## Case No. 19-DDP-0019 Binding Elements

**RESOLVED**, the Louisville Metro Development Review Committee does hereby **APPROVE** the requested **Revised General District Development Plan** including release of binding elements associated with 15ZONE1028 for portion of lot 12 and adoption of binding elements associated with 9-67-05 as revised under docket 14489 to that portion; and **SUBJECT** to the following binding elements:

## Existing Binding Elements to be released for portion of Lot 12

- 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. The development shall not exceed 48,000 square feet of gross floor area.
- 3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
- 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) 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.
  - c. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners 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.
  - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
  - Output Applicant agrees to submit detailed building elevations for the proposed structures to staff for approval.
- 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.

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.

- 8. The façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.
- 9. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
- 10. There is no direct access to the site from Tucker Station Road. Access will come via an extension of Schutte Station Place.
- 11. The lighting shall be fully shielded; shall utilize flat lenses, and shall be pointed to the ground.

### **Detailed Plan Binding Elements for all lots**

# All general plan binding elements approved under docket 14489 are applicable to the site in addition to the following:

- 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. 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. A minor subdivision plat or legal instrument shall be recorded (creating the lot lines as shown on the development plan
  - 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 adjoining property owners

and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.

- 4. 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.
- 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. A geotechnical report shall be conducted for the site and the results shall be submitted to Public Works and MSD for review prior to construction plan approval for any development that impacts sinkholes. Construction methods and precautions recommended in the report shall be applied to construction within the development.
- 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.

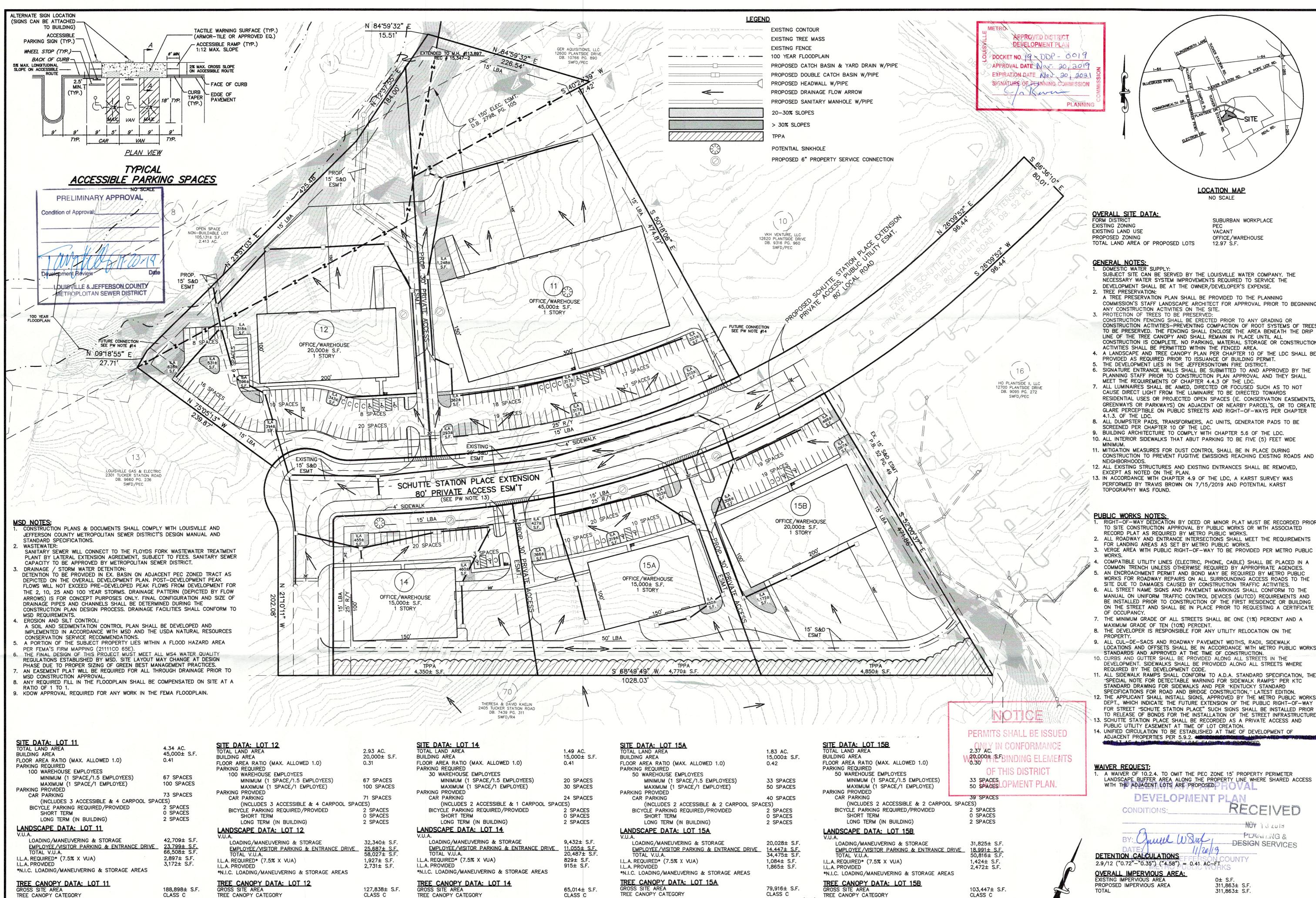
**RESOLVED**, the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Revised Detailed District Development Plan with replacement of existing binding elements for a portion of lot 12, **ON CONDITION** that the second sentence is removed from the "Public Works" Note #14 on the proposed site plan that specified access to a future Lot #13, and **SUBJECT** to the following binding elements:

### Detailed Plan Binding Elements for all lots

# All general plan binding elements approved under docket 14489 are applicable to the site in addition to the following:

- 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. 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. A minor subdivision plat or legal instrument shall be recorded (creating the lot lines as shown on the development plan
- 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 adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
- 4. 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.
- 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. A geotechnical report shall be conducted for the site and the results shall be submitted to Public Works and MSD for review prior to construction plan approval for any development that impacts sinkholes. Construction methods and precautions recommended in the report shall be applied to construction within the development.
- 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.



EXISTING TREE CANOPY

AREAS SHOWN.

TOTAL TREE CANOPY REQUIRED

TOTAL TREE CANOPY PLANTED

EXISTING TREE CANOPY TO BE PRESERVED

\*TREE CANOPY DEPICTED ON PLAN PER MSD LOJIC MAPPING, AERIAL

57,094± S.F. (45%) EXISTING TREE 0± S.F. (X%) 31,960± S.F. (25%) TOTAL TREE ( 31,960± S.F. (25%) TOTAL TREE ( \*TREE CANOPY DEPICTED ON PLAN PER MSD LOJIC MAPPING, AERIAL PHOTO OR FIELD SURVEY. TREE CANOPY CALCULATIONS BASED UPON TREE PHOTO OR FIELD SURVEY. TREE CANOPY CALCULATIONS BASED UPON TREE PHOTO OR FIELD SURVEY.

68,040± S.F. (36%) EXISTING TREE CANOPY

37,780± S.F. (20%) TOTAL TREE CANOPY REQUIRED

37,780± S.F. (20%) TOTAL TREE CANOPY PLANTED

AREAS SHOWN.

0± S.F. (0%)

EXISTING TREE CANOPY TO BE PRESERVED

TREE CANOPY EXISTING TREE \*TREE CANOPY

				and the second	PERIVITS SHALL
FLOOR AREA RATIO (MAX. ALLOWED 1.0) PARKING REQUIRED 30 WAREHOUSE EMPLOYEES MINIMUM (1 SPACE/1.5 EMPLOYEES) MAXIMUM (1 SPACE/1 EMPLOYEE) PARKING PROVIDED CAR PARKING	1.49 AC. 15,000± S.F. 0.41 20 SPACES 30 SPACES 24 SPACES	SITE DATA: LOT 15A TOTAL LAND AREA BUILDING AREA FLOOR AREA RATIO (MAX. ALLOWED 1.0) PARKING REQUIRED 50 WAREHOUSE EMPLOYEES MINIMUM (1 SPACE/1.5 EMPLOYEES) MAXIMUM (1 SPACE/1 EMPLOYEES) MAXIMUM (1 SPACE/1 EMPLOYEE) PARKING PROVIDED CAR PARKING	1.83 AC. 15,000± S.F. 0.42 33 SPACES 50 SPACES 40 SPACES	SITE DATA: LOT 15B TOTAL LAND AREA BUILDING AREA FLOOR AREA RATIO (MAX. ALLOWED 1.0) PARKING REQUIRED 50 WAREHOUSE EMPLOYEES MINIMUM (1 SPACE/1.5 EMPLOYEES) MAXIMUM (1 SPACE/1 EMPLOYEES) PARKING PROVIDED CAR PARKING (INCLUDES 2 ACCESSIBLE # 2 CARPOOL	ONLY IN CONFO 2.37 AC. W20,000± SFBINDING 0.30 OF THIS DIS 33 SPACES 50 SPACES 39 SPACES
(INCLUDES 2 ACCESSIBLE & 1 CARPOOL SPAC BICYCLE PARKING REQUIRED/PROVIDED SHORT TERM LONG TERM (IN BUILDING) LANDSCAPE DATA: LOT 14	ES) 2 SPACES 0 SPACES 2 SPACES	(INCLUDES 2 ACCESSIBLE & 2 CARPOOL SPAC BICYCLE PARKING REQUIRED/PROVIDED SHORT TERM LONG TERM (IN BUILDING) LANDSCAPE DATA: LOT 15A	2 SPACES 0 SPACES 2 SPACES 2 SPACES	(INCLUDES 2 ACCESSIBLE & 2 CARPOOL BICYCLE PARKING REQUIRED/PROVIDED SHORT TERM LONG TERM (IN BUILDING) LANDSCAPE DATA: LOT 15B	2 SPACES 2 SPACES 0 SPACES 2 SPACES
V.U.A. LOADING/MANEUVERING & STORAGE <u>EMPLOYEE/VISITOR PARKING &amp; ENTRANCE DRIVE</u> TOTAL V.U.A. I.L.A. REQUIRED* (7.5% X VUA) I.L.A. PROVIDED *N.I.C. LOADING/MANEUVERING & STORAGE AREAS	9,432± S.F. <u>11.055± S.F.</u> 20,487± S.F. 829± S.F. 915± S.F.	V.U.A. LOADING/MANEUVERING & STORAGE <u>EMPLOYEE/VISITOR PARKING &amp; ENTRANCE DRIVE</u> TOTAL V.U.A. I.L.A. REQUIRED* (7.5% X VUA) I.L.A. PROVIDED *N.I.C. LOADING/MANEUVERING & STORAGE AREAS	20,028± S.F. <u>14.447± S.F.</u> 34,475± S.F. 1,084± S.F. 1,865± S.F.	V.U.A. LOADING/MANEUVERING & STORAGE <u>EMPLOYEE/VISITOR PARKING &amp; ENTRANCE D</u> TOTAL V.U.A. I.L.A. REQUIRED* (7.5% X VUA) I.L.A. PROVIDED *N.I.C. LOADING/MANEUVERING & STORAGE AREA	50,816± S.F. 1,424± S.F. 2,472± S.F.
TREE CANOPY DATA: LOT 14 GROSS SITE AREA TREE CANOPY CATEGORY (5) EXISTING TREE CANOPY EXISTING TREE CANOPY TO BE PRESERVED (5) TOTAL TREE CANOPY REQUIRED (6) TOTAL TREE CANOPY PLANTED	65,014± S.F. CLASS C 45,510± S.F. (70%) 4,350± S.F. (7%) 13,653± S.F. (21%) 9,102± S.F. (14%)	TREE CANOPY DATA: LOT 15A GROSS SITE AREA TREE CANOPY CATEGORY EXISTING TREE CANOPY EXISTING TREE CANOPY TO BE PRESERVED TOTAL TREE CANOPY REQUIRED TOTAL TREE CANOPY PLANTED	79,916± S.F. CLASS C 73,501± S.F. (91%) 4,770± S.F. (6%) 19,180± S.F. (24%) 14,385± S.F. (18%)	TREE CANOPY DATA: LOT 15B GROSS SITE AREA TREE CANOPY CATEGORY EXISTING TREE CANOPY EXISTING TREE CANOPY TO BE PRESERVED TOTAL TREE CANOPY REQUIRED TOTAL TREE CANOPY PLANTED	103,447± S.F. CLASS C 95,006± S.F. (92%) 4,850± S.F. (5%) 21,724± S.F. (21%) 16,552± S.F. (16%)
*TREE CANOPY DEPICTED ON PLAN PER MSD LOJIC MAR E PHOTO OR FIELD SURVEY. TREE CANOPY CALCULATIONS AREAS SHOWN.		*TREE CANOPY DEPICTED ON PLAN PER MSD LOJIC MA OR FIELD SURVEY. TREE CANOPY CALCULATIONS BASED SHOWN.	PPING, AERIAL PHOTO UPON TREE AREAS	*TREE CANOPY DEPICTED ON PLAN PER MSD LOU PHOTO OR FIELD SURVEY. TREE CANOPY CALCUL AREAS SHOWN.	IIC MAPPING, AERIAL ATIONS BASED UPON TREE

- COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING
- CONSTRUCTION FENCING SHALL BE ERECTED PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES-PREVENTING COMPACTION OF ROOT SYSTEMS OF TREE TO BE PRESERVED. THE FENCING SHALL ENCLOSE THE AREA BENEATH THE DRIP CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTIO
- 5. SIGNATURE ENTRANCE WALLS SHALL BE SUBMITTED TO AND APPROVED BY THE
- RESIDENTIAL USES OR PROJECTED OPEN SPACES (IE. CONSERVATION EASEMENTS, GREENWAYS OR PARKWAYS) ON ADJACENT OR NEARBY PARCEL'S. OR TO CREATE GLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT-OF-WAYS PER CHAPTER
- CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND

- 3. VERGE AREA WITH PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC
- WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE
- BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RÉSIDENCE OR BUILDING ON THE STREET AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE
- LOCATIONS AND OFFSETS SHALL BE IN ACCORDANCE WITH METRO PUBLIC WORKS
- 12. THE APPLICANT SHALL INSTALL SIGNS, APPROVED BY THE METRO PUBLIC WORKS DEPT., WHICH INDICATE THE FUTURE EXTENSION OF THE PUBLIC RIGHT-OF-WAY FOR STREET "SCHUTE STATION PLACE" SUCH SIGNS SHALL BE INSTALLED PRIOR TO RELEASE OF BONDS FOR THE INSTALLATION OF THE STREET INFRASTRUCTURE

	WAIVER REQUEST: 1. A WAIVER OF 10.2.4. TO OMIT THE PEC ZONE 15' PROPERTY PERIMETER LANDSCAPE BUFFER AREA ALONG THE PROPERTY LINE WHERE SHARED ACCESS WITH THE ADJACENT LOTS ARE PROPOSED. PROVAL DEVELOPMENT PLAN CONDITIONS: NOV 1 3 2015 PLANLING &	Revisions	7/22/19 PER AGENCY COMMENTS	8/13/19 PER AGENCY COMMENTS	8/26/19 PER AGENCY COMMENTS
1	DATE: DESIGN SERVICES				Sco tal S
	2.9/12 (" $0.72"$ -" $0.35"$ ) (" $4.58"$ ) = 0.41 AC-FT COVERALL IMPERVIOUS AREAEXISTING IMPERVIOUS AREA0± S.F. 311,863± S.F. 311,863± S.F.	Do	ate:	(	6/1 nber
	CASE # 19-DDP-0019				S

GRAPHIC SCALE 1"=60'

0 15 30 60

UASL # 19-00F-0019 RELATED CASE: 9-67-05 & 10-51-05, 13723, 14489, 15ZONE1028 MSD WM # 10020

of 1 19-DDP-0019

	OWNER (LOT 68) ADAM KOCH ADAM KOCH 3937 KENNISON COURT 201SVILLE, KY 40207 LOUISVILLE, KY 40257 LOUISVILLE, KY 40258 MINING LOUISVILLE, KY 40258 LOUISVILLE, KY 40258 MINING LOUISVILLE, KY 40259 LOUISVILLE, KY 40258 MINING LOUISVILLE, KY 40258
G	OWNER/DEVELOPER Hosts Developments, LLC PO BOX 7368 LOUISVILLE, KY 40257
S Z E	
	REVISED GENERAL & DETAILED DISTRICT DEVELOPMENT PLAN BLANKENBAKER STATION II LOTS 11, 12, 14, 15A, 15B SCHUTTE STATION PLACE & 2211 TUCKER STATION ROAD, LOUISVILLE, KY 40299 TAX BLOCK 39, LOT 551 & LOT 68 DB 10713, PG 21; DB 9011, PG 656; DB 11531, PG 129
	Revisions     7/22/19   PER AGENCY COMMENTS     8/13/19   PER AGENCY COMMENTS     8/26/19   PER AGENCY COMMENTS     11/18/19   LOT CHANGES PER MINOR PLAT     AND ADDED S&D ESMT
	Vertical Scale: N/A Horizontal Scale: 1"=60' Date: 6/17/2019 Job Number: 1567 Sheet