

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. The development shall not exceed 4,900 square feet of gross floor area.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. 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.
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.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
8. 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.
9. The property owner shall provide a cross over access easement if the property to the west is ever re-developed for a nonresidential use. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.
10. The façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.
11. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
12. Customer service hours shall be limited to 6:30 a.m.-11:00 p.m. Parking lot pole lighting shall be cut off after customer service hours.
13. The style and design of the 8' screening wall shall be as shown at the 1/18/17 Planning Commission public hearing or as agreed to by the adjacent property owner to the north prior to landscape plan approval. Required trees shall be planted on the residential side of the screen wall.
14. The following C-1 uses shall be prohibited. Any amendment to this binding element shall be subject to full Planning Commission review and approval after a public hearing.
 - Convenience grocery
 - Auto service and repair
 - Auto rental agencies
 - Car washes
 - Package liquor stores
 - Gas station
15. The dumpster shall be screened with a masonry wall that matches the building materials. 6' evergreen trees shall also be planted in front of the dumpster screen to diminish its visibility from Outer Loop.
16. The applicant will allow reasonable access to the site for reasonable archeological investigation of the site prior to site disturbance.
17. There shall be no dumpster service between the hours of 7 pm and 7 am.
18. The hours of operation for any drive-through on the subject site shall be limited to 6:30 am to 10 pm Sunday through Thursday and 6:30 am to 11 pm on Friday and Saturday.
19. Any change in use or amendment to binding elements shall have a public hearing before the Planning Commission and must be approved by Metro Council.

GENERAL NOTES:

- MSD WATER MANAGEMENT #3467.
- ALL WORK PERFORMED ON THIS PROJECT SHALL CONFORM TO THE KENTUCKY TRANSPORTATION CABINET'S "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL FEDERAL, STATE AND LOCAL PERMITS NECESSARY TO PERFORM AND COMPLETE THE PROJECT AS SHOWN ON THESE PLANS. CONSTRUCTION STAKING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ADDITIONAL INFORMATION STAKING THE PROJECT'S 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.
- THE HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING UTILITIES SHOWN ARE APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND VERIFY ALL UTILITIES PRIOR TO BEGINNING CONSTRUCTION AND TO COORDINATE ALL CONNECTIONS WITH UTILITY COMPANIES.
- ALL STORM SEWER PIPE SHALL BE A MINIMUM OF 12" DIAMETER.
- ALL CULVERTS UNDER PAVING HAVING LESS THAN 12" COVER SHALL BE CONCRETE ENCASED.
- RING ALL CATCH BASINS WITH STONE BAGS DURING GRADING OPERATIONS.
- ALL STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE METROPOLITAN SEWER DISTRICT'S STANDARD SPECIFICATIONS.
- DENSE-GRADED AGGREGATE BASE SHALL BE COMPACTED IN SEPARATE LAYERS.
- FOR ASPHALT PARKING LOTS, CONTRACTOR SHALL RECEIVE APPROVAL FOR JOB MIX FORMULA.
- ALL SUBGRADES SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY THE STANDARD PROCTOR. THE UPPER 12" OF FILL BENEATH PAVEMENTS SHALL BE COMPACTED TO 100%. MOISTURE CONTENT SHALL BE WITHIN +3% TO -1% OF OPTIMUM.
- TACK COAT SHALL BE APPLIED AT THE RATE OF 0.1 GALS. PER SQ. YARD WITH INSTALLATION OF SURFACE ASPHALT WHEN FINAL PAVING HAS BEEN DELAYED FROM THE BINDER INSTALLATION.
- THE CONTRACTOR SHALL SLOPE ALL FINISH GRADES TO PROVIDE POSITIVE DRAINAGE. FLAT AND PONDING AREAS WILL NOT BE ACCEPTABLE.
- THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND MAXIMUM SHALL BE 10%.
- DIMENSIONS SHOWN HEREON ARE FROM THE EDGE OF GUTTERS OR WALLS UNLESS SHOWN OTHERWISE. ALL RADII SHOWN ARE ON FACE OF CURB.
- SIDEWALKS SHALL BE A MINIMUM 5" THICK WITH 6" X 6" W.W.F. ON A 4" D.G.A. BASE. SIDEWALKS AT DRIVEWAYS SHALL HAVE A MINIMUM THICKNESS OF 6". A FINE BROOM FINISH SHALL BE PROVIDED WITH CONTROL JOINTS SPACED AT 5' INTERVALS AND EXPANSION JOINTS AT 25' INTERVALS, AT ALL BENDS AND WHERE ABUTTING RIGID STRUCTURES.
- THE CONTRACTOR SHALL PROVIDE A COMPACTED DEPTH OF 6" TOPSOIL OVER ALL PERVIOUS AREAS ON THE PROJECT.
- ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH FEDERAL REGULATIONS 28 CFR PART 36: ADA STANDARDS FOR ACCESSIBLE DESIGN.
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA. (FEMA MAP 21111C0094 E)
- SANITARY SEWERS ARE AVAILABLE BY EXISTING CONNECTION FROM THE EXISTING SEWER RECORD NUMBER 11192-10, SUBJECT TO FEES.
- DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
- COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
- SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS AND SHALL BE DIRECTED DOWN AND AWAY FROM ANY RESIDENTIAL PROPERTIES.
- ALL SIGNAGE SHALL COMPLY WITH LDC CHAPTER 8, SIGN REGULATIONS.
- ALL SERVICE STRUCTURES, INCLUDING DUMPSTER SHALL BE SCREENED IN ACCORDANCE WITH LDC CHAPTER 10.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- CONSTRUCTION PLANS, BOND AND KTC PERMIT WILL BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL BY METRO PUBLIC WORKS. CONSTRUCTION PLANS, BOND AND KTC PERMIT WILL BE REQUIRED PRIOR TO FINAL APPROVED PLAN TRANSMITTAL BY METRO PUBLIC WORKS. CONSTRUCTION PLANS, BOND AND KTC PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL AND ISSUANCE OF MPW ENCROACHMENT PERMIT.
- VERIFICATION OF THE ADEQUACY OF THE EXISTING DRAINAGE SYSTEM WILL BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL.
- MSD INDUSTRIAL WASTE DIVISION (WD) APPROVAL REQUIRED
- COE WETLANDS DELINEATION REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
- SITE IS SUBJECT TO REGIONAL FACILITY FEE X 1.5
- LESS THAN 1 ACRE OF DISTURBANCE. MS4 WATER QUALITY REGULATIONS SET BY MSD IS NOT REQUIRED.
- NO INCREASE IN VELOCITY AT POINT OF DISCHARGE AT PROPERTY LINE.
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
- FUTURE CONNECTION WITH WESTERN ADJOINING PROPERTY WILL BE ALLOWED AT THE TIME THE WESTERN PROPERTY REDEVELOPS.

FOOD, OIL AND GREASE NOTES

- ALL MULTI-UNIT RETAIL AND COMMERCIAL DEVELOPMENT SHALL COMPLY WITH MSD'S WASTEWATER/STORMWATER DISCHARGE REGULATIONS (WDR) AND MSD'S FATS, OILS & GREASE (FOG) MANAGEMENT POLICY.
- ALL MULTI-UNIT RETAIL AND COMMERCIAL DEVELOPMENT SHALL CONTACT MSD PRIOR TO CONDUCTING PRIVATE PLUMBING WORK AT THE MULTI-UNIT SITE.
- ALL FOOD SERVICE ESTABLISHMENTS (FSE) SHALL COMPLY WITH ALL REQUIREMENTS OF THE WDR AND FOG MANAGEMENT POLICY AND ARE SUBJECT TO ENFORCEMENT ACTIONS IN THE MSD ENFORCEMENT RESPONSE PLAN (ERP).
- MSD OR AN AUTHORIZED REPRESENTATIVE SHALL INSPECT ALL MULTI-UNIT RETAIL AND COMMERCIAL DEVELOPMENTS WITH FOOD SERVICE ESTABLISHMENTS (FSE) FOR PROPER INSTALLATION OF GREASE INTERCEPTOR (GI).

VARIANCES REQUESTED 15ZONE1045

5.3.1.C.5- Table 5.3.2- TO ALLOW THE BUILDING TO BE LOCATED MORE THAN 80 FT. FROM BUENA VISTA COURT.

WAIVERS REQUESTED 15ZONE1045

10.3.5.A.1- Table 10.3.1- TO ALLOW DRIVE LANE TO ENCR OACH INTO THE REQUIRED 30 FT. PARKWAY BUFFER.

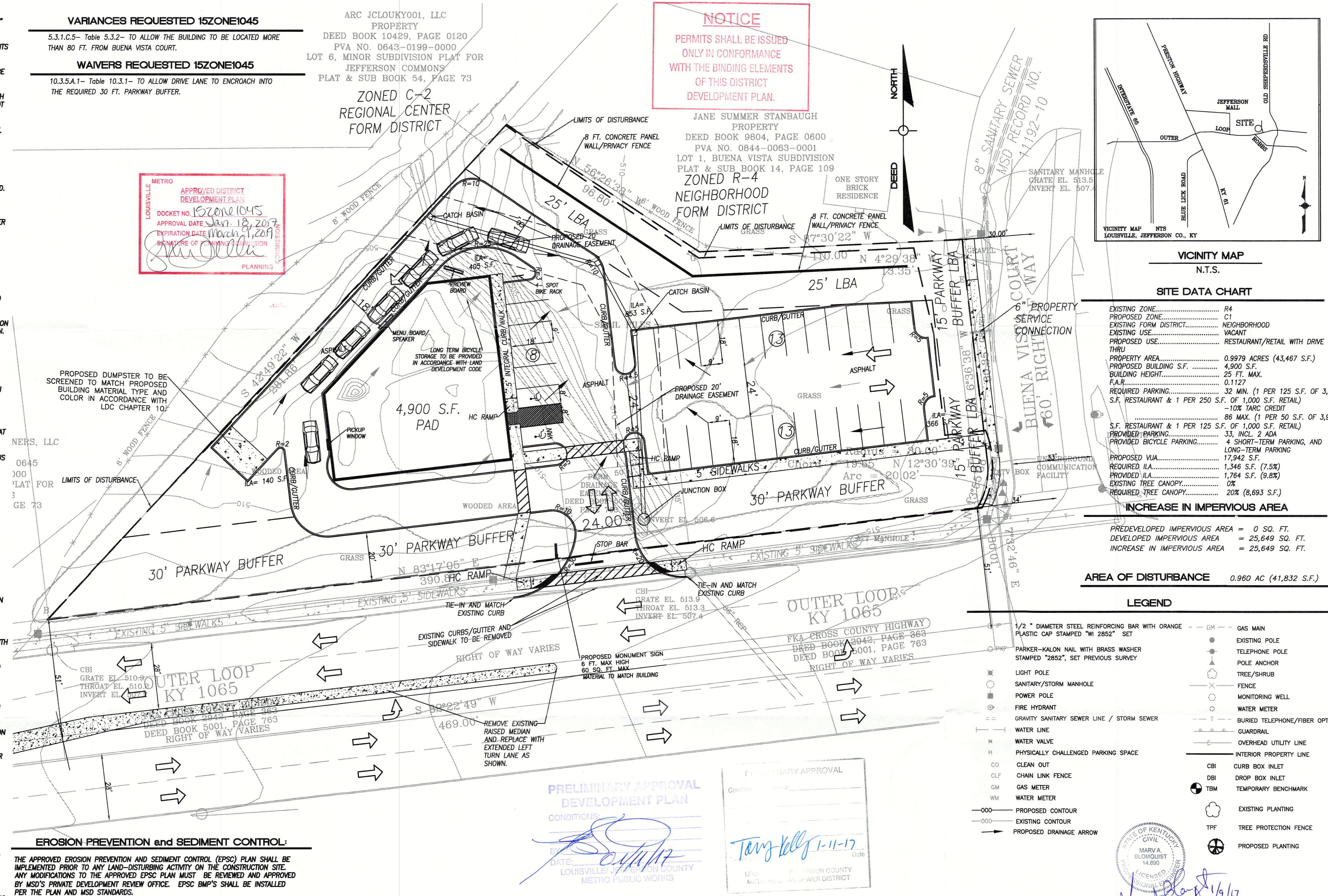
ARC JCLOUKY001, LLC
PROPERTY
DEED BOOK 10429, PAGE 0120
PVA NO. 0643-0199-0000
LOT 6, MINOR SUBDIVISION PLAT FOR
JEFFERSON COMMONS
PLAT & SUB BOOK 54, PAGE 73

ZONED C-2
REGIONAL CENTER
FORM DISTRICT

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

JANE SUMMER STANBAUGH
PROPERTY
DEED BOOK 9804, PAGE 0600
PVA NO. 0844-0063-0001
LOT 1, BUENA VISTA SUBDIVISION
PLAT & SUB BOOK 14, PAGE 109
ZONED R-4
NEIGHBORHOOD
FORM DISTRICT

LOUISVILLE
METRO
APPROVED DISTRICT
DEVELOPMENT PLAN
DOCKET NO. 15ZONE1045
APPROVAL DATE Jan 18, 2017
EXPIRATION DATE March 1, 2019
SIGNATURE OF PLANNING COMMISSION
[Signature]



SITE DATA CHART

| | |
|-----------------------------|--|
| EXISTING ZONE..... | R4 |
| PROPOSED ZONE..... | C1 |
| EXISTING FORM DISTRICT..... | NEIGHBORHOOD |
| EXISTING USE..... | VACANT |
| PROPOSED USE..... | RESTAURANT/RETAIL WITH DRIVE THRU |
| PROPERTY AREA..... | 0.9979 ACRES (43,467 S.F.) |
| PROPOSED BUILDING S.F. | 4,900 S.F. |
| BUILDING HEIGHT..... | 25 FT. MAX. |
| F.A.R..... | 0.1127 |
| REQUIRED PARKING..... | 32 MIN. (1 PER 125 S.F. OF 3,900 S.F. RESTAURANT & 1 PER 250 S.F. OF 1,000 S.F. RETAIL) -10% TARC CREDIT |
| | 86 MAX. (1 PER 50 S.F. OF 3,900 S.F. RESTAURANT & 1 PER 125 S.F. OF 1,000 S.F. RETAIL) |
| PROVIDED PARKING..... | 4 SHORT-TERM PARKING, AND LONG-TERM PARKING |
| PROPOSED VIA..... | 17,942 S.F. |
| REQUIRED I.L.A..... | 1,346 S.F. (7.5%) |
| PROVIDED I.L.A..... | 1,764 S.F. (9.8%) |
| EXISTING TREE CANOPY..... | 0% |
| REQUIRED TREE CANOPY..... | 20% (8,693 S.F.) |

INCREASE IN IMPERVIOUS AREA

PREDEVELOPED IMPERVIOUS AREA = 0 SQ. FT.
DEVELOPED IMPERVIOUS AREA = 25,649 SQ. FT.
INCREASE IN IMPERVIOUS AREA = 25,649 SQ. FT.

AREA OF DISTURBANCE 0.960 AC (41,832 S.F.)

LEGEND

| | | |
|--|-----|--|
| 1/2" DIAMETER STEEL REINFORCING BAR WITH ORANGE PLASTIC CAP STAMPED "M 2852" SET | GM | GAS MAIN |
| PARKER-KALON NAIL WITH BRASS WASHER STAMPED "2852", SET PREVIOUS SURVEY | ● | EXISTING POLE |
| LIGHT POLE | ○ | TELEPHONE POLE |
| SANITARY/STORM MANHOLE | ⊕ | POLE ANCHOR |
| POWER POLE | ⊗ | TREE/SHRUB |
| FENCE | --- | MONITORING WELL |
| FIRE HYDRANT | ⊙ | WATER METER |
| GRAVITY SANITARY SEWER LINE / STORM SEWER | --- | BURIED TELEPHONE/FIBER OPTIC GUARDRAIL |
| WATER LINE | --- | OVERHEAD UTILITY LINE |
| WATER VALVE | ⊕ | INTERIOR PROPERTY LINE |
| PHYSICALLY CHALLENGED PARKING SPACE | ⊕ | CBI CURB BOX INLET |
| CLEAN OUT | ⊕ | DBI DROP BOX INLET |
| CLF CHAIN LINK FENCE | ⊕ | TBM TEMPORARY BENCHMARK |
| GM GAS METER | ⊕ | EXISTING PLANTING |
| WM WATER METER | ⊕ | TPF TREE PROTECTION FENCE |
| --- PROPOSED CONTOUR | ⊕ | PROPOSED PLANTING |
| --- EXISTING CONTOUR | ⊕ | |
| → PROPOSED DRAINAGE ARROW | | |

UTILITY NOTE

ALL UTILITIES ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER KENTUCKY 811 (TOLL FREE PHONE NO. 1-800-752-6007 OR LOCAL NO. 502-266-5123) FORTY-EIGHT (48) HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS & WATER LINES). WHEN CONTACTING THE KENTUCKY 811 CALL CENTER, PLEASE STATE THE WORK TO BE DONE IS FOR A PROPOSED MSD SEWER OR DRAINAGE FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS AND IN THE TECHNICAL SPECIFICATIONS & SPECIAL PROVISIONS.



BLOMQUIST DESIGN GROUP, LLC
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LOUISVILLE, KENTUCKY 40223
PHONE: 502.429.0105 FAX: 502.429.6861
EMAIL: MARVBDG@AOL.COM

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|-----------|------------------|
| REVISIONS | SCALE: |
| | 1" = 20' |
| | DRWN: KLV |
| | CKD: MAB |
| | DATE: |
| | NOVEMBER 8, 2016 |

DETAILED DISTRICT DEVELOPMENT PLAN
FOR
RESTAURANT/ RETAIL
ZONED R4, NEIGHBORHOOD FORM DISTRICT
5103 OUTER LOOP
LOUISVILLE, KY 40219
TAX BLOCK 643, LOT 123
DEED BOOK 10200, PAGE 716

OWNER/ DEVELOPER:
DPWM OUTERLOOP, LLC
320 WHITTINGTON PARKWAY, SUITE 300
LOUISVILLE, KY 40222

