

Case No. 18ZONE1043 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan, **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. 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. 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 Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways or the Department of Public Works for all work within the right-of-way
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

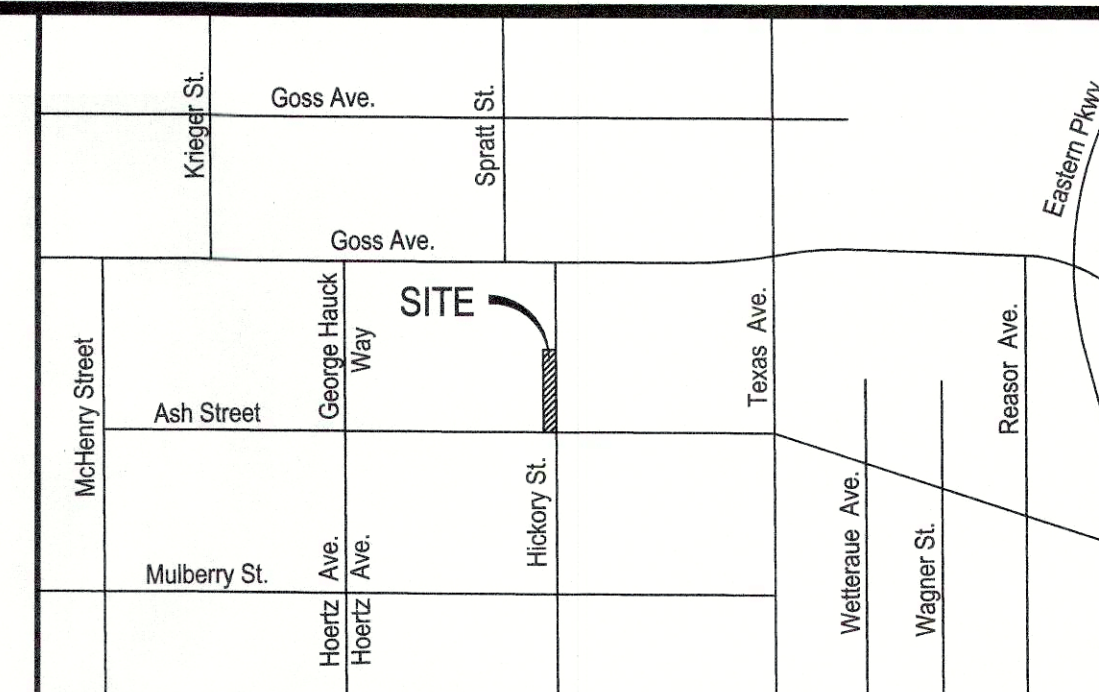
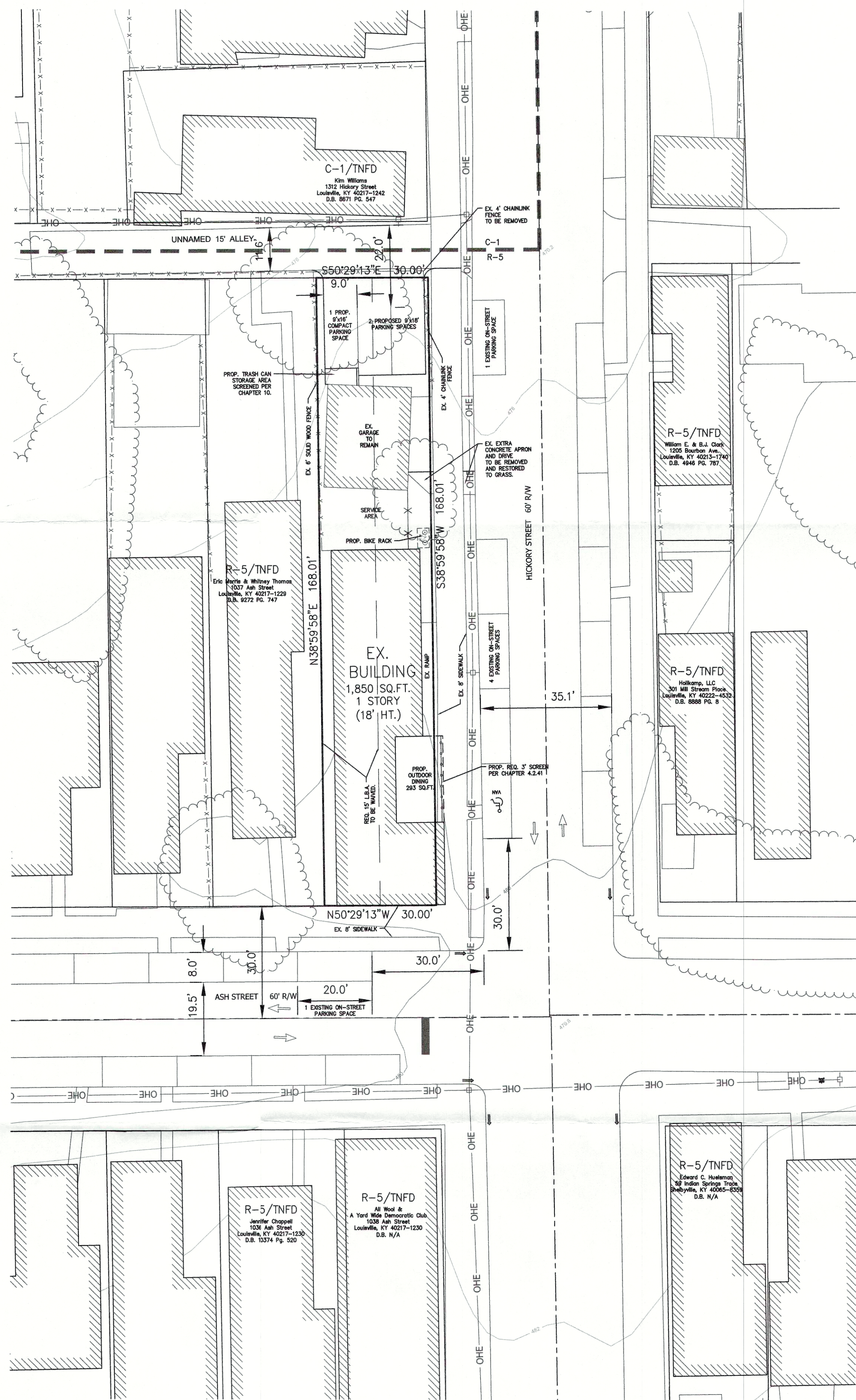
of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

7. The use of outdoor dining areas for the sale and consumption of alcohol shall cease on Sunday through Thursday at 12:00 midnight, and the outdoor sale and consumption of alcohol on Fridays and Saturdays shall cease at 1:00 a.m.

**PRELIMINARY APPROVAL
DEVELOPMENT PLAN**

CONDITIONS:

BY: *Summit Urban*
DATE: *9/5/18*
LOUISVILLE/JEFFERSON COUNTY
METRO PUBLIC WORKS



LOCATION MAP
NOT TO SCALE

NO.	BY	DESCRIPTION	DATE	CHK
1	DHS	REVISIONS PER AGENCY COMMENTS	7/16/18	CRB
2	DHS	REVISIONS PER METRO WORKS COMMENTS	8/14/18	CRB
3	DHS	ADD'L REV. PER METRO WORKS COMMENTS	8/31/18	CRB
4	DHS	ADA SPACE REV. PER METRO WORKS	9/14/18	CRB

GENERAL NOTES

- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS.
- DRAINAGE PATTERN DEPICTED BY ARROWS IS FOR CONCEPT PURPOSES ONLY. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
- AN APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATION TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PRE THE PLAN AND MSD STANDARDS.
- NO NEW CONSTRUCTION. SITE TO UTILIZE EXISTING STRUCTURES.
- THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT-OF-WAY.
- THERE SHALL BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
- THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
- SHORT TERM BICYCLE PARKING DEVICE SHALL BE A DURABLE, SECURELY ANCHORED DEVICE THAT SUPPORTS THE FRAME OF THE BICYCLE, IS ABLE TO ACCOMMODATE A HIGH SECURITY LOCK AND IS DIMENSIONED AS REQUIRED BY THE LDC.
- BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM MSD LOJIC INFORMATION.
- SANITARY SEWERS TO UTILIZE EXISTING PSC.
- ALL SIGNAGE WILL COMPLY WITH CHAPTER 8 OF THE LAND DEVELOPMENT CODE.
- ALL RETAIL SHOPS MUST HAVE INDIVIDUAL CONNECTIONS PER MSD'S FATS, OILS AND GREASE POLICY.
- ALL DUMPSTERS AND SERVICE STRUCTURES TO BE SCREENED PER CHAPTER 10 REQUIREMENTS.
- EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT METRO PUBLIC WORKS STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
- SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS. IF IT DOES, IT SHOULD BE RE-AIMED, SHIELDED OR TURNED OFF.
- ALL NEW OR EXISTING SIDEWALKS SHALL BE EITHER BROUGHT UP TO OR BUILT TO A.D.A. CURRENT STANDARDS.
- NO TREE CANOPY OR LANDSCAPE REQUIREMENTS PER LAND DEVELOPMENT CODE, CHAPTER 10.1.
- AN ENCROACHMENT PERMIT AND BOND WILL BE REQUIRED FOR ALL WORK DONE IN THE RIGHT-OF-WAY.
- PUBLIC WORKS PERMIT REQUIRED FOR THE OUTDOOR DINING IN THE RIGHT-OF-WAY.

SITE DATA

SITE AREA	0.12 ACRES (5,040.00 SF)
EXISTING ZONING	R-5
EXISTING FORM DISTRICT	TNFD
EXISTING USE	OFFICE
EXISTING BUILDING AREA	2,143 SQ.FT.
(INCLUDING 293 S.F. OUTDOOR DINING AREA)	
PROPOSED ZONING	C-1 w/ C.U.P.
PROPOSED USE	RESTAURANT
PARKING REQUIREMENTS	
MIN. PARKING REQUIRED (1/250 S.F.)	9 SPACES
20% HISTORIC REGISTER ELIGIBILITY CREDIT	7 SPACES
MAX. PARKING ALLOWED (1/125 S.F.)	17 SPACES
PARKING PROVIDED	8 SPACES
ON STREET SPACES	5
ON SITE	3
BIKE RACK: SHORT TERM	4 SPACES
LONG TERM	2 SPACES*

* ALL LONG-TERM BICYCLE PARKING LOCATED WITHIN BUILDINGS.

WAIVER REQUEST:

- WAIVER OF CHAPTER 10.2.4 OF THE LAND DEVELOPMENT CODE TO ELIMINATE THE REQUIRED 15' LANDSCAPE BUFFER, PLANTING AND SCREENING REQUIREMENTS ALONG THE WEST (R-5) PROPERTY LINE.

CUP REQUEST

- RELIEF FROM CHAPTER 4.2.41 OF THE LDC TO ALLOW OUTDOOR DINING WITH OUTDOOR ALCOHOL SALES AND CONSUMPTION IN A C-1 ZONE.

LEGEND

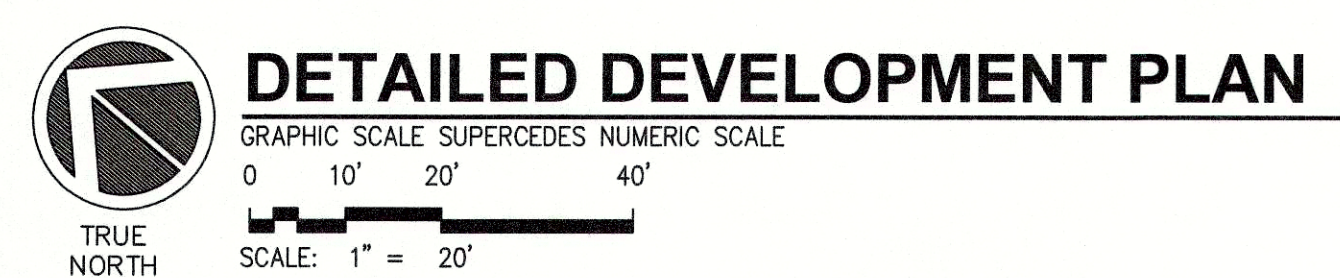
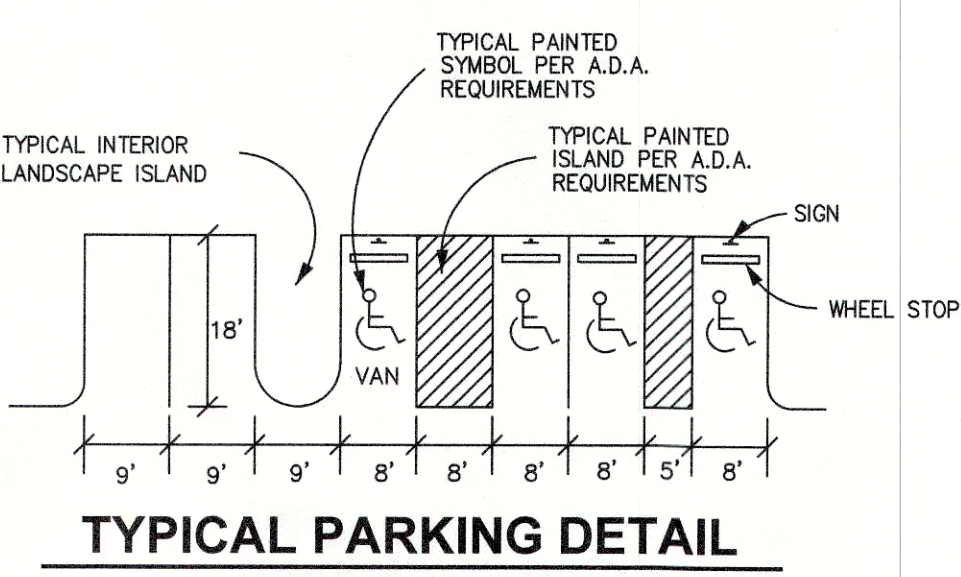
- EXISTING FENCE
- OHU EX. OVERHEAD UTILITIES
- POWER POLE
- FIRE HYDRANT
- DRAINAGE FLOW
- EX. ZONING LINE
- EX. FORM DISTRICT
- CENTERLINE
- PROPOSED FENCE
- EXISTING CONTOUR LINE

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

LOUISVILLE METHOD APPROVED DISTRICT DEVELOPMENT PLAN
DOCKET No. 18 Zone 1043
APPROVAL DATE 10/18/18
EXPIRATION DATE
SIGNATURE OF PLANNING COMMISSION
Joel Dock
PLANNING COMMISSION

PRELIMINARY APPROVAL
Condition of Approval:
Tony Kelly 9-5-18
Development Review Date
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

RECEIVED
SEP 04 2018
PLANNING & DESIGN SERVICES



BTM Engineering, Inc.
Consulting Engineers, Landscape Architects, Planners & Surveyors
"Serving the Bluegrass and Beyond"
3001 Taylor Springs Drive Louisville, Kentucky 40220
(502) 459-8402 (502) 459-8427 Fax
www.btmeng.com

BTM Engineering, Inc.
BTM PROJECT NO.: 180179
SITE INFORMATION:
1039 ASH STREET
LOUISVILLE, KY 40211
301 MILL STREAM PLACE
LOUISVILLE, KY 40222-4532
TAX BLOCK 286, LOT 15B

DETAILED DEVELOPMENT PLAN
CONDITIONAL USE PERMIT
1039 ASH STREET
LOUISVILLE, KY 40217

OWNER / DEVELOPER:
JEFFREY J. & REBECCA L. HOLLKAMP
301 MILL STREAM PLACE
LOUISVILLE, KY 40222-4532

DRAWN BY: DHS
CHECKED BY: CRB

DATE: JUNE 2018
DRAWING: 180179-DDP
SCALE: 1" = 20'
SHEET: 1.00

NOT FOR CONSTRUCTION