

## Case No. 18ZONE1080 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. The existing western access point to S Jackson Street shall be closed, and access to the site shall be achieved from S Preston Street and the private alley running from Woodbine Street to S Jackson Street.
4. 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.
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. 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. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created

between the owners of the subject property and the property to the immediate east, 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.

- e. 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.
6. 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.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
8. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
9. 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.

**UTILITIES NOTE**

ALL UTILITIES SHOWN 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 HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATION SO EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS AND WATERLINES). WHEN CONTRACTING THE "KENTUCKY 811" CALL CENTER, PLEASE STATE THAT 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 IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

**SANITARY SEWER NOTES**

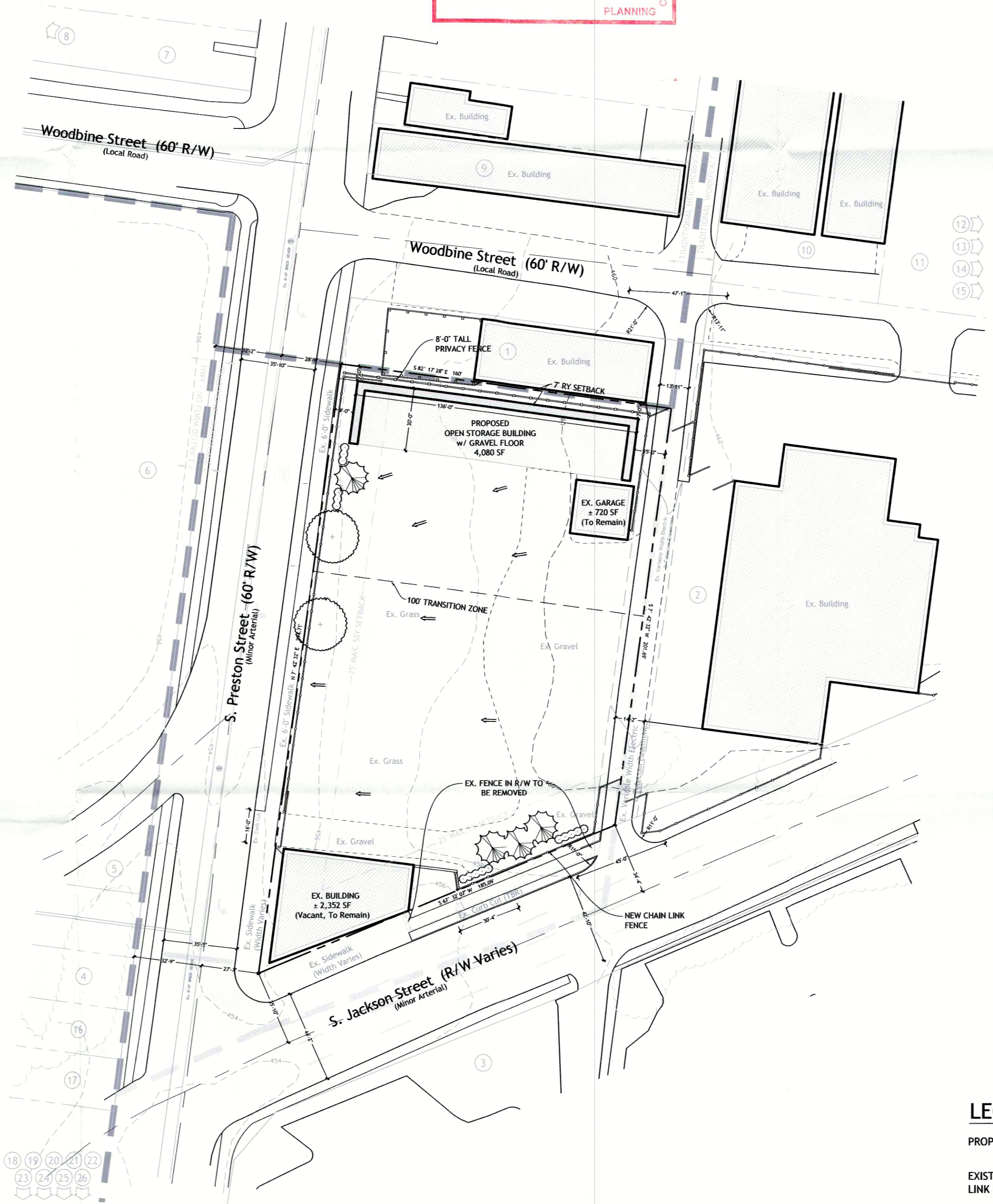
1. THE PROPOSED BUILDING WILL NOT HAVE ANY FACILITIES THAT REQUIRE A PSC CONNECTION
2. CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE, AND FEDERAL ORDINANCES.
3. SITE IS SUBJECT TO REGIONAL FACILITY FEES.
4. SITE DRAINAGE SHALL BE DIRECTED TO THE S. PRESTON STREET RIGHT-OF-WAY. KYTC APPROVAL REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL FOR THE INCREASE IN RUN OFF TO THE RIGHT-OF-WAY.
5. AN EPSC PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.

**GENERAL NOTES**

1. NO PARKING AREAS ARE TO BE PROVIDED WITH THIS DEVELOPMENT. THE ONLY SITE IMPROVEMENT WILL BE THE ADDITION OF THE NEW BUILDING.
2. NO PORTION OF THE SITE IS WITHIN THE 100-YEAR FLOODPLAIN PER FIRM MAPS No. 21111C0041E & 21111C0042E, BOTH DATED DECEMBER 5TH, 2006.
3. NO DUMPSTERS/REFUSE CONTAINERS OR SERVICE STRUCTURES ARE TO BE PROVIDED WITH THIS DEVELOPMENT.
4. NO ADDITIONAL LIGHTING WILL BE PROVIDED WITH THIS DEVELOPMENT.
5. THERE ARE NO WETLANDS OR FLOODPLAIN RECORDED ON THIS PROPERTY.
6. PRIOR TO ANY CONSTRUCTION ACTIVITIES ON THE SITE, AN EROSION & SILT CONTROL PLAN SHALL BE PROVIDED TO MSD FOR APPROVAL.
7. NO ADDITIONAL WATER SERVICES WILL BE REQUIRED FOR THIS DEVELOPMENT.
8. CONSTRUCTION PLANS, BOND AND PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL.
9. COMPATIBLE UTILITIES, IF NEEDED, SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
10. MATERIALS STORED WITHIN THE PROPOSED BUILDING SHALL BE MOVED BY HAND, AND THEREFORE WILL NOT REQUIRE ANY TRUCK MANEUVERING ON THE SITE.
11. IF, DURING CONSTRUCTION, EXISTING SIDEWALKS ARE DAMAGED, RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT METRO PUBLIC WORKS STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
12. A RECIPROCAL ACCESS AND CROSSOVER AGREEMENT SHALL BE CREATED AND RECORDED BETWEEN THE ADJOINING PROPERTY OWNERS TO THE EAST.
13. MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
14. CONTACT SHALL BE MADE WITH METRO EMERGENCY SERVICES PRIOR TO THE CONSTRUCTION PERMITTING PROCESS TO ESTABLISH AN ADDRESS FOR THE PROPOSED STRUCTURE.
15. CONSTRUCTION WORK SHALL NEITHER IMPACT NOR BE PERMITTED IN THE KYTC STATE RIGHT-OF-WAY.

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

LOUISVILLE METRO  
APPROVED DISTRICT DEVELOPMENT PLAN  
DOCKET NO. 18 ZONE 1080  
APPROVAL DATE April 18, 2019  
EXPIRATION DATE  
SIGNATURE OF THE DISTRICT COMMISSIONER  
PLANNING COMMISSION



**ADJACENT PROPERTY INFO (1st Tier)**

- 1. PARCEL ADDRESS: 1353 S. Preston Street  
FORM/ZONING: TN / OR-2  
OWNER INFO: George & Magnolia Pantoja  
6803 John Paul Lane  
Louisville, KY 40229-1538  
8915 / 849  
DB/PG:
- 2. PARCEL ADDRESS: 1420 S. Jackson Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Midwest Sprinkler Corp.  
1420 S. Jackson Street  
Louisville, KY 40208  
8196 / 133  
DB/PG:
- 3. PARCEL ADDRESS: 1419 S. Jackson Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Republic Services of Kentucky, LLC  
PO Box 29246  
Phoenix, AZ 85038-9246  
9442 / 5  
DB/PG:
- 4. PARCEL ADDRESS: 1402 S. Preston Street  
FORM/ZONING: N/A (Parcel 032H01700000)
- 5. PARCEL ADDRESS: N/A (Parcel 032H015600000)
- 6. FORM/ZONING: N/A (Expressway R/W)  
OWNER INFO: Commonwealth of Kentucky  
Department of Highways, District 5  
8310 Westport Road  
Louisville, KY 40242  
???? / ???  
DB/PG:

**ADJACENT PROPERTY INFO (2nd Tier)**

- 7. PARCEL ADDRESS: 1356 S. Preston Street  
FORM/ZONING: TN / OR-2  
OWNER INFO: Brooke Realty, LLC  
10221 Linn Station Road  
Louisville, KY 40223-5609  
9473 / 943  
DB/PG:
- 8. PARCEL ADDRESS: 1334 S. Preston Street  
FORM/ZONING: N/A (Expressway R/W)  
OWNER INFO: Commonwealth of Kentucky  
Department of Highways, District 5  
8310 Westport Road  
Louisville, KY 40242  
???? / ???  
DB/PG:
- 9. PARCEL ADDRESS: 1351 S. Preston Street  
FORM/ZONING: TN / OR-2  
OWNER INFO: 1351 S. Preston Street Land Trust  
PO Box 33354  
Louisville, KY 40232-3354  
9929 / 998  
DB/PG:
- 10. PARCEL ADDRESS: 415 Woodbine Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Steiner-Reck Inc.  
415 Woodbine Street  
Louisville, KY 40208-2039  
5400 / 663  
DB/PG:
- 11. PARCEL ADDRESS: 421 Woodbine Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: 427 East Woodbine LLC  
429 Woodbine Street  
Louisville, KY 40208-2039  
9497 / 429  
DB/PG:
- 12. PARCEL ADDRESS: 423 Woodbine Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: 427 East Woodbine LLC  
429 Woodbine Street  
Louisville, KY 40208-2039  
9497 / 429  
DB/PG:
- 13. PARCEL ADDRESS: 427 Woodbine Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: 427 East Woodbine LLC  
429 Woodbine Street  
Louisville, KY 40208-2039  
9497 / 429  
DB/PG:
- 14. PARCEL ADDRESS: 501 Woodbine Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Spalted Investments LLC  
4006 Landherr Drive  
Louisville, KY 40299-4470  
8398 / 401  
DB/PG:
- 15. PARCEL ADDRESS: 500 Bergman Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Meredith Group Real Estate, LLC  
500 Bergman Street  
Louisville, KY 40203-2617  
11130 / 274  
DB/PG:
- 16. PARCEL ADDRESS: N/A (Parcel 032H01570000)
- 17. PARCEL ADDRESS: N/A (Parcel 032H01560000)
- 18. PARCEL ADDRESS: N/A (Parcel 032H01300000)
- 19. PARCEL ADDRESS: N/A (Parcel 032H01290000)
- 20. PARCEL ADDRESS: N/A (Parcel 032H01280000)
- 21. FORM/ZONING: N/A (Expressway R/W)  
OWNER INFO: Commonwealth of Kentucky  
Department of Highways, District 5  
8310 Westport Road  
Louisville, KY 40242  
???? / ???  
DB/PG:
- 22. PARCEL ADDRESS: 1420 S. Preston Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Ervin K & Nancy Mercer  
18209 State Road 60  
Borden, IN 47106-8610  
5998 / 691  
DB/PG:
- 23. PARCEL ADDRESS: 1426 S. Preston Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Outdoor Systems Inc.  
PO Box 404  
Broadway, NJ 08808-0404  
6234 / 662  
DB/PG:
- 24. PARCEL ADDRESS: 1428 S. Preston Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Mike Lutz  
3010 Christiana Woods Court  
Louisville, KY 40299-2903  
10312 / 730  
DB/PG:
- 25. PARCEL ADDRESS: 1430 S. Preston Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Daniel & Beth Rose  
1840 Sherwood Avenue  
Louisville, KY 40205-1041  
11296 / 327  
DB/PG:
- 26. PARCEL ADDRESS: 1438 S. Preston Street  
FORM/ZONING: TW / EZ-1  
OWNER INFO: Treasured Real Estate LLC  
1200 Falls Trace  
Louisville, KY 40223-3745  
10146 / 42  
DB/PG:



**VICINITY MAP**  
NOT TO SCALE

**SITE DATA**

PROJECT DATA	
SITE AREA	39,712 SF (± 0.91 Ac.)
DISTURBED AREA	5,000 SF
NET INCREASE OF IMPERVIOUS SURFACE	4,080 SF
EXISTING FORM DISTRICT	TRADITIONAL NEIGHBORHOOD
PROPOSED FORM DISTRICT	TRADITIONAL WORKPLACE
EXISTING ZONING	C2 & OR2
PROPOSED ZONING	EZ1
EXISTING USE	VACANT BUILDINGS (TO REMAIN)/LOT
PROPOSED USE	OPEN STORAGE BUILDING

BUILDING INFORMATION	
PROPOSED BUILDING (PIPE STORAGE)	4,080 SF
EXISTING VACANT BUILDING (TO REMAIN)	2,352 SF
EXISTING GARAGE (TO REMAIN)	718 SF
TOTAL BUILDING AREA	7,150 SF
MAXIMUM FLOOR AREA RATIO (F.A.R.) ALLOWED	5.0
PROPOSED F.A.R.	0.18
MAXIMUM BUILDING HEIGHT ALLOWED	45'-0"
PROPOSED BUILDING HEIGHT	18'-0"

SITE DIMENSIONAL REQUIREMENTS (EZ1)	
MINIMUM FRONT YARD / STREET SIDE YARD SETBACK	0 FT <sup>1</sup>
MAXIMUM FRONT YARD / STREET SIDE YARD SETBACK	25 FT
SIDE YARD SETBACK	10 FT <sup>2</sup>
REAR YARD SETBACK	15 FT

PARKING REQUIREMENTS	
PROPOSED USE	STORAGE
UNIT OF CALCULATION	EMPLOYEES
NO. OF EMPLOYEES	0
MIN. REQUIRED PARKING	1 SPACE PER 1.5 EMPLOYEES
MAX. REQUIRED PARKING	1 SPACE PER EMPLOYEE
TOTAL REQUIRED	0

TREE CANOPY REQUIREMENTS (CLASS A)	
TOTAL SITE AREA	39,712 SF
TREE CANOPY TO BE PRESERVED	N/A (NO EXISTING TREES)
NEW TREE CANOPY REQUIRED	10%
TREE CANOPY TO BE PLANTED (6 TYPE "A" TREES @ 720 SF)	4,320 SF
TOTAL TREE CANOPY PROVIDED	4,320 SF, OR 11%

- VARIANCE REQUESTS**
1. A VARIANCE IS REQUESTED TO REDUCE THE REQUIRED 20'-0" REAR YARD SETBACK (LDC 5.2.5.C.3.c) BY 13'-0", THUS RESULTING IN A 7'-0" REAR YARD SETBACK.
  2. A VARIANCE IS REQUESTED TO ALLOW THE PROPOSED STORAGE STRUCTURE TO BE PLACED FURTHER THAN 5'-0" AWAY FROM THE RIGHT-OF-WAY LINE OF BOTH S. JACKSON STREET AND S. PRESTON STREET (LDC 5.5.1.A.2).

- WAIVER REQUESTS**
1. A WAIVER IS REQUESTED TO NOT PROVIDE THE SCREENING REQUIRED BETWEEN THE ACCESSORY STRUCTURE AND SOUTH PRESTON STREET (LDC 5.5.5.A.1).
  2. A WAIVER IS REQUESTED TO NOT PROVIDE THE LANDSCAPE BUFFER AND ASSOCIATED PLANT MATERIAL ALONG THE NORTH PROPERTY LINE THAT IS ADJACENT TO OR-2 ZONING (LDC 10.2.4).

**AMENDMENT REQUEST**  
IT IS REQUESTED THAT THE PLANNING COMMISSION AMEND THE RESTRICTION SET FORTH IN LDC 2.6.1.A.1, WHICH REQUIRES A 200'-0" SETBACK FROM ANY RESIDENTIAL USE ADJACENT TO THE PROPERTY.



**OWNER/DEVELOPER**  
Midwest Sprinkler Corp.  
1420 S. Jackson Street  
Louisville, KY 40208

**OWNER SOURCE OF TITLE**  
DB 10781 / PG 519

**SITE ADDRESS**  
1375 S. Preston St.  
Louisville, KY 40208  
(Parcels 023 F001 00000)

**PRELIMINARY APPROVAL**  
Condition of Approval: \_\_\_\_\_  
*Tony Kelly 4-17-19*  
Development Review Date  
LOUISVILLE & JEFFERSON COUNTY  
METROPOLITAN SEWER DISTRICT

NOTE: THIS DRAWING IS INTENDED TO BE PLOTTED IN COLOR. IF THIS SHEET APPEARS IN BLACK AND WHITE, IT IS PLOTTED INCORRECTLY. DISCARD AND OBTAIN AN ACCURATE DRAWING.

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**KovertHawkins**  
architects

CP	Drawn	Checked By	Project No.	1808.01	2.1.2019
1	3.4.2019	2	3.23.2019	3	4.15.2019
2		4		5	
3		6			

**PRELIMINARY APPROVAL DEVELOPMENT PLAN**  
CONDITIONS:

By: *Erin Wood*  
DATE: *4/17/19*  
LOUISVILLE/JEFFERSON COUNTY  
METRO PLANNING DISTRICT

**Midwest Sprinkler Corp.**  
**New Storage Building**  
1375 S. Preston St.  
Louisville, KY

RECEIVED  
DP-101 APR 15 2019  
DESIGN SERVICES