

Case No. 18ZONE1065 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) is requested:
 - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. 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.
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 hours of operation of the site will be from 7 am to 7 pm. No trucks will enter or exit property outside of these hours.
8. No overnight idling of trucks permitted on site.
9. Storage of any trailer on site shall not exceed ten consecutive days. All trailers shall be empty, and cannot exceed five trailers on-site at the same time.
10. No hazardous materials will be hauled or stored in the tractor trailer or on site.
11. The use shall be limited to tractor trailer parking and storage as proposed at the April 4, 2019 Planning Commission meeting.
12. Any modifications to these binding elements or revisions to the District Development Plan shall require the review and approval by the full body of the Louisville Metro Planning Commission.

PRELIMINARY APPROVAL
 Condition of Approval: _____

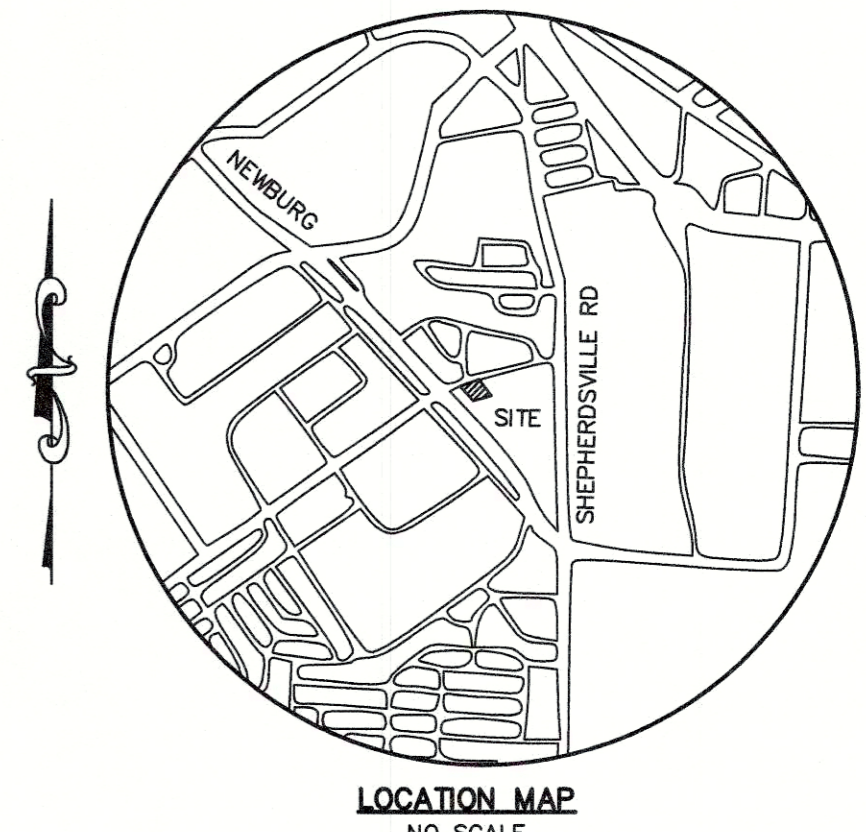
 Development Review Date

 LOUISVILLE & JEFFERSON COUNTY
 METROPOLITAN SEWER DISTRICT

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 1065
 APPROVAL DATE April 4, 2019
 EXPIRATION DATE _____
 SIGNATURE OF PLANNING COMMISSION

 PLANNING COMMISSION



MINDEL SCOTT
 ENGINEERING & SURVEYING > PLANNING > LANDSCAPE ARCHITECTURE
 5151 Jefferson Blvd. Louisville, KY 40219
 502-485-1508 > MindelScott.com



LEGEND

---	EXISTING CONTOUR
---	EXISTING TREE MASS
---	EXISTING FENCE
---	EXISTING CATCH BASIN & YARD DRAIN W/ PIPE
---	EXISTING HEADWALL W/ PIPE
---	EXISTING SANITARY MANHOLE W/ PIPE
---	EXISTING PROPERTY SERVICE CONNECTION
---	EXISTING WATER METER
---	EXISTING GAS MARKER
---	EXISTING UTILITY POLE
---	EXISTING DOWN GUY
---	EXISTING FIRE HYDRANT
---	EXISTING OVERHEAD UTILITIES
---	PROPOSED DITCH/SWALE
---	PROPOSED DRAINAGE ARROW
---	FORM DISTRICT BOUNDARY

PRELIMINARY APPROVAL DEVELOPMENT PLAN
 CONDITIONS:
 BY: _____
 DATE: 01/23/19
 LOUISVILLE/JEFFERSON COUNTY
 METRO PUBLIC WORKS

- GENERAL NOTES:**
- LANDSCAPE AND TREE CANOPY PLAN PER CHAPTER 10 OF THE LDC SHALL BE PROVIDED AS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
 - THE DEVELOPMENT LIES IN THE BLUEGRASS FIRE DISTRICT.
 - ALL LUMINAIRES SHALL BE AIMED, DIRECTED OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE DIRECTED TOWARDS RESIDENTIAL USES OR PROJECTED OPEN SPACES (I.E. CONSERVATION EASEMENTS, GREENWAYS OR PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR TO CREATE GLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT-OF-WAYS PER CHAPTER 4.1.3. OF THE LDC.
 - MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
- MSD NOTES:**
- DRAINAGE/STORMWATER DETENTION:
 DETENTION TO BE COMPENSATED THROUGH REGIONAL FACILITY FEES. DRAINAGE PATTERN (DEPICTED BY FLOW ARROWS) IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
 - EROSION AND SILT CONTROL:
 A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MSD AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE RECOMMENDATIONS.
 - NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA'S FIRM MAPPING (2111100 77E).
 - SITE IS SUBJECT TO REGIONAL FACILITY FEE FOR THE INCREASED RUNOFF VOLUME. CAPACITY OF THE DOWNSTREAM SYSTEM IN THE RIGHT OF WAY DOWN TO THE INTERMITTENT BLUELINE STREAM IS REQUIRED TO BE VERIFIED PRIOR TO CONSTRUCTION PLAN APPROVAL.
- PUBLIC WORKS AND KTC NOTES:**
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
 - VERGE AREA WITH PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
 - STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SITE DISTANCE. FINAL LOCATION WILL BE DETERMINED DURING CONSTRUCTION APPROVAL PROCESS.
 - THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
 - ALL SIDEWALK RAMPS SHALL CONFORM TO A.D.A. STANDARD SPECIFICATION, THE "SPECIAL NOTE FOR DETECTABLE WARNING FOR SIDEWALK RAMPS" PER KTC STANDARD DRAWING FOR SIDEWALKS AND PER "KENTUCKY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," LATEST EDITION.
 - METRO WORKS BOND AND ENCROACHMENT PERMIT WILL BE REQUIRED FOR ALL WORK DONE WITHIN THE PUBLIC RIGHT-OF-WAY.
 - CONSTRUCTION PLANS, BOND, PERMIT AND MSD APPROVAL REQUIRED PRIOR TO METRO WORKS CONSTRUCTION APPROVAL. (SEE MSD NOTE #4)
 - PUBLIC WORKS TO GRANT A WAIVER TO ALLOW THE EXISTING RIGHT OF WAY TO BE ADEQUATE AND NO ADDITIONAL RIGHT OF WAY REQUIRED AT THIS TIME.
 - UPON A CHANGE IN USE/FUTURE DEVELOPMENT OF THE SITE, A UNIFIED ACCESS AND CIRCULATION SYSTEM MAY BE REQUIRED BY METRO WORKS TO ELIMINATE PRE-EXISTING CURB CUTS AND PROVIDE FOR VEHICULAR MOVEMENT THROUGHOUT THE ADJACENT SITES AS DETERMINED APPROPRIATE. 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.

SITE DATA:

EXISTING FORM DISTRICT	NEIGHBORHOOD
EXISTING ZONING	C-1
PROPOSED ZONING	M-2
EXISTING LAND USE	PARKING LOT
PROPOSED LAND USE	HEAVY TRUCK PARKING/STORAGE
TOTAL LAND AREA	0.42± AC./18,112.4± S.F.

TREE CANOPY DATA:

GROSS SITE AREA	18112± S.F.
TREE CANOPY CATEGORY	CLASS X
EXISTING TREE CANOPY	0± S.F. (0%)
EXISTING TREE CANOPY TO BE PRESERVED	0± S.F. (0%)
TOTAL TREE CANOPY REQUIRED	3,622± S.F. (20%)
TOTAL TREE CANOPY PROVIDED	3,622± S.F. (20%)

IMPERVIOUS AREA:

PREVIOUS CONDITION IMPERVIOUS AREA	1,680± S.F.
PROPOSED CONDITION IMPERVIOUS AREA	11,361± S.F.
NET INCREASE IMPERVIOUS AREA	9,681± S.F.

WAIVER REQUESTS:

- A WAIVER OF 10.2.4. OF THE LDC IS REQUESTED TO OMIT THE REQUIRED 15' PERIMETER LANDSCAPE BUFFER AND PLANTINGS ALONG THE SITES WEST AND EAST PROPERTY LINES.
- A WAIVER OF 10.2.10. OF THE LDC IS REQUESTED TO OMIT THE 10' PERIMETER VEHICLE USE AREA LANDSCAPE BUFFER AREA.

VARIANCE REQUEST:

A VARIANCE OF 5.3.1.C.5. OF THE LDC IS REQUESTED TO OMIT THE MINIMUM 10' FRONT YARD.

NOTE:
 LAND SURVEY AND TOPOGRAPHIC INFORMATION PROVIDED BY CARDINAL SURVEYING.

GRAPHIC SCALE 1"=20'
 0 10 20 40

CASE # 18ZONE1065
 MSD WM # 11853

OWNER/DEVELOPER
SILVER HAWK LLC & RJ HAWK LLC
 3701 NEWBURG ROAD
 LOUISVILLE, KY 40218

DETAILED DISTRICT DEVELOPMENT PLAN
TRUCK PARKING/STORAGE
 5102 E. INDIAN TRAIL, LOUISVILLE, KY 40218
 TAX BLOCK 617, LOT 369
 DEED BOOK 11155, PAGE 792

Revisions	
01/23/19 PER AGENCY COMMENTS	
Vertical Scale:	N/A
Horizontal Scale:	1"=20'
Date:	12/18/18
Job Number:	3573
Sheet	1
	of 1

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