

Case No. 18ZONE1061 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Major Preliminary Subdivision/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 further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission.
3. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected 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 dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
4. All street signs shall be installed by the Developer, and shall conform to the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
5. The applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public rights of way as shown on the preliminary subdivision plan. Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.
6. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity, unless approved by the Louisville Metro Planning Commission. A note to this effect shall be placed on the record plat.
7. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
8. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvicide approved by the Louisville Metro Health Department. Larvicides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.

9. Trees will be preserved and/or provided on site and maintained thereafter as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the Preliminary Subdivision Plan. The applicant shall submit a landscape plan for approval by Planning Commission staff for any trees to be planted to meet the Tree Canopy requirements of Chapter 10, Part 1 of the Land Development Code. A tree preservation plan shall be submitted for review and approval for any trees to be preserved to meet the Tree Canopy requirements of Chapter 10.
10. The applicant shall submit a landscape plan for approval by Planning Commission staff showing plantings and/or other screening and buffering materials to comply with the Chapter 10 of the Land Development Code prior to recording the record plat. The applicant shall provide the landscape materials on the site as specified on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
11. 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 WPAs, 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.
12. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.
13. Any signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.
14. An Individual Historic Resource Survey Form shall be completed for any historic resources on the subject site. The documentation must occur prior to the issuance of a demolition permit or ground disturbance at the site. The documentation shall be submitted to Urban Design/Historic Preservation Staff upon completion.

GENERAL

- 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.
- This development is located in the Anchorage Middletown Fire Protection District and approval shall be obtained prior to construction approval.
- 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.
- There shall be no access to any lot within proposed subdivision from Factory Lane.
- Benchmark and topographical information shown hereon were derived from Lojic data. Boundary information was taken from deeds.
- Regarding Benchmark data, topographical information shown hereon was derived from lojic data.
- Compatible on-site utilities, (electric, phone, cable) shall be placed in a common trench unless otherwise required by appropriate agencies.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- Street trees shall be planted in a manner that does not effect public safety or hamper sight distance. Final location will be determined during construction approval process.
- A KARST survey was conducted by Kevin Young on July 25th, 2018 and no KARST features were found.

SEWER & DRAINAGE

- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standard Specifications and other local state and federal ordinances.
- Runoff from this development must be conveyed to an adequate public outlet.
- On-site detention will be provided. Post-developed peak flows will be limited to pre-developed peak flows for 2,10,25, and 100 year storms or to the capacity of the down-stream system, whichever is more restrictive.
- No portion of the site is located in a floodplain per FIRM map 21111 C 0021 E dated December 5, 2006.
- Sewers by L. E. and subject to all applicable fees.
- Extension of MSD storm water boundaries may be required.
- A "Request for Sanitary Sewer Capacity" has been approved by MSD on July 23, 2018.
- All proposed sewer and drain easements shall be 15' unless otherwise indicated.
- The Louisville Water Company will determine the width of their easement prior to construction plan approval.
- All drainage, EPSC and Water Quality practices shown on this plan are for conceptual purposes only. Final design of these elements will be determined prior to construction plan approval and shall comply with all MS4 and MSD Design Manual requirements.
- MSD Drainage bond required prior to construction plan approval.

STREETS & SIDEWALKS

- All roads within the development shall have curb and gutters. Cul-de-sacs shall have a pavement width of 20 feet with a radius of 35 feet at Cul-de-sac. All other roads shall be 24 feet in width with a 35 foot radius at intersections.
- 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 Factory Lane 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.
- A Bond and Encroachment Permit will be required by Metro Works for roadway repairs within the site due to damage caused by construction traffic activities.
- All roadway intersections shall meet the requirements for landing areas as set by Metro Public Works.

VARIANCE REQUESTED

- A Variance is requested from Section 5.3.1.C.2 of The Louisville Metro Development Code to vary the front and street-side setback to 15 feet and Factory Lane front setback to 30 feet.

PROJECT DATA

TOTAL SITE AREA	= 8.2± Ac. (356,698 SF)
R/W DEDICATION AREA	= 0.1± Ac. (2,900 SF)
TOTAL AREA OF ROW	= 1.6± Ac. (68,636 SF)
NET SITE AREA	= 6.5± Ac. (285,162 SF)
EXISTING ZONING	= R-4
FORM DISTRICT	= NEIGHBORHOOD
PROPOSED ZONING	= R-5
EXISTING USE	= SINGLE FAMILY RESIDENTIAL
PROPOSED USE	= SINGLE FAMILY RESIDENTIAL
TOTAL # RESIDENTIAL LOTS	= 34 LOTS
TOTAL ARE OF LOTS	= 253,774 SF
DENSITY	= 5.23 DU/Ac. (7.26 DU/Ac. MAX. ALLOWED)
TOTAL # OPEN SPACE LOTS	= 2
TOTAL OPEN SPACE PROVIDED	= 30,593 SF
EXISTING IMPERVIOUS AREA	= 5,938 SF
PROPOSED IMPERVIOUS AREA	= 40,990 SF (590% INCREASE)



LOCATION MAP
NOT TO SCALE

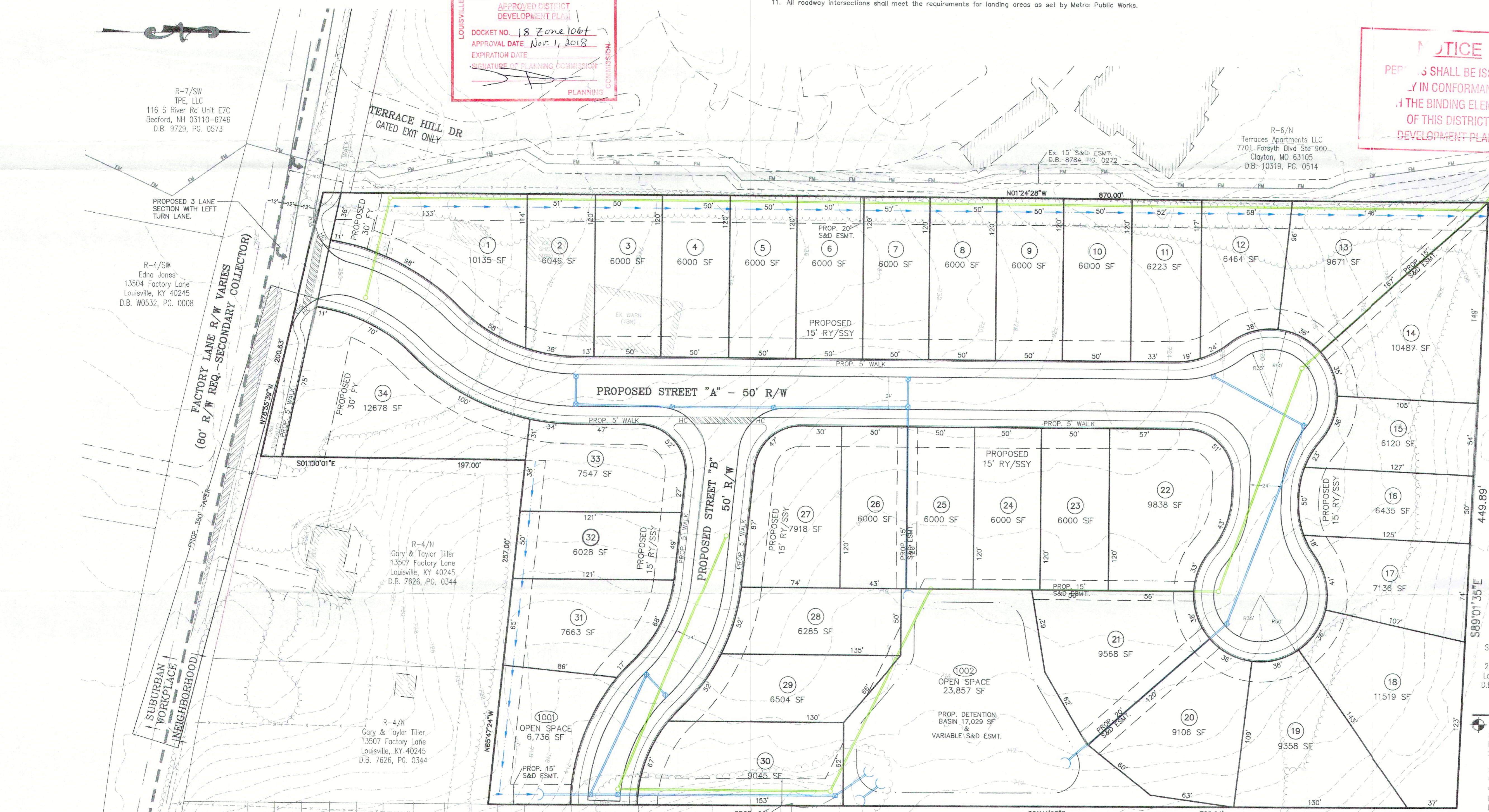
NOTICE
PERMITS SHALL BE ISSUED ONLY IN CONFORMANCE WITH THE BINDING ELEMENTS OF THIS DISTRICT DEVELOPMENT PLAN.

PRELIMINARY APPROVAL
Condition of Approval: _____
Tang Kelly 10-3-18
Development Review Date
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

PRELIMINARY APPROVAL DEVELOPMENT PLAN
CONDITIONS: _____
BY: _____
DATE: 10/3/18
LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

RECEIVED
SEP 28 2018
PLANNING & DESIGN SERVICES

BENCHMARK DESCRIPTIONS
TBM #1:
STATION IS 0.8 MILES SE OF THE GENE SNYDER FWY/LAGRANGE RD INTERCHANGE, NE OF THE NORTHERNMOST LANES OF GENE SNYDER FWY.
SOURCE OF BENCH MARK:
GPS CONTROL MONUMENT GPS-47AZ IS 0.8 MILES SE OF THE GENE SNYDER FWY/LAGRANGE RD INTERCHANGE, NE OF THE NORTHERNMOST LANES OF GENE SNYDER FWY. THE MARK IS 57' NE OF THE SHOULDER OF THE 2 LANES BOUND FOR LAGRANGE RD FROM THE SOUTH AND 26' SW OF AN ORANGE STATION MARKER AT THE FENCE LINE BETWEEN THE INTERSTATE AND A "PAR THREE" GOLF COURSE. THE STATION IS ADJACENT TO THE NORTHERN EDGE OF THE GREEN ON HOLE #3. ELEVATION=744.84 (NAVD 88).

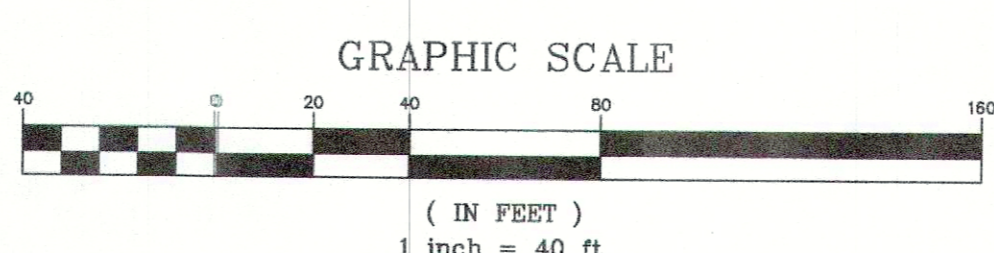
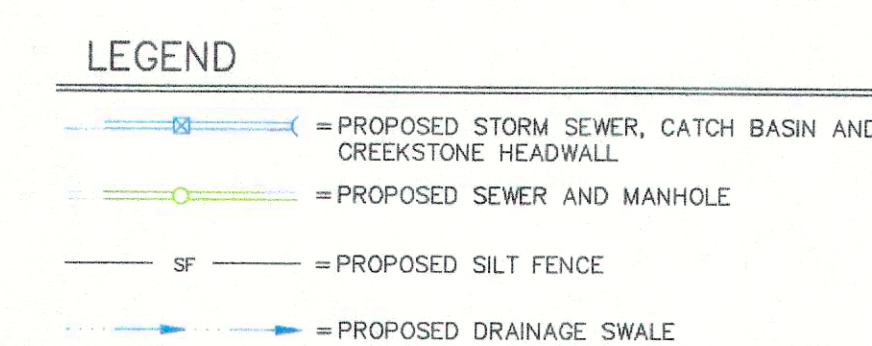


TREE CANOPY CALCULATIONS

TOTAL SITE AREA	= 271,566 S.F.
TOTAL TREE CANOPY AREA REQUIRED	= 20% (54,313 S.F.)
EXISTING TREE CANOPY TO BE PRESERVED	= 0% (0 S.F.)
PROPOSED TREE CANOPY TO BE PLANTED	= 20% (54,720 S.F.)

DETENTION BASIN CALCULATIONS

X = Δ CRA/12	ΔC = 0.5C - 0.23 = 0.27
A = 7.9 ACRES	R = 2.8 INCHES
X = (7.9)(0.27)(2.8)/12 = 0.50 AC.-FT.	REQUIRED X = 21,680 CU.FT.
PROVIDED BASIN = 17,029 SQ.FT.	TOTAL = 17,029 SQ.FT. @ APPROX. 2 FT. DEPTH
	= 34,058 CU.FT. > 21,680 CU.FT.



PRELIMINARY NOT FOR CONSTRUCTION
STATE OF KENTUCKY
KEVIN M. YOUNG
543
9/27/18
PROFESSIONAL STAMP

13501 & 13505 FACTORY LANE
PRELIMINARY SUBDIVISION PLAN

OWNER/DEVELOPER:
JOE KROLL BUILDER LLC
6102 BREEZE HILL ROAD
CRESTWOOD, KY 40014
SITE ADDRESS:
13501 & 13505 FACTORY LANE
LOUISVILLE, KY 40245
TAX BLOCK: 0015, LOT 0024, 0142
D.B. 11002, PG. 0487
PREPARED BY:
LAND DESIGN & DEVELOPMENT, INC.
503 WASHBURN AVENUE, SUITE 101
LOUISVILLE, KENTUCKY 40222
PHONE: (502) 426-9374
FAX: (502) 426-9375
JOB#: 18166
MSD WM #11817
DATE: 08/27/18
COUNCIL DISTRICT - 17
FIRE PROTECTION DISTRICT - ANCHORAGE MIDDLETOWN
MUNICIPALITY - LOUISVILLE
DOCKET: 18ZONE1061