

Case No. 17ZONE1063 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 Develop Louisville, Louisville Metro 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 Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
5. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
6. 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.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

8. 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.

GENERAL NOTES:

- DOMESTIC WATER SUPPLY: SUBJECT SITE IS SERVED BY THE LOUISVILLE WATER COMPANY. ANY NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER/DEVELOPER'S EXPENSE.
- TREE PRESERVATION: A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
- PROTECTION OF TREES TO BE PRESERVED: CONSTRUCTION FENCING SHALL BE ERRECTED 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 DRIP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.
- A LANDSCAPE AND TREE CANOPY PLAN PER CHAPTER 10 OF THE LDC SHALL BE PROVIDED AS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- THE DEVELOPMENT LIES IN THE OKOLONA FIRE DISTRICT.
- ALL LUMINAIRES SHALL BE AIMED, DIRECTED OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRES TO BE DIRECTED TOWARDS RESIDENTIAL USES OR PROJECTED OPEN SPACES (IE. CONSERVATION EASEMENTS, GREENWAYS OR PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR TO CREATE GLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT-OF-WAYS PER CHAPTER 4.1.3. OF THE LDC.
- ALL DUMPSTER PADS, TRANSFORMERS, AC UNITS, GENERATOR PADS TO BE SCREENED PER CHAPTER 10 OF THE LDC.
- IN ACCORDANCE WITH CHAPTER 4.9 OF THE LDC, A KARST SURVEY WAS PERFORMED BY MARK A. SITES ON 11/30/18 AND NO KARST TOPOGRAPHY WAS FOUND. A REVIEW OF PUBLISHED GEOLOGIC INFORMATION FROM THE KY GEOLOGICAL SURVEY CONTAINED NO INDICATION OF SINKHOLES ON THE SUBJECT PROPERTY.

MSD NOTES:

- WASTEWATER: EX. SANITARY SEWER CONNECTION CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
- DRAINAGE/STORMWATER DETENTION: DETENTION TO BE COMPENSATED THROUGH REGIONAL FACILITY FEES. DRAINAGE PATTERN (DEPICTED BY FLOW ARROWS) IS FOR CONCEPT PURPOSES ONLY. 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 AND SILT CONTROL: A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MSD AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE RECOMMENDATIONS.
- NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA'S FIRM MAPPING (211100 11E).
- SINGLE LOT RESIDENTIAL CONSTRUCTION PERMIT REQUIRED PRIOR TO ISSUE OF BUILDING PERMITS.

PUBLIC WORKS AND KTC NOTES:

- NO LANDSCAPING AND COMMERCIAL SIGNS SHALL BE PERMITTED IN STATE AND METRO WORKS RIGHT-OF-WAY.
- THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
- THERE SHOULD BE NO INCREASE IN DRAINAGE RUNOFF TO THE RIGHT-OF-WAY. CALCULATIONS WILL BE REQUIRED FOR ANY RUNOFF TO THE STATE RIGHT-OF-WAY.
- THERE SHOULD BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
- CONSTRUCTION PLANS AND KTC BOND AND PERMIT ARE REQUIRED BY MPW PRIOR TO CONSTRUCTION APPROVAL.
- TREES AND SHRUBBERY SHALL BE TRIMMED OR REMOVED TO PROVIDE SITE DISTANCE AS REQUIRED PER MPW STANDARDS.
- ALL DRIVE LANES AND PARKING AREAS TO BE A HARD AND DURABLE SURFACE.

STORMWATER POLLUTION PREVENTION PLAN NOTE:

THE APPROVED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED SWPPP PLAN MUST BE REVIEWED AND APPROVED BY MSD. SWPPP BMP'S (BEST MANAGEMENT PRACTICES) SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDDED AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02-03.

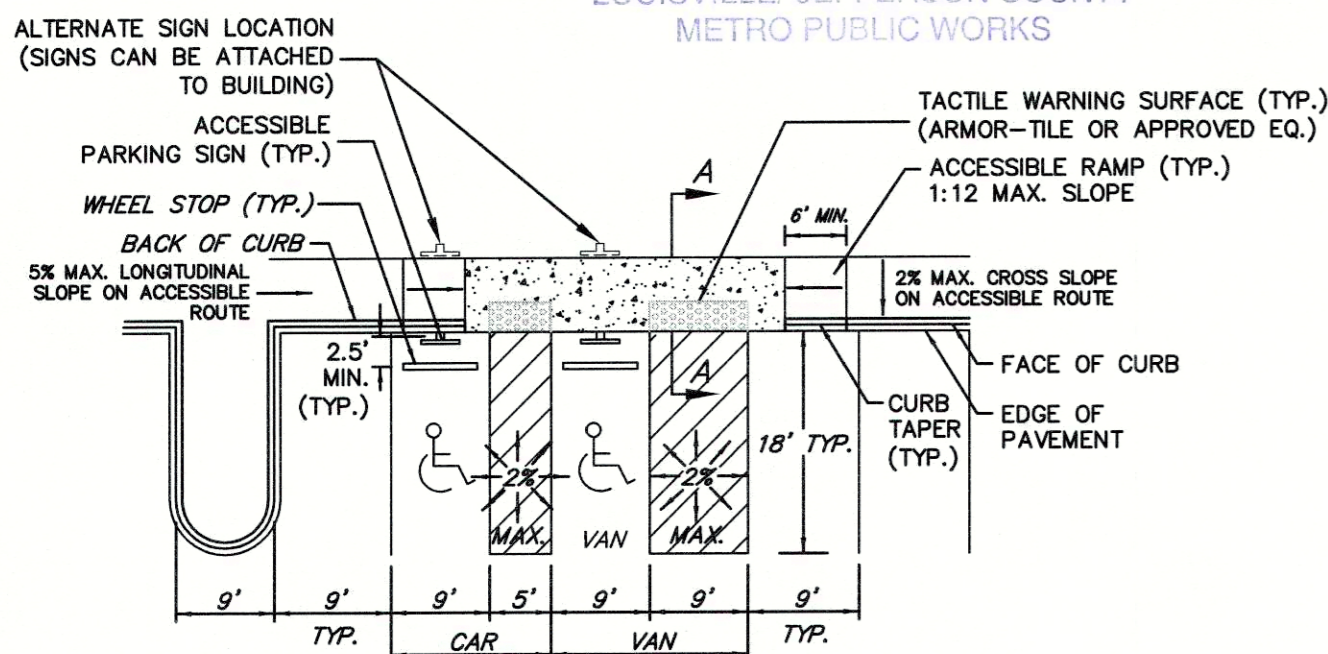
SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICES PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE, OR CATCH BASIN.

WHERE CONSTRUCTION OR LAND DISTURBING ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 DAYS AFTER THE ACTIVITY HAS CEASED.

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

BY: *[Signature]*
 DATE: 3/28/18
 LOUISVILLE/JEFFERSON COUNTY
 METRO PUBLIC WORKS



TYPICAL ACCESSIBLE PARKING SPACES
NO SCALE



LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- EXISTING CONTOUR
- EXISTING DRAINAGE ARROW
- EXISTING FENCE
- EXISTING TREE MASS
- REVISED TREE LINE
- PROPOSED INTERIOR LANDSCAPE AREA
- PROPOSED TRAFFIC FLOW ARROWS

SITE DATA:

EXISTING FORM DISTRICT	NEIGHBORHOOD
EXISTING ZONING	R4
PROPOSED ZONING	CN
EXISTING LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED LAND USE	OFFICE
TOTAL LAND AREA	0.53± AC.
BUILDING AREA	2,450± S.F.
OFFICE STORAGE	500± S.F.
TOTAL	2,950 ± S.F.
FLOOR AREA RATIO (MAX. ALLOWED 0.5)	0.13
PARKING REQUIRED OFFICE	MINIMUM (1 SPACE/350 S.F.) 7 SPACES
	MAXIMUM (1 SPACE/200 S.F.) 13 SPACES
PARKING REDUCTION	TRANSIT WITHIN 200'
	GREEN DEV. CRITERIA (>20% 0.5)
TOTAL	MINIMUM REQUIRED 5 SPACES
PARKING PROVIDED	5 SPACES
	(INCLUDES 2 ACCESSIBLE SPACES)

TREE CANOPY DATA:

GROSS SITE AREA	23,255± S.F.
TREE CANOPY CATEGORY	CLASS C
EXISTING TREE CANOPY	10,074± S.F. (43%)
TREE CANOPY TO BE PRESERVED	9,829± S.F. (42%)
TREE CANOPY TO BE PLANTED	0± S.F. (0%)
TREE CANOPY REQUIRED	3,488± S.F. (15%)
TREE CANOPY PROVIDED	9,829± S.F. (42%)

LANDSCAPE DATA:

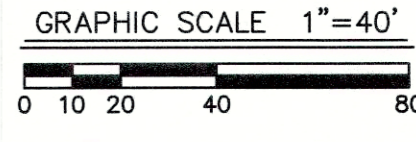
V.U.A.	3,785± S.F.
I.L.A. REQUIRED	0 S.F.
I.L.A. PROVIDED	0 S.F.

IMPERVIOUS AREA:

EXISTING	6,606± S.F.
PROPOSED INCREASE	1,017± S.F.
TOTAL	7,623± S.F.

PRELIMINARY APPROVAL
 Condition of Approval:
[Signature] 3-27-18
 Date
 LOUISVILLE & JEFFERSON COUNTY
 METROPOLITAN SEWER DISTRICT

RECEIVED
 MAR 28 2018
 PLANNING &
 DESIGN SERVICES



CASE # 17ZONE1063

MINDEL SCOTT
 ENGINEERING & ARCHITECTURE
 5151 Jefferson Blvd. Louisville, KY 40219
 502-485-1508 | MindelScott.com

OWNER/DEVELOPER
MOUSER PROPERTIES, LLC
 3955 E. BLUELICK ROAD
 LOUISVILLE, KY 40229

DETAILED DISTRICT DEVELOPMENT
9212 PRESTON HIGHWAY
 9212 PRESTON HWY
 LOUISVILLE, KY 40229
 TAX BLOCK 660, LOT 56
 DEED BOOK 10805, PAGE 674

Revisions

3/28/18	PER AGENCY REVIEW
---------	-------------------

Vertical Scale: N/A
 Horizontal Scale: 1"=40'
 Date: 02/19/18
 Job Number: 3450

Sheet
1
 of 1