

Case No. 15ZONE1048 Binding Elements

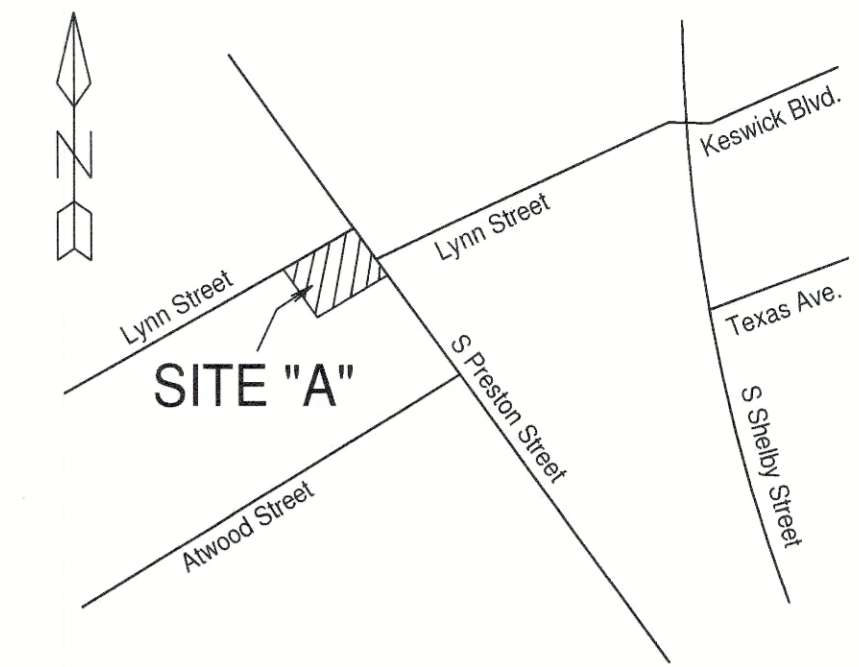
RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Variance from Chapter 5.2.3.D.3.C of the Land Development Code to allow a reduction of the required rear yard from 5' to 3' for the proposed addition; a Landscape Waiver from Chapter 10.2.4 of the Land Development Code to allow existing structures, parking and dumpster to encroach into the required 15' LBA; a Landscape Waiver from Chapter 10.2.4 of the Land Development Code to reduce the required perimeter plantings from 5 trees to 4 trees, and a Revised Detailed District Development Plan, SUBJECT to the following binding elements:

1. The development shall be in accordance with the approved site development plan, all 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. The development shall not exceed 5,536 square feet of gross floor area with a 929 square foot outdoor patio.
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 the Louisville Metro Develop Louisville Department of 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.
 - 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.
4. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use, and all binding elements must be implemented prior to requesting issuance of the certificate.
5. A legal instrument providing for the long-term use of the (off-site parking spaces or joint-use parking spaces), as shown on the approved general district development plan and in accordance with (Section 9.1.5 Off-Site Parking or Section 9.1.6 Joint Use Parking), shall be submitted and approved by the Planning Commission legal counsel and recorded in the County Clerk's office. 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 live music shall be permitted in the outdoor eating area and no music shall be audible after midnight (12:00 a.m.) in the outdoor eating area.

- GENERAL NOTES:**
- Title Examination may reveal roads and easements not shown hereon.
 - Property is subject to any restrictions or easements either implied or of record.
 - Adjoiners information was taken from the Jefferson Co. Tax Office.
 - Reference of Meridian was taken from Record Deed.
 - Property and adjoining areas are not located in the 100 year flood area as located by F.E.M.A. Map No. 21111C0058E Dated DEC. 5, 2006.
 - No increase in drainage run off to state roads.
 - There should be no commercial signs on the right of way.
 - There should be no landscaping in the right of way without an encroachment permit.
 - Site lighting should not shine in the eyes of drivers. If it does, it should be re-aimed, shielded or turned off.
 - An encroachment permit and bond will be required for any work done in the 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.
 - Lowest finished floor to be at or above 473.12'.
 - Short term bike parking in public right-of-way shall be approved and installation coordinated with Louisville Metro Public Works.

TREE CANOPY CALCULATIONS

GROSS SITE AREA:	9,512 S.F.
TREE CANOPY CATEGORY	CLASS A
EXISTING TREE CANOPY PRESERVED (including street trees)	4,320 S.F. (45% of site)
NEW TREE CANOPY REQUIRED = 0%	
PROPOSED TREES	
4 Type A Trees @ 1 3/4" cal. (720 S.F. credit each)	2,880 S.F.
TOTAL PROPOSED TREE CANOPY	10,080 S.F.



LOCATION MAP
No Scale

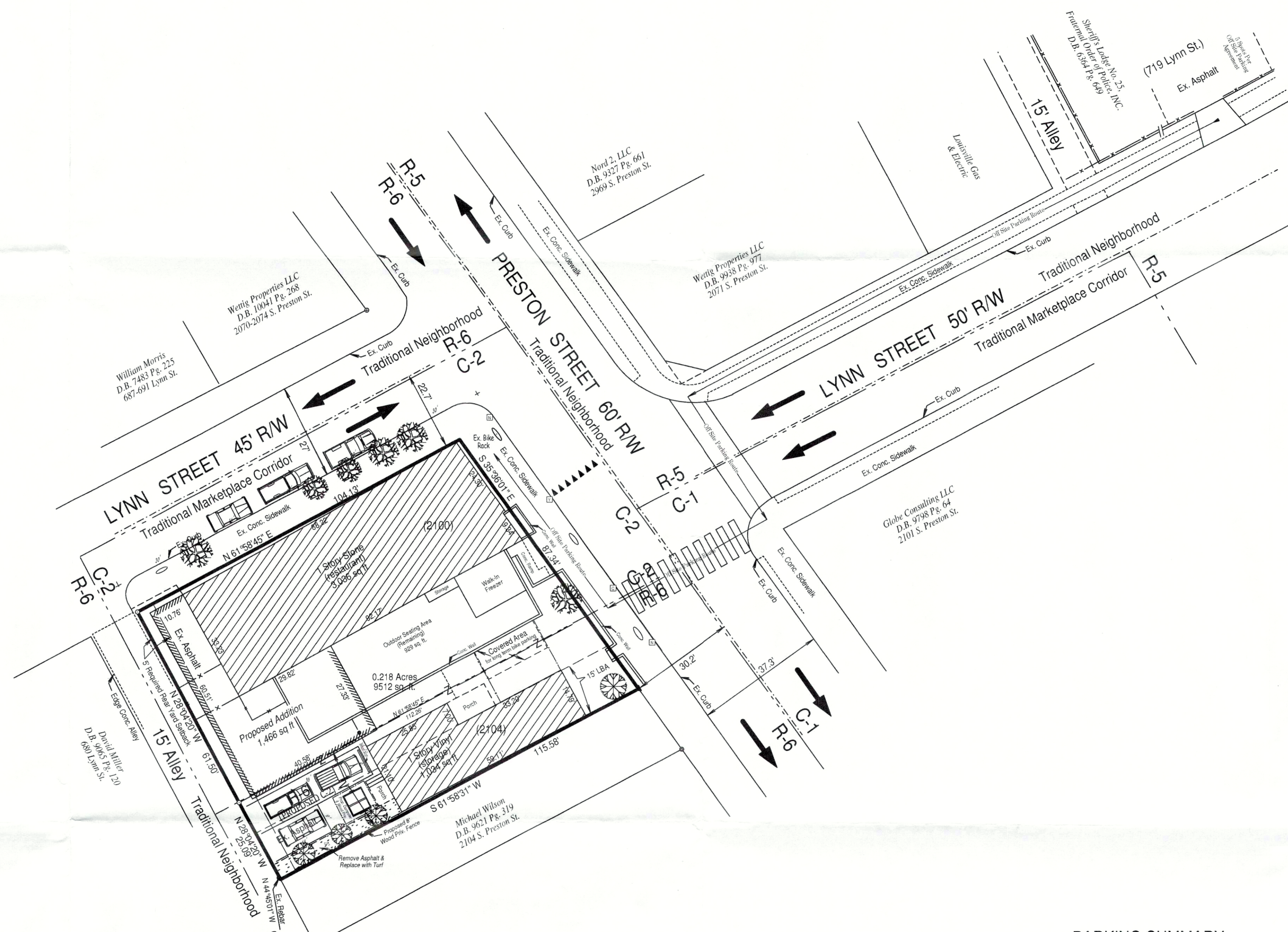
PRELIMINARY APPROVAL

Condition of Approval: _____

Tony Kelly 2/10/16
Development Review Date

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

RECEIVED
FER 0-2118
PLANNING & DESIGN SERVICES



SITE DATA

LOCATION = 2100 S. Preston Street
2104 S. Preston Street
DEED BOOK 9938, PAGE 977
TAX BLOCK: 035L LOTS, 82, 196 & 81
EXISTING ZONING = R6 & C2
FORM DISTRICT = TMC & TN
COUNCIL DISTRICT = 15

2100 S. Preston Street
EXISTING USE = Restaurants
EX. BUILDING = 3,036 sq. ft.
PROPOSED ADDITION = 1,466 sq. ft.
EX. BUILDING HEIGHT = 18'

2104 S. Preston Street
EXISTING USE = Storage
EX. BUILDING = 1,034 sq. ft.
EX. BUILDING HEIGHT =

FLOOR AREA RATIO = 5,536 / 9,512 = 0.58
LAND AREA = 0.218 AC. (9,512 S.F.)

V.U.A. = 450 S.F.



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

ZANZABAR
REZONING & REVISED DEVELOPMENT PLAN

2100, & 2104 S PRESTON STREET
LOUISVILLE, KY. 40217

PROPERTY OWNER: WETTIG PROPERTIES LLC
ADDRESS: 213 BROWN AVENUE, LOUISVILLE, KY. 40207
DEED BOOK & PAGE : DB 9938, PG 977

SCHROLL LAND SURVEYING LLC.
5450 Southview Dr., LOUISVILLE, KY. 40214
Phone: 502-367-7660
Mobile: 502-594-6773
FAX: 502-367-7660

DATE: SEPTEMBER 11, 2015 SCALE 1" = 20'
JOB NO: 1168-13 SHEET 1 OF 1

PLAN DATE 12-14-15

L- WM# 11235

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	2-7-16	Agency Comments (Public Works)	W.S.

EROSION PREVENTION AND SEDIMENT CONTROL NOTE

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 revised 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 seeded and stabilized.

Action must be taken to minimize the tracking of mud and soil from construction areas onto public roadways. Soil tracking onto the roadway shall be removed daily.

Soil stockpiles shall be located away from streams, ponds, swales and catch basins. Stockpiles shall be seeded, 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 practicable, 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.

Relief from listed requirements in LDC Section 5.2.3.D.3.C:

- LDC Section 5.2.3.D.3.C. to allow a reduction of the required rear yard from 5' to 3' to allow for the proposed addition

Relief from listed requirements in LDC Section 10.2.4.A:

- LDC Section 10.2.4.A. to allow existing structures and parking to encroach into the required 15' LBA.
- LDC Section 10.2.4.A. to allow proposed dumpster location to encroach into the required 15' LBA.
- LDC Section 10.2.4.A. to reduce the required perimeter plantings from 5 trees to 4 trees.

IMPERVIOUS AREA
Estimated no Net Increase or reduction of impervious surface
Total Area of Site: 9,512 Square Feet

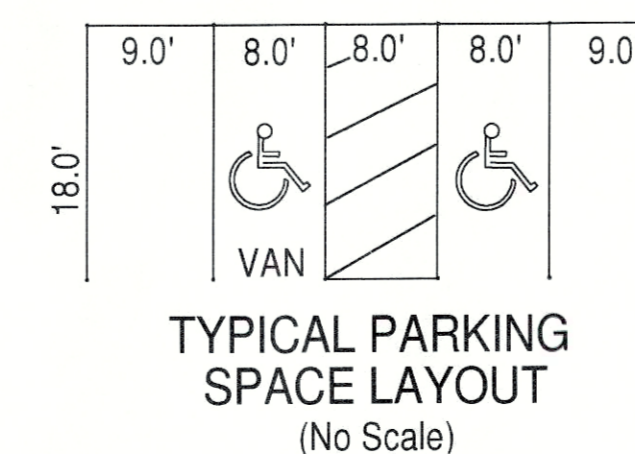
PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS: _____

BY: *Bruce Markert*
DATE: 2-10-16
LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

CROSS WALK SIGN LEGEND

- [N] = No Parking Any Time
- [C] = [Symbol]
- [Y] = [Symbol]



PARKING SUMMARY

RESTAURANT MOTOR VEHICLE:
MINIMUM REQUIRED:
1 SPACE FOR EACH 125 SQ. FT. OF GROSS FLOOR AREA IN TRADITIONAL FORM DISTRICTS
TOTAL FLOOR AREA (EXISTING & PROPOSED) 5,431 SQ. FT.
5,431 SQ. FT. / 125 SQ. FT. = 43 SPOTS

MAXIMUM ALLOWED:
1 SPACE FOR EACH 125 SQ. FT. OF GROSS FLOOR AREA IN TRADITIONAL FORM DISTRICTS
TOTAL FLOOR AREA (EXISTING & PROPOSED) 5,431 SQ. FT.
5,431 SQ. FT. / 125 SQ. FT. = 43 SPOTS

PARKING REDUCTIONS:
10% REDUCTION FOR TRANSIT ROUTE:
20% REDUCTION FOR ELIGIBILITY TO NATIONAL REGISTER FOR HISTORIC PLACES
20% REDUCTION FOR MEETING TWO DESIGN CRITERIA LISTED UNDER SITE DESIGN CRITERIA IN APPENDIX 5A OF THE LAND DEVELOPMENT CODE
REDUCED MINIMUM REQUIRED = 11 SPOTS MINIMUM

BICYCLE:
MINIMUM REQUIRED:
LONG TERM = 2 SPOTS
SHORT TERM = 4 SPOTS

TOTAL PARKING PROVIDED:
MOTOR VEHICLE:
STREET PARKING:
3 SPOTS ON LYNN ST.
OFF ALLEY PARKING:
3 SPOTS BEHIND 2104 PRESTON ST.
OFF SITE JOINT PARKING:
5 SPOTS @ 715 LYNN ST. (552' +/- walking distance)
TOTAL SPOTS PROVIDED: 11 SPOTS

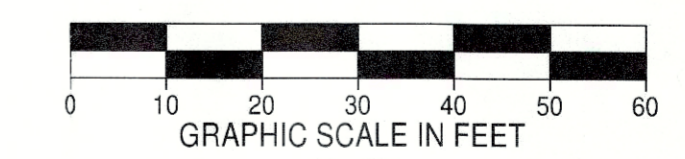
BICYCLE:
LONG TERM = 6 SPOTS
SHORT TERM = 12 SPOTS

SETBACK REQUIREMENTS

Neighborhood Form District

R5:
Front = 15' min, 25' max.
Street - Side = 3' min.
Side = 3'
Rear = 5'

C2:
Front = 15' min, 25' max.
Street - Side = 3' min.
Side = 3' (unless adjacent to SF residential = 5')
Rear = 5'



NOTE: CAUTION EXISTING UTILITIES
THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. LOCATION, SIZE AND MATERIAL SHOWN ON UTILITIES ARE FROM AVAILABLE RECORDS, SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES. B.U.D. MUST BE NOTIFIED 48 HOURS PRIOR TO ANY EXCAVATION, FOR VERIFICATION OF LOCATION, SIZE AND MATERIAL CALL 266-5123 OR 1-800-752-6007