

## Case No. 19-AMEND-0004 Binding Elements

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Amendment of Binding Element 10 to not provide the 8 foot fence, but instead keep the existing 6 foot wood privacy fence and provide an 8 foot evergreen buffer, **SUBJECT** to the following 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. Construction fencing shall be erected with 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.
3. 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 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.
  - d. A legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
4. 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.

5. 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 the 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, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
6. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the February 1, 2018 Planning Commission meeting.
7. At such time that this property is redeveloped for a use other than a car wash, a unified access and circulation system shall be developed to eliminate preexisting curb cuts along Old Bardstown Road and provide for vehicular movement throughout abutting 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 the Planning Commission legal counsel shall be recorded prior to the time of construction approval for the abutting property to be developed.
8. The area identified for future right-of-way for the relocation of Old Bardstown Road, as shown, shall be dedicated to public use by minor plat or deed at the applicant's expense within 60 days of request by the Director of Louisville Metro Public Works.
9. A 25 ft LBA shall be provided along the rear property line with an 8 ft high privacy fence and tall shrubs.
10. A 15 ft LBA shall be provided along the south property line shared with the daycare (TB 657 Lot 6, 8106 Old Bardstown Rad) with an 8 ft high evergreen buffer.
11. The hours of operation for the carwash shall be from 8:00 a.m. to 9:00 p.m.



OLD BARDSTOWN ROAD  
LOUISVILLE, KY 40291

SPEEDWASH  
CAR WASH  
AMENDMENT TO BINDING  
ELEMENT PLAN



JOB NO.	11-14-18
DATE	11-14-18
REVISION	11-04-19
11-14-18	LANDSCAPE UPDATES
11-04-19	LANDSCAPE REVISIONS
11-21-19	AGENCY COMMENTS
12-16-19	REVIEW PROVISIONS

RECEIVED  
DEC 20 2019  
PLANNING  
DESIGN SERVICES  
SHEET  
**L1**  
PROPOSED LANDSCAPE  
PLANTING PLAN  
(18LSAPE1146)

19-AMEND-004

PLANT LIST						
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE/SPACING	NOTES / TYPE	
<b>DECIDUOUS TREES</b>						
AR	8	ACER RUBRUM	RED MAPLE	1 3/4" CAL./AS SHOWN	B&B / TYPE B	
LN	2	LAGERSTROEMIA 'NATCHEZ'	NATCHEZ CRAPE MYRTLE	6" HT./AS SHOWN	B&B / TYPE C	
QP	9	QUERCUS PHELLOS	WILLOW OAK	1 3/4" CAL./AS SHOWN	B&B / TYPE A	
ZS	7	ZELKOVA SERRATA	JAPANESE ZELKOVA	1 3/4" CAL./AS SHOWN	B&B / TYPE A	
<b>EVERGREEN TREES</b>						
IO	5	ILEX OPACA	AMERICAN HOLLY	6" HT./AS SHOWN	B&B / TYPE B	
IN	7	ILEX 'NELLY R. STEVENS'	NELLIE R. STEVENS HOLLY	6" HT./AS SHOWN	B&B / TYPE B	
PS	21	PINUS STROBUS	WHITE PINE	6" HT./AS SHOWN	B&B / TYPE A	
TG	36	THUJA 'GREEN GIANT'	GREEN GIANT ARBORVITAE	6" HT./AS SHOWN	B&B / TYPE B	
<b>SHRUBS</b>						
IM	33	ILEX 'MESOG' CHINA GIRL	CHINA GIRL HOLLY	18" HT./ 4' O.C.	B&B / TWO CHINA BOY PLANTED	
ND	12	NANDINA DOMESTICA	NANDINA BAMBOO	24" HT./ 3' O.C.	#3 CONT.	
NF	12	NANDINA DOMESTICA 'FIRE POWER'	FIRE POWER NANDINA	12" HT./ 3' O.C.	#3 CONT.	
NG	26	NANDINA DOMESTICA 'GULF STREAM'	GULF STREAM NANDINA	18" HT./ 3' O.C.	#3 CONT.	
TM	35	TAXUS X MEDIA 'DENSIFORMIS'	YEW	18" HT./ 4' O.C.	#3 CONT.	
CA	18	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER GRASS	18" HT./ 3' O.C.	#3 CONT.	

NOTE: BIDDER IS RESPONSIBLE FOR VERIFYING PLANT COUNT BY TAKING QUANTITIES FROM PLAN AND NOT FROM PLANT LIST.

LOUISVILLE  
METHO  
APPROVED DISTRICT  
DEVELOPMENT PLAN  
DOCKET NO. 19-AMEND-004  
APPROVAL DATE 3-5-20  
EXPIRATION DATE 3-5-22  
SIGNATURE OF PLANNING COMMISSION  
PLANNING

**LANDSCAPE DATA:**  
V.U.A. 38,810± S.F.  
I.L.A. REQUIRED (7.5% X VUA) 2,899 S.F.  
I.L.A. PROVIDED 4,701± S.F.

**WAIVER GRANTED (CASE# 17ZONE1042, FEB. 1, 2018):**  
1. A WAIVER WAS GRANTED OF TABLE 10.2.6 OF THE LDC TO REDUCE THE 15' VEHICLE USE AREA LANDSCAPE BUFFER ALONG HILLOCK DRIVE AND OLD BARDSTOWN ROAD FROM 15' TO 10'.  
2. A WAIVER OF 5.9.2.A.1.b.i OF THE LDC WAS GRANTED TO OMIT THE REQUIREMENT OF PROVIDING A PEDESTRIAN CONNECTION FROM THE BUILDING TO THE PUBLIC RIGHT-OF-WAY.  
3. A WAIVER OF 5.9.2.A.1.b.ii OF THE LDC IS REQUESTED TO OMIT THE REQUIREMENT OF A VEHICULAR CONNECTION BETWEEN NON-RESIDENTIAL USES.

**VARIANCE GRANTED (CASE# 17ZONE1042, FEB. 1, 2018):**  
1. A VARIANCE OF LDC 5.11.8.B TO ALLOW THE PROPOSED BUILDING TO OCCUPY LESS THAN 60% OF THE 80' MAXIMUM FRONT SETBACK AS REQUIRED IN TABLE LDC TABLE 5.3.2.

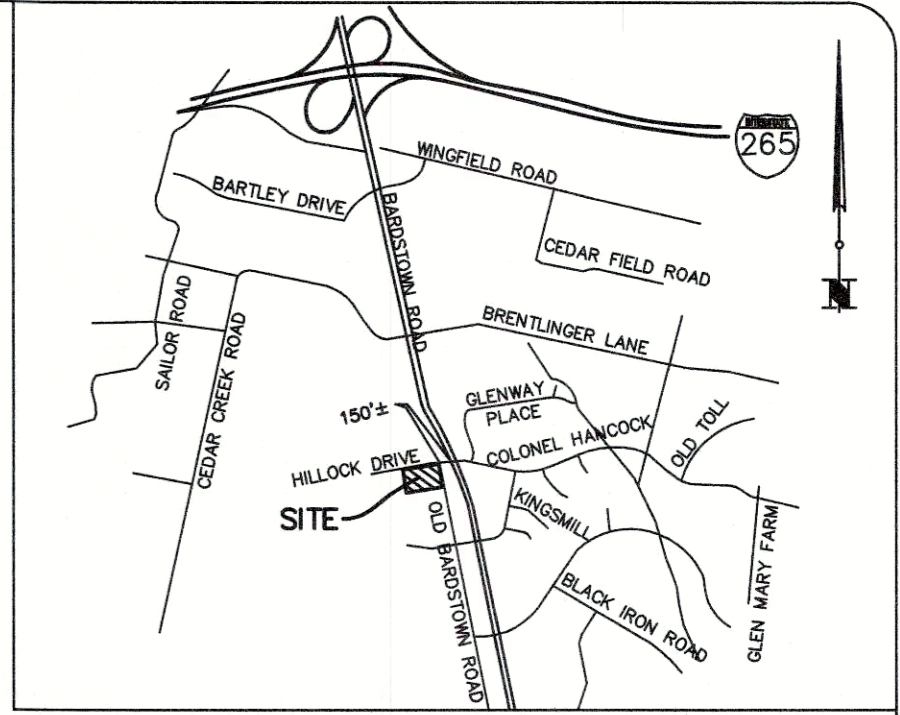
**TREE CANOPY DATA PER DDP:**  
GROSS SITE AREA 89,424± S.F.  
TREE CANOPY CATEGORY CLASS C  
EXISTING TREE CANOPY 13,401± S.F. (15%)  
TREE CANOPY TO BE PRESERVED 0 S.F. (0%)  
TREE CANOPY REQUIRED 17,885± S.F. (20%)  
TOTAL TREE CANOPY PROVIDED 26,898± S.F. (30%)

**TREE CANOPY DATA PER DDP:**  
TREE CANOPY TO BE PLANTED  
16 TYPE "A" TREES @ 1 3/4" CAL. (720 S.F. CREDIT EACH) 11,520± S.F.  
6 TYPE "B" TREES @ 1 3/4" CAL. (432 S.F. CREDIT EACH) 3,456 S.F.  
2 TYPE "C" TREES @ 6" HT. (106 S.F. CREDIT EACH) 212 S.F.  
12 HOLLY TREES @ 6" HT. (106 S.F. CREDIT EACH) 1,272 S.F.  
36 ARBORVITAE TREES @ 6" HT. (106 S.F. CREDIT EACH) 3,816 S.F.  
21 PINE TREES @ 6" HT. (424 S.F. CREDIT EACH) 8,804 S.F.  
29,180± S.F.

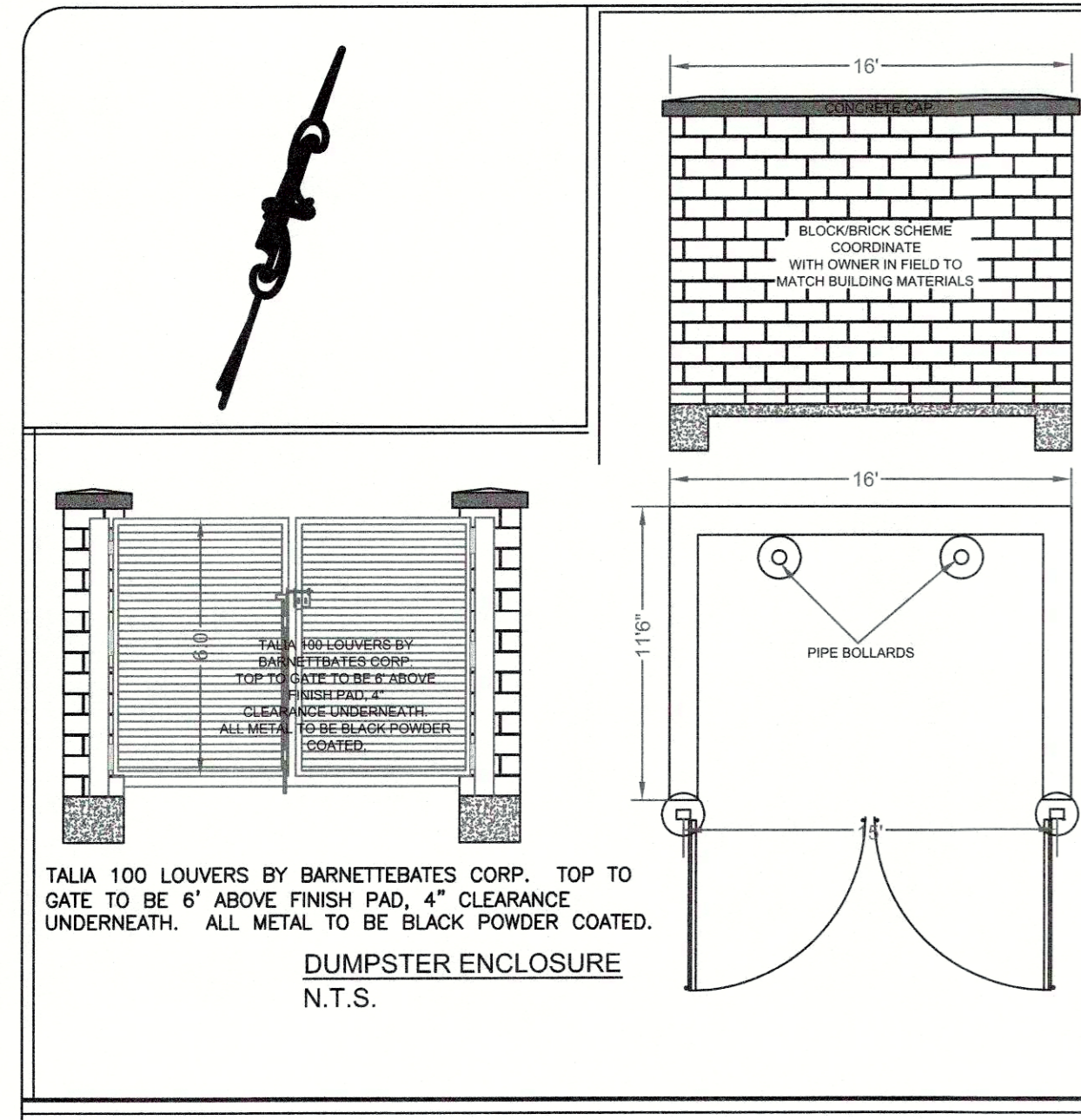
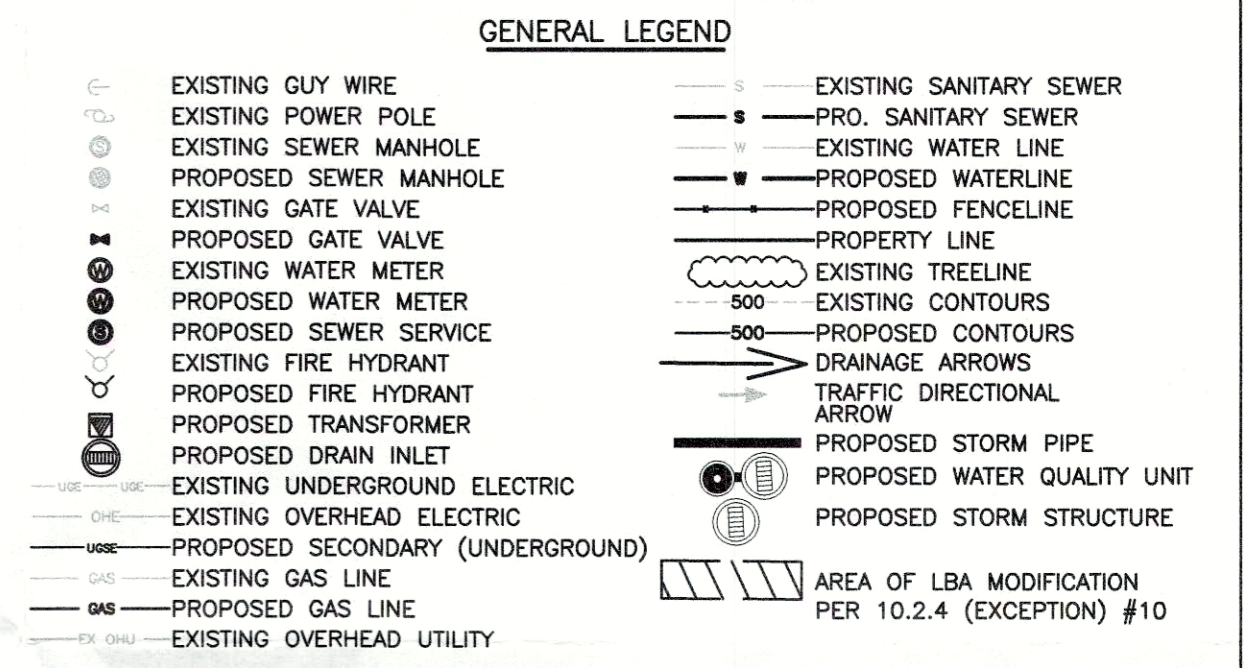
**TRIPLE CANOPY DERIVED ON PLAN PER MSD LOAD MAPPING, AERIAL PHOTO OR FIELD SURVEY. TREE CANOPY CALCULATIONS BASED UPON TREE AREAS SHOWN.**

**SITE DATA CHART:**  
GROSS SITE AREA: 2.05 AC. (89,424 SF)  
ZONING PER CASE: C1  
FORM DISTRICT: NEIGHBORHOOD  
EXISTING LAND USE: SINGLE FAMILY RESIDENTIAL  
PROPOSED LAND USE: AUTOMATED CARWASH  
PROPOSED BUILDING: 10,062 SF  
PROPOSED BUILDING FOOTPRINT: 10,062 SF  
FAR (FLOOR AREA RATIO): 0.13  
BUILDING HEIGHT: 36'-4"  
PARKING CALCULATIONS: 18 VACUUM UNITS = 18 SPACES  
1 CONVEYOR UNIT = 1 SPACE  
7 EMPLOYEES = 4 SPACES  
MIN. REQUIRED = 26 SPACES  
TOTAL PROVIDED = 26 SPACES

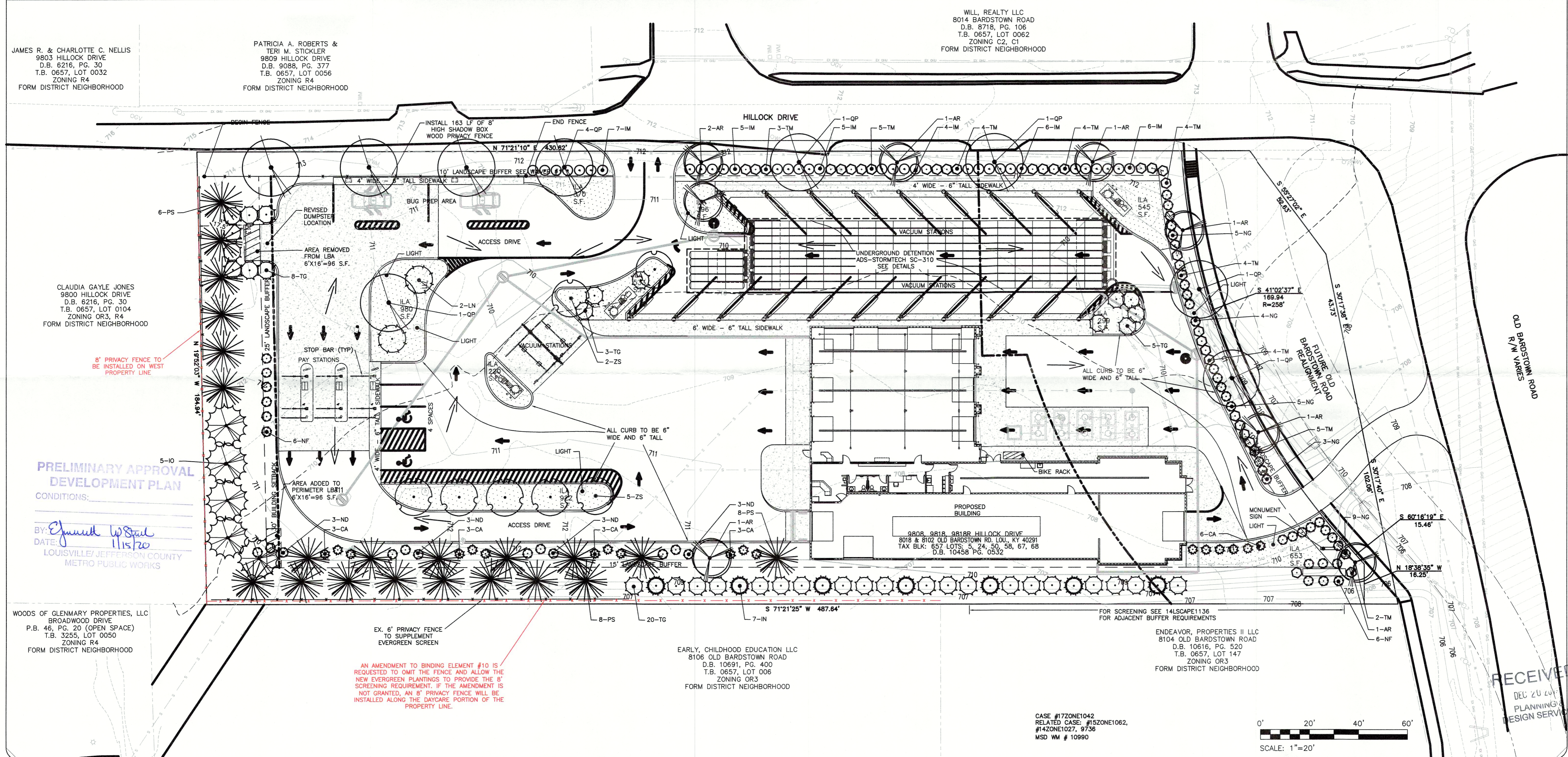
**WAIVERS GRANTED (CASE# 17ZONE1042, FEB. 1, 2018):**  
A LANDSCAPE WAIVER WAS GRANTED TO REDUCE THE REQUIRED 15' LBA TO 10' ALONG HILLOCK DRIVE AND OLD BARDSTOWN ROAD.



LOCATION MAP  
NO SCALE



TALIA 100 LOUVERS BY BARNETTEBATES CORP. TOP TO GATE TO BE 6" ABOVE FINISH PAD, 4" CLEARANCE UNDERNEATH. ALL METAL TO BE BLACK POWDER COATED.  
DUMPSTER ENCLOSURE  
N.T.S.



JAMES R. & CHARLOTTE C. NELLIS  
9803 HILLOCK DRIVE  
D.B. 6216, PG. 30  
T.B. 0657, LOT 0032  
ZONING R4  
FORM DISTRICT NEIGHBORHOOD

PATRICIA A. ROBERTS &  
TERI M. STICKLER  
9809 HILLOCK DRIVE  
D.B. 9088, PG. 377  
T.B. 0657, LOT 0056  
ZONING R4  
FORM DISTRICT NEIGHBORHOOD

CLAUDIA GAYLE JONES  
9800 HILLOCK DRIVE  
D.B. 6216, PG. 30  
T.B. 0657, LOT 0104  
ZONING OR3, R4  
FORM DISTRICT NEIGHBORHOOD

**PRELIMINARY APPROVAL  
DEVELOPMENT PLAN  
CONDITIONS:**  
BY: *James W. Stail*  
DATE: *11/15/20*  
LOUISVILLE/JEFFERSON COUNTY  
METRO PUBLIC WORKS

WOODS OF GLENMARY PROPERTIES, LLC  
BROADWOOD DRIVE  
P.B. 46, PG. 20 (OPEN SPACE)  
T.B. 3255, LOT 0050  
ZONING R4  
FORM DISTRICT NEIGHBORHOOD

EARLY, CHILDHOOD EDUCATION LLC  
8106 OLD BARDSTOWN ROAD  
D.B. 10691, PG. 400  
T.B. 0657, LOT 006  
ZONING OR3  
FORM DISTRICT NEIGHBORHOOD

ENDEAVOR, PROPERTIES II LLC  
8104 OLD BARDSTOWN ROAD  
D.B. 10616, PG. 520  
T.B. 0657, LOT 147  
ZONING OR3  
FORM DISTRICT NEIGHBORHOOD

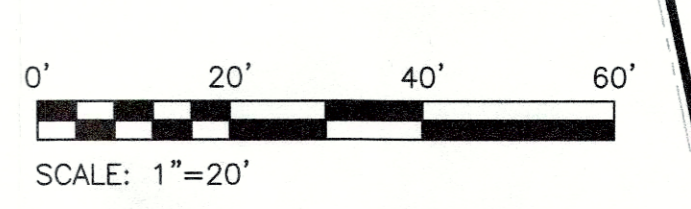
AN AMENDMENT TO BINDING ELEMENT #10 IS REQUESTED TO OMIT THE FENCE AND ALLOW THE NEW EVERGREEN PLANTINGS TO PROVIDE THE 8' SCREENING REQUIREMENT. IF THE AMENDMENT IS NOT GRANTED, AN 8' PRIVACY FENCE WILL BE INSTALLED ALONG THE DAYCARE PORTION OF THE PROPERTY LINE.

FOR SCREENING SEE 14LSAPE1136 FOR ADJACENT BUFFER REQUIREMENTS

ALL CURBS TO BE 6" WIDE AND 6" TALL

8' PRIVACY FENCE TO BE INSTALLED ON WEST PROPERTY LINE

EX. 6' PRIVACY FENCE TO SUPPLEMENT EVERGREEN SCREEN



CASE #17ZONE1042  
RELATED CASE: #15ZONE1062,  
#14ZONE1027, 9736  
MSD WM # 10880