

Case No. 21-ZONE-0136 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan/Major Preliminary Subdivision 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. Encroachment permits must be obtained from the Kentucky Transportation Cabinet for any work done in the Mt. Washington Road or Preston Highway right-of-way.
 - 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 certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter. Twice the required tree plantings shall be provided within the 50-foot building setback along the Wilson property, located at 5510 Mount Washington Road, not to exceed 100 linear feet, closest to the house on that property. Half of the enhanced landscaping shall be Type A or B deciduous trees, and half shall be Type A or

B evergreen trees.

- 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.
 - e. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 16, 2023 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. Building design shall include at least three different color schemes as approved by staff.
 - f. The applicant shall make improvements to the intersection at Mt. Washington Road and Preston Highway, and to Mt. Washington Road, including sidewalks, in a manner substantially similar to that shown and described at the March 16, 2023 Planning Commission hearing and located in the case file as "Conceptual Striping Plan", subject to Public Works and/or Kentucky Transportation Cabinet approval. These improvements shall be bonded at site construction plan approval. All improvements shall be completed no later than issuance of the certificate of occupancy for the 133rd dwelling unit.
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 development shall be limited to 199 units until a second separate access roadway connecting directly to an existing roadway is obtained pursuant to LDC 6.1.3.
 8. The applicant shall either provide a stub to the property at 12115 Christman Drive or connect to the extended Garden Trace Drive,

depending on the state of development of the approved preliminary subdivision plan for docket 21-MSUB-0012, Ashbrook Gardens Section 3, in compliance with LDC 5.9.2.A.1.a.

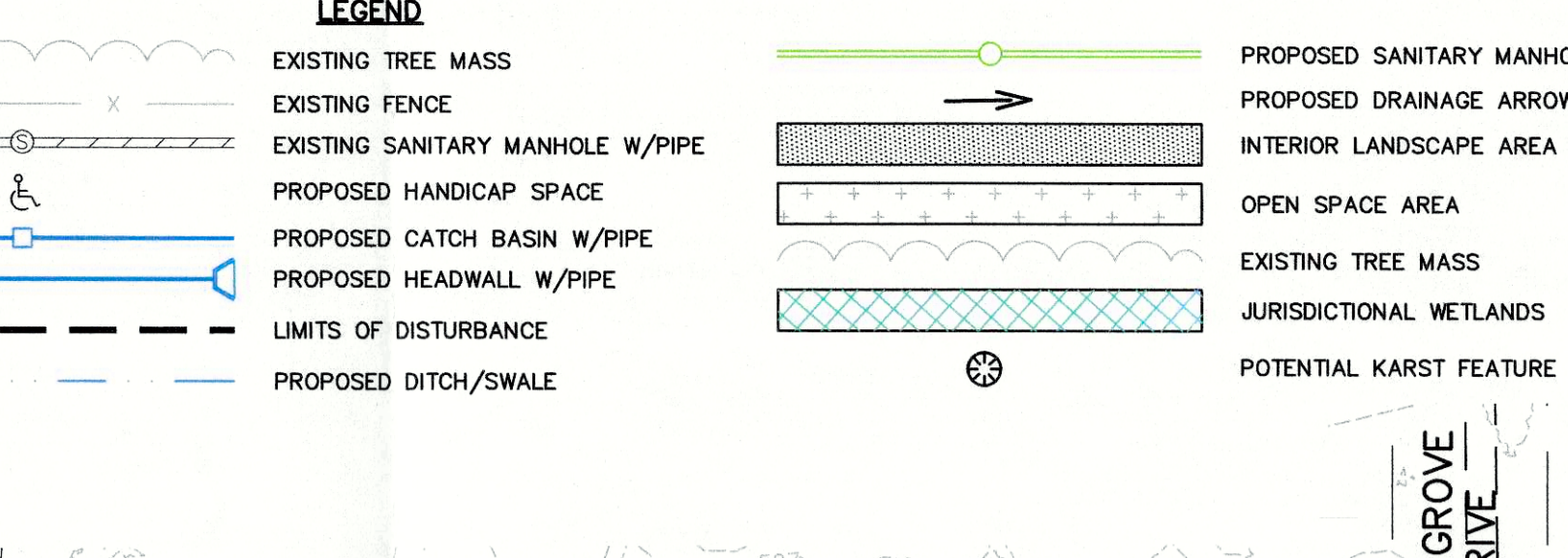
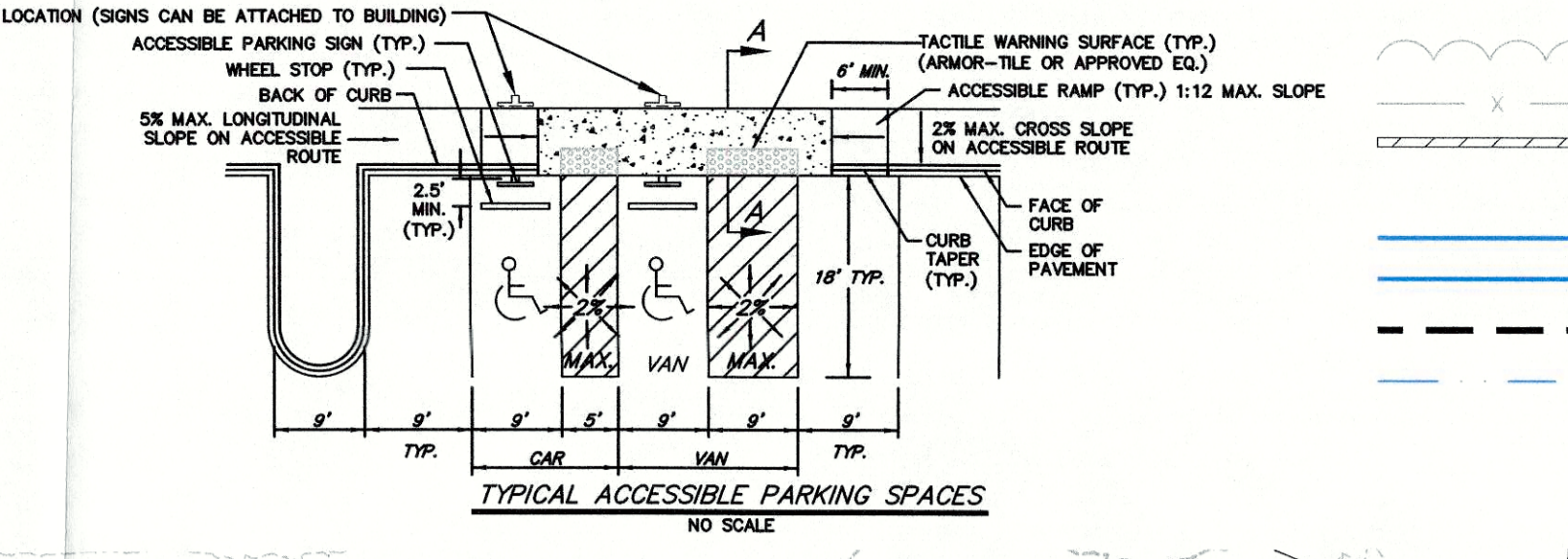
9. All property owners within 500 feet of a proposed blasting location shall be notified 30 days before any blasting operations occur and be offered pre-blast surveys. Any homeowners who opt to have a pre-blast survey conducted shall be provided copies of all materials resulting from that survey, including any photos and/or videos. Any blast surveys shall be done in a manner consistent with Kentucky Blasting Regulations.

ADJACENT PROPERTY OWNERS

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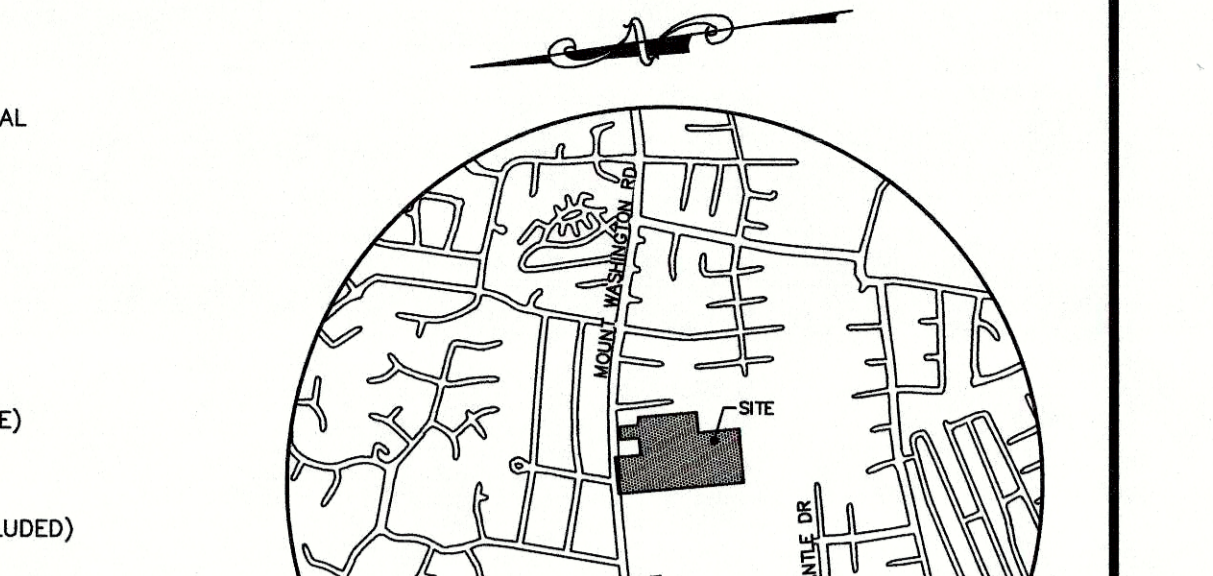
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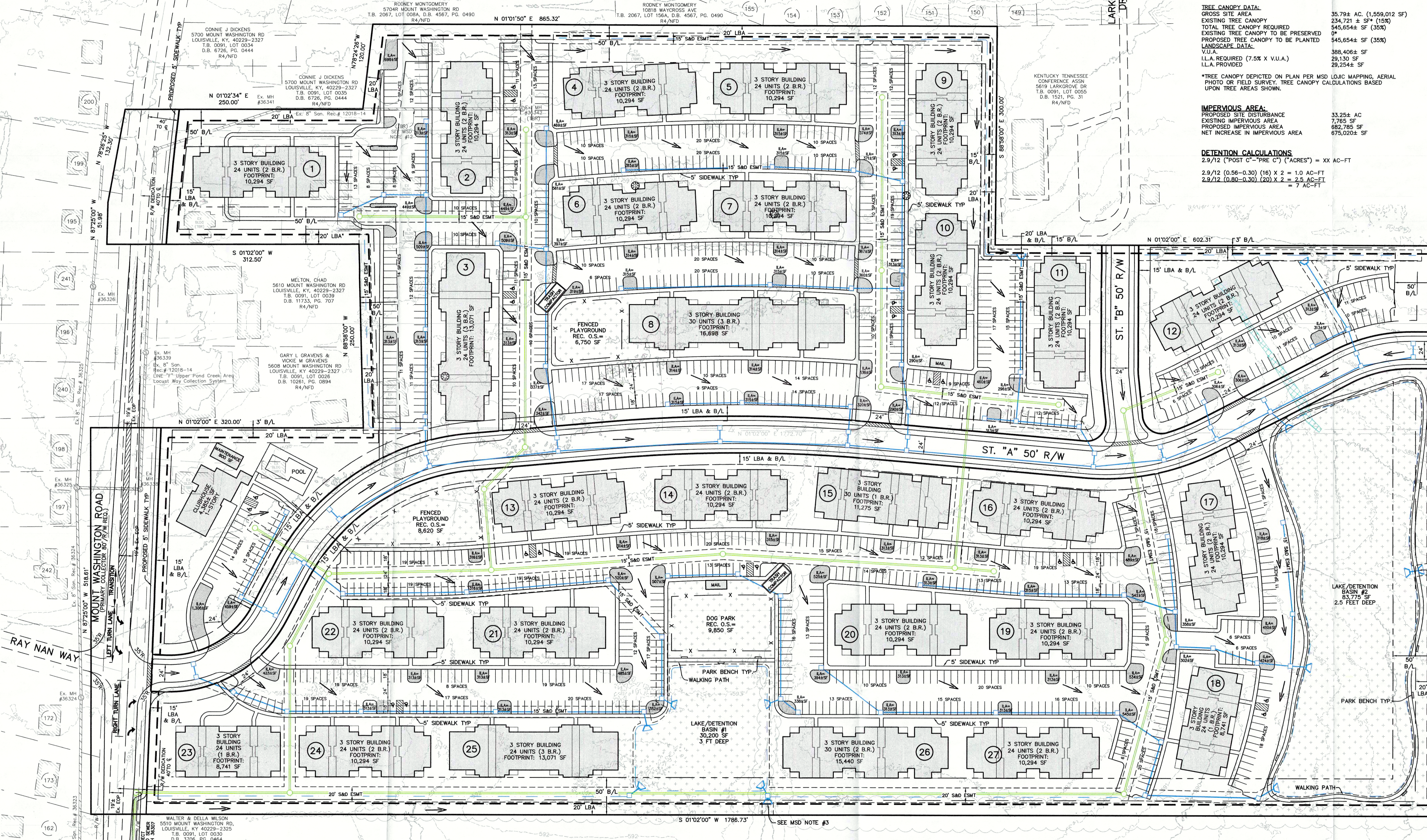


SITE DATA:

FORM DISTRICT	R4
EXISTING ZONING	R4
EXISTING LAND USE	VACANT/SINGLE FAMILY RESIDENTIAL
PROPOSED LAND USE	MULTI-FAMILY RESIDENTIAL
NET LAND AREA	35.794 AC (1,559,012 SF)
OF DWELLING UNITS	32,444 AC (1,421,798 SF)
NET LAND AREA	86,836 SF
GROSS FLOOR AREA	18,600 SF (50K RED. OPEN SPACE)
GROSS DENSITY	20.4 DU/AC
NET DENSITY (MAX. ALLOWED 34.8 DU/AC)	142,180 SF (10%)
OPEN SPACE PROVIDED	199,265 SF
REC. OPEN SPACE REQUIRED	71,000 SF (50K RED. OPEN SPACE)
PARKING SPACES PROVIDED PER D.U.:	108,995 SF
MIN. 1 SP/MAX. 2 SP	MIN. 666' MAX. 1,332 SP
PARKING PROVIDED:	1,215 TOTAL SP (22 ADA SP INCLUDED)
PARKING AREA RATIO	1.8 SP/UNIT



MINDEL SCOTT
ARCHITECTURE
5163 Jefferson Blvd. Louisville, KY 40219
502-485-1588 | MindelScott.com



NEIGHBORHOOD

FORM DISTRICT	R4
EXISTING ZONING	R4
EXISTING LAND USE	VACANT/SINGLE FAMILY RESIDENTIAL
PROPOSED LAND USE	MULTI-FAMILY RESIDENTIAL
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IMPERVIOUS AREA:

PROPOSED SITE DISTURBANCE	33,254 AC
EXISTING IMPERVIOUS AREA	7,785 SF
PROPOSED IMPERVIOUS AREA	682,785 SF
NET INCREASE IN IMPERVIOUS AREA	675,020 SF

DETENTION CALCULATIONS

2.9/12 (POST "C"-PRE "C") (ACRES) = XX AC-FT	
2.9/12 (0.56-0.30) (18) X 2 = 1.0 AC-FT	
2.9/12 (0.60-0.30) (20) X 2 = 2.5 AC-FT	

WALKER REQUEST:
A WALKER OF 10.2-14.3 OF THE LDC IS REQUESTED TO ALLOW MORE THAN 50% OF A PROPERTY PERIMETER LANDSCAPE BUFFER AREA TO BE OCCUPIED BY A DRAINAGE EASEMENT.

PRELIMINARY APPROVAL

Condition of Approval:

Development Review: *Walter J. Walker* Date: 2-16-23

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

PRELIMINARY APPROVAL DEVELOPMENT PLAN

DATE: *Jan 16, 2023*

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

APPROVED DISTRICT DEVELOPMENT PLAN

DATE: *2-16-23*

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

RECEIVED

FEB 16 2023

PLANNING & DESIGN SERVICES

Vertical Scale: N/A

Horizontal Scale: 1"=60'

Date: 04/7/22

Job Number: 3831

Sheet

CASE# 21-ZONE-0136
RELATED CASE# 22-ZONE PA-0024
MSD WM # 12322

OWNER(S)

GLORIA J. WALKER & CLINTON P. WALKER SR
6902 S 232ND EAST AVENUE
BROKEN ARROW, OK 74014-2729

DEVELOPER

HIGHGATES MANAGEMENT
7301 MONSEY CIRCLE
LOUISVILLE, KY 40219

CHANGING IN ZONING APPLICATION PLAN

MOUNT WASHINGTON ROAD APARTMENTS

5604, 5606, 5612, 5614 & 5616 MOUNT WASHINGTON RD
LOUISVILLE, KENTUCKY 40229

TAX BLOCK 0091, LOTS 0002, 0072, 0027, 0037 & 0036
D.B. 7016 PG. 0675, D.B. 7017 PG. 0574 & D.B. 5719 PG. 0642

MINDEL SCOTT ARCHITECTURE

5163 Jefferson Blvd. Louisville, KY 40219
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