

Case No. 19DEVPLAN1115 Binding Elements

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Revised District Development Plan with Amendment to Existing Binding Elements, **SUBJECT** to the following binding elements:

Existing Binding Elements with proposed changes

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The only permitted freestanding signs shall be monument style signs, located as shown on the approved development plan/sign plan. No portion of the sign, including the leading edge of the sign frame, shall be closer than 5 feet to front property line. The signs shall not exceed 64 and 128 square feet in area per side and 8 and 16 feet in height. No sign shall have more than two sides.
3. No outdoor advertising signs, small free-standing signs, pennants, balloons, or banners shall be permitted on the site.
4. There shall be no outdoor storage, display or sales permitted on the site.
5. Outdoor lighting (for parking lot illumination and security) shall be directed down and away from surrounding residential properties. The site shall utilize shoebox lighting fixtures and shall have a 90-degree cutoff and height of the light standard shall be set so that no light source is visible off-site, with a 20 foot maximum height. Light levels due to lighting on the subject site shall not exceed 0.5 foot candles measured at the property line. The applicant shall obtain certification by a qualified expert in measurement of lighting levels prior to requesting a certificate of occupancy. Such certification shall be maintained on site at all times thereafter.
6. 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.
7. A Tree Preservation Plan (TPP) shall be approved by Planning Commission staff prior to transmittal to the office responsible for permit issuance. No clearing and/or grading activities may take place until a Tree Preservation Plan has been approved. The Tree Preservation Plan shall identify and submit for approval by designated DPDS staff, a plan showing the location of Tree Preservation Areas on site (exclusive of areas dedicated as public right-of-way) prior to beginning any construction procedure (i.e., clearing, grading, demolition). All construction shall be conducted in accordance with the approved Tree Preservation Plan. A partial plan may be submitted to delineate clearing necessary for preliminary site investigation. All Tree Preservation Plans must

be prepared in accordance with the standards set forth by DPDS.

8. Before any permit (including but not limited to building, parking lot, change of use or alteration 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 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 Development Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - e. The property owner, applicant, or developer shall submit to the Planning Commission and the Natural Resources and Environmental Protection Cabinet written procedures for tire/oil disposal that comply with applicable state and federal regulations. Said procedures shall be submitted prior to requesting a building permit and shall be followed for the duration of the use unless otherwise approved by the Planning Commission.
 - f. A road closure approval for the portion of Old La Grange Rd shall be approved prior to requesting a building permit**
 - g. 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.**
9. 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.
10. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
11. 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.

12. If work is required within the easements causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the approved landscape plan.

13. The dumpster shall not be emptied between the hours of 10 p.m. and 7 a.m.

~~14. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 7th, 2002 Planning Commission meeting and the May 8, 2019 Development Review Committee meeting. Canopy treatments for the gas station shall be submitted to the Planning Commission staff for review and approval.~~

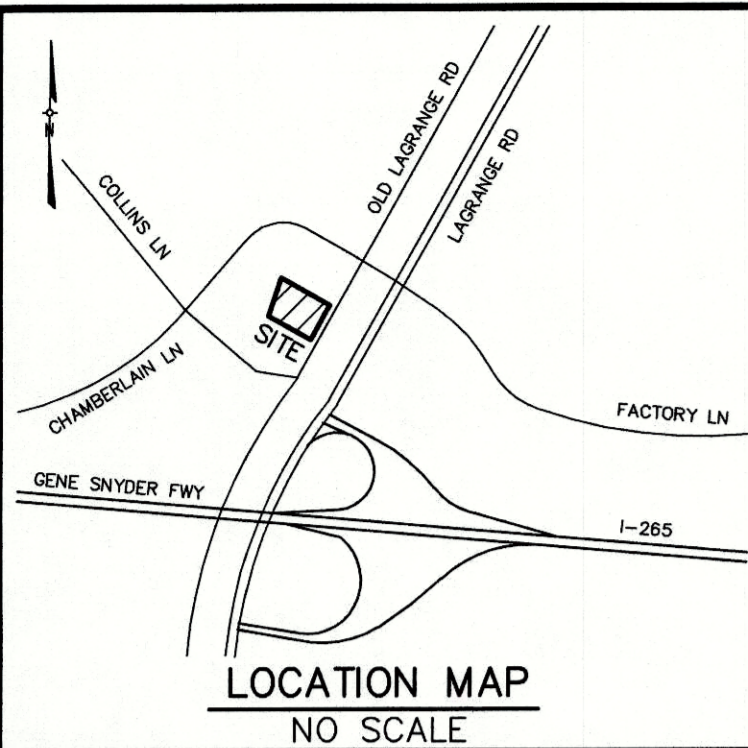
15. The landscape plan shall be developed in consultation with Mr. Cain (12515 Old Lagrange Rd. Louisville, KY 40245) and Mr. Rick Wardlow, for specific landscape materials and placement of landscaping.

Proposed Binding Elements:

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EROSION PREVENTION AND SEDIMENT CONTROL NOTES

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDDED AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02.

WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICAL, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE OR CATCH BASIN.

GENERAL NOTES:

- (←) DEPICTS DIRECTION OF STORM WATER FLOW FOR SCHEMATIC PURPOSES ONLY.
- WASTEWATER FOR THIS DEVELOPMENT TO BE TREATED AT THE MORRIS FOREMAN WQTC.
- 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.
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.
- ALL LUMINARIES SHALL BE AIMED, DIRECTED, OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM LUMINAIRE TO BE DIRECTED TOWARDS RESIDENTIAL USES OR PROTECTED OPEN SPACES (IE. CONSERVATION EASEMENTS, GREENWAYS, PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR CREATE GLARE PERCEPTIBLE TO PERSONS OPERATING MOTOR VEHICLES ON PUBLIC STREETS AND RIGHT-OF-WAYS. IF IT DOES, IT SHOULD BE RE-AIMED, SHIELDED OR TURNED OFF.
- ALL DUMPSTERS AND SERVICES STRUCTURES SHALL BE SCREENED IN ACCORDANCE WITH CHAPTER 10 OF THE LAND DEVELOPMENT CODE.
- CONSTRUCTION PLANS, BOND AND ENCROACHMENT PERMIT ARE REQUIRED BY KYTC AND/OR METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL, OR ANY WORK BEING PERFORMED IN THE LOUISVILLE METRO RIGHT-OF-WAY.
- THERE SHOULD BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
- THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
- ANY SITE LIGHTING SHALL COMPLY WITH THE LOUISVILLE METRO LDC.
- MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF THE LOUISVILLE JEFFERSON COUNTY METRO ORDINANCE.
- ALL FOOD SERVICE ESTABLISHMENTS MUST BE IN ACCORDANCE WITH 902 KAR 45:005 REGULATIONS.
- ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- STORM WATER DETENTION TO BE ROUTED THROUGH THE EXISTING DETENTION BASIN THAT WAS APPROVED AND CONSTRUCTED FOR THE ENTIRE DEVELOPMENT (WM7780) PDS CASE # 10907.
- MITIGATION MEASURES SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- EXISTING SIDEWALK AND RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT MPW STANDARDS AND SHALL BE INSPECTED PRIOR TO FULL BOND RELEASE.
- ALL RETAIL SHOPS MUST HAVE INDIVIDUAL SEWER CONNECTIONS PER MSD'S FATS, OIL AND GREASE POLICY.
- 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 COUNSEL SHALL BE RECORDED PRIOR TO THE TIME OF CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.
- EXISTING STORM LINE TO BE RELOCATED AS NECESSARY. EXISTING EASEMENT TO BE RELEASED AND RE-GRANTED.

FLOOD NOTE

FLOOD PLAN CERTIFICATION IS RESTRICTED TO A REVIEW OF THE FLOOD INSURANCE RATE MAPS (F.I.R.M.) LATEST REVISION AND SHALL NOT BE CONSTRUED AS A CONFIRMATION OR DENIAL OF FLOODING POTENTIAL. THE PROPERTY SHOWN HEREON IS NOT IN A 100 YEAR FLOOD AREA PER F.E.M.A. MAP NO. 21111C020E

PRELIMINARY DRAINAGE CALCULATIONS

CHANGE IN RUNOFF COEFFICIENT, C=(0.80-0.34)=0.46
 SITE AREA = 2.08 ACRES
 INCREASED RUNOFF = [(0.46x2.8/12)x2.08 = 0.223 AC-IN

INCREASED IMPERVIOUS SURFACE

PRE-DEVELOPED IMPERVIOUS SURFACE = 15,148 S.F.
 POST-DEVELOPED IMPERVIOUS SURFACE = 100,600 S.F.
 NET INCREASE IN IMPERVIOUS SURFACE = 85,452 S.F.

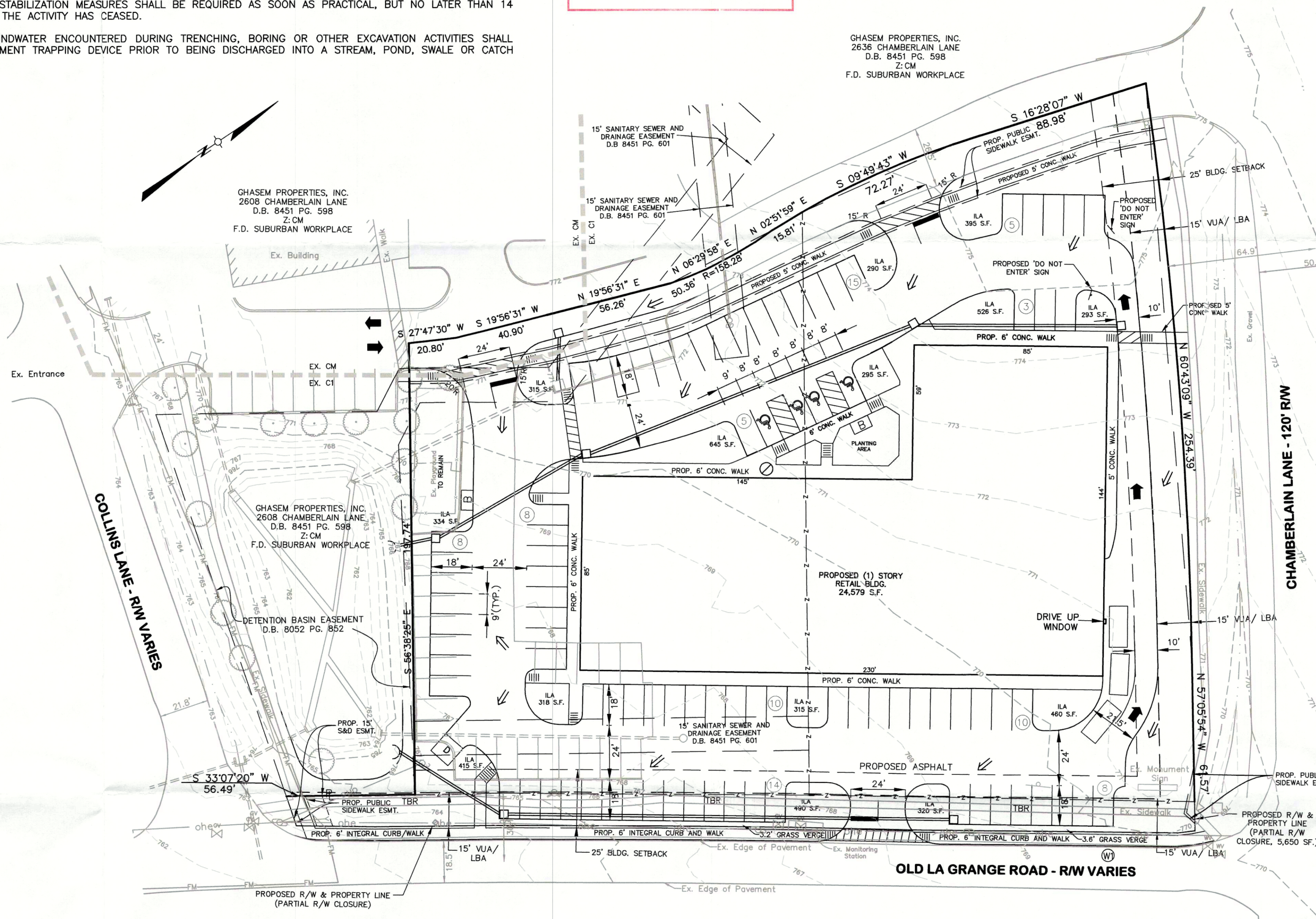
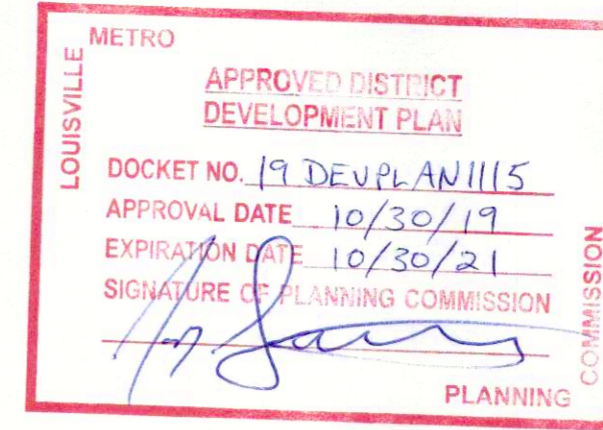
TREE CANOPY CALCULATIONS (TCCA)

CLASS: C
 EXISTING TREE CANOPY: 0 SF (0%) COVERAGE
 SITE AREA: 2.08 AC (90,652 SF)
 EXISTING TREES PRESERVED: 0 SF (0%)
 REQUIRED NEW TREE CANOPY: 18,270 SF (20%)
 REQUIRED TOTAL TREE CANOPY: 18,270 SF (20%)

WAIVER(S) REQUESTED

A WAIVER IS REQUESTED FROM CHAPTER 10.2 OF THE LDC TO NOT PROVIDE THE REQUIRED 15' LBA ALONG OLD LA GRANGE RD.

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



PROJECT SUMMARY

EXISTING ZONING	CM, C1
FORM DISTRICT	SW
EXISTING USE	VACANT
PROPOSED USE	RETAIL
EXISTING SITE ACREAGE:	1.95 AC.± (84,992 S.F.±)
R/W CLOSURE:	0.13 AC.± (5,660 S.F.±)
PROPOSED TOTAL SITE ACREAGE:	2.08 AC.± (90,652 S.F.±)
PROPOSED BUILDING S.F.	24,579 S.F.
MAXIMUM BUILDING HT.	50'
VUA	70,525 S.F.
ILA REQUIRED (7.5%)	5,289 S.F.
ILA PROVIDED	5,411 S.F.

PARKING SUMMARY

PARKING REQUIRED (RETAIL 24,579 S.F.)	
MIN. (1 SPACE/250 S.F.)	98 SPACES
MAX. (1 SPACE/150 S.F.)	164 SPACES
LDC APPENDIX 5A REDUCTIONS	
10% WITHIN 1/2 MILE OF 10 GOODS AND SERVICES	10% 3X BIKE PARKING
20% OR 20 SPACES	
MIN. REQUIRED AFTER REDUCTIONS	78 SPACES
PARKING PROVIDED	
STANDARD SPACES	82 SPACES
HANDICAP SPACES	4 SPACES
TOTAL PROVIDED	86 SPACES

BICYCLE PARKING

REQUIRED SPACES	
LONG TERM (2 OR 1/50,000 S.F.)	2 SPACES
SHORT TERM (2 OR 1/25,000 S.F.)	2 SPACES
PROVIDED SPACES	
LONG TERM	6 SPACES
SHORT TERM	6 SPACES
TOTAL	12 SPACES

LEGEND

- EX. UTILITY POLE
- EX. CONTOUR
- EX. FIRE HYDRANT
- EX. OVERHEAD ELECTRIC
- EX. SANITARY SEWER
- EX. SIGN
- EX. FORCE MAIN SEWER
- PARKING COUNT
- DIRECTION OF STORM WATER FLOW
- PROPOSED RAMP
- INTERIOR LANDSCAPE AREA
- TO BE REMOVED
- EXISTING ZONING LINE
- PROPOSED BICYCLE PARKING
- EXISTING CLEANOUT
- PROPOSED PROPERTY SERVICE CONNECTION

Milestone design group
 108 Daventry Lane, Suite 300 Louisville, KY 40223
 502.327.7073 www.milestonedesign.org

ANCHORAGE LANDMARK II

DATE: 5/17/19
 DRAWN BY: G.C.Z.
 CHECKED BY: D.L.E.
 SCALE: 1"=30' (HORZ)
 SCALE: N/A (VERT)

REVISIONS

AGENCY CMNTS 7/1/19
AGENCY CMNTS 7/23/19
AGENCY CMNTS 8/30/19
AGENCY CMNTS 9/23/19
AGENCY CMNTS 10/4/19

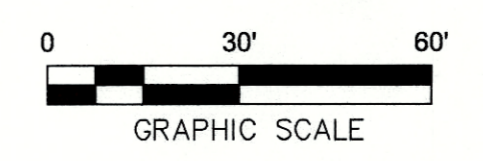
REVISED DEVELOPMENT PLAN

JOB NUMBER 19004

1 OF 1



CASE# 19DEVPLAN1115
 RELATED CASE(S): 09-004-02, 10907,19DEVPLAN1021
REVISED DETAILED DISTRICT DEVELOPMENT PLAN
 ANCHORAGE LANDMARK II
 2600 & 2604 CHAMBERLAIN LN
 LOUISVILLE, KY 40245
 TAX BLOCK: 0015 LOT: 0598, 0599
 DEVELOPER/ OWNER:
 GHASEM PROPERTIES INC
 PO BOX 43299
 LOUISVILLE, KY 40253
 D.B. 8451 Pg. 598



WM #7780