

Case No. 17ZONE1006 Binding Elements

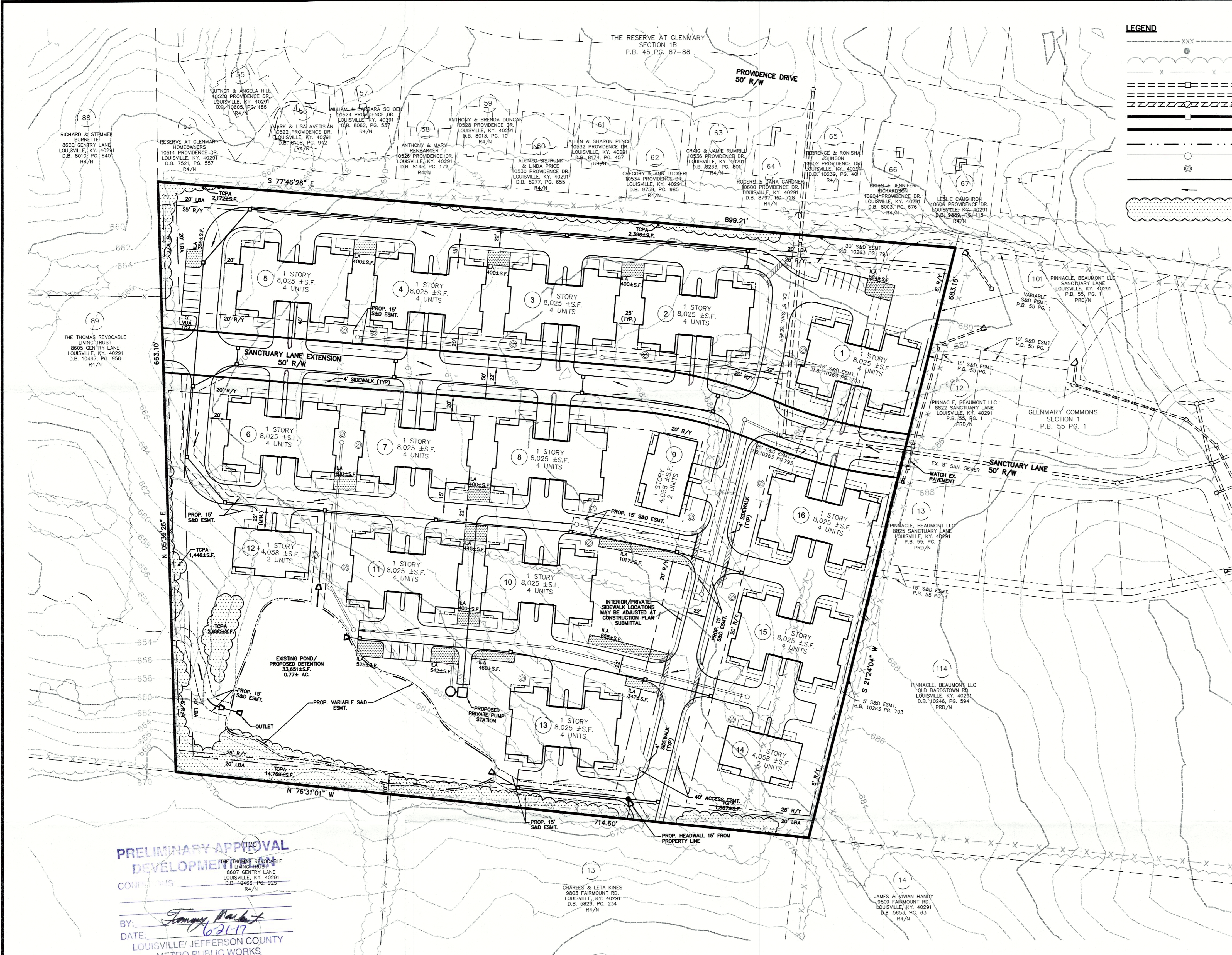
RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan **AND** a Major Preliminary Subdivision Plan for extension of public right-of-way, **SUBJECT** to the following binding elements:

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. 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.
3. Before any permit (including but not limited to building, parking lot, change of use or alteration 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. 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 Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - d. A major subdivision plat creating the lots, easements, and roadways as shown on the approved district development plan shall be recorded prior to issuance of any building permits
4. 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.
5. 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

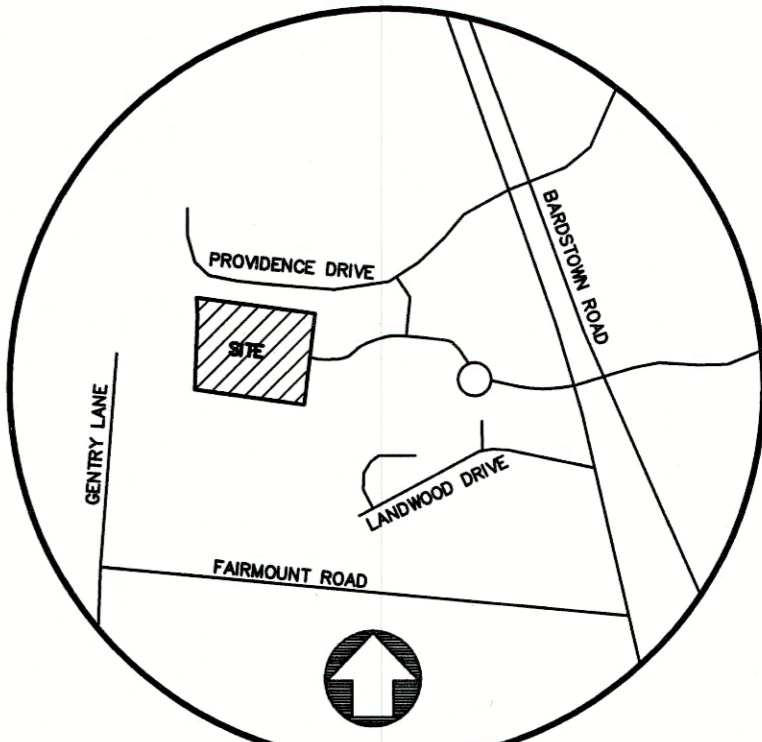
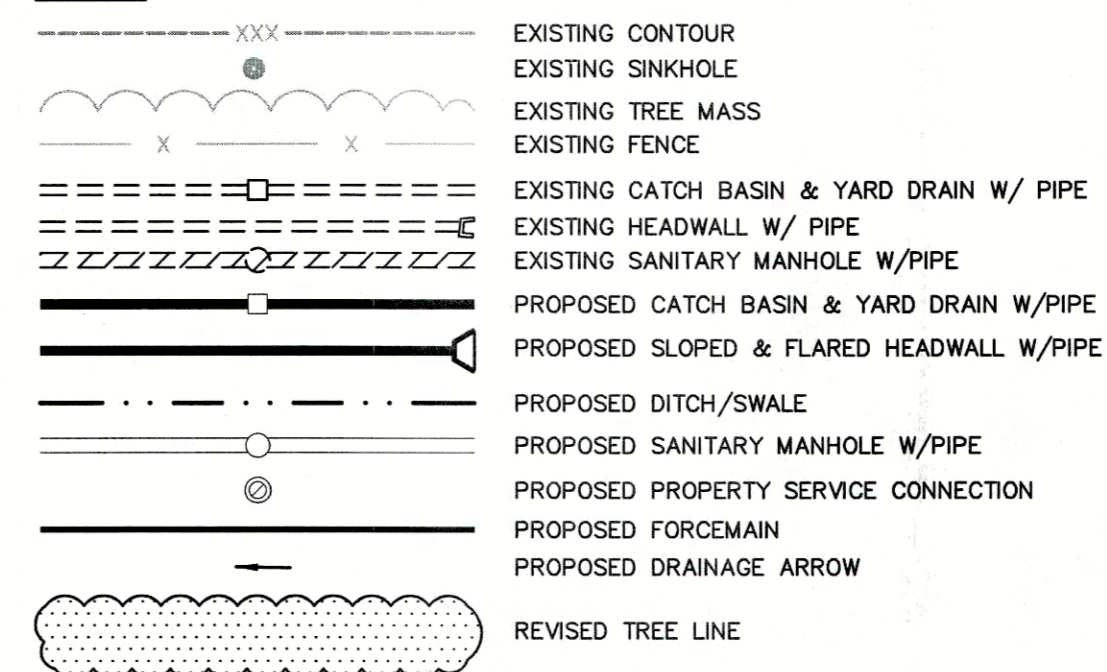
of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

6. The site shall be developed in accordance with the tree preservation areas delineated on the tree preservation/landscaping plan. 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
7. The following note shall be provided within the deed restrictions for the subject site prior to recording of the record plat:
 - a. Tree Canopy Protection Areas (TCPAs) are individual trees and/or groupings of trees (trees may be existing or proposed) designated to meet the Tree Canopy requirements of Chapter 10 Part 1 of the Land Development Code (LDC), and are to be permanently protected. There shall be no disturbance or removal of any trees in the TCPAs identified on the tree preservation/landscape plan on file in the offices of the Planning Commission. All clearing, grading, and fill activity in these areas must be in keeping with restrictions established at the time of preliminary plan approval. No further clearing, grading, construction or other land disturbing activity shall take place 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 within TCPAs are lost through natural causes, new trees shall be planted in order to maintain minimum tree canopy as specified on the approved preliminary subdivision plan.
8. 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, TCPAs 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.

9. 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 \$3,000 cash in the homeowner's association account. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement.



LEGEND



LOCATION MAP
NO SCALE

SITE DATA:

| | |
|-----------------------------------|--------------------------|
| FORM DISTRICT | NEIGHBORHOOD |
| EXISTING ZONING | R5A |
| PROPOSED ZONING | VACANT |
| EXISTING LAND USE | MULTI-FAMILY RESIDENTIAL |
| PROPOSED LAND USE | 12.35± AC. |
| GROSS LAND AREA | 11.38± AC. |
| NET LAND AREA | 58 |
| NO. OF DWELLING UNITS | 216 |
| BUILDING AREA (MAX. ALLOWED 35') | 4.70 D.U./AC. |
| DENSITY (MAX. ALLOWED 12.01) | 116,499± S.F. |
| FLOOR AREA RATIO | 0.22 |
| OPEN SPACE REQUIRED | 0 S.F. (0%) |
| PARKING REQUIRED | 87-174 SPACES |
| 1.5 SPACES/DU | 87 SPACES |
| 3 SPACES/DU | 174 SPACES |
| PARKING PROVIDED | 147 SPACES |
| 58 GARAGE SP. | |
| 89 SURFACE SP. (INCLUDING DRIVES) | 2.5 SP./UNIT |
| PARKING AREA RATIO | |

TREE CANOPY DATA:

| | |
|-------------------------------------|----------------------|
| GROSS SITE AREA | 537,942± S.F. |
| TREE CANOPY CATEGORY | CLASS C |
| EXISTING TREE CANOPY | 84,918± S.F. (15.8%) |
| TREE CANOPY TO BE PRESERVED | 25,330± S.F. (4.7%) |
| TREE CANOPY TO BE PLANTED | 76,879± S.F. (14.3%) |
| TOTAL TREE CANOPY REQUIRED/PROVIDED | 102,209± S.F. (19%) |

*TREE CANOPY DEPICTED ON PLAN PER MSD LOGIC MAPPING, AERIAL PHOTO OR FIELD SURVEY. TREE CANOPY CALCULATIONS BASED UPON TREE AREAS SHOWN.

DETENTION CALCULATIONS

2.9/12 (0.70-0.22) 12.35 = 1.433 AC-FIT
BASIN 2' DEEP

LANDSCAPE DATA:

| | |
|----------------------------|--------------|
| V.U.A. | 85,246± S.F. |
| LLA REQUIRED (7.5% V.U.A.) | 6,393 S.F. |
| LLA PROVIDED | 7,521± S.F. |

GENERAL NOTES:

- DOMESTIC WATER SUPPLY: SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE 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 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 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 FERRY CREEK FIRE DISTRICT.
- IF PROPOSED, SIGNATURE ENTRANCE WALLS SHALL BE SUBMITTED TO AND APPROVED BY THE PLANNING STAFF PRIOR TO CONSTRUCTION PLAN APPROVAL AND THEY SHALL MEET THE REQUIREMENTS OF CHAPTER 4.4.3 OF THE LDC.
- 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.
- BUILDING ARCHITECTURE TO COMPLY WITH CHAPTER 5.6 OF THE LDC.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
- ALL EXISTING STRUCTURES AND EXISTING ENTRANCES SHALL BE REMOVED, EXCEPT AS NOTED ON THE PLAN.
- IN ACCORDANCE WITH CHAPTER 4.9 OF THE LDC, A KARST SURVEY WAS PERFORMED BY MARK SITES ON 3/3/16 AND NO KARST TOPOGRAPHY WAS FOUND. A REVIEW OF PUBLISHED GEOLOGICAL INFORMATION FROM THE KY GEOLOGICAL SURVEY CONTAINED NO INDICATION OF SINKHOLES ON THE SUBJECT PROPERTY.
- ALL EXISTING STRUCTURES & DRIVEWAYS TO BE REMOVED.

PUBLIC WORKS AND KTC NOTES:

- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
- COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
- STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SITE DISTANCE. FINAL LOCATION WILL BE DETERMINED DURING CONSTRUCTION APPROVAL PROCESS.
- AN ENCROACHMENT PERMIT AND BOND MAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES.
- ALL STREET NAME SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS AND BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RESIDENCE OR BUILDING ON THE STREET AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE OF OCCUPANCY.
- THE MINIMUM GRADE OF ALL STREETS SHALL BE ONE (1%) PERCENT AND A MAXIMUM GRADE OF TEN (10%) PERCENT.
- THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
- ROADWAY PAVEMENT WIDTHS, RADI, SIDEWALK LOCATIONS AND OFFSETS SHALL BE IN ACCORDANCE WITH METRO PUBLIC WORKS STANDARDS AND APPROVED AT THE TIME OF CONSTRUCTION.
- CURBS AND GUTTER SHALL BE PROVIDED ALONG ALL STREETS IN THE DEVELOPMENT. SIDEWALKS SHALL BE PROVIDED ALONG ALL STREETS WHERE REQUIRED BY THE DEVELOPMENT CODE.
- ALL SIDEWALK RAMP SHALL CONFORM TO A.D.A. STANDARD SPECIFICATION, THE SPECIAL NOTE FOR DETECTABLE WARNING FOR SIDEWALK RAMPS PER KTC STANDARD DRAWING AND PER KENTON COUNTY STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION.
- THE APPLICANT SHALL INSTALL SIGNS, APPROVED BY THE METRO PUBLIC WORKS DEPT., WHICH INDICATE THE FUTURE EXTENSION OF THE PUBLIC RIGHT-OF-WAY FOR SANCTUARY LANE. SUCH SIGNS SHALL BE INSTALLED PRIOR TO RELEASE OF BONDS FOR THE INSTALLATION OF THE STREET INFRASTRUCTURE.
- RIGHT-OF-WAY DEDICATION SHALL BE RECORDED AS PART OF THE REQUIRED RECORD PLAT.
- ALL DRIVEWAYS ADJACENT TO PUBLIC RIGHT-OF-WAY SHALL BE MINIMUM 25' FROM GARAGE DOOR TO BACK OF SIDEWALK AND MINIMUM 22' WHERE INTERNAL TO DEVELOPMENT/ADJACENT TO PRIVATE ROAD.

MSD NOTES:

- WASTEWATER: SANITARY SEWER WILL CONNECT TO THE CEDAR CREEK WASTEWATER TREATMENT PLANT BY LATERAL EXTENSION & PRIVATE PUMP STATION. SANITARY SEWER CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
- DRAINAGE/STORMWATER DETENTION: DETENTION TO BE PROVIDED ON SITE AS DEPICED ON THE PLAN. POST-DEVELOPMENT PEAK FLOWS WILL NOT EXCEED PRE-DEVELOPED PEAK FLOWS FROM DEVELOPMENT FOR THE 2, 10, 25 AND 100 YEAR STORMS OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE. DRAINAGE PATTERN (DEPICTED BY FLOW ARROWS) IS FOR THE 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. DOCUMENTATION OF MSD'S APPROVAL OF THE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO GRADING AND CONSTRUCTION ACTIVITIES.
- PER FEMA'S FIRM MAPPING (21111C0114E).
- THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MSD WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MANAGEMENT PRACTICES.
- LOWEST FINISHED FLOORS TO BE DETERMINED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.

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 SEEDED 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 SEED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.

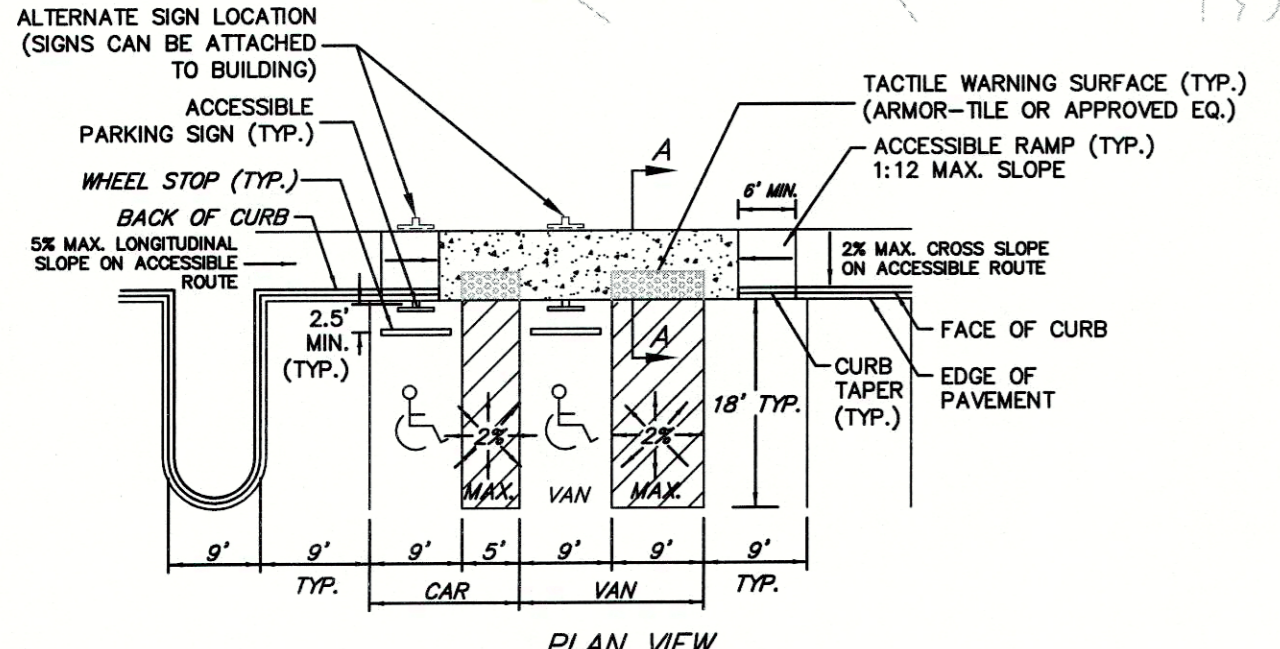
ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02-03.

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
COMMISSION

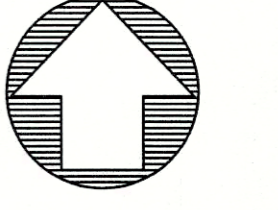
BY: *Tommy Bacht*
DATE: *6/21/17*
LOUISVILLE/JEFFERSON COUNTY
METRO PUBLIC WORKS



PLAN VIEW
TYPICAL
ACCESSIBLE PARKING SPACES
NO SCALE

METRO
APPROVED DISTRICT
DEVELOPMENT PLAN
DOCKET NO. 17 ZONE 1006
APPROVAL DATE: *July 20, 2017*
EXPIRATION DATE:
SIGNATURE OF PLANNING COMMISSION
COMMISSION

RECEIVED
JUN 19 2017
DESIGN SERVICES



CASE # 17ZONE1006
MSD SUBD # 1185

GRAPHIC SCALE 1"=60'
0 15 30 60 120

Mindel, Scott & Associates, Inc.
Planning - Engineering - Surveying - Landscape Architecture
Utility Consulting - Property Management
Phone: (502) 485-1150 Fax: (502) 485-1106 Email: msa@msaarch.com

DEVELOPER
SFLS LLC
5044 NITTA YUMA DRIVE
PROSPECT, KY. 40059

OWNER
MONSIEUR BUILDERS INC
2351 NELSON MILLER PKWY.
SUITE 12
LOUISVILLE, KY. 40223

DETAILED DISTRICT DEVELOPMENT PLAN
VILLAS OF BEAUMONT
8602 OLD BARDSTOWN ROAD
TAX BLOCK: 657 LOTS: 9
D.B. 8565 PG. 911

| | |
|-----------------------------------|--|
| 3/7/17 PER AGENCY COMMENTS | |
| 5/17/17 PER AGENCY COMMENTS | |
| 6/19/17 ADDED V.U.V.A | |
| 6/21/17 EXPIRED APPROVAL PER PLAN | |

Vertical Scale: N/A
Horizontal Scale: 1"=60'
Date: 12/19/16
Job Number: 3412

Sheet
1
of 1