

## Case No. 21-ZONE-0121 Binding Elements

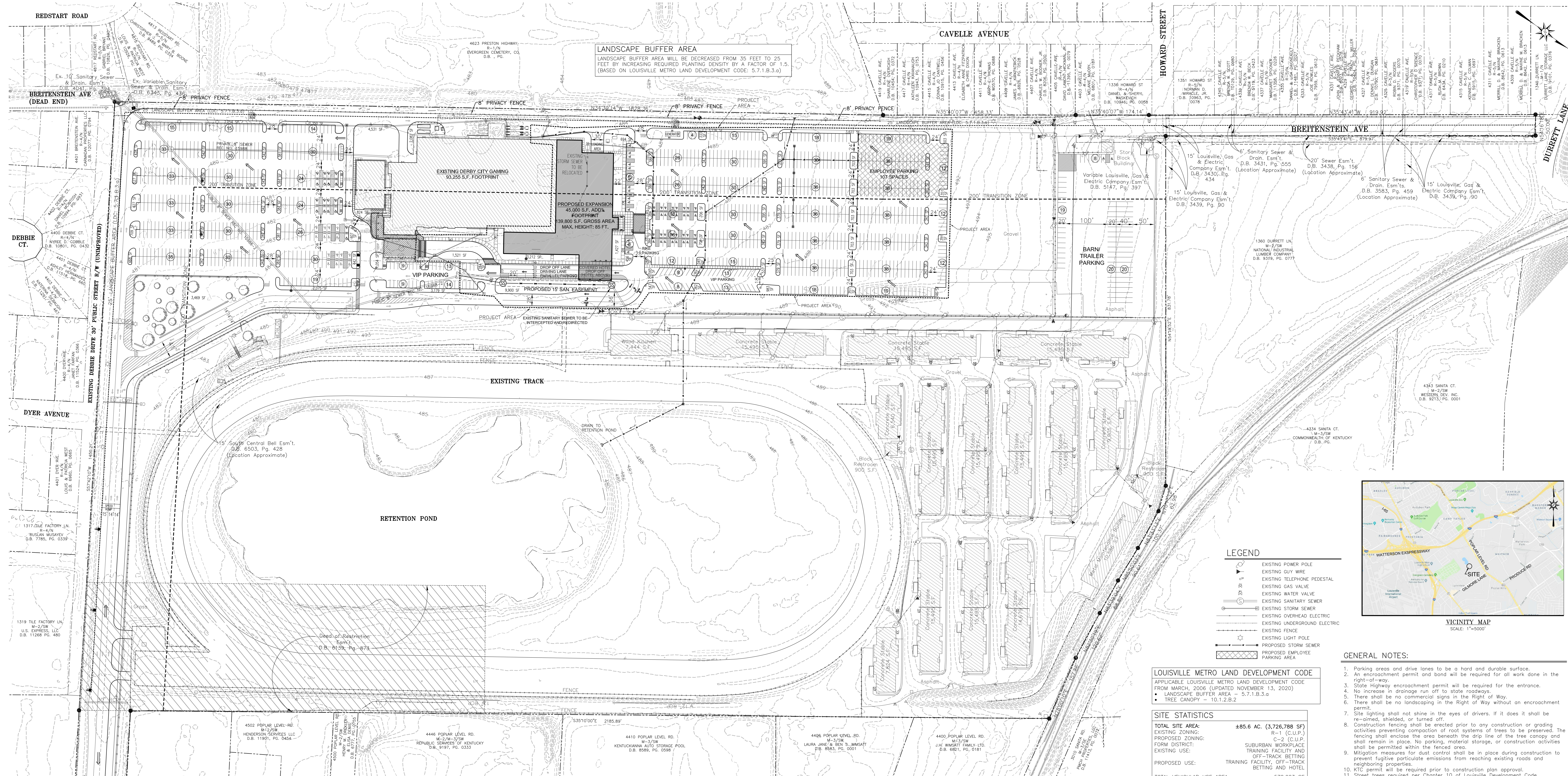
**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan with Binding Elements, **SUBJECT** to the following binding elements:

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, sitedisturbance, 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. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
  - C. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
  - D. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the December 2, 2021 Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning

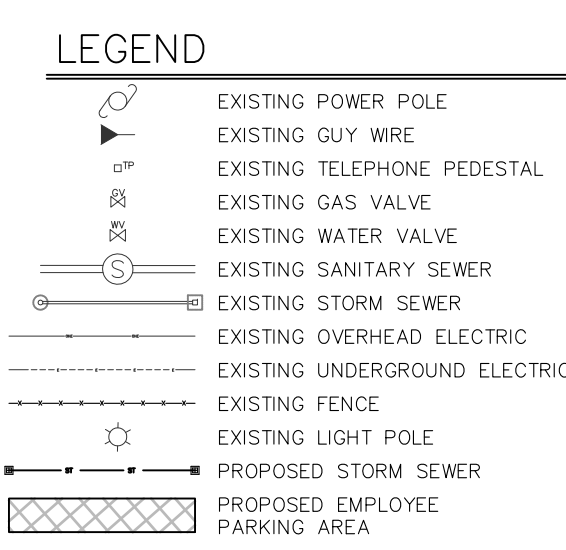
Commission.

5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
6. No idling of trucks shall take place within 200 feet of residential structures. No overnight idling of trucks shall be permitted on-site.
7. 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.
8. 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.
9. If a traffic signal at the intersection of the project entrance and Poplar Level Road, as shown on the approved DDDP, is approved by Kentucky Transportation Cabinet (KYTC) in accordance with standard procedures, it shall be funded and installed by the Developer. Installation shall be in compliance with all KYTC specifications and requirements and will require a Permit, which must be obtained from KYTC District 05. Construction of the signal shall include all required permitting, inspections and the cost of all materials and labor. The traffic signal shall be fully installed and operational prior to requesting or the issuance of any certificates of occupancy for the development.
10. Applicant shall complete the storm water management improvements as shown on the December 2, 2021 presentation within 1-year of approval of this rezoning.





**LANDSCAPE BUFFER AREA**  
 LANDSCAPE BUFFER AREA WILL BE DECREASED FROM 35 FEET TO 25 FEET BY INCREASING REQUIRED PLANTING DENSITY BY A FACTOR OF 1.5. (BASED ON LOUISVILLE METRO LAND DEVELOPMENT CODE: 5.7.1.B.3.g)



**LOUISVILLE METRO LAND DEVELOPMENT CODE**  
 APPLICABLE LOUISVILLE METRO LAND DEVELOPMENT CODE FROM MARCH, 2006 (UPDATED NOVEMBER 13, 2020)  
 • LANDSCAPE BUFFER AREA - 5.7.1.B.3.g  
 • TREE CANOPY - 10.1.2.B.2

**SITE STATISTICS**  
 TOTAL SITE AREA: 1,855.6 AC. (3,726,788 SF)  
 EXISTING ZONING: R-1 (C.U.P.)  
 PROPOSED ZONING: C-2 (C.U.P.)  
 FORM DISTRICT: SUBURBAN WOODLAND  
 EXISTING USE: TRAINING FACILITY AND RESTAURANT AND BAR  
 PROPOSED USE: TRAINING FACILITY, OFF-TRACK BETTING AND HOTEL  
 TOTAL VEHICULAR USE AREA: 572,023 SF  
 NET INCREASE LANDSCAPE AREA: 42,902 SF  
 PROPOSED IMPERVIOUS AREA: 1,653,954 SF  
 PROPOSED IMPERVIOUS AREA: (-1,123) - 1,958 SF  
 NET INCREASE IMPERVIOUS AREA: (-1,123) - 1,958 SF

**PARKING STATISTICS - GAMING & HOTEL**

VEHICULAR PARKING REQUIRED	MINIMUM	MAXIMUM
GAMING:	TBD	TBD
RESTAURANT AND BAR:	35 SPACES	70 SPACES
HOTEL:	123 SPACES	185 SPACES
<b>TOTAL</b>	<b>TBD</b>	<b>TBD</b>
<b>GAMING PARKING REQUIRED</b>	<b>LONG TERM</b>	<b>SHORT TERM</b>
GAMING:	2 SPACES	4 SPACES
RESTAURANT AND BAR:	2 SPACES	4 SPACES
HOTEL:	2 SPACES	8 SPACES
<b>TOTAL</b>	<b>6 SPACES</b>	<b>NONE</b>

**GAMING & HOTEL STATISTICS**

EXISTING BUILDING: 93,255 SF  
 GAMING FLOOR: 31,100 SF  
 OUTDOOR: 10,000 SF  
 CASUAL/QUICK SERVICE DINING: 4,100 SF  
 CENTER BAR: 164 SEATS  
 CAPACITY: 1,900 SF  
 MULTI-PURPOSE SPACE: 1,500 SF  
 REMAINDER: \*43,755 SF

PROPOSED ADDITION: 139,800 SF  
 GAMING FLOOR: 139,800 SF  
 SPORT BAR/RESTAURANT: 3,800 SF  
 CAPACITY: 30 SEATS  
 RESTAURANT/PRIVATE DINING: 3,500 SF  
 CAPACITY: 135 SEATS  
 BAR: 1,800 SF  
 CAPACITY: 20 SEATS  
 HOTEL LOBBY/CHECK IN: 4,500 SF  
 HOTEL FLOORS (2-5): 123 ROOMS  
 REMAINDER: \*19,400 SF

**STATISTICS - HORSE TRACK FACILITIES**

EXISTING BUILDING TYPE: 7,444 S.F.  
 CONCRETE STABLE x13: 168,817 S.F.  
 RESTROOM x2: 1,800 S.F.  
 MAINTENANCE BUILDING x1: 10,586 S.F.

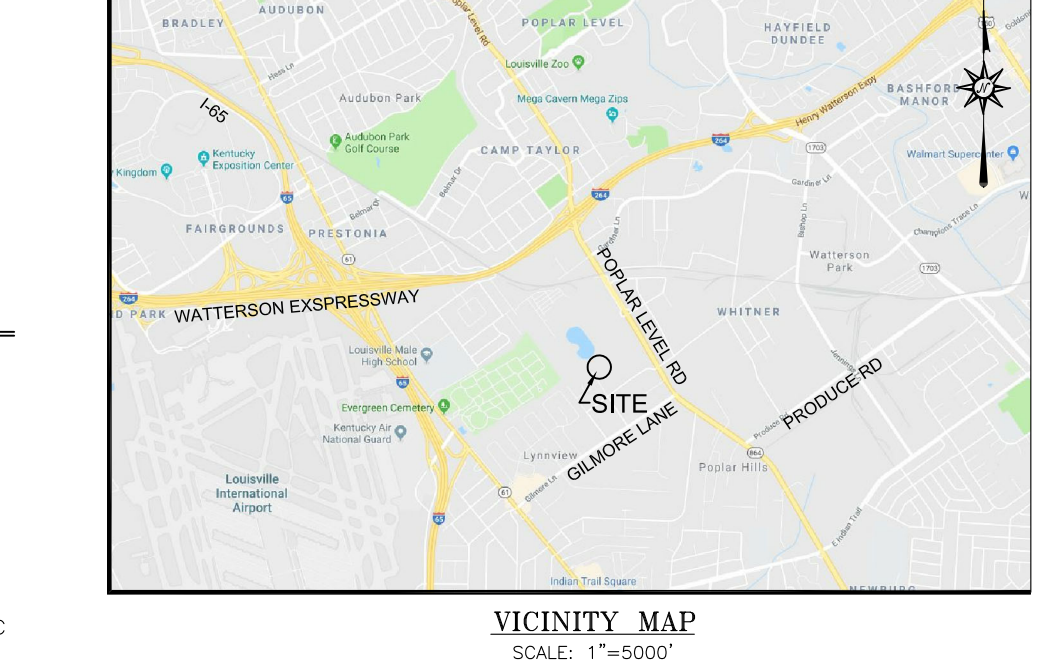
PARKING: STANDARD TRAILER: 47 SPACES, 20 SPACES

**TREE CANOPY CALCULATIONS**

TOTAL SITE AREA: 3,726,788 S.F.  
 \*REQUIRED TREE CANOPY: (17.5%) 652,186 S.F.  
 EXISTING TREE CANOPY TO BE PRESERVED: (14.0%) 521,751 S.F.  
 PROPOSED TREE CANOPY TO BE PLANTED: (3.5%) 130,437 S.F.

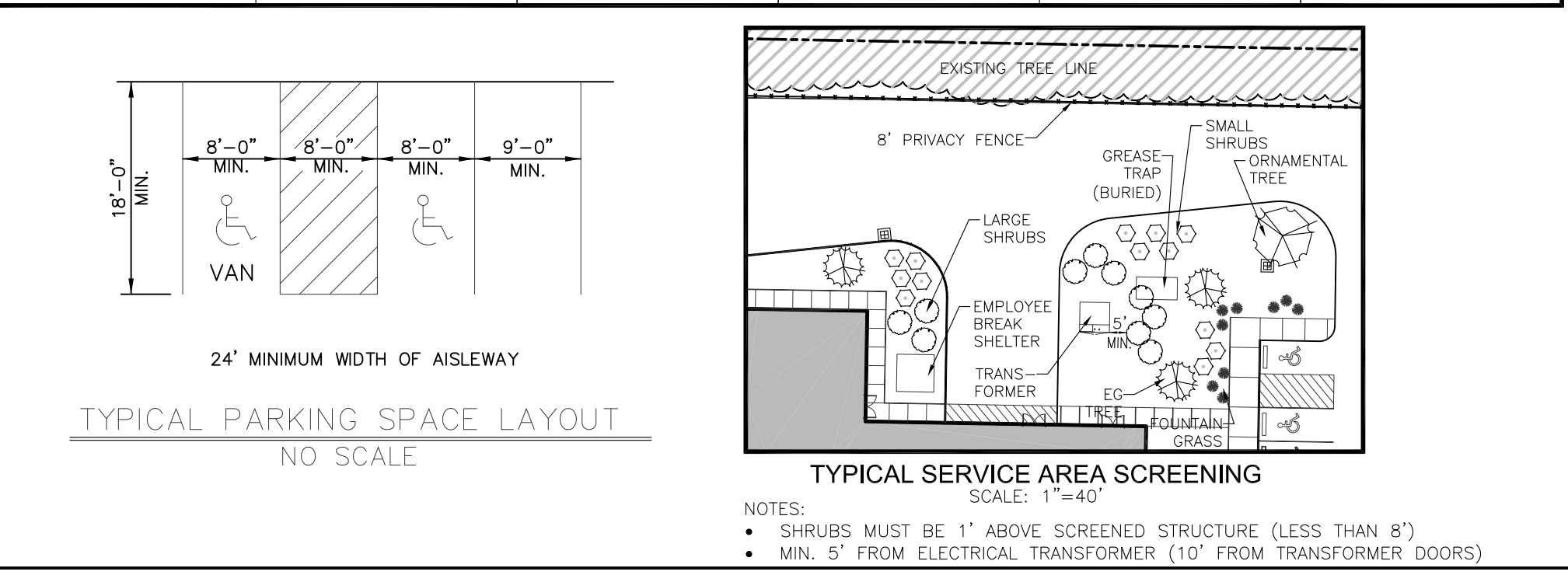
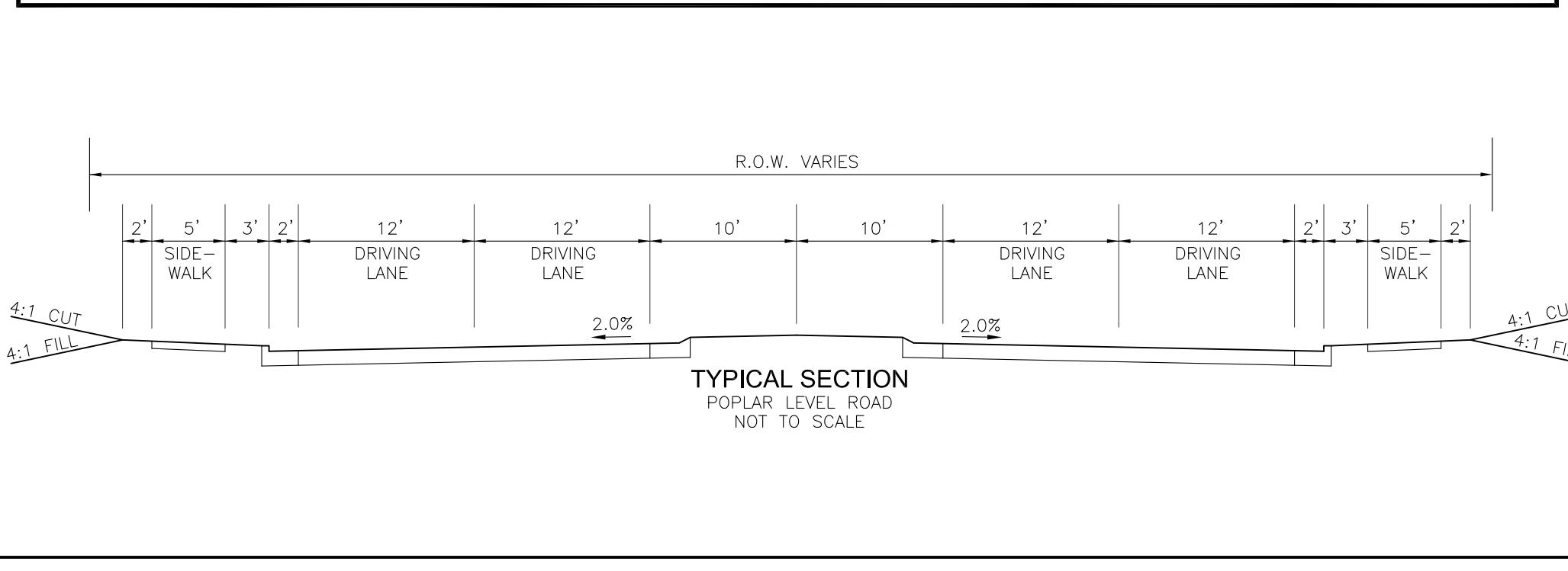
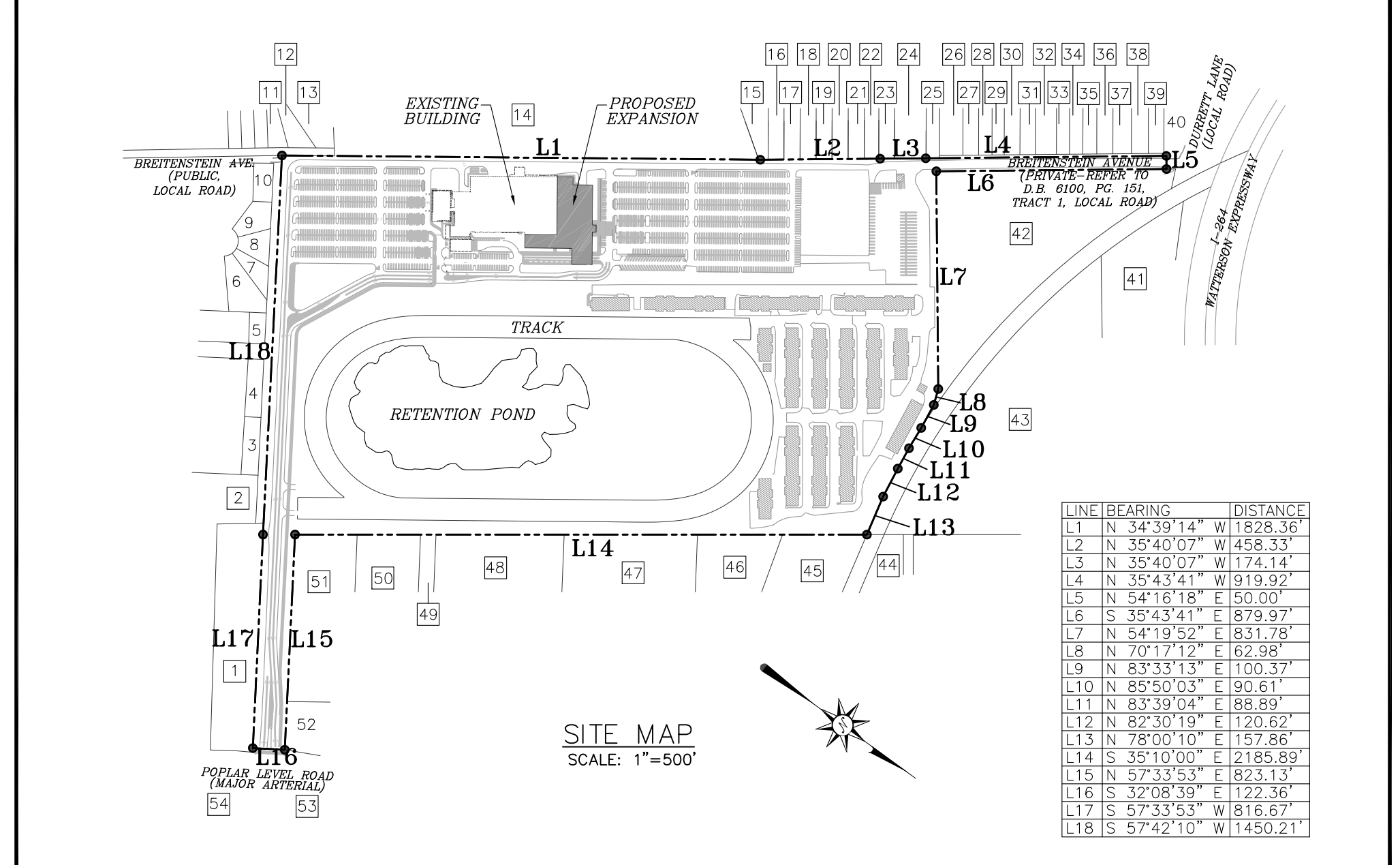
**GENERAL NOTES:**

- Parking areas and drive lanes to be a hard and durable surface.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- State Highway encroachment permit will be required for the entrance.
- No increase in drainage run off to state roadways.
- There shall be no commercial signs in the Right of Way.
- There shall be no landscaping in the Right of Way without an encroachment permit.
- Site lighting shall not shine in the eyes of drivers. If it does it shall be re-aimed, shielded, or turned off.
- Construction fencing shall be erected prior to any construction or grading activities preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the drip line of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- KTC permit will be required prior to construction plan approval.
- Street trees required per Chapter 10 of Louisville Development Code.
- Companion utilities shall be placed in a common trench unless otherwise required by the responsible agencies.



**ADJACENT PROPERTY OWNERS**

1. POPULAR LEVEL RD. M-2/2.5M HENDERSON SERVICES LLC D.B. 11901, PG. 0454	2. U.S. EXPRESS, LLC 4003 BRADFORD PEAR CT. LOUISVILLE, KY 40218 D.B. 11268, PG. 480	3. RUSLAN MUSKAYEV 1317 TILE FACTORY LN. LOUISVILLE, KY 40213 D.B. 7785, PG. 0339	4. LOUIS & PATRICK WEST 500 MILL BROOK CHASE LOUISVILLE, KY 40213 D.B. 6960, PG. 0665	5. JANEY HANCOCK 4400 DYER AVE. LOUISVILLE, KY 40213 D.B. 10915, PG. 0364	6. KATERIA SALAH 509 MILL BROOK CHASE WOODHURST, KY 40185 D.B. 10908, PG. 0623
7. ASHLEY HERNANDEZ 4400 DYER CT. LOUISVILLE, KY 40213 D.B. 10901, PG. 0432	8. NIKOLE D. CORBLE 4400 DYER CT. LOUISVILLE, KY 40213 D.B. 10901, PG. 0432	9. DANIEL MCINTOSH 4400 DYER CT. LOUISVILLE, KY 40213 D.B. 10901, PG. 0432	10. CARMAKIN PROPERTIES LLC 1180 LANTANA WAY WOODHURST, KY 40185 D.B. 12077, PG. 0794	11. GABRIEL BRYANT 4317 REDSTART RD. LOUISVILLE, KY 40213 D.B. 10926, PG. 0490	12. LOUIS & PATRICK WEST 509 MILL BROOK CHASE WOODHURST, KY 40185 D.B. 10908, PG. 0623
13. CHRISTOPHER J. & MARY B. BOONE 4813 REDSTART RD. LOUISVILLE, KY 40213 D.B. 9849, PG. 0334	14. EVERETT CEMETERY CO. 183 ALLEN PARK LOUISVILLE, KY - PG. -	15. SHARLEEN OVERSHAW 4419 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 10454, PG. 0372	16. KATHLEEN KAMAWALAH 4417 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 10454, PG. 0753	17. OSUNA JO. CANTWELL 4317 REDSTART RD. LOUISVILLE, KY 40213 D.B. 10915, PG. 0434	18. ELIZABETH ANNE FITZPATRICK 4413 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 10946, PG. 0058
19. MARY E. THOMAS 5300 SILVER WING DR. LOUISVILLE, KY 40241 D.B. 8006, PG. 0888	20. JAMES A. HORNSTRICK 9107 DENNINGTON DR. LOUISVILLE, KY 40222 D.B. 8006, PG. 0528	21. CHARLES W. BOKNER, JR. 4407 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 8006, PG. 0500	22. DANIEL LAMONT HOGAN, JR. 4405 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 8006, PG. 0079	23. MELANIE MCCOY 4403 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 8801, PG. 0187	24. DANIEL & SHERYL WASKOVICH 3403 AUDUBON RIDGE CT. LOUISVILLE, KY 40213 D.B. 10946, PG. 0058
25. NORMAN D. BRIDLE, JR. 4339 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 10963, PG. 0078	26. RUSLAN MUSKAYEV 1317 TILE FACTORY LN. LOUISVILLE, KY 40213 D.B. 7785, PG. 0339	27. DENNIS C. OUNGAN 4327 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 10794, PG. 0881	28. MARGARET STONER 4335 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 11356, PG. 0226	29. DANIEL & LISA DANIELMALT 4319 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 11481, PG. 0027	30. RUTH M. BROWN 4319 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 7959, PG. 0812
31. JOHN & JENNIFER PECKHAM 4327 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 8874, PG. 0578	32. GEORGE E. & TRACY L. MILLER 4327 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 10794, PG. 0881	33. DENNIS C. OUNGAN 4327 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 10794, PG. 0881	34. ROBIN D. ROGERS 4327 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 8874, PG. 0070	35. CHRISTOPHER D. SPENCE 4319 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 8874, PG. 0070	36. RUTH M. BROWN 4319 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 7959, PG. 0812
37. KENNETH C. COOMAN 4315 CAVELLE AVE. LOUISVILLE, KY 40213 D.B. 5915, PG. 0697	38. MERRILL D. & MAINE BRACKEN 709 S. 825 E. LONDON, KY 40324 D.B. 8842, PG. 0613	39. MERRILL D. & MAINE BRACKEN 709 S. 825 E. LONDON, KY 40324 D.B. 8842, PG. 0613	40. DURETT LANE STORAGE LLC 1757 TRANSPORT AVE. STE. 102 LOUISVILLE, KY 40213 D.B. 9101, PG. 0376	41. WESTERN DEV. 7002 HAMPSON CREEK CT. LOUISVILLE, KY 40213 D.B. 9101, PG. 0001	42. NATIONAL INDUSTRIAL COMPANY 2160 SALLIEU BLVD. STE. 400 LOUISVILLE, KY 40213 D.B. 9319, PG. 0777
43. COMMONWEALTH OF KENTUCKY 4606 SCHULT AVE. LOUISVILLE, KY - PG. -	44. INGENIERIA, LLC 875 FLORE DR. LOUISVILLE, KY 40205 D.B. 11413, PG. 0072	45. J.H. WRIGHT FAMILY LTD. 1136 RAYBROOK DR. LOUISVILLE, KY 40205 D.B. 8853, PG. 0001	46. KENTUCKIAN AUTO STORAGE POOL 4408 POPLAR LEVEL RD. LOUISVILLE, KY 40213 D.B. 8589, PG. 0598	47. KENTUCKIAN AUTO STORAGE POOL 4408 POPLAR LEVEL RD. LOUISVILLE, KY 40213 D.B. 8589, PG. 0598	48. M-2/2.5M THORNTON OIL COMPANY 1001 LANK STATION RD. STE. 200 LOUISVILLE, KY 40213 D.B. 8512, PG. 0809
49. T. P. PROPERTIES, LLC 4602 SCHULT AVE. LOUISVILLE, KY 40213 D.B. 8772, PG. 0725	50. HENDERSON SERVICES LLC 4400 DYER AVE. LOUISVILLE, KY 40213 D.B. 11901, PG. 0454	51. BURGESS PROPERTIES, LLC 4400 DYER AVE. LOUISVILLE, KY 40213 D.B. 7722, PG. 0280	52. THORNTON OIL COMPANY 1001 LANK STATION RD. STE. 200 LOUISVILLE, KY 40213 D.B. 8512, PG. 0809	53. T. P. PROPERTIES, LLC 4602 SCHULT AVE. LOUISVILLE, KY 40213 D.B. 8772, PG. 0725	54. HENDERSON SERVICES LLC 4400 DYER AVE. LOUISVILLE, KY 40213 D.B. 11901, PG. 0454



OWNER/DEVELOPER:  
 HENDERSON SERVICES LLC  
 400 N. N. GARDNER PARKWAY, STE. 400  
 LOUISVILLE, KY 40202

**HOTEL AND GAMING ADDITION  
 AND DERBY CITY  
 4520 POPLAR LEVEL ROAD  
 LOUISVILLE, KY 40213**

**PRELIMINARY DETAILED DISTRICT DEVELOPMENT PLAN**

DATE: AUGUST 31, 2021  
 PREPARED: OCTOBER 1, 2021  
 REVISION: OCTOBER 15, 2021

JOB NO. 21-0121

DATE: AUGUST 31, 2021  
 PREPARED: OCTOBER 1, 2021  
 REVISION: OCTOBER 15, 2021

NOTES

**DDDP**

21-ZONE-0121  
 WM# 4001