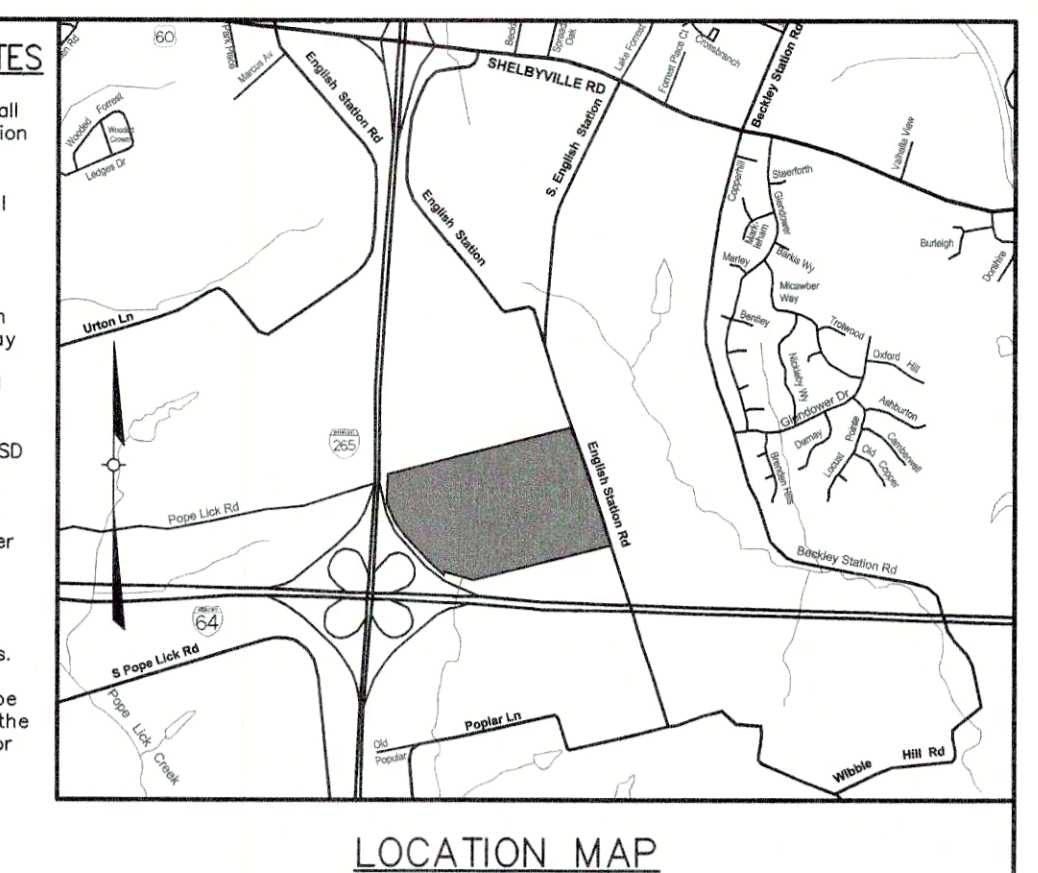


- GENERAL**
- Parking areas and drive lanes to be a hard and durable surface.
 - No increase in drainage run off to state roadways.
 - There shall be no commercial signs in the Right of Way.
 - No lots shown hereon may be subdivided or re-subdivided resulting in the creation of a greater number of lots than originally approved by the planning commission.
 - Construction fencing shall be erected at the edge of the limits of disturbance areas prior to any grading or construction activities. The fencing is to remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area.
 - A soil erosion and sedimentation control plan shall be developed and implemented in accordance with the Metropolitan Sewer District and USDA Soil Conservation Service recommendations.
 - All open space lots are non-buildable and will be recorded as open space and utility easements.
 - Benchmark Elevation is 714.55 (NAVD 1988) Chiseled square in concrete curb near accessible ramp on the southwest corner of Heim Place Lane and Hartland Ave Intersection.
 - Compatible on-site utilities, (electric, phone, cable) shall be placed in a common trench unless otherwise required by appropriate agencies.
 - The site is located in a Karst terrain area. Development of the site is subject to Chapter 4, Section 9 of the Land Development Code. No Karst Features were evident during a site visit on 10-27-16 by Kevin M. Young, RLA.
 - D.B. 10183, Page 535 provides a perpetual pedestrian & vehicular cross access easement between all tracts.

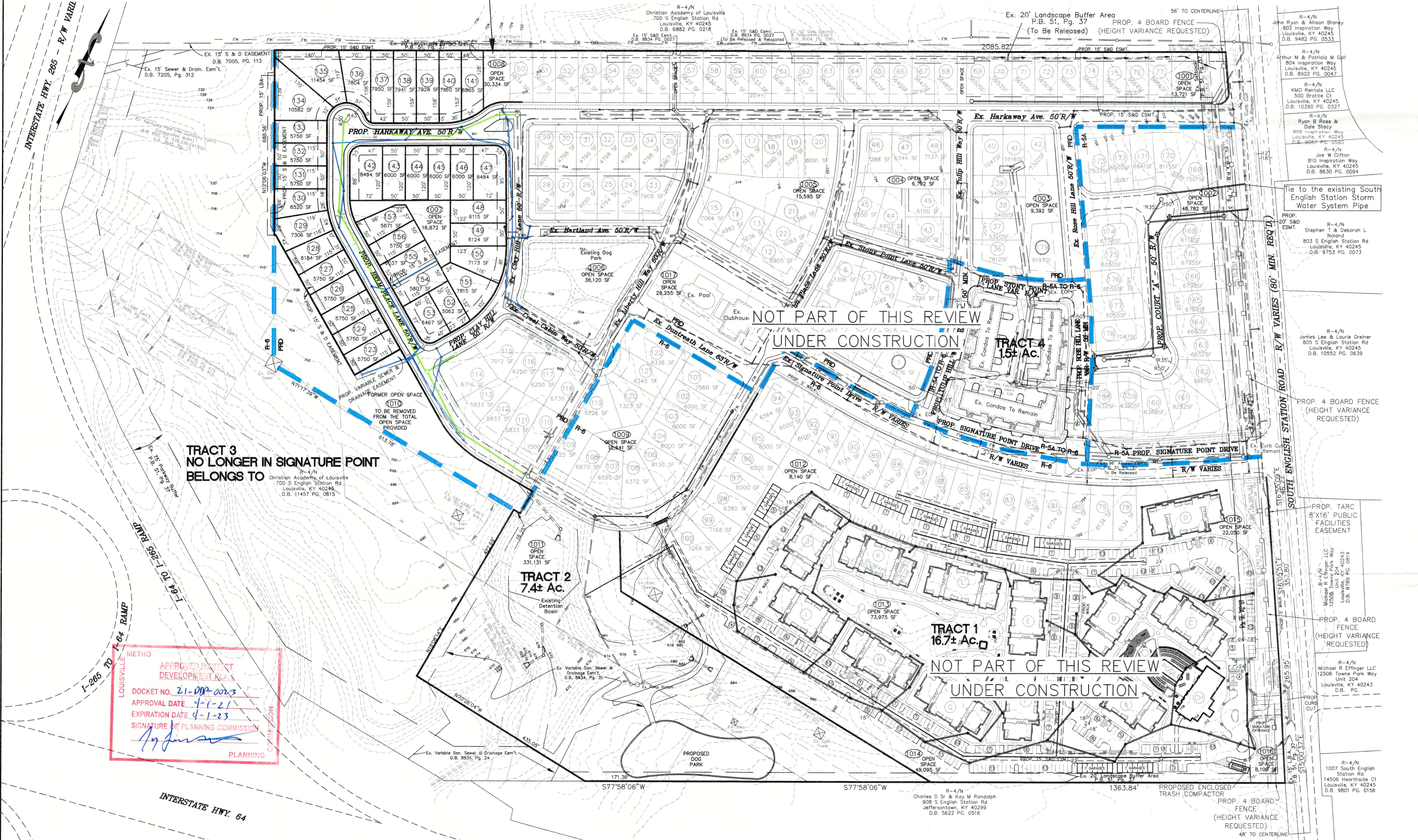
- MSD NOTES:**
- No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0050 E dated December 5, 2006.
 - Drainage pattern depicted by arrows (→) is for conceptual purposes. Final configuration and size of drainage pipes and channels shall be determined during the construction plan design process. Drainage facilities shall conform to MSD requirements.
 - If the site has thru drainage an easement plat will be required prior to MSD granting construction plan approval. On-site detention will be required post-developed peak flows will be limited to pre-developed peaks or to the capacity of the downstream system whichever is more restrictive.
 - A Downstream Facilities Capacity Request was submitted to MSD on Oct. 31, 2016.
 - 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 Management Practices.
 - Erosion & Silt Control shown is conceptual only, and final design will be determined on construction plans.
 - Prior to any construction activities on the site an Erosion & Silt Control Plan shall be provided to MSD for approval.
 - Runoff from this development is conveyed to an existing on-site detention basin.
 - All proposed sewer and drain easements shall be 15' unless otherwise indicated.
 - Proposed sewers are by both Lateral Extension and connection and are subject to the applicable fees.
 - Portion of the site draining into the English Station Storm system is subject to regional facility fees.

- STREETS & SIDEWALKS**
- Sidewalks within the subdivision shall be provided in accordance with Table 6.2.1 of the Land Development Code.
 - Street grades shall not be less than 1% (Min.) or 10% (max.).
 - A Bond & Encroachment Permit is required by Metro Public Works for all work within the South English Station Road Right-Of-Way, and for roadway approaches on all surrounding access roads to the subdivision site due to damages caused by construction traffic.
 - Verges shall be provided as required by Metro Public Works.
 - All streets, intersections, loop roads, cul-de-sacs, bulbs, traffic circles and rights-of-way shall be in accordance with the Development Code and Metro Public Works' standards and approved at the time of construction.
 - All street name signs shall conform with the MUTCD requirements and shall be installed prior to the recording of the applicable subdivision plat or prior to obtaining the first certificate of occupancy and shall be in place at time of bond release.
 - The location and type of plantings within the street right-of-way will be evaluated for roadway safety and sight distance requirements by Metro Public Works which reserves the right to remove them without the property owner's approval.
 - Should any existing drainage structures and/or utilities located within offsite rights-of-way become necessary to be altered, extended or relocated, such shall be at the owner's/developer's expense.
 - All roadway intersections shall meet the requirements for landing areas as set by Metro Public Works.
 - The minimum driveway length is 25 feet from garage or building facade to back of sidewalk or edge of pavement or curb.
 - For Tract 4 the existing walks which are not located within the proposed right of way shall be placed in a sidewalk easement on the record plat.

- VARIANCES GRANTED**
- A Variance was granted on November 7th 2013 (Case B-247-05) from the Louisville Metro Land Development Code to reduce the PRD minimum rear yard setback to 10 ft.
 - A Variance was granted on July 3rd 2006 (Case B-247-05) from the Louisville Metro Land Development Code to allow the condominium building height to exceed 45 ft.
 - A Variance was granted on June 20th 2005 (Case B-96-05) from the Louisville Metro Land Development Code to allow the clubhouse to be zero ft. from south & north zoning boundary line, proposed apartment building to be zero ft. on the south zoning boundary west zoning boundary line.
 - A Variance was granted (Case 8524) from the Louisville Metro Land Development Code to allow the clubhouse to exceed the maximum allowed height.
- WAIVER GRANTED**
- A Waiver was granted (Case 9208) from the Louisville Metro Land Development Code to allow a retaining wall within a Landscape Buffer Area.
 - A Waiver was granted (19WAIVER1028) from the Louisville Metro Land Development Code on July 17, 2019 to waive the walk on the west side of Prop. Court A behind lots 174 thru 178.



REVISIONS TO LOTS 123-157, OPEN SPACE 1007-1008



PROJECT DATA

TOTAL SITE AREA = 69.5± Ac.
 EXISTING ZONING = R-5A, R-6, PRD
 FORM DISTRICT = NEIGHBORHOOD
 EX. R-5 ZONED AREA (21 SFR LOTS) = 5.9± Ac.
 EX. R-6 ZONED AREA = 31.4± Ac.
 EX. PRD ZONED AREA = 30.7± Ac.

GARDEN HOMES DATA (SINGLE FAMILY LOTS 1-179) (LOTS 123-157 REVISED ON THIS PLAN)

GARDEN HOMES SITE AREA = 41.9± Ac.
 TOTAL AREA OF ROW = 13.1± Ac.
 NET SITE AREA = 28.8± Ac.
 EXISTING ZONING = R-5A, R-6, PRD
 EXISTING USE = VACANT
 PROPOSED USE = SINGLE FAMILY RESIDENTIAL
 TOTAL NO. OF LOTS = 179 LOTS
 GROSS DENSITY = 4.3 DU/Ac.
 NET DENSITY = 6.2 DU/Ac.
 MAX. DENSITY PERMITTED = R-5A - 19.01 DU/Ac.
 R-6 - 17.42 DU/Ac.
 PRD - 7.26 DU/Ac.
 TOTAL AREA OF LOTS = 26.2± Ac. (1,139,635 SF)
 OPEN SPACE REQUIRED (PRD) = 4.2± Ac. (182,134 SF)
 (50% OF DIFFERENCE OF PRD ONLY LOTS + 9,000 SF)
 OPEN SPACE PROVIDED = 5.4± Ac. (236,580 SF)

TRACT 1 DATA (APARTMENTS) (NOT PART OF THIS REVIEW)

TRACT 1 AREA = 16.7± Ac.
 EXISTING ZONING = UNDEVELOPED
 EXISTING USE = MULTI-FAMILY RESIDENTIAL
 PROPOSED USE = 288
 TOTAL # OF UNITS = 35' - 3 STORY (35' MAX. BLDG. HGT.)
 BUILDING HEIGHT = 10,735 SF
 APARTMENT BUILDING FOOTPRINT = 6,284 SF
 CLUBHOUSE FOOTPRINT = 992,744 SF
 TOTAL BUILDING AREA = 0.5 (0.75 MAX. ALLOWED)
 DENSITY = 17.25 (17.42 DU/Ac. MAX. ALLOWED)
 OPEN SPACE REQUIRED (10% OF 16.7 Ac.) = 1.7 Ac. (72,745 SF)
 OPEN SPACE PROVIDED = 3.7 Ac. (161,360 SF)
 MIN. MAX.
 288/1.5 SP MIN.
 288/3 SP MAX.
 PARKING PROVIDED = 432 SP
 COMMON SPACES = 864 SP
 GARAGE SPACES = 509 SP
 73 SP
 TOTAL PARKING PROVIDED = 582 SPACES (20 HC SPACES INCLUDED)
 TOTAL VEHICULAR USE AREA = 188,377 SF
 INTERIOR LANDSCAPE BUFFER AREA REQUIRED (7.5%) = 14,128 SF
 INTERIOR LANDSCAPE BUFFER AREA PROVIDED = 17,827 SF

TRACT 2 DATA (NOT PART OF THIS REVIEW)

TRACT 2 AREA = 7.4± Ac.
 EXISTING ZONING = UNDEVELOPED
 EXISTING USE = OPEN SPACE
 PROPOSED USE = OPEN SPACE

TRACT 3 DATA (NOT PART OF THIS REVIEW) (OWNED BY CHRISTIAN ACADEMY OF LOUISVILLE)

TRACT 3 AREA = 19.0± Ac.
 EXISTING ZONING = UNDEVELOPED
 EXISTING USE = UNDEVELOPED

TRACT 4 DATA (CONDOS) (NOT PART OF THIS REVIEW)

TRACT 4 AREA = 1.5± Ac.
 EXISTING ZONING = R-5A
 PROPOSED ZONING = R-6
 EXISTING USE TO REMAIN = CONDOMINIUMS
 BUILDING FOOTPRINT AREA = 23,879 SF
 GROSS FLOOR AREA (EXCLUDES GARAGES FOR F.A.R.) = 50,429 SF
 TOTAL # OF UNITS = 22
 BUILDING HEIGHT = 45' (VARIANCE GRANTED)
 F.A.R. = 0.7 (0.75 MAX. ALLOWED)
 DENSITY = 12.5 (17.42 DU/Ac. MAX. ALLOWED)
 OPEN SPACE REQUIRED (15% OF 1.5 Ac.) = 0.23± Ac. (9,901 SF)

TOTAL OPEN SPACE REQUIRED (REVISED)

GARDEN HOMES LOTS 1-179 = 170,349 SF
 APARTMENTS = 72,745 SF
 CONDOMINIUMS = 9,801 SF
 TOTAL OPEN SPACE REQUIRED = 252,895 SF

TOTAL OPEN SPACE PROVIDED (REVISED)

GARDEN HOMES LOTS 1-179 = 221,504 SF
 TRACT 2 (OPEN SPACE LOT) = 331,131 SF
 APARTMENTS = 161,360 SF
 TOTAL OPEN SPACE PROVIDED = 713,995 SF

PRD DIMENSIONAL STANDARDS (13ZONE1010 NOVEMBER 7TH, 2013)

UDC 3.1.10 HOUSING STYLE = DETACHED UNITS
 PROPOSED MAX. F.A.R. = 0.75
 MAXIMUM NO. OF STORES (SINGLE FAMILY) = 35' - 2 STORY
 MINIMUM DISTANCE BETWEEN BUILDINGS = 6'
 MINIMUM LOT SIZE = 4600 SF
 MINIMUM LOT WIDTH = 40' AT THE BUILDING LINE
 MINIMUM FRONT YARD = 20'
 MINIMUM BACK YARD = 20'
 MINIMUM SIDE YARD = 0'
 MINIMUM REAR YARD = 10' (VARIANCE GRANTED)
 (NOV. 7 2013)(13ZONE1010)

R-5A DIMENSIONAL STANDARDS (TABLE 5.3.1 LAND DEVELOPMENT CODE)

MINIMUM LOT SIZE = 6,000 SF
 MINIMUM LOT WIDTH = 50 FT
 MINIMUM FRONT AND STREET SIDE SETBACK = 15 FT
 MINIMUM SIDE YARD = 5 FT
 MINIMUM REAR YARD = 25 FT

R-6 DIMENSIONAL STANDARDS (TABLE 5.3.1 LAND DEVELOPMENT CODE)

MINIMUM LOT SIZE = 6,000 SF
 MINIMUM LOT WIDTH = 25 FT
 MINIMUM FRONT AND STREET SIDE SETBACK = 3 FT
 MINIMUM SIDE YARD = 3 FT
 MINIMUM REAR YARD = 25 FT

LEGEND

- PROPOSED STORM SEWER
- PROPOSED SEWER AND MANHOLE
- PROPOSED DRAINAGE SWALE

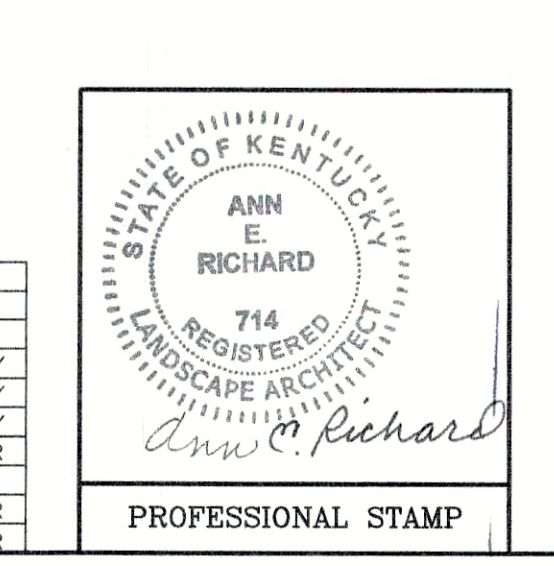
TREE CANOPY CALCULATIONS (CLASS C)(REVISED FOR LOTS 123-157 ONLY)

TOTAL SITE AREA = 316,828 S.F.
 EXISTING TREE CANOPY = 0% (0 S.F.)
 TOTAL TREE CANOPY AREA REQUIRED = 40% (126,731 S.F.)
 EXISTING TREE CANOPY TO BE PRESERVED = 0% (0 S.F.)
 PROPOSED TREE CANOPY TO BE PLANTED = 40% (126,731 S.F.)

GRAPHIC SCALE

1 inch = 120 ft

NO.	DATE	REVISIONS DESCRIPTION	BY
1	2/6/17	PER AGENCY COMMENTS	KMY
2	2/16/17	PER AGENCY COMMENTS	KMY
3	4/13/17	PER AGENCY COMMENTS	KMY
4	3/8/19	REVISE TRACT 3 PROPERTY LINES AND SUBTRACT FORMER OPEN SPACE 1010	AER
5	3/1/21	REVISIONS TO LOTS 123-157, OPEN SPACE 1007-1008	AER
6	3/22/21	ADDRESS MSD COMMENTS	AER



PRELIMINARY APPROVAL

Condition of Approval:

Development Review Date: 3-25-21

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

BY: [Signature]

DATE: 04/01/2021

CLAYTON PROPERTIES GROUP INC.

SIGNATURE POINT

REVISED PRELIMINARY SUBDIVISION PLAN AND REVISED DETAILED DISTRICT DEVELOPMENT PLAN

RELATED CASES: CAE5: 21-DDP-0023 + 21-R5VB-0002

PREPARED BY: LAND DESIGN & DEVELOPMENT, INC.
 503 WASHINGTON AVENUE, SUITE 101
 LOUISVILLE, KENTUCKY 40222
 PHONE: (502) 426-8374
 FAX: (502) 426-9375
 JOB: 14170
 DATE: 1/13/17

CLAYTON PROPERTIES GROUP INC.
 16218 SHELBYVILLE ROAD
 LOUISVILLE, KY 40245
 D.B. 11756 PG. 120

COUNCIL DISTRICT - 20
 FIRE PROTECTION DISTRICT - MIDDLETOWN

WM #7533

Binding Elements

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
3. The signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.
4. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.
5. Outdoor lighting in driving areas and parking lot illumination shall be either standard residential coach style lighting or of a type that directs light down and away from surrounding residential properties, which later type lighting fixtures shall have a 90-degree cutoff and height of the light standard shall be set so that no light source is visible from residential areas off-site. Building mounted fixtures shall be similar coach lamp style or porch lights with no wattage in excess of 75 watts. Light levels due to lighting on the subject site shall not exceed 0.5-foot candles measured at the property line. The applicant shall obtain certification by a qualified expert in measurement of lighting levels prior to requesting a certificate of occupancy. Such certification shall be maintained on site at all times thereafter.
6. 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.
7. A Tree Preservation Plan (TPP) shall be approved by Planning Commission staff prior to transmittal to the office responsible for permit issuance. No clearing and/or grading activities may take place until a Tree Preservation Plan has been approved. The Tree Preservation Plan shall identify and submit for approval by designated DPDS staff, a plan showing the location of Tree Preservation Areas on site (exclusive of areas dedicated as public right-of-way) prior to beginning any construction procedure (i.e., clearing, grading, demolition). All construction shall be conducted in accordance with the approved Tree Preservation Plan. A partial plan may be submitted to delineate clearing necessary for preliminary site investigation. All Tree Preservation Plans must be prepared in accordance with the standards set forth by DPDS.
8. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 16. Developer shall reserve for Kentucky Department of Transportation acquisition up until December 31, 2007 the undeveloped land shown on the District Development Plan as presented at the October 17, 2002 Planning Commission meeting. Developer shall not file for any development plan approval, and KDOT shall have the right, but not the obligation, to acquire said land, Developer stating its intention in these signed binding elements to reach an agreed upon price with KDOT for the land, said land being further reserved in accordance with the District Development Plan by the developer for future KDOT improvements in the I-64/I-265 interchange.
 17. Developer shall provide detention on site unless MSD decides that detention is not necessary or agrees to accept payment of the regional facility fee in lieu of detention or unless detention can be provided and reserved on future KDOT right-of-way as approved by MSD and KDOT.
 18. Before this Developer seeks a certificate of occupancy for its first building, if the road improvements previously required in Docket 9-28-01 and 9-20-01LW have not been made along U.S. 60 and South English Station Road as required by those two projects, then this Developer shall be responsible for making those South English Station Road and U.S. 60 road improvements, if any yet to be made. Provided, however, that the Planning Commission shall use its best efforts (with the assistance of the Public Works Department) to assist this Developer in obtaining reimbursement from the developers of the referenced projects for the costs of the road improvements previously imposed upon the developers in the referenced cases, prior to Public Works approval of construction plans for either of those two projects. Such improvements shall be made prior to issuance of the first certificate of occupancy.
 19. In addition to the third (center turn) lane across the frontage of the development which this Developer is obligated to construct by virtue of a note on the approved district development plan, Developer shall also be responsible for constructing the third (center turn) lane from its property line north (in front of Christian Academy) along South English Station Road to the point along South English Station Road where the two lanes become three lanes in front of the Landis Lakes subdivision. Said improvements shall be completed prior to requesting the first certificate of occupancy for the development.
 20. A noise study and mitigation measures, if any, as identified by the study shall be required prior to building permits for any residential structure within 250 feet of driving lanes along I-64 or I-265.
 21. All new street name signs shall comply with the manual on Uniform Traffic Control Devices (MUTCD). The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
 22. At the time the developer turns control of the homeowner's association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowner's association account. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement.
 23. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission:
 - a. Articles of Incorporation filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing (responsibilities for the maintenance of common areas and open space, maintenance of noise barriers, maintenance of W/PAs, TPAs) and other issues required by these binding elements / conditions of approval.
 - c. Bylaws of the Homeowner's Association in a form approved by the Counsel for the Planning Commission.

- a. The development plan must receive full construction approval from Louisville Metro Department of Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - 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 major subdivision record plat creating the lots and roadways as shown on the approved district development plan shall be recorded prior to issuance of any building permits.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
9. 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.
 10. If a building permit is not issued within two years of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
 11. 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.
 12. If work is required within the easements causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the approved landscape plan.
 13. The dumpster/compactor(s) shall not be emptied between the hours of 10 p.m. and 7 a.m.
 14. The materials and design of proposed structures shall be substantially the same as depicted in the photos/rendering as presented at the 12/14/16 Development Review Committee hearing.
 15. The developer shall, at its expense, construct a 6-foot chain link fence with black vinyl coating as shown on the fencing exhibit presented at the September 16, 2020 Development Review Committee meeting. The fence shall be perpetually maintained by the developer or its successor (Condominium Council, Homeowners Association, etc.)

Development Review
Date
LOUISVILLE & JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT