIFIED INVESTMENTS, LLC.
 DEVELOPER
 BLUESTONE DIVERSIFIED INVESTMENTS, LLC
 3 ROCKLEDGE DRIVE
 LOUISVILLE, KY 40222

COUNCIL DISTRICT - 19
 FIRE PROTECTION DISTRICT - ANCHORAGE MIDDLETOWN MUNICIPALITY - LOUISVILLE

JOB NO. 18124
 SHEET 1 OF 1

18ZONE1055