

Case No. 19DEVPLAN1064 Binding Elements (as of June 19, 2019)

Existing DDDP 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), or development plan revisions and all landscape plans 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 2,555,000 square feet of gross floor area.~~
3. ~~Signs shall be in accordance with Chapter 8 of the Land Development Code.~~
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
5. ~~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.~~
6. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit (NOTE: ~~to be used for sites within an historic preservation district~~) is requested:
 - a) ~~— The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, 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.~~
 - d) ~~— A minor plat or 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.~~
 - e) ~~— A road closure approval for the required portions of Lewis Lane shall be approved prior to requesting a building permit.~~
7. ~~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.~~
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 façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.~~

10. ~~No idling of trucks shall take place within 200 feet of single-family residences.~~

11. ~~At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained thereafter. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.~~

12. Uses to be prohibited on this subject site:

- Pawn shop
- Automobile rental agencies
- Automobile repair garages
- Automobile sales agencies
- Billiard parlors, game rooms and similar entertainment uses
- Bingo halls and parlors
- Dance halls
- Skating rinks (ice or roller)
- Tattoo, body art, and piercing parlors
- Used car sales areas
- Transitional Housing
- Homeless Shelter
- Outdoor Paintball Ranges
- River terminals
- Animal pound
- Firearms
- Animal packing or slaughtering
- Adult entertainment
- Race tracks for motor-powered vehicles

General Plan/Preliminary Subdivision Plan 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), or development plan revisions and all landscape plans 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. Prior to development (including clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements.

3. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.

4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.

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) A major subdivision plat creating the lots and roadways as shown on the approved district development plan shall be recorded prior to issuance of any building permits.

b) 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; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

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. No idling of trucks shall take place within 200 feet of residential uses. No overnight idling of trucks shall be permitted on the site.

8. A note shall be placed on the construction plan and the record plat that states: "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."

9. All street name signs shall be installed prior to requesting a certificate of occupancy for any structure. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.

10. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90-degree cutoff so that no light source is visible off-site. Outdoor lighting shall at all times comply with the Land Development Code Chapter 4.

11. Uses to be prohibited on this subject site:

Pawn shop

Automobile rental agencies

Automobile repair garages

Automobile sales agencies

Billiard parlors, game rooms and similar entertainment uses

Bingo halls and parlors
Dance halls
Skating rinks (ice or roller)
Tattoo, body art, and piercing parlors
Used car sales areas
Transitional Housing
Homeless Shelter
Outdoor Paintball Ranges
River terminals
Animal pound
Firearms
Animal packing or slaughtering
Adult entertainment
Race tracks for motor-powered vehicles

The vote was as follows:

YES: Commissioners Robinson, Brown, Carlson, and Tomes

ABSENT: Commissioner Smith

Revised Detailed District Development Plan with Binding Elements

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Revised Detailed District Development Plan with Binding Elements

RDDDP Binding Elements

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

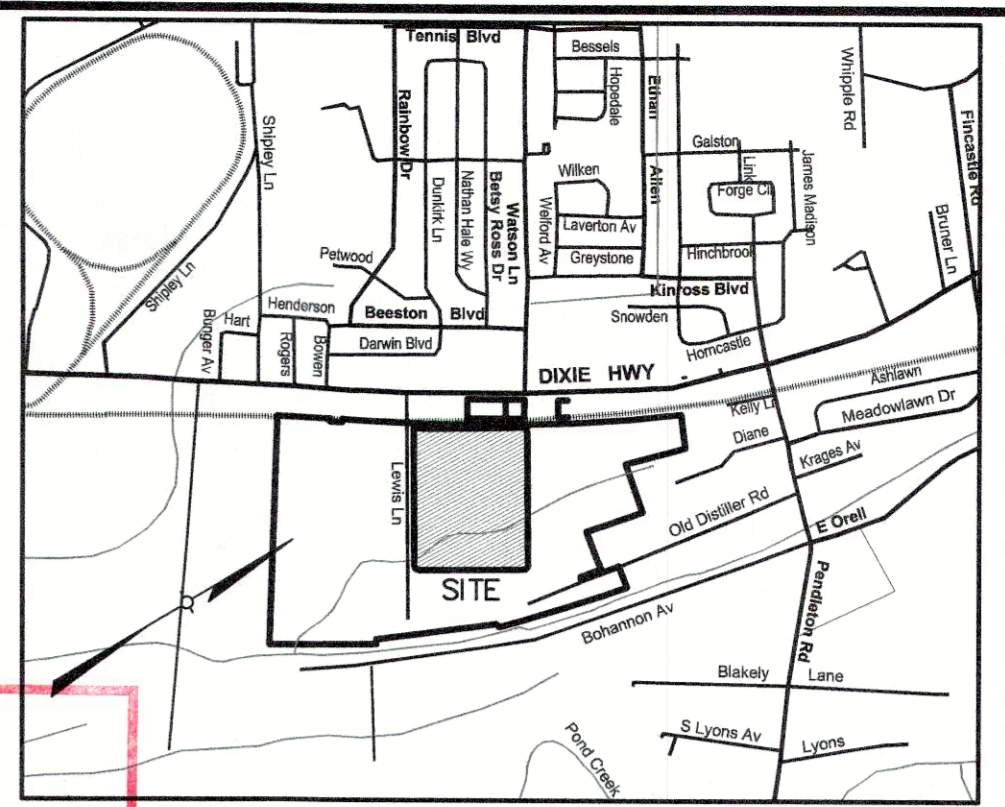
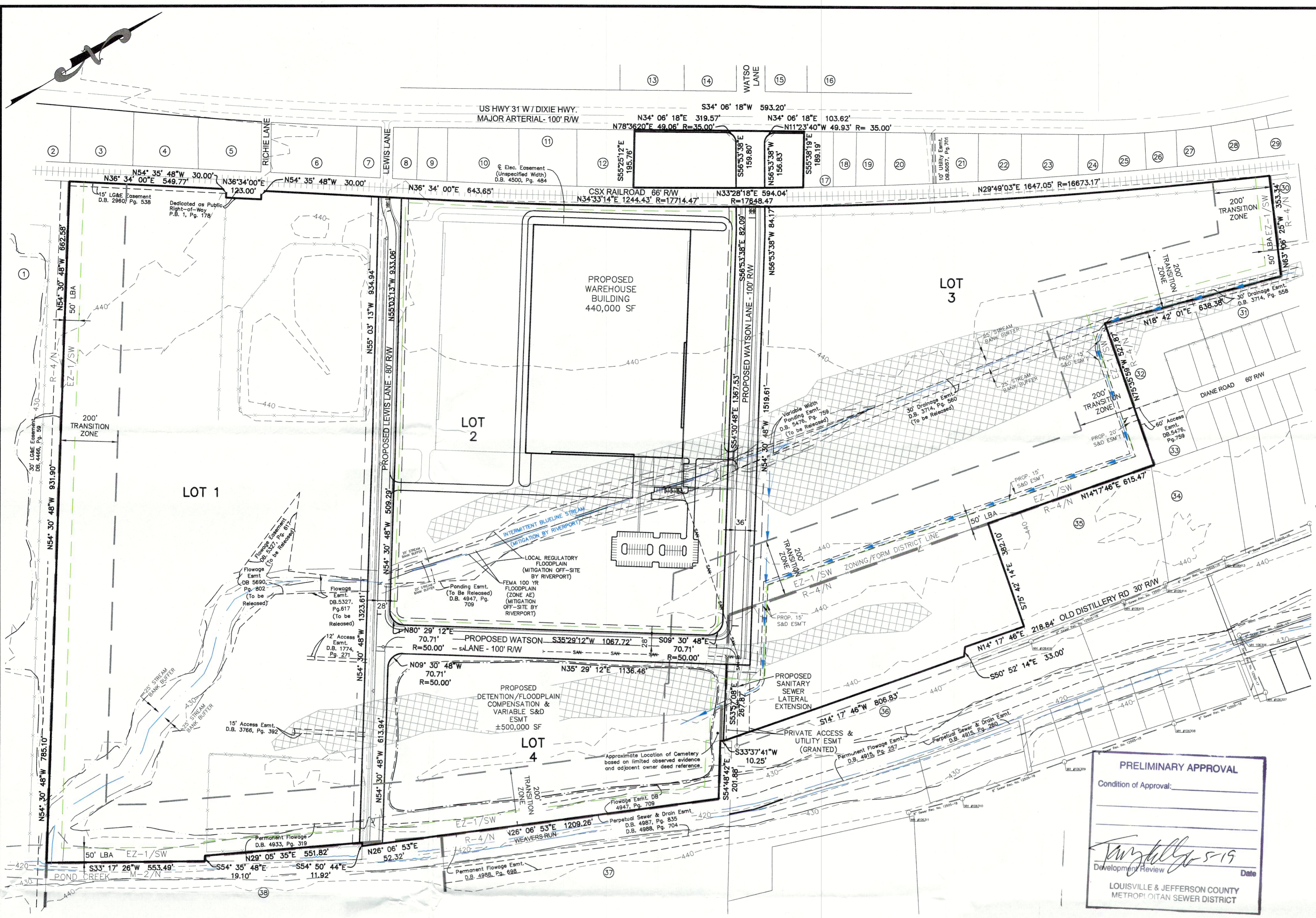
1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be 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 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.
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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b) Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - 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) Final elevations/renderings shall be submitted for review and approval by Planning Commission staff. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.

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 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.



LOUISVILLE METRO
APPROVED PRELIMINARY DEVELOPMENT PLAN
 DOCKET NO. 19 Devplan 1064
 APPROVAL DATE 06/19/19
 EXPIRATION DATE 06/19/21
 SIGNATURE OF PLANNING COMMISSION

PROJECT DATA

TOTAL SITE AREA	= 162.86 ACRES (7,094,247 SF)
LOT 1	= 58.19 ACRES (2,534,696 SF)
LOT 2	= 40.00 ACRES (1,742,521 SF)
LOT 3	= 49.33 ACRES (2,148,830 SF)
LOT 4	= 15.34 ACRES (668,200 SF)
EXISTING ZONING	= E21
FORM DISTRICT	= SUBURBAN WORKPLACE
EXISTING USE	= VACANT

GENERAL NOTES:

- Parking areas and drive lanes to be a hard and durable surface.
- An encroachment permit and bond will be required for all work done in the 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 dripline 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.
- Compatible utilities shall be placed in a common trench unless otherwise required by appropriate agencies.
- Proposed roads by Louisville and Jefferson County Riverport Authority.
- Concrete wheel stops or curbing at least six (6) inches high and six (6) inches wide shall be provided to prevent vehicles from overhanging abutting sidewalks, properties or public rights-of-way, to protect landscaped areas and to protect adjacent properties. Such wheel stops or curbing shall be located at least three (3) feet from any adjacent wall, fence, property line, woody vegetation, walkway or structure.
- A Record Plat shall be recorded by others to create the subject lot and the public rights-of-way prior to construction plan approval.
- Dumpsters shall be located inside the warehouse.
- Future public road classification to be determined.

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.
- A portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0136 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.
- Any required fill in the floodplain shall be compensated on site at a ratio of 1.5:1. Compensation will be provided offsite by Louisville and Jefferson County Riverport Authority.
- 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 Green Best Mgmt. Practices.
- Rerouting of offsite storm water by Louisville and Jefferson County Riverport Authority.
- Increased run off volume shall be mitigated on-site below the FEMA floodplain elevation in lieu of on-site detention on lot 4.
- Division of Water and U.S. Army Corps of Engineers permitting (including wetlands) to be provided by Louisville and Jefferson County Riverport Authority.
- Flowage and ponding easements to be released and mitigated for prior to MSD construction approval.

DETENTION BASIN CALCULATIONS

$X = \Delta CRA/12$
 $\Delta C = 0.75 - 0.25 = 0.5$
 $R = \text{INCHES}$
 $X = (C)(A)(R)/12 = AC.-FT.$
 $X = (.5)(2.6)(12)/12 = 17.55 AC.-FT.$
 REQUIRED 764,478 = CU.FT.
 PROVIDED BASIN = 500,000 SQ.FT.
 TOTAL = 500,000 SQ.FT. @ APPROX. 1.75 FT. DEPTH
 = 875,000 CU.FT. > 764,478 CU.FT.

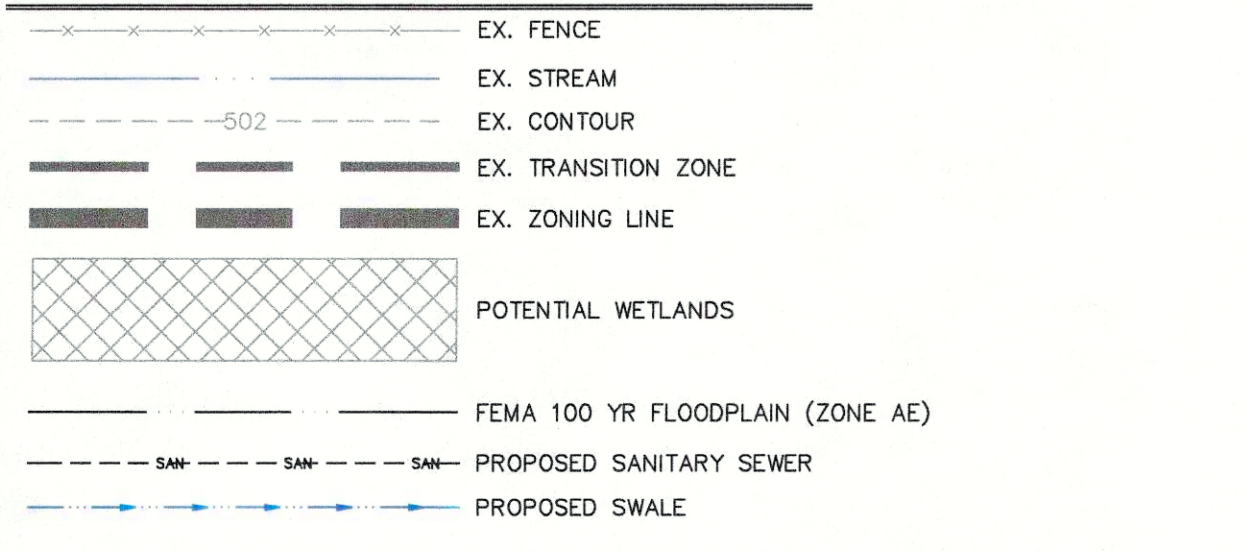
NOTICE
 PERMITS SHALL BE ISSUED ONLY IN CONFORMANCE WITH THE BINDING ELEMENTS OF THIS DISTRICT DEVELOPMENT PLAN.

PRELIMINARY APPROVAL
 Condition of Approval:
 Date: 6/19/19
 Louisville & Jefferson County Metropolitan Sewer District

TREE CANOPY CALCULATIONS

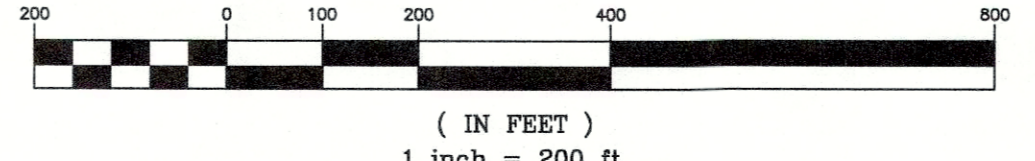
TOTAL SITE AREA	= 162.86 ACRES (7,094,247 SF)
LOT 1	
SITE AREA:	= 58.19 ACRES (2,534,696 SF)
PRESERVED TREE CANOPY:	= 0 SF (0%)
REQUIRED TREE CANOPY:	= 506,939 SF (20%)
LOT 2	
SITE AREA:	= 40.00 ACRES (1,742,521 SF)
PRESERVED TREE CANOPY:	= 0 SF (0%)
REQUIRED TREE CANOPY:	= 348,504 SF (20%)
LOT 3	
SITE AREA:	= 49.33 ACRES (2,148,830 SF)
PRESERVED TREE CANOPY:	= 0 SF (0%)
REQUIRED TREE CANOPY:	= 429,766 SF (20%)
LOT 4	
SITE AREA:	= 15.34 ACRES (668,200 SF)
PRESERVED TREE CANOPY:	= 0 SF (0%)
REQUIRED TREE CANOPY:	= 133,640 SF (20%)

LEGEND



- | | | | | | |
|---|---|---|--|--|---|
| 1. R-4/N KOSMOS, CEMENT CO 1501 BELVEDERE RD WEST PALM BEACH, FL 33406-1501 D.B. ---, Pg. --- | 8. C-2/SMC GIVINS, SHELBY L & MAURISSETTA 9214 DONERAIL WAY LOUISVILLE, KY, 40272-3408 D.B. 6458, Pg. 0513 | 15. C-1/SMC SMALLWOOD, RONALD & MEGIE A 6511 NORTH DR LOUISVILLE, KY, 40272-4521 D.B. 8984, Pg. 0282 | 21. C-2/SMC LEOS, INC 4714 POPLAR LEVEL RD LOUISVILLE, KY, 40213-2402 D.B. 7418, Pg. 0816 | 27. C-2/SMC WOLFE, BRIAN M & WOLFE DANIEL PO BOX 72250 LOUISVILLE, KY, 40272-0250 D.B. 6444, Pg. 0665 | 33. R-4/N YOCUM, WILBUR E & ROZENIA F 13515 DIANE RD LOUISVILLE, KY, 40272-1425 D.B. 5536, Pg. 0309 |
| 2. R-4/N RALPH, LARRY & NONA F 1958 OLD STATE ROAD 44 MARTINSVILLE, IN, 46151-8264 D.B. 7500, Pg. 0727 | 9. C-2/SMC GIVINS, SHELBY L & MAURISSETTA 9214 DONERAIL WAY LOUISVILLE, KY, 40272-3408 D.B. 6458, Pg. 0513 | 16. R-4-C-1/SMC SEEVERS, CHARLES B 117 CHANTECLAIRE CIR GULF BREEZE, FL 32561-4061 D.B. 6334, Pg. 0081 | 22. C-2/SMC LEOS, INC 4714 POPLAR LEVEL RD LOUISVILLE, KY, 40213-2402 D.B. 7418, Pg. 0816 | 28. C-2/SMC WOLFE, BRIAN M & WOLFE DANIEL PO BOX 72250 LOUISVILLE, KY, 40272-0250 D.B. 6444, Pg. 0665 | 34. R-4/N ROGERS, LINDA 13600 OLD DISTILLERY RD LOUISVILLE, KY, 40272-1458 D.B. 7356, Pg. 0086 |
| 3. R-4/N MELTON, INVESTMENTS LLC 9120 STONECREST DR LOUISVILLE, KY, 40272-2325 D.B. 9661, Pg. 0450 | 10. C-1/SMC GIVINS, SHELBY L & MAURISSETTA 9214 DONERAIL WAY LOUISVILLE, KY, 40272-3408 D.B. 6458, Pg. 0513 | 17. C-2/SMC SAC, LLC 2788 N HIGHLAND AVE JACKSON, TN, 38305-1764 D.B. 11029, Pg. 465 | 23. C-2/SMC LEOS, INC 4714 POPLAR LEVEL RD LOUISVILLE, KY, 40213-2402 D.B. 8015, Pg. 0418 | 29. C-2/SMC WEST, POINT LUMBER CO PO BOX 72250 LOUISVILLE, KY, 40272-0250 D.B. 3660, Pg. 0020 | 35. R-4/N READER, DALE & PATRICIA E 13801 OLD DISTILLERY RD LOUISVILLE, KY, 40272-1439 D.B. 6565, Pg. 0811 |
| 4. C-1/SMC MELTON, INVESTMENTS LLC 9120 STONECREST DR LOUISVILLE, KY, 40272-2325 D.B. 9661, Pg. 0450 | 11. M-2/SMC GIVINS, SHELBY L & MAURISSETTA 9214 DONERAIL WAY LOUISVILLE, KY, 40272-3408 D.B. 6458, Pg. 0513 | 18. C-2/SMC WELLS, CHRISTOPHER E WELLS WANDA H 13669 DIXIE HWY LOUISVILLE, KY, 40272-1359 D.B. 9924, Pg. 0357 | 24. C-2/SMC STEWART, CARRIE (DECEASED) 13519 DIXIE HWY LOUISVILLE, KY, 40272-1361 D.B. ---, Pg. --- | 30. R-4/N ASHBY, ROBT R & ALINE 6215 BETHANY LN LOUISVILLE, KY, 40272-4434 5425, Pg. 0086 | 36. R-4/N LOUISVILLE & JEFFERSON COUNTY RIV 6900 RIVERPORT DR SITE A LOUISVILLE, KY, 40258-2989 D.B. 11324, Pg. 683 |
| 5. C-2/SMC CRUMPTON, RICHARD & SHARON ANN 8008 CATANIA DR JEFFERSONTOWN, KY, 40299-1508 D.B. 6454, Pg. 0084 | 12. C-2/SMC NARAYAN, MUNI LLC 1506 S SHELBY ST LOUISVILLE, KY, 40217-1109 D.B. 8855, Pg. 0668 | 19. C-2/SMC WELLS, CHRISTOPHER E WELLS WANDA H 13669 DIXIE HWY LOUISVILLE, KY, 40272-1359 D.B. 9924, Pg. 0357 | 25. C-2/SMC WOLFE, DANIEL D WOLFE CHRISTOPHER J PO BOX 72250 LOUISVILLE, KY, 40272-0250 D.B. 11247, Pg. 21 | 31. R-4/N YOCUM, WILBUR EARL 13515 DIANE RD LOUISVILLE, KY, 40272-1425 D.B. 9944, Pg. 0422 | 37. M-2/N BOHANNON, PROPERTIES LLC 13802 BOHANNON AVE LOUISVILLE, KY, 40272-1414 D.B. 9791, Pg. 0817 |
| 6. C-1/SMC RUTLEDGE, JOHN T & CYNTHIA A 1405 WEAVERS RUN WEST POINT, KY, 40177-6932 D.B. 7029, Pg. 0227 | 13. C-1-C-2/SMC EASTMOOR, ACRES REALTY CO INC PO BOX 7066 LOUISVILLE, KY, 40257-0066 D.B. 5610, Pg. 0183 | 20. C-2/SMC STATION, DEVELOPMENT LLC | 26. C-2/SMC AHMIC, MELUDIN 6400 VENANGO DR LOUISVILLE, KY, 40258-2968 | 32. R-4/N YOCUM, WILBUR EARL YOCUM ROZENIA F 13515 DIANE RD LOUISVILLE, KY, 40272-1425 D.B. 9918, Pg. 0541 | 38. R-4/N BOHANNON, PROPERTIES LLC 13802 BOHANNON AVE LOUISVILLE, KY, 40272-1414 D.B. 9791, Pg. 0817 |
| 7. C-1/SMC HAGAN, KENNETH LARRY | 14. C-2/SMC EASTMOOR, ACRES REALTY PO BOX 7066 LOUISVILLE, KY, 40257-0066 D.B. 3505, Pg. 0295 | 22. C-2/SMC LEOS, INC 4714 POPLAR LEVEL RD LOUISVILLE, KY, 40213-2402 D.B. 7418, Pg. 0816 | 27. C-2/SMC WOLFE, BRIAN M & WOLFE DANIEL PO BOX 72250 LOUISVILLE, KY, 40272-0250 D.B. 6444, Pg. 0665 | 33. R-4/N YOCUM, WILBUR EARL 13515 DIANE RD LOUISVILLE, KY, 40272-1425 D.B. 5536, Pg. 0309 | 39. M-2/N BOHANNON, PROPERTIES LLC 13802 BOHANNON AVE LOUISVILLE, KY, 40272-1414 D.B. 9791, Pg. 0817 |

GRAPHIC SCALE



COUNCIL DISTRICT - 14
 FIRE PROTECTION DISTRICT - PLEASURE RIDGE PARK
 CASE: 19DEVPLAN1064
 RELATED CASE: 13ZONE1021
 WM# 10864

REVISIONS

NO.	DATE	DESCRIPTION
1	3-29-19	per agency comments
2	5-13-19	AGENCY COMMENTS
3	5/22/19	PER AGENCY COMMENTS
4	5/31/19	PER MSD COMMENT

PROFESSIONAL'S SEAL

PROJECT DATA

FILE NAME: 18182-RDDDP-049	SCALE: AS SHOWN
DATE: 3-11-19	DRAWN BY: ARH
CHECKED BY: DT	

LD&D
LAND DESIGN & DEVELOPMENT, INC.
 ENGINEERING • LAND SERVICES • LANDSCAPE ARCHITECTURE
 505 WILSON BLVD. SUITE 200
 BELLUVA, WA 98004
 TEL: 206.444.2771 FAX: 206.444.2774
 WEB: WWW.LD&D.COM

PACCAR RIVERPORT PHASE 5
 OWNER/DEVELOPER
PACCAR INC
 777 106th Ave NE
 BELLUVA, WA 98004

REVISED GENERAL & DETAILED DISTRICT DEVELOPMENT PLAN
 SHEET 1 OF 2
 18182

19 Devplan 1064