

Case No. 22-DDP-0069 Conditions of Approval

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** that Metro Council **APPROVE** the Urban Neighborhood Planned Development Option, **SUBJECT** to the following conditions of approval:

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 conditions of approval unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any conditions of approval 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. 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.
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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The appropriate variances shall be obtained from the Board of Zoning Adjustment to allow the development as shown on the approved district development plan.
4. 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 conditions of approval requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
5. The applicant, developer, or property owner shall provide copies of these conditions of approval to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these conditions of approval. These conditions of approval 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 conditions of approval. 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 conditions of approval.

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 REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S (BEST MANAGEMENT PRACTICES) 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.

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 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.

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.

WHERE CONSTRUCTION OR LAND DISTURBING 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 DAYS AFTER THE ACTIVITY HAS CEASED.

PROJECT DATA:

PROPERTY SIZE: 6,930.00 S.F. / 0.16 AC.
EXISTING USE: SINGLE FAMILY DWELLING
EXISTING ZONING: U-N
EXISTING FORM DISTRICT: TRADITIONAL NEIGHBORHOOD FORM DISTRICT
PROPOSED USE: PLANNED DEVELOPMENT OPTION FOR 4 UNIT MULTI-FAMILY APARTMENT
PROPOSED ZONING: UN-TNFD
PROPOSED FORM DISTRICT: PLANNED DEVELOPMENT OPTION
EXISTING BUILDING SIZE: 3,042 S.F. ± (1,521 S.F. ± PER FLOOR / 2 STORIES)
PROPOSED RENOVATION SIZE: 3,042 S.F. ± (1,521 S.F. ± PER FLOOR / 2 STORIES)
PROPOSED DENSITY: 25.00 DWELLING UNITS / AC. (58.08 DWELLING UNITS / AC. ALLOWED)
FLOOR AREA RATIO (F.A.R.): ---- F.A.R.
MIN. LOT SIZE: 1,500 S.F. (PROVIDED 6,930.00 S.F.)
MIN. LOT WIDTH: 18' (PROVIDED 35')
MIN. FRONT YARD / STREET SIDE YARD SETBACK: 15' FRONT YARD / 3' STREET SIDE YARD (PROVIDED 24.6') INFILL DEVELOPMENT
MAX. FRONT YARD MIN. SIDE YARD: 25' (PROVIDED 24.6')
MIN. REAR YARD: 5' (PROVIDED 114.5')
MAX. BUILDING HEIGHT: 45' (PROVIDED 27', 2 STORIES)

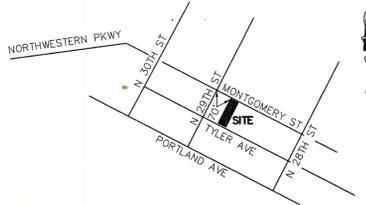
MIN. PARKING SPACES: 0 PARKING SPACES
MAX. PARKING SPACES: 8 PARKING SPACES (2 PARKING SPACES PER UNIT)
PARKING SPACES PROVIDED: 3 PARKING SPACES (ONSITE) AND 1 PARKING SPACE (STREET)
TOTAL PARKING SPACES: 4 PARKING SPACES TOTAL
INTERIOR LANDSCAPE AREA REQ. (0%): 630 S.F.
INTERIOR LANDSCAPE ARE PROVIDED: 0 S.F.
TREE CANOPY: CANOPY CLASS: COMMERCIAL (CLASS C)
LAND AREA: 6,930.00 S.F. / 0.16 AC.
EX. TREE CANOPY: 0 S.F. (0%)
PRESERVED TREE CANOPY: 35%
NEW TREE CANOPY AREA REQ.: 2,426 S.F.
PROVIDED: 3,600 S.F. (52%)
3-TYPE "A" TREES: 1,200 S.F. EACH
TOTAL TREE CANOPY % PROVIDED: 3,600 S.F. (52%)

DRAINAGE CALCULATIONS:

SITE DISTURBANCE AREA = 0 S.F. / 0.00 AC.
TOTAL SITE AREA = 6,930.00 S.F. / 0.16 AC.
TOTAL EXISTING IMPERVIOUS AREA = 2,256 S.F.
TOTAL PROPOSED IMPERVIOUS AREA = 0 S.F.
TOTAL PROPOSED PERVIOUS AREA = 0 S.F.
EXISTING RUN-OFF COEFFICIENT = 0.48 (C)
DEVELOPED RUN-OFF COEFFICIENT = 0.48 (C)
RUNOFF VOLUME CALCS:
X = CRA/12 FOR 1 HOUR 100 YR. STORM
= (0.48-0.48) (2.8) (0.16 ACRES) / 12
= 0.0000 AC.-FT.
STORM WATER RUN-OFF IS EXISTING AND PROJECT IN REDEVELOPED WITH NO INCREASE IN RUN-OFF THEREFORE DETENTION IS NOT REQUIRED.

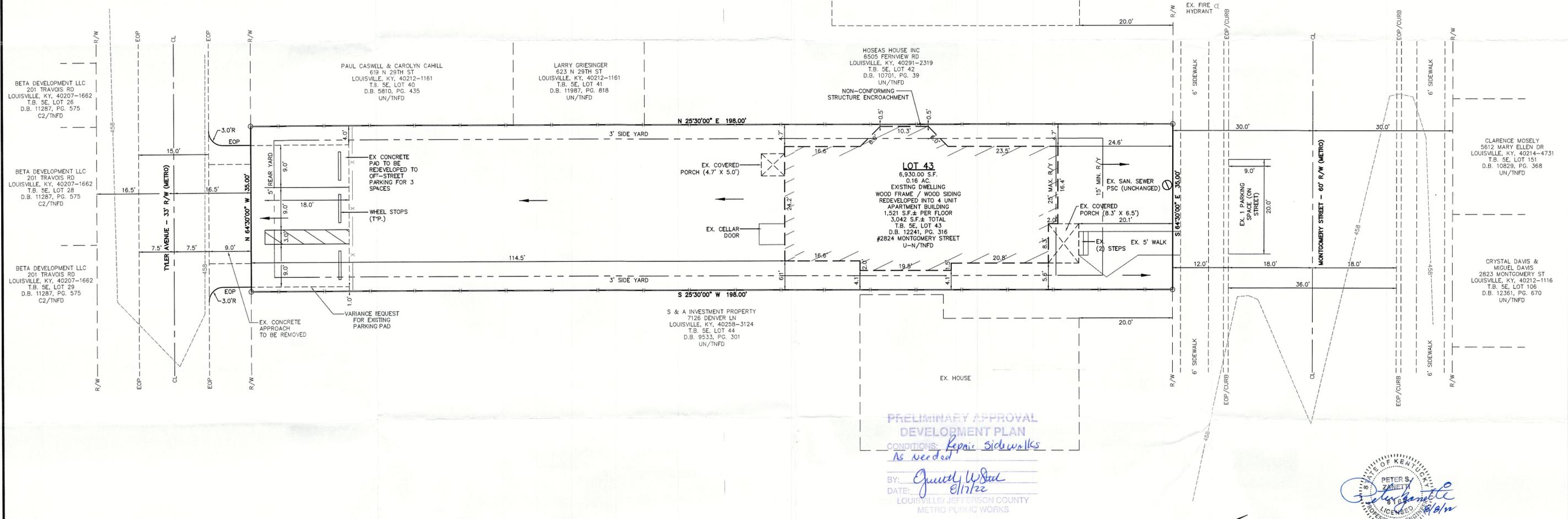
VARIANCE REQUEST:

LAND DEVELOPMENT CODE, CHAPTER 5, PART 2 - TRADITIONAL FORM DISTRICT TABLE 5.2.2 DIMENSIONAL STANDARDS - TRADITIONAL NEIGHBORHOOD TO ALLOW FOR A REDUCTION OF A PORTION OF THE SOUTH SIDE YARD FROM 3' TO 1' FOR THE EXISTING PARKING PAD TO ENCRACH.



PRELIMINARY APPROVAL
Condition of Approval: _____
Development Review: *Mick G. Kirk* 8-12-22 Date: _____
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

LOUISVILLE METRO APPROVED DISTRICT DEVELOPMENT PLAN
DOCKET NO. 22-DDP-0069
APPROVAL DATE August 18, 2022
EXPIRATION DATE _____
SIGNATURE OF PLANNING COMMISSION _____
PLANNING COMMISSION



PRELIMINARY APPROVAL DEVELOPMENT PLAN
CONDITIONS: Repair Sidewalks
As needed

BY: *Quincy U. Stull*
DATE: 8/17/22
LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

FLOOD NOTE:

SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "X" PER A REVIEW OF FIRM MAP #211100024F, EFFECTIVE 2/26/21. BASED ON THE ABOVE INFORMATION THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE 100-YR FLOOD PLAIN.

SOIL DESCRIPTION:

ACCORDING TO THE UNITED STATES DEPARTMENT OF AGRICULTURAL SOIL SURVEY, THE SITE CONSISTS OF URBAN LAND-ALFIC UDORTHENTS COMPLEX (UBC).

APPLICABLE MSD STANDARD DRAWINGS:

STABILIZED CONSTRUCTION ENTRANCE UCCB ER-01-03
SILT FENCE SF EF-09-02

LEGEND:

---	EXISTING BOUNDARY LINE
- - - -	EXISTING BOUNDARY LINE
---	EXISTING CONTOURS
---	EXISTING FENCE
---	DRAINAGE FLOW ARROWS
FN	FOUND
EX	EXISTING
EOP	EDGE OF PAVEMENT
R/W	RIGHT OF WAY
CL	CENTERLINE
PR	PROPOSED

GENERAL NOTES:

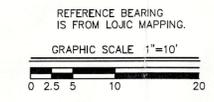
- DOMESTIC WATER SUPPLY: SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER / DEVELOPER'S EXPENSE.
- TREE PRESERVATION: A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
- PROTECTION OF TREES TO BE PRESERVED: "CONSTRUCTION FENCING SHALL BE ERRECTED PRIOR TO ANY GRADING OR CONSTRUCTION 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 UNTIL ALL CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA."
- 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 PROTECTED OPEN SPACES (i.e. CONSERVATION EASEMENTS, GREENWAYS, OR PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR TO CREATE CLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT OF WAYS PER CHAPTER 4.13 OF THE LDC.
- A LANDSCAPE AND TREE CANOPY PLAN PER CHAPTER 10 OF THE LDC SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT IF THE THRESHOLDS ARE MET.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
- DEVELOPER SHALL BE RESPONSIBLE FOR UTILITY RELOCATIONS (IF REQUIRED), FINAL SURFACE OVERLAY, SIGNAGE, AND STRIPING ASSOCIATED WITH REQUIRED ROAD IMPROVEMENTS.

MSD NOTES:

- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICTS DESIGN MANUAL AND STANDARD SPECIFICATIONS.
- WASTEWATER: SANITARY SEWER BY EXISTING PROPERTY SERVICE CONNECTION SUBJECT TO FEES FOR CAPACITY AND CONNECTION AND THE PROJECT LIES IN THE MORRIS FOREMAN WASTEWATER TREATMENT PLANT BY AN EXISTING LATERAL EXTENSION AGREEMENT, SUBJECT TO FEES. SANITARY SEWER CAPACITY TO BE PROVIDED BY METROPOLITAN SEWER DISTRICT.
- DRAINAGE / STORM WATER: DETENTION NOT PROVIDED ON SITE AS DEPICTED ON THE PROJECT PLAN. 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 & 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. DOCUMENTATION OF MSD'S APPROVAL OF THE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO GRADING AND CONSTRUCTION ACTIVITIES.
- MSD SINGLE FAMILY, DEMOLITION, OR SMALL COMMERCIAL PERMIT IS REQUIRED FOR THE ISSUANCE OF BUILDING PERMITS.

TRANSPORTATION PLANNING NOTES:

- NO LANDSCAPING AND COMMERCIAL SIGNS SHALL BE PERMITTED IN STATE AND LOUISVILLE METRO WORKS R/W WITHOUT AN ENCROACHMENT PERMIT.
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY LOUISVILLE METRO PUBLIC WORKS.
- VERGE AREAS WITH PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER LOUISVILLE METRO PUBLIC WORKS STANDARDS.
- 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, IF REQUIRED.
- AN ENCROACHMENT PERMIT AND BOND MAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES, IF REQUIRED.
- ALL STREET NAME SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS AND BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RESIDENCE OR BUILDING ON THE STREET AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE OF OCCUPANCY.
- TREES AND SHRUBBERY SHALL BE TRIMMED OR REMOVED TO PROVIDE SITE DISTANCE AS REQUIRED PER METRO PUBLIC WORKS STANDARDS.
- ALL SIDEWALK RAMPS SHALL CONFORM TO A.D.A STANDARD SPECIFICATIONS, THE "SPECIAL NOTE FOR DETECTABLE WARNINGS FOR SIDEWALK RAMPS" PER KTC STANDARD DRAWINGS FOR SIDEWALKS AND PER KY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, "LATEST EDITION."
- PLEASE ADD THE FOLLOWING NOTE TO THE PLAN: CONSTRUCTION PLANS, BOND, AND PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL TO WORK ALONG THE HISTORIC BRICK ALLEY.



RECEIVED
AUG 09 2022
PLANNING & DESIGN SERVICES

REZONING AND REVISED DETAILED DISTRICT DEVELOPMENT PLAN FOR 2824 MONTGOMERY STREET REDEVELOPMENT

2824 MONTGOMERY STREET
LOUISVILLE, KY 40212
T.B. 5E, LOT 43
D.B. 12241, PG. 316
OWNER / DEVELOPER:
HOUSEAL INVESTMENT, LLC
3131 S. 2ND STREET, # 332
LOUISVILLE, KY 40208
PLAN DATE: 6.6.22
C. R. P. & ASSOCIATES, INC.
7321 New LaGrange Road, Suite 111
Louisville, KY. 40222
(502)423-8747

REV. #	REV. DATE	DESCRIPTION
1	7.5.22	AGENCY COMMENTS
2		
3		
4		