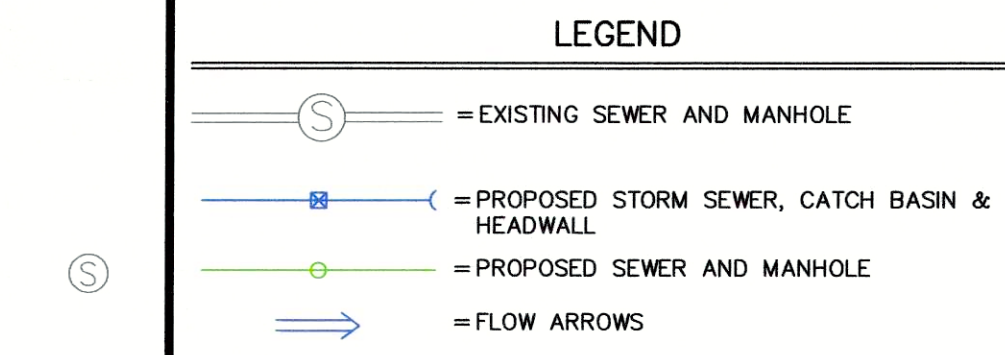


LOUISVILLE METRO
Revised
APPROVED DISTRICT
DEVELOPMENT PLAN
CASE NO. DP-18490-12
APPROVAL DATE Feb. 6, 2013
EXPIRATION DATE Feb. 6, 2015
SIGNATURE OF PLANNING COMMISSION

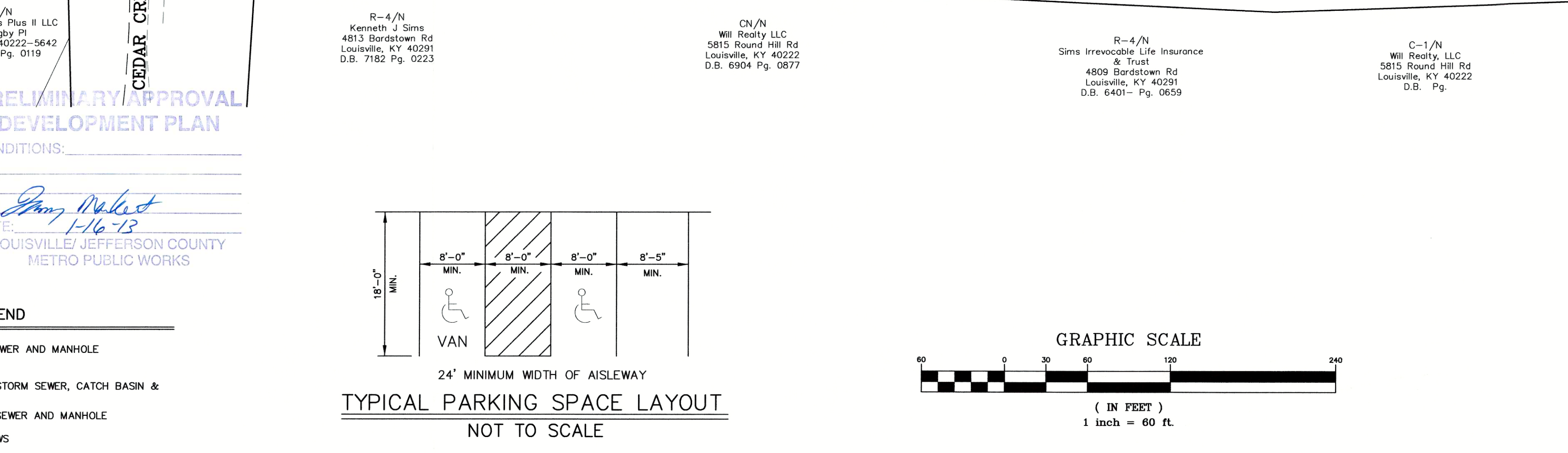
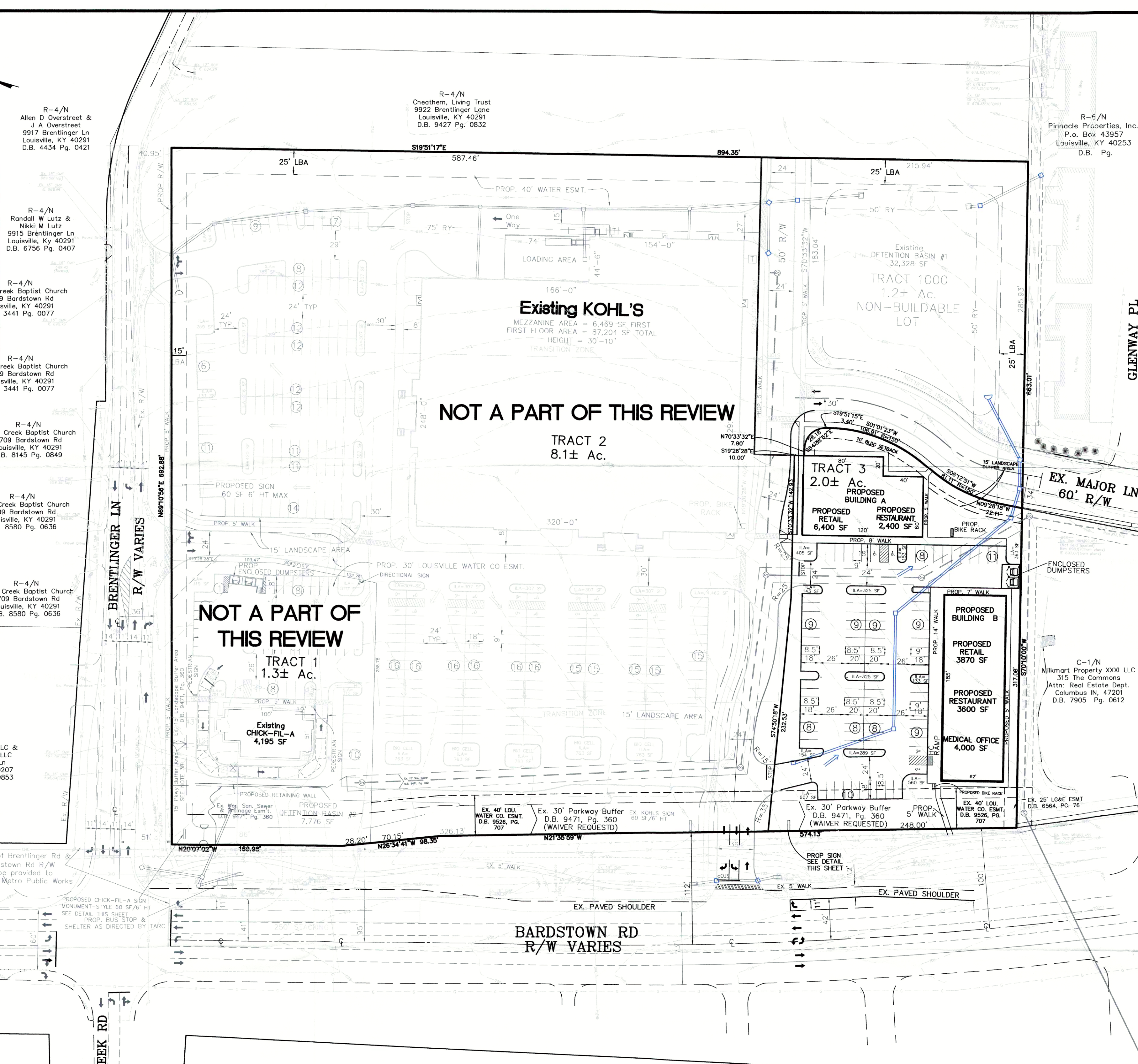
NOTICE
PERMITS SHALL BE ISSUED
ONLY IN CONFORMANCE
WITH THE BINDING ELEMENTS
OF THIS DISTRICT
DEVELOPMENT PLAN.

R-4/N
Real Properties Plus II LLC
908 Rugby Pl
Louisville, KY 40222-5642
D.B. 9970 Pg. 0119

PRELIMINARY APPROVAL
DEVELOPMENT PLAN
CONDITIONS:
BY: *[Signature]*
DATE: 1-16-13
LOUISVILLE/JEFFERSON COUNTY
METRO PUBLIC WORKS



G:\Current Projects\06229\dwg\PLANNING\06229 RDDDP TRACT 3.dwg, 1/11/2013 3:20:15 PM, 1:1



WAIVER REQUESTED CASE: 18490

1. A Waiver is requested from Section 10.2.4.B of the Louisville Metro Land Development Code to allow the encroachment of the existing 40 ft. Louisville Water Company Easement into the Bardstown Road 30 ft. Parkway Buffer Area for Tracts 2 & 3 (Tr 1 is not affected).

CONDITIONAL USE PERMIT (GRANTED CASE: 10787)

1. APPROVED: A Conditional Use Permit to allow outdoor alcohol sales for on-site patio areas totaling 2,195 S.F. was granted.

WAIVER (GRANTED CASE: 13661)

1. A Waiver was granted from Section 5.6.1.B.1 and 5.5.2.A.1 of the Louisville Metro Land Development Code for the Chick-Fil-A Bardstown Road building facade.

WAIVERS (GRANTED CASE: 12435)

1. A Waiver was granted to exceed 10.2.11 Vehicular Use Area Interior Landscape Area. Alternative storm water drainage design is being incorporated to address water quality and rate of runoff. Interior Landscape Islands are being combined to provide for larger green areas that can be better utilized for green infrastructure.

2. A waiver was granted to exceed the maximum building footprint within the neighborhood farm district per Table 5.3.2 of the L.D.C.

3. A waiver of the building facade treatment for buildings within the Neighborhood Farm District was granted from Section 5.6.1. B.1 of the L.D.C.

VARIANCE (GRANTED CASE: 12450)

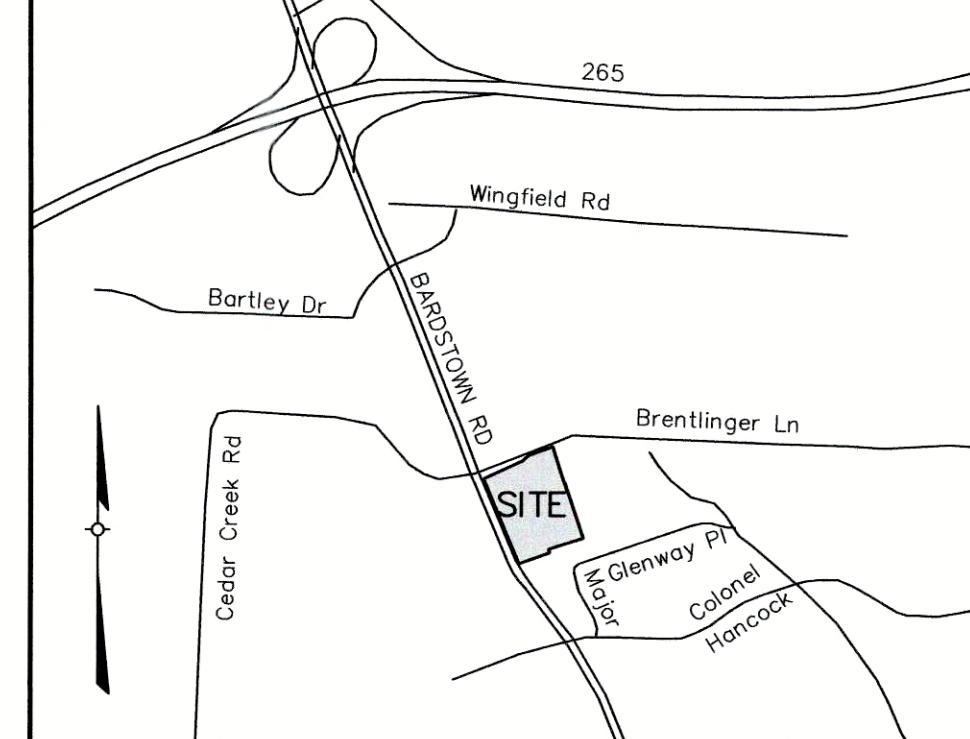
1. A Variance was granted to reduce the required yard from 75' to 54' per Table 5.3.2 of the Land Development Code.

MAXIMUM SETBACK ALTERNATIVE (CASE# 12435)

1. The maximum setback alternative is being applied per section 5.1.9 of the Land Development Code.

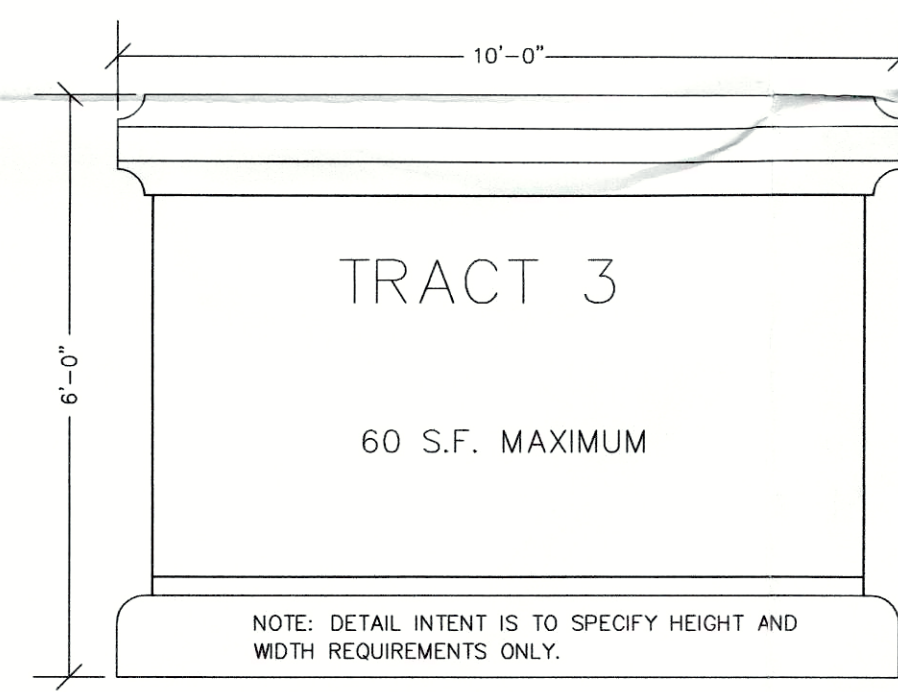
GENERAL NOTES

- Parking areas and drive lanes to be a hard and durable surface.
- No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0097 e dated December 5, 2006.
- Drainage pattern depicted by arrows (--->) is for conceptual purposes. Final configuration and size of drainage pipes and channels shall be determined during the construction plan design process. Drainage facilities shall conform to MSD requirements.
- Erosion & Silt Control: Prior to any construction activities on the site a Erosion & Silt Control Plan shall be provided to MSD for approval.
- Construction fencing shall be erected prior to any construction or grading activities preventing activities of trees to be preserved. The fencing shall enclose the area beneath the dripline of the trees canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
- All dumpsters and service structures are to be screened per Chapter 10.
- All lighting on the site shall be directed down and away from adjacent residential uses.
- Tract 3 structures served by existing sanitary sewer connections, fees and charges may apply. Sewage to be treated at the Cedar Creek WQIC.
- Construction plans, bond, and permit are required prior to construction approved by Metro Public Works.
- "No idling" signs shall be installed outside of loading/unloading docks as required by the Air Pollution Control Board.
- Mitigation measures for dust control shall be in place during operating and non-operating hours to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- There shall be no increase in drainage runoff to the State r/w. Calculations will be required for any runoff to the State r/w.
- There shall be no commercial signs in the r/w.
- There shall be no landscaping in the r/w without an encroachment permit.
- Site lighting should not shine in the eyes of drivers. If it does, it should be re-aimed, shielded or turned off.
- A Crossover Access and Shared Parking Agreement has been recorded per D.B. 9471, Page 369.
- The Maximum Setback Alternative has been met for the entire development, refer to the Landscape Plan approved 8-10-09 L-12767.



RDDDP FOR REVIEW OF
TRACT 3 ONLY

PROJECT DATA	
TOTAL SITE AREA	= 12.5± Ac.
EXISTING ZONING	= C-1
EXISTING FORM DISTRICT	= NEIGHBORHOOD
TRACT 3 DATA	
TRACT 3 AREA	= 1.9± Ac.
EXISTING ZONING	= C-1
EXISTING FORM DISTRICT	= NEIGHBORHOOD
EXISTING USE	= VACANT
PROPOSED USE:	= COMMERCIAL
RETAIL	= 10,270 SF
RESTAURANT	= 6,000 SF
MEDICAL OFFICE	= 4,000 SF
TOTAL BUILDING AREA	= 20,270 SF
F.A.R.	= 0.24
BUILDING HEIGHT	= 28 FT.
PARKING REQUIRED	
BUILDING "A"	
RETAIL - 6400 SF/300 MIN.	= 21 SP
RETAIL - 6400 SF/200 MAX.	= 32 SP
RESTAURANT - 2400 SF/125 MIN.	= 19 SP
RESTAURANT - 2400 SF/50 MAX.	= 48 SP
BUILDING "B"	
RETAIL - 3870 SF/300 MIN.	= 13 SP
RETAIL - 3870 SF/200 MAX.	= 19 SP
RESTAURANT - 3600 SF/125 MIN.	= 29 SP
RESTAURANT - 3600 SF/50 MAX.	= 72 SP
MEDICAL - 4000 SF/250 MIN.	= 16 SP
MEDICAL - 4000 SF/150 MAX.	= 27 SP
TOTAL PARKING REQUIRED	= 98 SP
TOTAL PARKING PROVIDED	= 98 SP
(INCLUDES 4 HC SPACES)	
BIKE PARKING REQUIRED FOR TRACT 3	= 2 SHORT & 2 LONG PER BUILDING
BIKE PARKING PROVIDED ON TRACT 3	= 2 SHORT & 2 LONG PER BUILDING
LONG TERM PARKING IS PROVIDED WITHIN THE BLDGS	
VEHICULAR USE AREA TRACT 3	= 32,852 SF
ILA REQUIRED (7.5%)	= 2,464 SF
ILA PROVIDED	= 2,689 SF
PARKING DATA FOR TRACTS 1, 2 & 3	
A CROSSOVER ACCESS & SHARED PARKING AGREEMENT HAS BEEN RECORDED BETWEEN TRACTS 1, 2 & 3 DB 9471, PG 369	
	MIN. MAX.
EX. CHICK-FIL-A 4,195 S.F. 1/125(min) 1/50(max)	34 SP 84 SP
EX. KOHL'S 93,673 S.F. 1/300(min) 1/200(max)	312 SP 468 SP
SUB-TOTAL TR 1 & 2	346 SP
LESS 10% TARC CREDIT ALLOWED FOR TR 1 & 2	= 311 SP
TRACT 3 PARKING	= 98 SP
TOTAL PARKING REQUIRED	= 409 SP
TOTAL PARKING PROVIDED	= 409 SP
(INCLUDES 24 HC SP)	
TREE CANOPY CALCULATIONS Tract 3 only	
EXISTING TREE CANOPY COVERAGE	= 0-40%
TOTAL SITE AREA	= 85,693 S.F.
TOTAL TREE CANOPY AREA REQUIRED	= 20% (17,139 S.F.)
EXISTING TREE CANOPY TO BE PRESERVED	= 0% (0 S.F.)
PROPOSED TREE CANOPY TO BE PLANTED	= 24% (20,880 S.F.)
29 TYPE "A" TREES @ 1 3/4" CAL. (720 SF CREDIT EACH)	= 20,880 S.F.
TOTAL TREE CANOPY PROVIDED	= 24% (20,880 S.F.)



TRACT 3 MONUMENT SIGN DETAIL
APPROVED CASE #12435
NOT TO SCALE

PRELIMINARY APPROVAL
Condition of Approval:
[Signature] 1/16/13
Date
LOUISVILLE/JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT
RECEIVED
JAN 16 2013
PLANNING & DEVELOPMENT

CURRENT TRACT 3 RDDDP CASE #18490
RELATED CASE: 16620 TR 3 RDDDP DEFERRED
RELATED CASE: 13661 CHICK-FIL-A RDDDP
RELATED CASE: B-12450-09 VARIANCE
RELATED CASE: 12632 BE AMENDMENT
RELATED CASE: 12435 RDDDP & WAIVERS
RELATED CASE: 10787 REZONING

RELATED MSD WM: 6716 & 10505

REVISIONS	
BY	DESCRIPTION
AER	address agencies 12-18-12 comments
DATE	
12-21-12	
NO.	
1	

SURVEYOR'S SEAL
ENGINEER'S SEAL

PROJECT DATA	
FILE NAME	06229-RDDDP-TRACT-3.dwg
DATE	12-21-12
CHECKED BY	AR
SCALE	AS SHOWN
DRAWN BY	D.T.

LD&D
LAND DESIGN & DEVELOPMENT, INC.
ENGINEERS - LAND SURVEYING - LANDSCAPE ARCHITECTURE
505 WESTERN AVENUE, SUITE 101
LOUISVILLE, KENTUCKY 40202
TEL: 502.251.1514
FAX: 502.251.1514

REVISOR DETAILED DISTRICT DEVELOPMENT PLAN
TRACT 3 7931 BARDSTOWN ROAD
OWNER/DEVELOPER
BARDSTOWN ROAD DEVELOPMENT, LLC
P.O. BOX 12128
LEXINGTON, KY 40560

JOB NO. 06229
SHEET 1 OF 1

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 ~~additions/alterations~~ not so referred shall not be valid.

10. The fence in the buffer zone between the development and the adjacent patio homes shall be a 5-board horse fence and shall be extended in a southerly direction along the westernmost boundary of the Fairways of Glenmary ("Fairways") to a stone column that will be erected by the developer at the northwest corner of the intersection of Major Lane and Glenmary Place, with the actual site determined by the placement of utilities in the area. Said stone column shall be constructed of material closely matching that used in the existing identifying sign for Fairways and contain a granite identifying stone with "Fairways of Glenmary" etched into it. Fairways shall maintain this column, as well as the one listed in binding element no. 11.
11. A second stone column, matching the first, with the exception of the identifying stone, shall be erected by the developer at the southwest corner of the intersection of Major Lane and Glenmary Place with the actual site determined by the placement of utilities in the area. The aforementioned 5-board horse fence shall continue in a southerly direction from this column along the westernmost boundary of Fairways to the northernmost point on the existing Fairways identification sign.
12. Existing shrubs and flowers in the areas of the proposed new stone columns shall be moved in order to allow the 5-board horse fence to be erected behind them. This cost is to be borne by Fairways with a one-time \$1,000.00 cash allowance given by the developer to Fairways for this purpose.
13. Major Lane shall be designed to prevent the use of R (Major Lane) by delivery trucks. The applicant shall work with Metro Public Works to install 'no truck traffic' signs along Major Lane.
14. A 4-board horse fence shall be installed between the detention basin and the Fairways at Glenmary property as shown on the detailed landscape plan presented at the public hearing to ensure the safety of small children.
15. There shall be no outdoor music (live, piped, radio, or amplified), outdoor entertainment, or outdoor PA systems audible past the property line.
16. 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 and the maintenance of the site, the applicant and developer, their heirs, successors, or assigns, contractors, subcontractors, and other parties engaged in development shall be responsible for compliance with these binding elements.
17. No overnight idling of trucks shall be permitted on-site.
18. Upon commencing of the operations of businesses on the site:
 - a. Trucks may only park on the site for a maximum time-period of six (6) hours.
 - b. Semi-trailers with no tractors shall not be stored on the site except in the loading dock well.
 - c. Trash collection containers shall be screened with the same building materials as the buildings they serve or shall be located inside the building.
 - d. Trash collection times shall be restricted to weekdays between the hours of 7:00 am and 7:00 pm.
19. No business shall be open to the public before 6:00 a.m. or after 11:00 p.m., except for previously advertised special events for the 93,673 square foot retail store only. The number of advertised occasions shall not exceed 60 days per calendar year, in which the 93,673 square foot retail store shall be permitted to remain open until 12:00 midnight, up to 60 days per calendar year, and 24 hours up to 10 days per calendar year. Upon a change in use of the 93,673 square foot retail store on-site, this binding element shall be amended to permit a change in use of the aforementioned structure.
Amended by the DRC, June 3, 2009, Case # 12632
20. Security and other lighting for any and all commercial buildings closest and/or adjacent to the neighboring patio homes in Fairways shall shine toward the walls of the commercial building.
21. The developer/property owner shall install a concrete pipe sized appropriately per MSD standards in the MSD easement located along the boundary between the site and the Fairways to provide storm water flow to the creek. The easement property, The existing 8-inch pipe shall be removed. Yard inlets shall be installed at 200' maximum intervals to insure proper surface water drainage. Access to the ditch shall be restricted to the area behind and to the north of Unit #1 in the Fairways.

29. The materials and design of proposed structures on Tract 4 shall be substantially the same as depicted in the rendering as presented at the February 10, 2010 Development Review Committee meeting for Tract 1 and as presented at the February 6, 2013 Development Review Committee meeting for Tract 3.
Added by the DRC, February 6, 2013.