

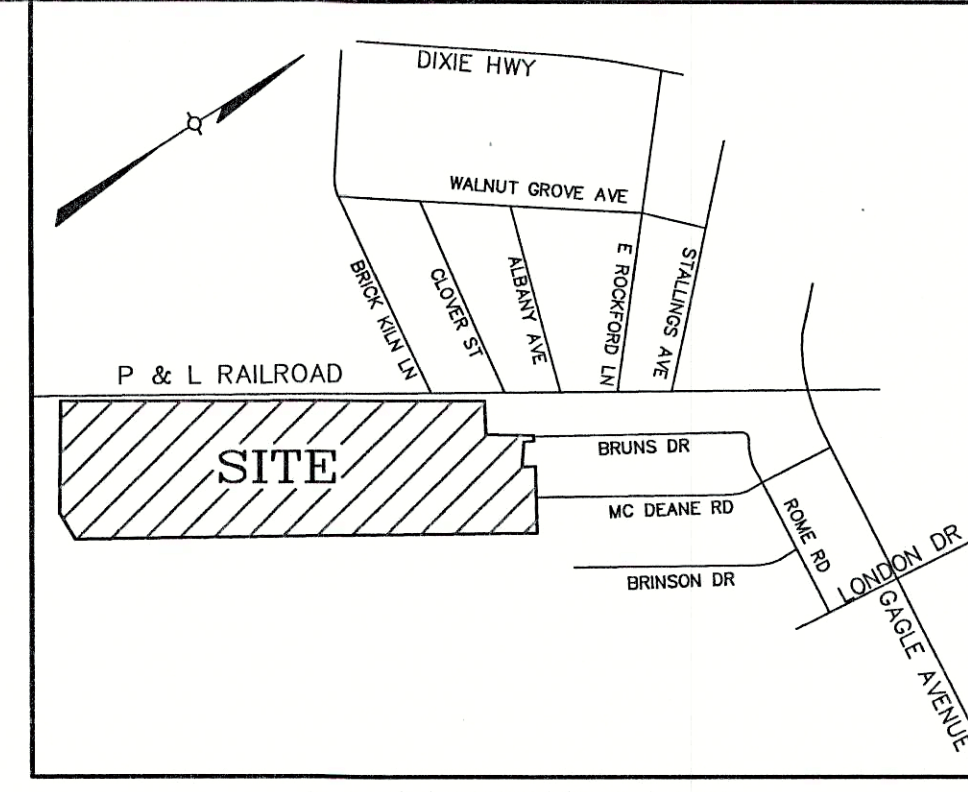
**GENERAL NOTES**

- Parking areas and drive lanes to be a hard and durable surface.
- This site is within Zone X of the 100 year flood plain per FIRM Map No. 2111 C 0315 D dated February 2, 1994.
- 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.
- Erosion & Silt Control: Prior to any construction activities on the site a Erosion & Silt Control Plan shall be provided to MSD for approval.
- 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 dripline of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
- A Tree Preservation Plan will be submitted to the Planning Commission for approval prior to beginning construction.
- All service structures are to be screened per Chapter 10.

- The Louisville Water Company will provide Domestic Water Service to the site. The expenses for any improvements required to provide service to the site will be the responsibility of the owner/developer.
- Boundary taken from deed(s) and does not constitute a survey.
- Army Corps of Engineers approval for wetlands determination will be required.
- Sanitary sewer service will be provided by lateral extension and subject to applicable fees.
- All manholes near the lake shall be watertight.
- A GeoTech Report will be required. The Geotech Report will address roadway sections.
- MSD Sensitive Features Mapping indicates the subject site to have unstable soils.
- Detention shall be provided to capacity of downstream system. Downstream analysis may be required.
- Extra detention may be provided to benefit downstream system.

- Tract 1 pavement to be 22' minimum width with curb and gutter. Tract 2 pavement to be 24' minimum width with curb and gutter.
- A Traffic Study will be provided with scope determined by Metro Works.
- A bond will be required by Metro Public Works for possible damage due to construction traffic on McDeane Road and Bruns Drive prior to construction approval.
- Bruns Drive and McDeane Road to be designed and constructed in accordance with LDC requirements.
- Bike racks will be provided.

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



**LOCATION MAP**  
NOT TO SCALE

**SITE DATA - TRACT 1**

TOTAL SITE AREA	=	30.9± Ac.
TRACT 1 - R-4/R-7 TO R-5A	=	28.7± Ac.
EXISTING FORM DISTRICT	=	NEIGHBORHOOD
EXISTING ZONING	=	R-4/R-7
PROPOSED ZONING	=	R-5A
EXISTING USE	=	VACANT
PROPOSED USE	=	MULTIFAMILY RESIDENTIAL
TOTAL NO. UNITS	=	106 UNITS
BUILDING HEIGHT	=	26' (ONE STORY)
<b>PARKING:</b>		
PARKING REQUIRED:	=	159 SPACES
PARKING PROVIDED:		
GARAGE SPACES	=	64 SPACES
COMMON SPACES	=	151 SPACES
TOTAL PARKING PROVIDED	=	215 SPACES
DENSITY	=	3.4 DU/AC.
VEHICULAR USE AREA	=	145,038 SF
INTERIOR LANDSCAPE AREA REQUIRED	=	10,878 SF
INTERIOR LANDSCAPE AREA PROVIDED	=	12,371 SF

**WAIVER - TRACT 1**

- A WAIVER IS REQUESTED FOR TRACT 1 TO ALLOW THE PROPOSED DRIVE/LANE TO ENCOACH INTO THE 25' RAILROAD BUFFER AREA REQUIRED PER TABLE 10.2.5.

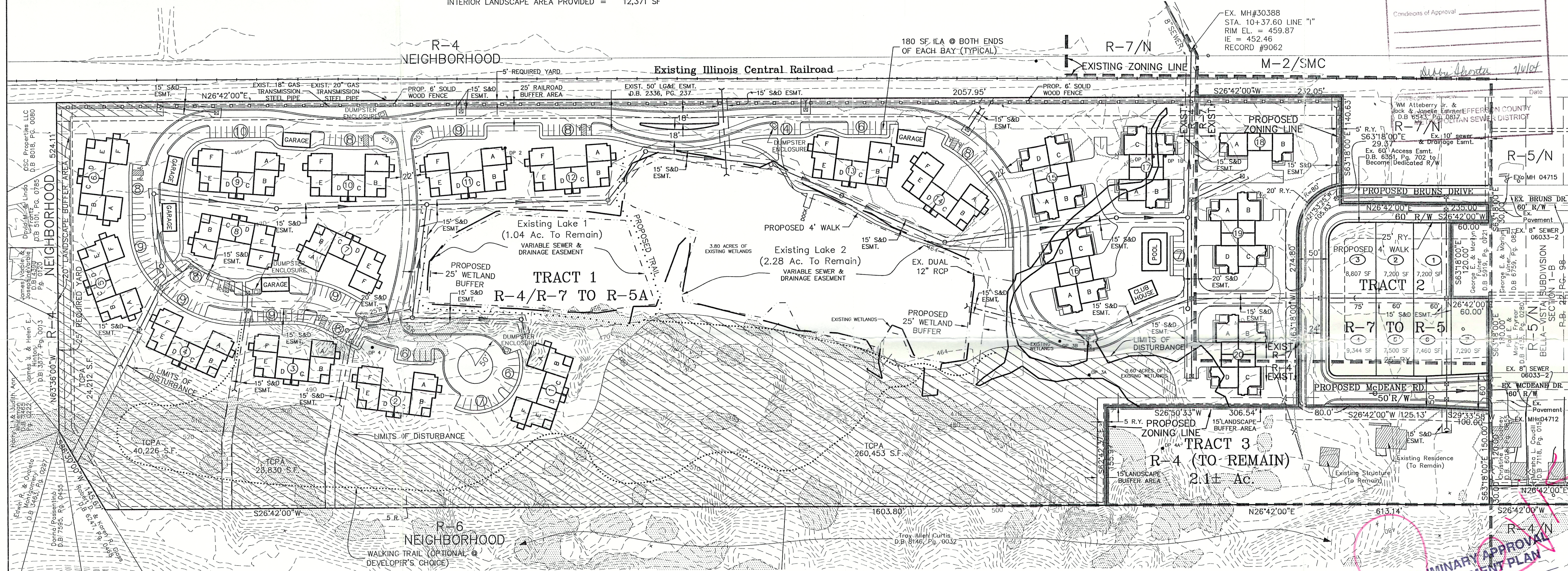
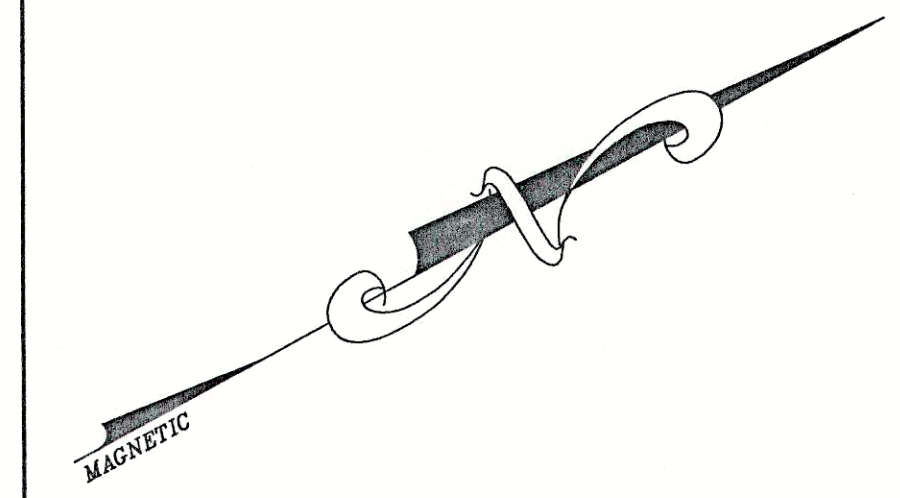


**SITE DATA - TRACT 2**

TOTAL SITE AREA	=	30.9± Ac.
TRACT 2 R-7 TO R-5	=	2.1± AC.
EXISTING FORM DISTRICT	=	NEIGHBORHOOD
EXISTING ZONING	=	R-7
PROPOSED ZONING	=	R-5
EXISTING USE	=	VACANT
PROPOSED USE	=	SINGLE FAMILY RESIDENTIAL
TOTAL # RESIDENTIAL LOTS	=	7 LOTS
TOTAL AREA OF R/W	=	0.9± ACRES
NET SITE AREA	=	1.3± ACRES
GROSS DENSITY	=	3.3 DU/AC.
NET DENSITY	=	5.4 DU/AC.

**SITE DATA - TRACT 3**

TOTAL SITE AREA	=	2.1± Ac.
EXISTING ZONING	=	R-4
EXISTING FORM DISTRICT	=	NEIGHBORHOOD
EXISTING USE	=	SINGLE FAMILY RESIDENTIAL
PROPOSED USE	=	SINGLE FAMILY RESIDENTIAL



NEIGHBORHOOD R-4  
NEIGHBORHOOD R-6  
NEIGHBORHOOD R-7/N  
NEIGHBORHOOD R-5/N  
NEIGHBORHOOD R-4/N

**LEGEND**

- PROPOSED STORM SEWER, CATCH BASIN W/ INLET PROTECTION AND CREEKSTONE HEADWALL
- PROPOSED SEWER AND MANHOLE
- ▨ TCPA (TREE CANOPY PRESERVATION AREA)
- ▨ SLOPES GREATER THAN 20% PER MSD'S "SENSITIVE FEATURES MAPPING"

**TYPICAL PARKING SPACE LAYOUT**  
NO SCALE

**TREE CANOPY CALCULATIONS - TRACT 1**

GROSS SITE AREA	=	1,251,467 SF
PERCENTAGE TREE CANOPY TO BE PRESERVED	=	15% (189,192 SF)
PERCENTAGE TREE CANOPY TO BE PLANTED	=	NONE
TOTAL REQUIRED PERCENTAGE TREE CANOPY	=	15% (187,720 SF)

**TREE CANOPY CALCULATIONS - TRACT 2**

GROSS SITE AREA	=	92,693 SF
PERCENTAGE TREE CANOPY TO BE PRESERVED	=	NONE
PERCENTAGE TREE CANOPY TO BE PLANTED	=	20% (18,900 SF)
TOTAL REQUIRED PERCENTAGE TREE CANOPY	=	20% (18,539 SF)
21 TYPE A STREET TREES @ 1 3/4" CAL. (900 SF CREDIT EACH)	=	18,900 SF

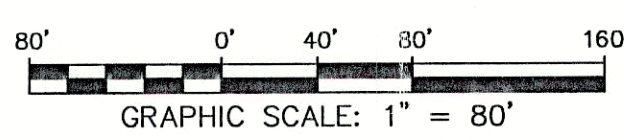
**DETENTION BASIN CALCULATIONS**

$X = \Delta CRA / 12$   
 $\Delta C = 0.50 - 0.23 = 0.27$   
 $A = 33.1$  ACRES  
 $R = 2.8$  INCHES  
 $X = (0.27)(2.8)(33.1) / 12 = 2.09$  AC.-FT.  
 REQUIRED X = 91,040 CU.FT.

PROVIDED  
 LAKE 1 = 45,113 SQ. FT.  
 LAKE 2 = 99,313 SQ. FT.  
 TOTAL = 144,432 SQ. FT.  
 144,432 SQ.FT. @ APPROXIMATELY 1 FT. DEPTH  
 144,432 CU.FT. > 91,040 CU.FT.

**PRELIMINARY APPROVAL DEVELOPMENT PLAN**

BY: [Signature]  
 DATE: 7/24/04  
 LOUISVILLE JEFFERSON COUNTY METRO PUBLIC WORKS



REVISIONS DESCRIPTION REVISED STREET PATTERN DATE 6/24 NO. 1	PROJECT DATA FILE NAME: 0318DDDP.DWG DATE: 5-4-04 SCALE: 1" = 80' CHECKED BY: AER DRAWN BY: PAB	ENGINEER'S SEAL SURVEYOR'S SEAL	PROJECT DATA DEVELOPER <b>ATTEBERRY PROPERTY</b> WKB BRINSON 10503 TIMBERWOOD CIRCLE LOUISVILLE, KY 40223 (502) 425-8002
JOB NO. <b>03198</b>	SHEET <b>1</b> OF 1	MSD SUB # 1117	DETAILED DISTRICT DEVELOPMENT PLAN & PRELIMINARY SUBDIVISION PLANS LAND DESIGN & DEVELOPMENT, INC. ENGINEERING 594 VINE CREST AVE. SUITE 6 LOUISVILLE, KENTUCKY 40222 PHONE (502) 425-2975 FAX (502) 425-9914

9-23-04



BINDING ELEMENTS

DOCKET NO. 9-23-04W

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 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 density of the development shall not exceed 3.4 dwelling units per acre (106 units on 28.7 acres) on Tract 1, and 5.4 dwelling units per acre (7 lots on 2.1 acres) on Tract 2.
4. Signs shall be in accordance with the requirements of Chapter 8 of the Land Development Code.
5. Access to the site shall be made only as shown on the development plan.
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. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition is requested:
  - a. The development plan must receive full construction approval from 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 building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
  - c. 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.
  - 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.
8. If a building permit is not issued within one year 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.
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. 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.
11. The site shall be developed in accordance with the woodland protection areas delineated on the site plan, tree preservation plan and related notes. Any modification of the woodland protection area requires notification of adjoining property owners and LD&T action.

b. The application for the land disturbing activity shall include a geotechnical survey report, prepared in accordance with best practices. Such survey will ordinarily include information obtained by drilling, locating of bedrock and testing of soils for shear strength. The report shall be prepared by a licensed and Kentucky-registered professional engineer practicing in accordance with KRS 322 and whose area of expertise includes geotechnical engineering. In order for the proposed construction to be approved, the report must:

i. conclude the proposed disturbance and/or construction can be carried out in a manner that will not adversely impact the foundation stability on the subject property and surrounding properties; and,

ii. conclude that stable foundations can be constructed on the site and identify the mitigation measures and construction practices, including construction supervision, necessary to assure the stability of buildings and foundations to be constructed on the site; and,

iii. include erosion and sediment control measures necessary to assure compliance with the Jefferson County Erosion and Sediment Control Ordinance; and,

c. The applicant provides a plan, acceptable to the Commission, that specifies how the mitigation measures and construction practices including construction supervision, necessary to assure the stability of buildings and foundations to be constructed on the site as recommended in the geotechnical report will be implemented.

d. Prior to requesting a full building permit for condominium buildings 1-4, in keeping with the geotech report presented at the August 5, 2004 public hearing, the applicant shall provide certification from a professional engineer having the qualifications described in paragraph 2, above, that site preparation and foundation construction were carried out in accordance with the approved mitigation measures and construction practices.

e. Prior to requesting a certificate of occupancy for condominium buildings 1-4, in keeping with the geotech report presented at the August 5, 2004 public hearing, the applicant shall provide certification from a geotechnical soils engineer certifying that land disturbance and construction were carried out in accordance with the mitigation measures and construction practices, including inspections, set forth in the geotechnical report.

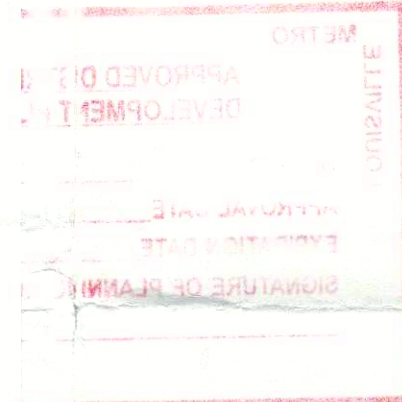
f. Prior to site disturbance, the applicant shall submit a bond of sufficient amount to cover the cost of site stabilization.

19. The site shall be developed in accordance with the tree preservation areas delineated on the site plan and related notes. Any modification of the tree preservation plan requested by the applicant may be approved by the designated DPDS staff if the changes are in keeping with the intent of the approved tree preservation plan. All plans setting out tree preservation areas must contain the following notes:

a. Tree preservation areas (TPAs) identified on this plan represent portions of the site the developer has designated to be left undisturbed during the development of roadways, utilities and similar infrastructure. These are not permanent preservation areas. Trees in these areas may be removed during construction of homes or buildings on individual lots.

b. Dimension lines have been used on this plan to establish the general location of TPAs and represent minimum distances. The final boundary for each TPA shall be established in the field by the applicant, developer, or property owner to include canopy area of all trees at or within the dimension line.

c. Tree protection fencing shall be erected around all TPAs prior to site disturbance (except as provided in these notes) to protect the existing tree stands and their root systems. The fencing shall be located at least 3 feet beyond the edge of the tree canopy and shall remain in place until all construction is completed. When trees must be removed in a



12. The applicant shall provide deeds of restriction ensuring that Tree Canopy Preservation Areas (TCPAs) will be permanently protected in a manner consistent with these binding elements and the approved plan. The form of the deed restrictions shall be approved by Planning Commission counsel. Deed Restrictions must be recorded prior to tree preservation approval (except for single family subdivisions). All plans setting out TCPAs must contain the following notes:
  - a. TCPAs identified on this plan represent portions of the site on which all trees greater than 2" in caliper shall be permanently preserved. All clearing, grading, and fill activity in these areas must be in keeping with restrictions established at the time of development plan approval. No further clearing, grading, construction or other land disturbing activity shall take place within designated TCPAs beyond pruning to improve the general health of the tree or to remove dead or declining trees that may pose a public health and safety threat. As trees are lost thru natural causes new trees shall be planted in order to maintain minimum tree canopy as specified in Chapter 10, Part 1 of the LDC and as shown on the approved Tree Canopy/Landscape Plan.
  - b. Dimension lines have been used on this plan to establish the general location of TCPAs and represent the minimum boundary of the designated TCPAs. The final boundary for each TCPA shall be established in the field by the applicant, developer, or property owner to include canopy area of all trees at or within the dimension line.
13. 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 TCPAs, 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.
14. 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 \$1,000 cash in the association account. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement.
15. The materials of the proposed condominium structures shall be all brick except for gables and accent treatments and the designs shall be substantially the same as the rendering of the 6-plex buildings as presented at the August 5, 2004 Planning Commission hearing and similar to the "Greenhurst" 4-plex building found in the WKB brochure presented at the August 5, 2004 Planning Commission public hearing. Residential homes shall be surfaced with 75% brick.
16. The applicant shall provide documentation showing that the development complies with all the regulations from Chapter 4, Part 1, Section 3, Lighting, prior to the issuance of a construction permit. These regulations include the following items: Mounting Height Limit, Luminaire Shielding, Canopy Lighting Level, and Light Trespass.
17. All street name signs shall be installed prior to requesting a certificate of occupancy for any structure. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
18. Land disturbing activity on steep slopes greater than 20 % and unstable soils is permitted only in accordance with the Comprehensive Plan and in keeping with the Geotechnical Report of MACTEC dated July 23, 2004, as submitted at the August 5, 2004 public hearing and in accordance with the following:
  - a. The Planning Commission determines the proposed construction cannot be accommodated on a portion of the site that does not contain steep slopes and unstable soils; and,

TPA, the fence shall be relocated to protect all remaining trees within that TPA. When a tree mass contains both WPAs and TPAs, fencing shall only be required at the outer most perimeter of that tree mass.

d. No parking, material storage, or construction activities are permitted within the TPAs beyond that allowed for preliminary site investigation work.

e. Clearing necessary to provide access for survey work, rock soundings or other usual and customary site investigations shall be permitted prior to Site Disturbance Approval. Preliminary site investigations shall be carefully planned to minimize the amount of clearing required. Clearing should follow proposed roadway centerlines and should not result in a clear access way of more than twenty (20) feet in width. Cleared access ways beyond proposed roadways to assess individual lots shall not exceed 12 feet in width or encroach into any proposed open space lots. No trees exceeding eight (8) inches in diameter measured at a height of four and one-half feet above ground level shall be removed without prior approval by DPDS.

20. Development of the site including all construction activities shall comply with all applicable regulations of Chapter 4 of the LDC, Development on Sites with Environmental Constraints.

21. Developer shall consult with the company that owns the pipeline running through the subject property and satisfy any reasonable requirements of the pipeline company.