

### **Case No. 18ZONE1048 Binding Elements**

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the requested 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 Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review 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 plat creating the lots and roadways as shown on the approved district development plan shall be recorded prior to issuance of any building permits, except that grading/clearing and foundation only permits may be issued to ensure the accuracy of property lines as they relate to common side walls for residential units.
  - e. A reciprocal access agreement or other legal instrument in a form acceptable to Planning Commission's Legal Counsel shall be recorded allowing for pedestrian and vehicular access as shown on the approved development
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. Covenants, Conditions, and Restrictions (“CCRs”) shall be prepared by the developer to be submitted to and reviewed and approved by Planning Commission legal counsel, prior to recording of the subdivision’s Record Plat, for consistency with any binding elements that mandate inclusion in the CCRs, as well as the inclusion of the following requirements: (a) all road, drainage, sanitary sewer, water, other necessary infrastructure and other required landscaping and facilities shall be installed by the developer prior to turn-over of maintenance responsibilities to the Home Owners Association (“HOA”); (b) any shared water meters and property service connections for sanitary sewers shall be the sole responsibility of the HOA; (c) any water, sewer and drainage facilities that cross lot lines shall be included in blanket easements for purposes of both lot owner and HOA access and maintenance; and (d) where attached residences are proposed, easements shall be provided to provide for incidental encroachments, property maintenance and repair.
8. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
9. 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.
10. Final renderings shall be provided to Planning Commission staff for review and approval prior to the issuance of any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit).
11. Landscaping shall be substantially similar to that proposed at the December 20, 2018 Planning Commission public hearing, with material to be 8-10 feet high at time of planting.
12. Applicant shall provide an 11-foot wide dedicated left turn lane into the site, with a 75 foot storage length, and 50 foot bay taper length prior to the timing of the issuance of the first certificate of occupancy. Construction plans, bond and permit for work in the right of way required prior to the issuance of any building permit.

**PRELIMINARY APPROVAL**  
 Condition of Approval:  
 \_\_\_\_\_  
 \_\_\_\_\_  
*Tang* 1-14-19  
 Development Review Date  
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

**APPROVED DISTRICT DEVELOPMENT PLAN**  
 DOCKET NO. 18 Zone 1048  
 APPROVAL DATE 12/20/18  
 EXPIRATION DATE \_\_\_\_\_  
 SIGNATURE OF COMMISSIONER  
 \_\_\_\_\_  
 PLANNING COMMISSION

**PRELIMINARY APPROVAL DEVELOPMENT PLAN**

CONDITIONS:  
 \_\_\_\_\_  
 BY: *Erin*  
 DATE: 1/11/19  
 LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

**BENCHMARK DESCRIPTIONS**

TBM#19 = SQUARE CUT ON SIGNAL POLE BASE  
 ELEVATION = 582.167 (NAVD 88)  
 SOURCE - ELEVATIONS ARE BASED ON LOIC MONUMENT TV-1-2015  
 ELEVATION = 541.38 (NAVD 88)

**DETENTION BASIN CALCULATIONS**

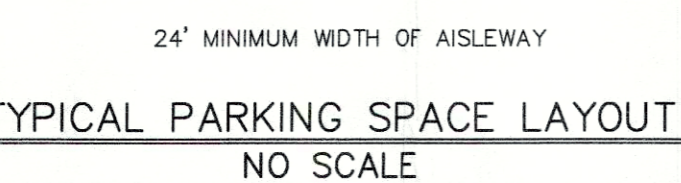
X = Δ CRA / 12  
 ΔC = 0.85 - 0.35 = 0.5  
 A = 3.4 ACRES  
 R = 2.8 INCHES  
 X = (0.5)(3.4)(2.8) / 12 = 0.4 AC.-FT.  
 REQUIRED X = 17,280 CU.FT.  
 PROVIDED BASIN = 6785 SQ.FT.  
 TOTAL = 6785 SQ.FT. @ APPROX. 3 FT. DEPTH  
 = 20,355 CU.FT. > 17,280 CU.FT.

**TREE CANOPY CALCULATIONS**

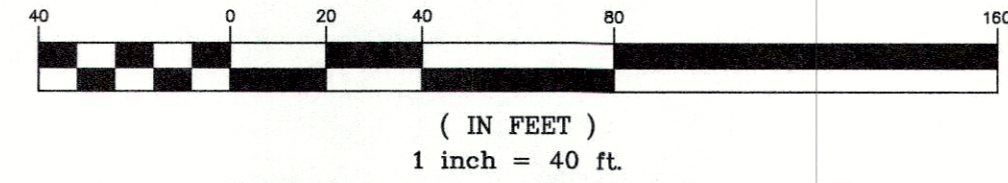
TOTAL SITE AREA = 134,227 SF  
 TOTAL TREE CANOPY AREA REQUIRED = 20% (26,845 SF)  
 EXISTING TREE CANOPY AREA = 12% (16,649 SF)  
 EXISTING TREE CANOPY TO BE PRESERVED = 0% (0 SF)  
 PROPOSED TREE CANOPY TO BE PLANTED = 20% (26,845 SF)

**LEGEND**

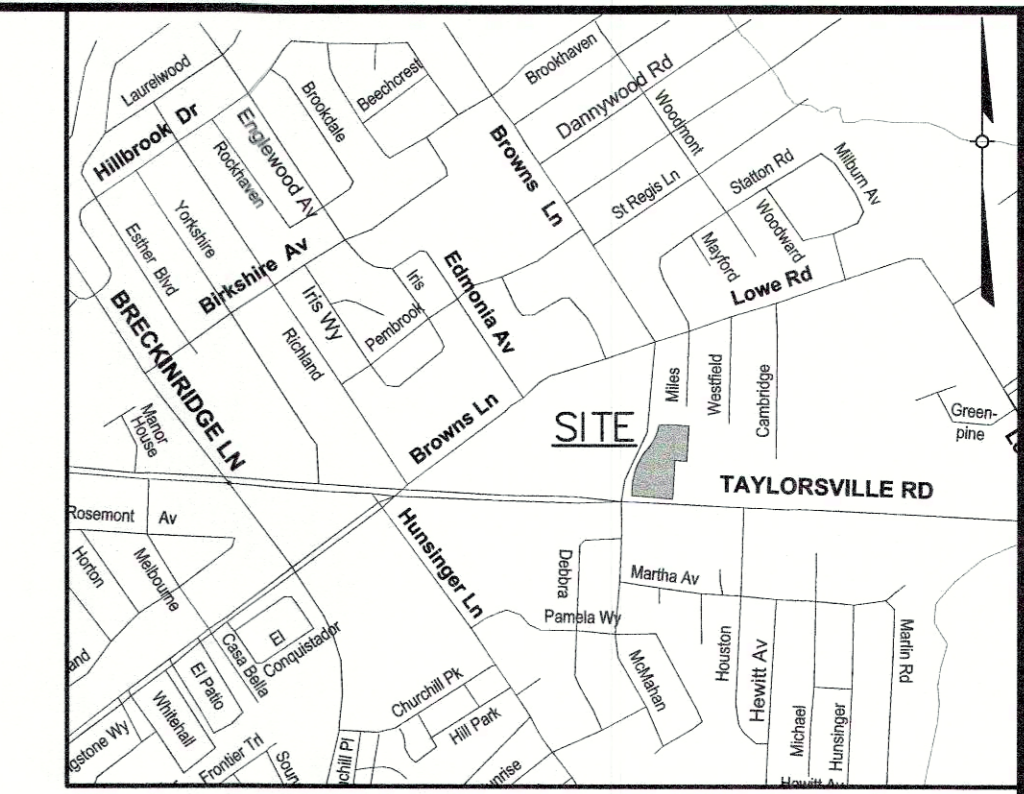
- = EXISTING SANITARY SEWER
- = EXISTING TREELINE
- = EXISTING CONTOURS
- = PROPOSED SANITARY SEWER
- = PROPOSED STORM SEWER
- = EXISTING DRAINAGE SWALE



**GRAPHIC SCALE**



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



LOCATION MAP NOT TO SCALE

**PROJECT DATA**

TOTAL SITE AREA = 3.1± Ac. (134,227 SF)  
 EXISTING ZONING = R-4  
 PROPOSED ZONING = PRD  
 FORM DISTRICT = NEIGHBORHOOD  
 EXISTING USE = SINGLE FAMILY RESIDENTIAL  
 PROPOSED USE = SINGLE FAMILY RESIDENTIAL ATTACHED  
 PROPOSED UNITS = 19 UNITS  
 DENSITY = 6.13 DU/ACRE (7.26 D.U./ACRE MAX ALLOWED)  
 BUILDING FOOTPRINT = 24.5' WIDE BUILDING - 1,960 SF  
 = 44,448 SF - LIVABLE SPACE  
 = 0.33 (2.0 MAX. ALLOWED)  
 = 2 STORY (45' MAX. ALLOWED)  
 TOTAL BUILDING AREA  
 F.A.R.  
 BUILDING HEIGHT  
 PARKING REQUIRED  
 2 SP / 19 UNIT = MIN. 38 SP  
 3 SP / 19 UNIT = MAX. 57 SP  
 PARKING PROVIDED  
 GARAGE PARKING PROVIDED = 38 SPACES  
 COMMON AREA PARKING PROVIDED = 10 SPACES (2 HC SPACES)  
 TOTAL PARKING PROVIDED = 48 PARKING SPACES  
 OPEN SPACE REQUIRED = 23,399 SF  
 OPEN SPACE PROVIDED = 25,150 SF (PATIOS NOT INCLUDED)  
 TOTAL VEHICULAR USE AREA  
 ILA REQUIRED (7.5%) = 2,107 SF  
 ILA PROVIDED = 5,001 SF  
 EXISTING IMPERVIOUS AREA = 14,118 SF  
 PROPOSED IMPERVIOUS AREA = 57,360 SF  
 INCREASE IN IMPERVIOUS AREA = 306%

**REQUIRED YARDS**

FRONT YARD & STREET SIDE YARD = 15'  
 SIDE YARD = 0'  
 REAR YARD = 25'

**GENERAL NOTES:**

- Parking areas and drive lanes to be a hard and durable surface.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- State highway encroachment permit will be required for any work in the state right-of-way.
- No increase in drainage run off to state roadways.
- There shall be no commercial signs in the right-of-way.
- Site lighting shall not shine in the eyes of drivers. If it does it shall be re-aimed, shielded, or turned off.
- Construction fencing shall be erected prior to any construction or grading 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, no parking, material storage, or construction activities shall be permitted within the fenced area.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- A KARST survey was conducted by Kevin Young RLA on July 18th, 2018, and no KARST features were found.
- A cross access easement or agreement to be recorded for the development with major subdivision record plat.

**MSD NOTES:**

- 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.
- Sanitary sewer service will be provided by lateral extension and subject to applicable fees. A downstream facilities capacity request was approved by MSD on June 18th, 2018.
- No portion of the site is within the 100 year flood plain per firm map no. 21111 C 0046 E dated December 5, 2006.
- Drainage pattern depicted by arrows (→) is for conceptual purposes.
- If the site has thru drainage an easement plat will be required prior to MSD granting construction plan approval.
- 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.
- 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.
- No increase in runoff permitted to the north side of the site.
- KYTC approval required prior to MSD construction plan approval.
- Access to sewers to be evaluated for 4121 Taylorsville Road prior to MSD 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 Management Practices.

OWNER:  
 JEREMY BRENT PEARMAN  
 4115 TAYLORSVILLE ROAD  
 LOUISVILLE, KY 40220

SITE ADDRESS:  
 4115 TAYLORSVILLE ROAD  
 TAX BLOCK 0037, LOT 0266  
 D.B. 8239, PG. 0078

SITE ADDRESS:  
 4117 TAYLORSVILLE ROAD  
 TAX BLOCK 0037, LOT 0122  
 D.B. 9070, PG. 0365

COUNCIL DISTRICT - 18  
 FIRE PROTECTION DISTRICT - MCMAHAN  
 MUNICIPALITY - LOUISVILLE

CASE: 18ZONE1048 WM #11722

NO.	DATE	DESCRIPTION	BY
1	8/20/18	REV. LAYOUT/REV. PER AGENCY COMMENTS	KMY
2	9/17/18	REVISED LAYOUT	KMY
3	10-15-18	AGENCY COMMENTS	ARH
4	11-5-18	AGENCY COMMENTS	ARH
5	12/04/18	UPDATED PROPOSED SEWER AND EASEMENTS	B.B.

PROJECT DATA	SURVEYOR'S SEAL
FILE NAME: 17135-DDDP	
DATE: 7/23/18	
CHECKED BY: KMY	
SCALE: AS SHOWN	
PROJECT DATA	PROFESSIONAL SEAL

**LD&D**  
**LAND DESIGN & DEVELOPMENT, INC.**  
 ENGINEERING - LAND SURVEYING - LANDSCAPE ARCHITECTURE  
 507 WARREN AVENUE, SUITE 101, LOUISVILLE, KENTUCKY 40202  
 TEL: 502.261.9775 FAX: 502.261.9774  
 WEB SITE: WWW.LD-D.COM

**DEVELOPER**  
**STEWART COMPANIES**  
 2604 CURBSIDE COURT  
 LEXINGTON, KY 40513

**DETAILED DISTRICT DEVELOPMENT PLAN**  
**4115 + 4117 TAYLORSVILLE RD.**  
 JOB NO. 17135  
 SHEET 1 OF 1

DEC 29 2018  
 PLANNING & DESIGN SERVICES

RECEIVED