

## Case No. 17ZONE1007 Binding Elements

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the detailed district development plan, **SUBJECT** to the following binding elements:

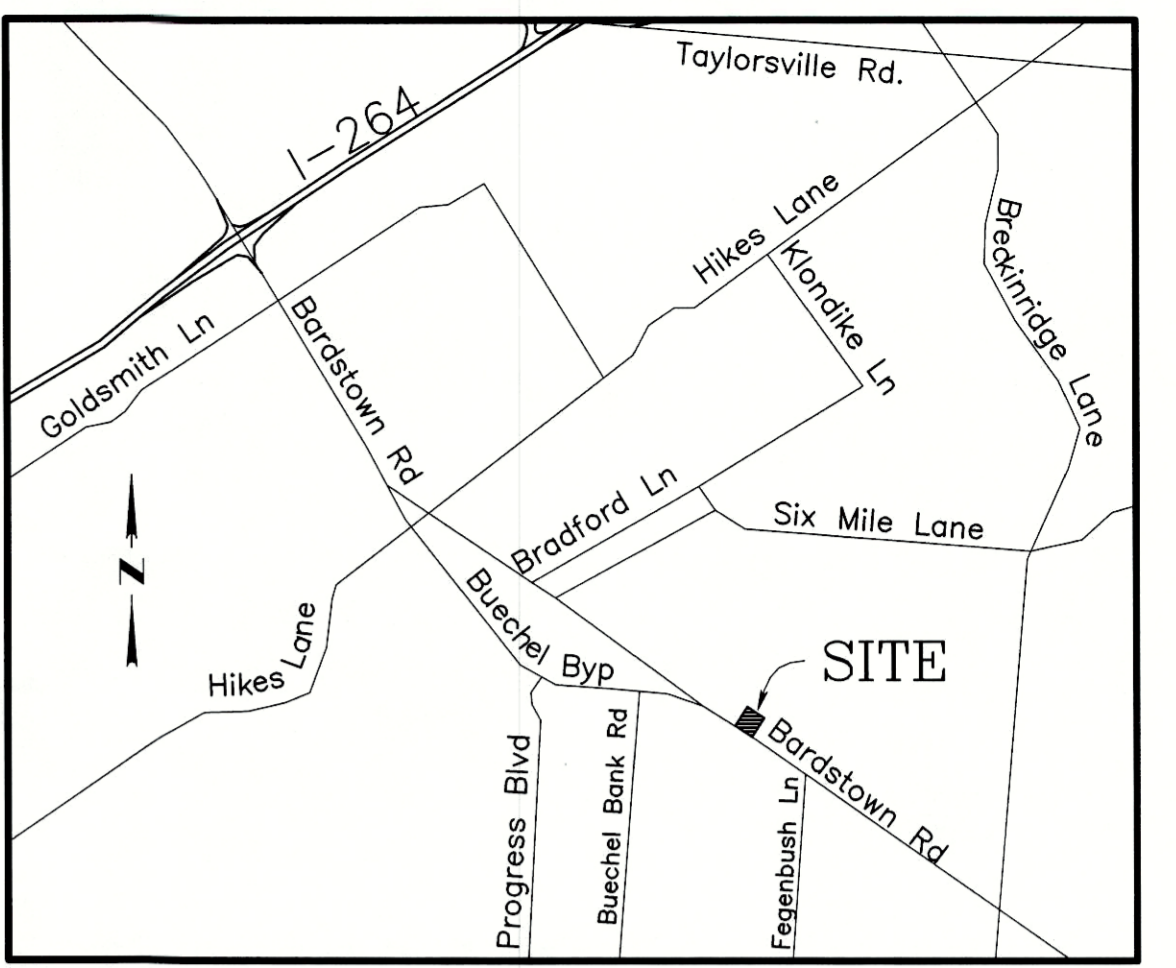
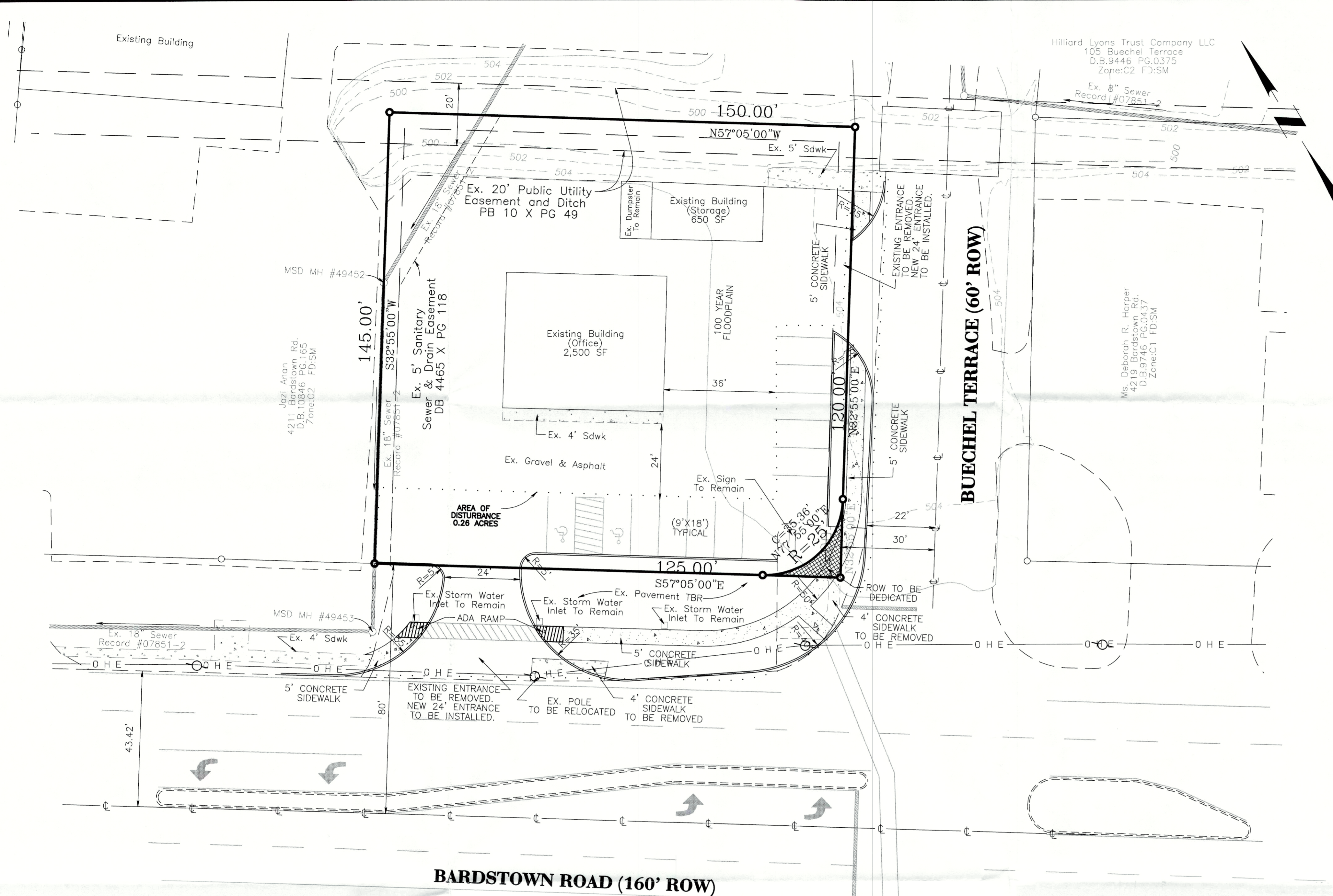
### Binding Elements

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 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.
  - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
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. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
7. 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.



\\ALE1-PCSVALET\Projects\2016-489-4213 Bardstown Rd DDP.ppt 7/17/2017 10:24:26AM AMR



VICINITY MAP  
NO SCALE

LOUISVILLE METRO  
APPROVED DISTRICT DEVELOPMENT PLAN  
DOCKET NO. 17 Zone 100 Z  
APPROVAL DATE September 7, 2017  
EXPIRATION DATE  
SIGNATURE OF PLANNING COMMISSION

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

**Site Development Data**

Location: 4213 Bardstown RD.  
Inst. No. D.B. 9575 PG. 432  
Tax Block, Lot, Sublot: 0542-0121-0000  
Area: 0.49 Acres  
21,344.40 S.F.  
Current Zoning: C1  
Form District: Suburban Marketplace Corridor  
Enterprise Zone: No  
Existing Use: Automobile Service Station  
Proposed Use: Motor Vehicle Sales  
Plan Certain: None  
Convenience Stores Leasing & Management, LLC  
4455 Acra View Ct.  
Brookfield, WI. 53005

**Building Summary**

Area: 21,344.40 S.F.  
Building Area: 2,500 S.F.  
F.A.R. 0.12  
Max Allowed F.A.R. 1.0  
Area of Disturbance 0.26 Acres

**Dimensional Standards**

Building Setbacks:  
Front: One-half of the standard right-of-way width  
Side: None  
Street Side: One-half of the standard right-of-way width  
Rear: None  
Max. Height of Building: 60'

**Parking Summary**

Motor Vehicle Sales	1SP/7000S.F.	Min 1	Max 1SP/5000S.F.
Outdoor Display Area	3,425 S.F.	1	
Office	1SP/350S.F.	7	1SP/200S.F.
	2,500		2,500
Total Spaces Required		8	14
Spaces Provided		11	Spaces
		2	ADA spaces
		13	Total
Bicycle Parking	2 Long-Term	2 Short-Term	

**IL A Requirements**

Vehicle Use Area: 13,811 S.F.  
ILA Required: (7.5%) 1,036 S.F.  
ILA Provided: (7.52%) 1,039 S.F.  
ILA Trees Required: (1/4000 S.F.) 3 trees  
ILA Trees Provided: 3 trees

**Impervious Areas**

Total Site Area 21,344.40 S.F.  
Existing Conditions  
Pervious 278 S.F.  
Impervious 21,066 S.F.  
Proposed Conditions  
Pervious 1,039 S.F.  
Impervious 20,305 S.F.

**DEVELOPMENT NOTES**

- SUBJECT PROPERTY IS LOCATED WITHIN THE CITY OF LOUISVILLE.
- SITE SUBJECT TO MSD PLAN REVIEW FEES.
- ELECTRIC SERVICE TO BE COORDINATED WITH LOUISVILLE GAS AND ELECTRIC.
- WATER SERVICE TO BE COORDINATED WITH THE LOUISVILLE WATER COMPANY.
- PROPERTY IS IN BUECHEL FIRE DISTRICT AND SUBJECT TO APPROVAL.
- CONSTRUCTION PLANS, BOND, AND KTC PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL AND ISSUANCE OF MPW ENCROACHMENT PERMIT.
- ALL LUMINAIRES SHALL BE AIMED, DIRECTED, OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE DIRECTED TOWARD RESIDENTIAL USES OR PROTECTED OPEN SPACES ON ADJACENT OR NEARBY PARCELS, OR TO CREATE GLARE PERCEPTIBLE TO PERSONS OPERATING MOTOR VEHICLES ON PUBLIC STREETS AND RIGHT-OF-WAY.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- MSD FLOODPLAIN PERMIT REQUIRED PRIOR TO CONSTRUCTION.
- SANITARY SEWER SERVICE PROVIDED BY EXISTING PSC, SUBJECT TO FEE'S AND ANY APPLICABLE CHARGES.
- KDOW APPROVAL REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
- ALL SIDEWALKS ALONG THE ACCESSIBLE ROUTE SHALL CONFORM TO THE AMERICAN DISABILITIES ACT (A.D.A.).
- UPON DEVELOPMENT OR REDEVELOPMENT OF ADJACENT PROPERTIES, A UNIFIED ACCESS AND CIRCULATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PREEXISTING CURB CUTS AND PROVIDE FOR VEHICULAR MOVEMENT THROUGHOUT ADJACENT 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 PLANNING COMMISSION LEGAL COUNCIL SHALL BE RECORDED PRIOR TO THE TIME OF CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.
- ALL DRAINAGE STRUCTURES WITHIN THE STATE RIGHT OF WAY SHALL BE STATE DESIGN.
- RIGHT-OF-WAY DEDICATION BY DEED OF CONVEYANCEOR BY MINOR PLAT IS REQUIRED PRIOR TO CONSTRUCTION APPROVAL.
- STRUCTURES REQUIRING SCREEN SUCH AS DUMPSTERS SHALL BE SCREENED IN ACCORDANCE WITH LDC (CH. 10.2.6).

**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.



PRELIMINARY APPROVAL  
Condition of Approval: \_\_\_\_\_  
*Tony Kelly 7-20-17*  
Development Review Date  
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

**PRELIMINARY APPROVAL DEVELOPMENT PLAN CONDITIONS:**

BY: *Dan Mearns*  
DATE: *7-27-17*  
LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

**LEGEND**

- |  |                    |  |                     |
|--|--------------------|--|---------------------|
|  | Property Line      |  | Wood/Vinyl Fence    |
|  | Existing Fence     |  | Ditch Line          |
|  | Existing Sewerline |  | Flow Arrow          |
|  | Proposed Sewerline |  | Existing Storm Line |
|  | Existing Manhole   |  | Proposed Storm Line |
|  | Proposed Manhole   |  |                     |

**RECEIVED**  
JUL 17 2017  
PLANNING & DESIGN SERVICES

**WM # 11597**

GRAPHIC SCALE 1"=20'  
0 20 40 60

DRAWING 1 SHEET OF 1

AL ENGINEERING INC.  
Civil Engineering & Land Development Services  
4790 CRITCHELDEN DRIVE SUITE 201  
LOUISVILLE, KY 40228  
(502) 817-4444

JPAT INVESTMENTS  
4213 Bardstown Rd.  
Louisville, KY 40218

**REZONING PLAN**

ACCOUNT: 2016-489  
DATE: 7-17-2017  
DESIGNED BY: AMR  
DRAWN BY: AMR  
APPROVED BY: AMR