

GENERAL NOTES:

- 1) MSD WATER MANAGEMENT #12146
- 2) ALL WORK PERFORMED ON THIS PROJECT SHALL CONFORM TO THE KENTUCKY TRANSPORTATION CABINET'S "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
- 3) IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL FEDERAL, STATE AND LOCAL PERMITS NECESSARY TO PERFORM AND COMPLETE THE PROJECT AS SHOWN ON THESE PLANS. CONSTRUCTION STAKING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ADDITIONAL INFORMATION STAKING THE PROJECT'S LINES AND GRADES AS SHOWN ON THESE PLANS WILL BE PROVIDED UPON REQUEST.
- 4) IT IS THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE UTILITY COMPANIES SUCH THAT ACCESS TO WORK AREAS OR SCHEDULE CONFLICTS DO NOT INTERRUPT OR DELAY THE PROJECT'S SCHEDULE.
- 5) THE HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING UTILITIES SHOWN ARE APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND VERIFY ALL UTILITIES PRIOR TO BEGINNING CONSTRUCTION AND TO COORDINATE ALL CONNECTIONS WITH UTILITY COMPANIES.
- 6) ALL CULVERTS UNDER PAVING HAVING LESS THAN 12" COVER SHALL BE CONCRETE ENCASED.
- 7) RING ALL CATCH BASINS WITH STONE BAGS DURING GRADING OPERATIONS.
- 8) DENSE-GRADED AGGREGATE BASE SHALL BE COMPACTED IN SEPARATE LAYERS.
- 9) FOR ASPHALT PARKING LOTS, CONTRACTOR SHALL RECEIVE APPROVAL FOR JOB MIX FORMULA.
- 10) ALL SUBGRADES SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY THE STANDARD PROCTOR. THE UPPER 12" OF FILL BENEATH PAVEMENTS SHALL BE COMPACTED TO 100%. MOISTURE CONTENT SHALL BE WITHIN +3% TO -1% OF OPTIMUM.
- 11) TACK COAT SHALL BE APPLIED AT THE RATE OF 0.1 GALS. PER SQ. YARD WITH INSTALLATION OF SURFACE ASPHALT WHEN FINAL PAVING HAS BEEN DELAYED FROM THE BINDER INSTALLATION.
- 12) THE CONTRACTOR SHALL SLOPE ALL FINISH GRADES TO PROVIDE POSITIVE DRAINAGE. FLAT AND PONDING AREAS WILL NOT BE ACCEPTABLE.
- 13) THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND MAXIMUM SHALL BE 10%.
- 14) DIMENSIONS SHOWN HEREON ARE FROM THE EDGE OF GUTTERS OR WALLS UNLESS SHOWN OTHERWISE. ALL RADII SHOWN ARE ON FACE OF CURB.
- 15) SIDEWALKS SHALL BE A MINIMUM 4" THICK WITH 6" X 6" W.W.F. ON A 4" D.G.A. BASE. SIDEWALKS AT DRIVEWAYS SHALL HAVE A MINIMUM THICKNESS OF 6". A FINE BROOM FINISH SHALL BE PROVIDED WITH CONTROL JOINTS SPACED AT 5' INTERVALS AND EXPANSION JOINTS AT 25' INTERVALS, AT ALL BENDS AND WHERE ABUTTING RIGID STRUCTURES.
- 16) THE CONTRACTOR SHALL PROVIDE A COMPACTED DEPTH OF 6" TOPSOIL OVER ALL PVIOUS AREAS ON THE PROJECT.
- 17) ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH FEDERAL REGULATIONS 28 CFR PART 36: ADA STANDARDS FOR ACCESSIBLE DESIGN.
- 18) COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS APPLICABLE AGENCIES REQUIRE OTHERWISE.
- 19) SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS AND SHALL BE DIRECTED DOWN AND AWAY FROM ANY RESIDENTIAL PROPERTIES.
- 20) ALL SIGNAGE SHALL COMPLY WITH LDC CHAPTER 8, SIGN REGULATIONS.
- 21) ALL SERVICE STRUCTURES, INCLUDING DUMPSTER SHALL BE SCREENED IN ACCORDANCE WITH LDC CHAPTER 10.
- 22) MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- 23) ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELFARE IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- 24) CONSTRUCTION PLANS AND BOND ARE REQUIRED BY KYTC AND METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL AND ISSUANCE OF KYTC ENCROACHMENT PERMIT.
- 25) ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
- 26) LONG TERM BIKE PARKING TO BE PROVIDED IN ENCLOSED LOCKERS. DETAILS TO BE PROVIDED ON ARCHITECTURAL CONSTRUCTION DRAWINGS FOR BUILDING PERMIT REVIEW.
- 27) A KARST SURVEY SITE VISIT WAS COMPLETED BY BASHIR HASANZADEH, ON MAY 21, 2020. NO KARST-RELATED FEATURES WERE IDENTIFIED.
- 28) PROPOSED DUMPSTER TO BE SCREENED TO MATCH PROPOSED MATERIAL TYPE AND COLOR IN ACCORDANCE WITH LDC CHAPTER 10.
- 29) ALL KNOWN EASEMENTS ARE SHOWN. EXISTING UTILITIES ARE LOCATED IN EXISTING RIGHT-OF-WAY. NO KNOWN OVERLAPS WITH LBA'S GREATER THAN 50%.
- 30) THE OKOLONA CHURCH OF CHRIST (OCC) HAS AN EXCLUSIVE EASEMENT FOR THEIR PARKING LOT THAT CURRENTLY ENCRONES THE PROPERTY LINE, INTO PERPETUITY AND RUNNING WITH THE LAND, FOR SO LONG AS THE OCC OPERATES THE PROPERTY AS A NON-PROFIT CHURCH. SHOULD OCC NOT OPERATE THE PROPERTY AS A NON-PROFIT CHURCH, THE EASEMENT WILL REVERT BACK TO THE APPLICANT, ITS SUCCESSORS AND ASSIGNS. IN EXCHANGE FOR THIS EASEMENT, OCC IS RESPONSIBLE FOR ALL MAINTENANCE OF THE PORTION OF THE PARKING LOT SUBJECT TO THIS EASEMENT AND OCC ACCEPTS ALL LIABILITY AS A RESULT THEREOF AND SHALL FURTHER INDEMNIFY THE APPLICANT, ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL CLAIMS OR LIABILITY RELATING THERETO. THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, SHALL BE RESPONSIBLE FOR OTHER IMPROVEMENTS, IF ANY.
- AREA OF DISTURBANCE 655,578 S.F. (15.05 AC)
- (ENTIRE SITE)
- 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 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 SEEDDED AND STABILIZED. ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOILS TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

EROSION PREVENTION AND SEDIMENT CONTROL:

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF FENCING. 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 DISCHARGE INTO A STREAM, POND, SWALE OR CATCH BASIN.

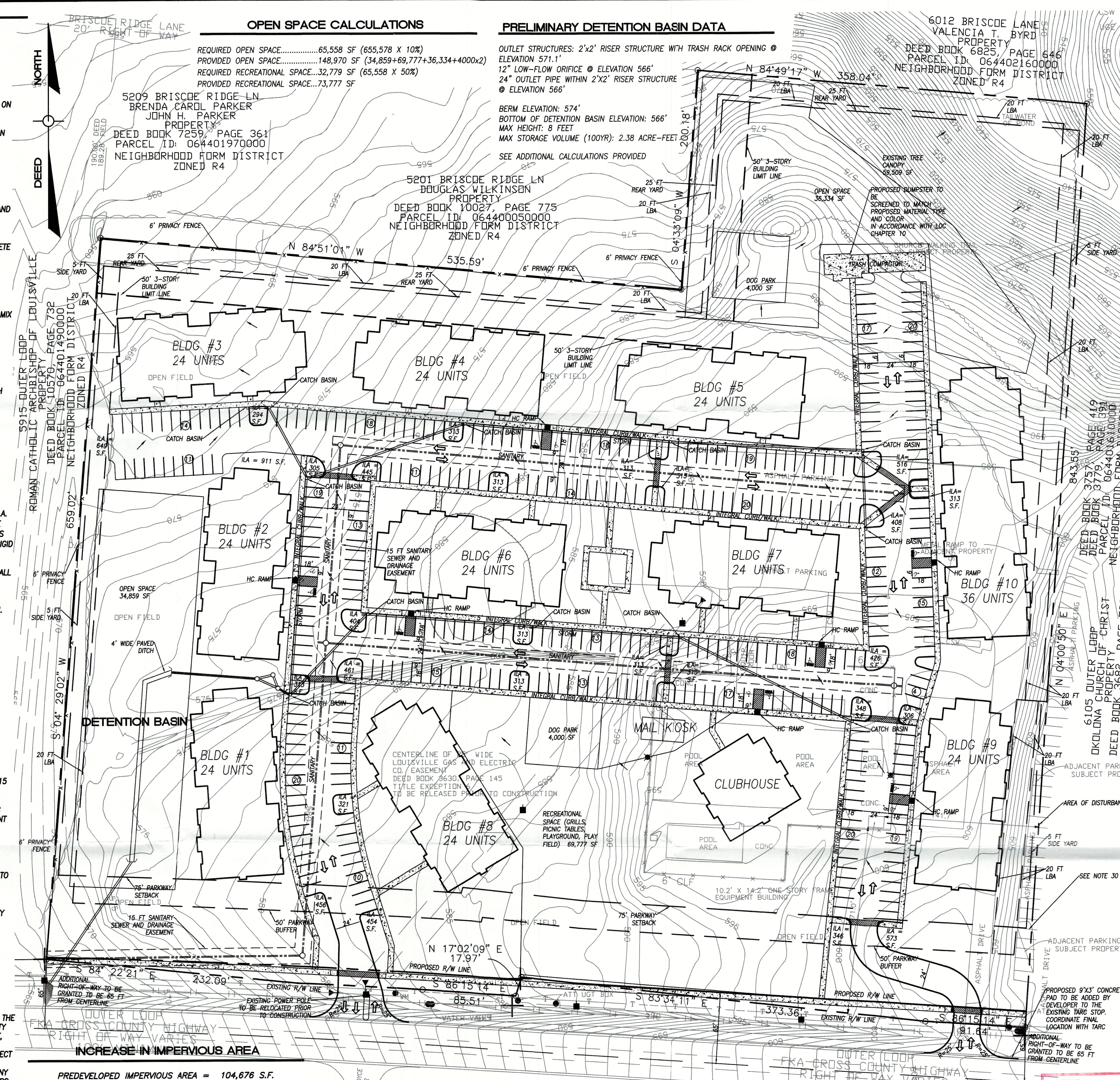
OPEN SPACE CALCULATIONS

REQUIRED OPEN SPACE.....65,558 SF (655,578 X 10%)
 PROVIDED OPEN SPACE.....148,970 SF (34,859+69,777+36,334+4000x2)
 REQUIRED RECREATIONAL SPACE...32,779 SF (65,558 X 50%)
 PROVIDED RECREATIONAL SPACE...73,777 SF

PRELIMINARY DETENTION BASIN DATA

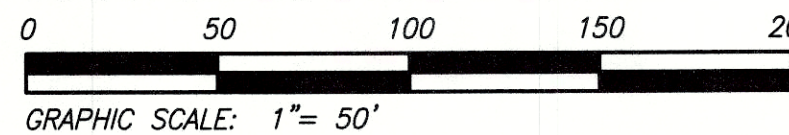
OUTLET STRUCTURES: 2'x2' RISER STRUCTURE WITH TRASH RACK OPENING @ ELEVATION 571.1'
 12" LOW-FLOW ORIFICE @ ELEVATION 566'
 24" OUTLET PIPE WITHIN 2'x2' RISER STRUCTURE @ ELEVATION 566'

BERM ELEVATION: 574'
 BOTTOM OF DETENTION BASIN ELEVATION: 566'
 MAX HEIGHT: 8 FEET
 MAX STORAGE VOLUME (100YR): 2.38 ACRE-FEET
 SEE ADDITIONAL CALCULATIONS PROVIDED



UTILITY NOTE

ALL UTILITIES ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER KENTUCKY 811 (TOLL FREE PHONE NO. 1-800-752-8007 OR LOCAL NO. 502-266-5123) FORTY-FOUR (48) HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS & WATER LINES). WHEN CONTACTING THE KENTUCKY 811 CALL CENTER, PLEASE STATE THE WORK TO BE DONE IS FOR A PROPOSED MSD SEWER OR DRAINAGE FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS AND IN THE TECHNICAL SPECIFICATIONS & SPECIAL PROVISIONS.



BLUMQUIST DESIGN GROUP, LLC
 10529 TIMBERWOOD CIRCLE SUITE "D"
 LOUISVILLE, KENTUCKY 40223
 PHONE: 502.429.0105 FAX: 502.429.6861
 EMAIL: MARVBDG@AOL.COM

REVISIONS	SCALE
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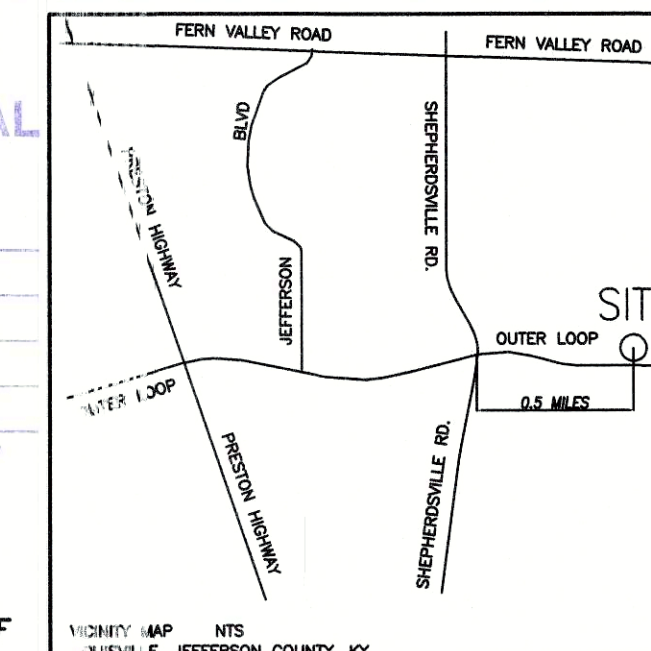
PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

BY: *James W. Boyd*
 DATE: 10/14/21
 LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

WAIVER REQUESTED

WAIVER OF SECTION 5.9.2.4.1.A.II - TO ALLOW OMISSION OF A REQUIRED STUB TO AN UNDEVELOPED PROPERTY.



VICINITY MAP

N.T.S.

MSD NOTES:

- ALL STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MSD'S STANDARD SPECIFICATIONS. ALL STORM SEWER PIPE SHALL BE A MINIMUM OF 12" DIAMETER.
- DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS. MSD DRAINAGE BOND REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
- THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MS4 WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT THE DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MGMT. PRACTICES.
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA. (FEMA MAP 2111100095 E).
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE, AND FEDERAL ORDINANCES.
- ON-SITE DETENTION WILL BE PROVIDED. POST-DEVELOPED PEAK FLOWS WILL BE LIMITED TO PRE-DEVELOPED PEAK FLOWS FOR THE 2, 10, 25, AND 100-YEAR STORMS OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE. DOWNSTREAM CAPACITY TO BE VERIFIED TO THE DOWNSTREAM END OF THE SECOND CULVERT LOCATED AT 5915 OUTER LOOP.
- SANITARY SEWER SERVICE PROVIDED BY LATERAL EXTENSION, SUBJECT TO FEES AND ANY APPLICABLE CHARGES. CAPACITY IS APPROVED UNDER THE FOLLOWING CONDITIONS:
 - ONLY CAPACITY FOR 47,000 GPD CAN BE APPROVED, WHICH IS THE REMAINING CAPACITY IN SYSTEM
 - CONSTRUCTION OF A LATERAL EXTENSION IS REQUIRED TO SERVE THE PROPERTY
 - TO OBTAIN THE REQUESTED CAPACITY, THE DEVELOPER WOULD NEED TO UPSIZE 1,116 FEET OF EXISTING 8" SEWER TO 10" TO CREATE THE FULL REQUESTED CAPACITY
- IF SITE HAS THRU DRAINAGE, AN EASEMENT PLAT WILL BE REQUIRED PRIOR TO MSD GRANTING CONSTRUCTION PLAN APPROVAL
- STORM WATER OUTFALL VELOCITY TO BE EVALUATED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL
- ALL ROOF DRAINAGE SHALL BE ONTO PAVED SURFACE OR INTO THE PROPOSED STORM SYSTEM.

NOTICE

PERMITS SHALL BE ISSUED ONLY IN CONFORMANCE WITH THE BINDING ELEMENTS OF THIS DISTRICT

PRELIMINARY APPROVAL

Condition of Approval:

Developed for: *Marv B. Boyd*
 Date: 10-14-21
 Louisville/JEFFERSON COUNTY METRO PUBLIC WORKS

SITE DATA CHART

EXISTING ZONE.....	R4
PROPOSED ZONE.....	R6
EXISTING FORM DISTRICT.....	NEIGHBORHOOD
EXISTING USE.....	RECREATIONAL SWIMMING
PROPOSED USE.....	252 RESIDENTIAL APARTMENTS
PROPERTY AREA.....	15.05 ACRES (655,578 S.F.)
PROPOSED DWELLING UNITS/AC.....	252/15.05 = 16.71 D.U./AC.
ALLOWABLE DWELLING UNITS/AC.....	17.42 D.U./AC.
PROPOSED BUILDING S.F.....	11,749 S.F. X 10.5 BUILDINGS X 3 STORIES = 370,094 S.F. TOTAL
AND 5,400 S.F. CLUBHOUSE	
BUILDING HEIGHT.....	35 FT. MAX.
F.A.R.....	0.57 (0.75 MAX)
REQUIRED PARKING.....	MIN. 227 (1 PER DWELLING UNIT-10% TARC CREDIT)
MAX. 504 (2 PER DWELLING UNIT)	
PROVIDED PARKING.....	395, INCL. 14 ADA
PROPOSED VIA.....	125,792 S.F.
REQUIRED I.A.....	9,434 S.F. (7.5%)
PROVIDED I.A.....	10,753 S.F. (8.5%)
REQUIRED TREE CANOPY.....	35% (229,452 S.F.)
EXISTING TREE CANOPY.....	9.1% (59,509 S.F.)
ADDITIONAL REQUIRED TREE CANOPY	25.9% (169,943 S.F.)

LEGEND

○ IP	1/2" DIAMETER STEEL REINFORCING BAR WITH ORANGE PLASTIC CAP STAMPED "W 2852" SET	— GM	GAS MAIN
○ PKF	PARKER-KALON NAIL WITH BRASS WASHER STAMPED "2852", SET PREVIOUS SURVEY	●	EXISTING POLE
—	LIGHT POLE	●	TELEPHONE POLE
○	SANITARY/STORM MANHOLE	▲	POLE ANCHOR
—	POWER POLE	○	TREE/SHRUB
—	FIRE HYDRANT	— X	FENCE
—	STORM SEWER	○	MONITORING WELL
—	WATER LINE	—	WATER METER
—	WATER VALVE	—	BURIED TELEPHONE/FIBER OPTIC
—	PHYSICALLY CHALLENGED PARKING SPACE	—	GUARDRAIL
CO	CLEAN OUT	—	OVERHEAD UTILITY LINE
CLF	CHAIN LINK FENCE	—	INTERIOR PROPERTY LINE
GM	GAS METER	—	CURB BOX INLET
WM	WATER METER	—	DROP BOX INLET
—	PROPOSED CONTOUR	—	TEMPORARY BENCHMARK
—	EXISTING CONTOUR	—	EXISTING PLANTING
—	PROPOSED DRAINAGE ARROW	—	TREE PROTECTION FENCE
—	EXISTING DRAINAGE ARROW	—	PROPOSED PLANTING
—	CATCH BASIN/YARD DRAIN AS LABELED	—	SANITARY LINE
—	PROPOSED FIRE HYDRANT	—	SLOPES BETWEEN 20%-30%
—	TO BE REMOVED	—	SLOPES GREATER THAN 30%

DETAILED DISTRICT DEVELOPMENT PLAN FOR

6001 OUTER LOOP APARTMENTS

ZONED R4, NEIGHBORHOOD FORM DISTRICT
 6001 OUTER LOOP
 LOUISVILLE, KY 40219
 TAX BLOCK 644 LOT 150
 DEED BOOK 11101, PAGE 650

OWNER/DEVELOPER:
 MVE PROPERTY, LLC
 1343 TILE FACTORY LANE
 LOUISVILLE, KY 40213

NO.

C-1

WM #12146

ORDINANCE NO. 160, SERIES 2021

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 6001 OUTER LOOP CONTAINING APPROXIMATELY 15.05 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0120)(AS AMENDED).

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the "Planning Commission") and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 20ZONE0120; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 20ZONE0120 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with amended and additional binding elements.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: That the zoning of the property located at 6601 Outer Loop containing approximately 15.05 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 20ZONE0120, is hereby changed from R-4 Residential Single Family to R-6 Residential Multi-Family, with the following amended and additional binding elements:-

7. "The Developer / Property Owner shall install a concrete boarding pad, bench pad and then notify TARC when the construction is complete. TARC will then install a standard bench. In addition, the Developer / Property Owner shall clean the stop as needed. In addition, Property Owner shall provide

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a trash receptacle at the stop, which Owner shall maintain and empty no less than weekly."

9. Dumpster emptying shall not occur between the hours of 8:00 pm and 7:00 am.

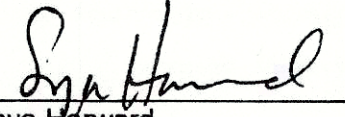
10. The 6 foot privacy fence depicted on the approved plan must be maintained in good condition with any necessary repairs completed in a reasonable time after discovery.

11. The Developer/ Property Owner shall obtain KYTC Approval of the two curb cuts depicted on the approved plan before any building permits are obtained.


12. If the criteria for signalization of the access point is met and approved by KYTC, it shall be installed at the owners' expense. This requirement shall expire 5 years after the final, non-temporary certificate of occupancy is received.

13. Any significant changes or alterations to the proposed structures (e.g. building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property, and/or any amendments to the binding elements shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

SECTION II: This Ordinance shall take effect upon its passage and approval.


Sonya Howard
Metro Council Clerk


David James
President of the Council


Greg Fischer
Mayor

11.11.21
Approval Date

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APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 
O-325-21 20ZONE0120 Approval (As Amended).docx (TF)

LOUISVILLE METRO COUNCIL
READ AND PASSED
October 28, 2021

PLANNING COMMISSION MINUTES
September 16, 2021

PUBLIC HEARING

CASE NO. 20-ZONE-0120

RESOLVED, that the Louisville Metro Planning Commission does hereby APPROVE the 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, 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 September 16, 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.

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PLANNING COMMISSION MINUTES
September 16, 2021

PUBLIC HEARING

CASE NO. 20-ZONE-0120

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 Developer / Property Owner shall install a concrete boarding pad, bench pad and then notify TARC when the construction is complete. TARC will then install a standard bench. In addition, the Developer / Property Owner shall clean the stop as needed.
8. The Okolona Church of Christ (OCC) has an exclusive easement for their parking lot that currently encroaches the property line, into perpetuity and running with the land, for so long as the OCC operates the property as a non-profit church. Should OCC not operate the property as a non-profit church, the easement will revert back to the applicant, its successors and assigns. In exchange for this easement, OCC is responsible for all maintenance of the portion of the parking lot subject to this easement and OCC accepts all liability as a result thereof and shall further indemnify the applicant, its successors and assigns for any and all claims or liability relating thereto. The applicant, its successors and assigns, shall be responsible for other improvements, if any.

The vote was as follows:

YES: Commissioners Brown, Carlson, Mims, Sistrunk, Peterson, Clare, Seitz, Howard and Lewis
NO: None
ABSENT: Commissioner Daniels

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