

Case No. 18ZONE1011 Binding Elements

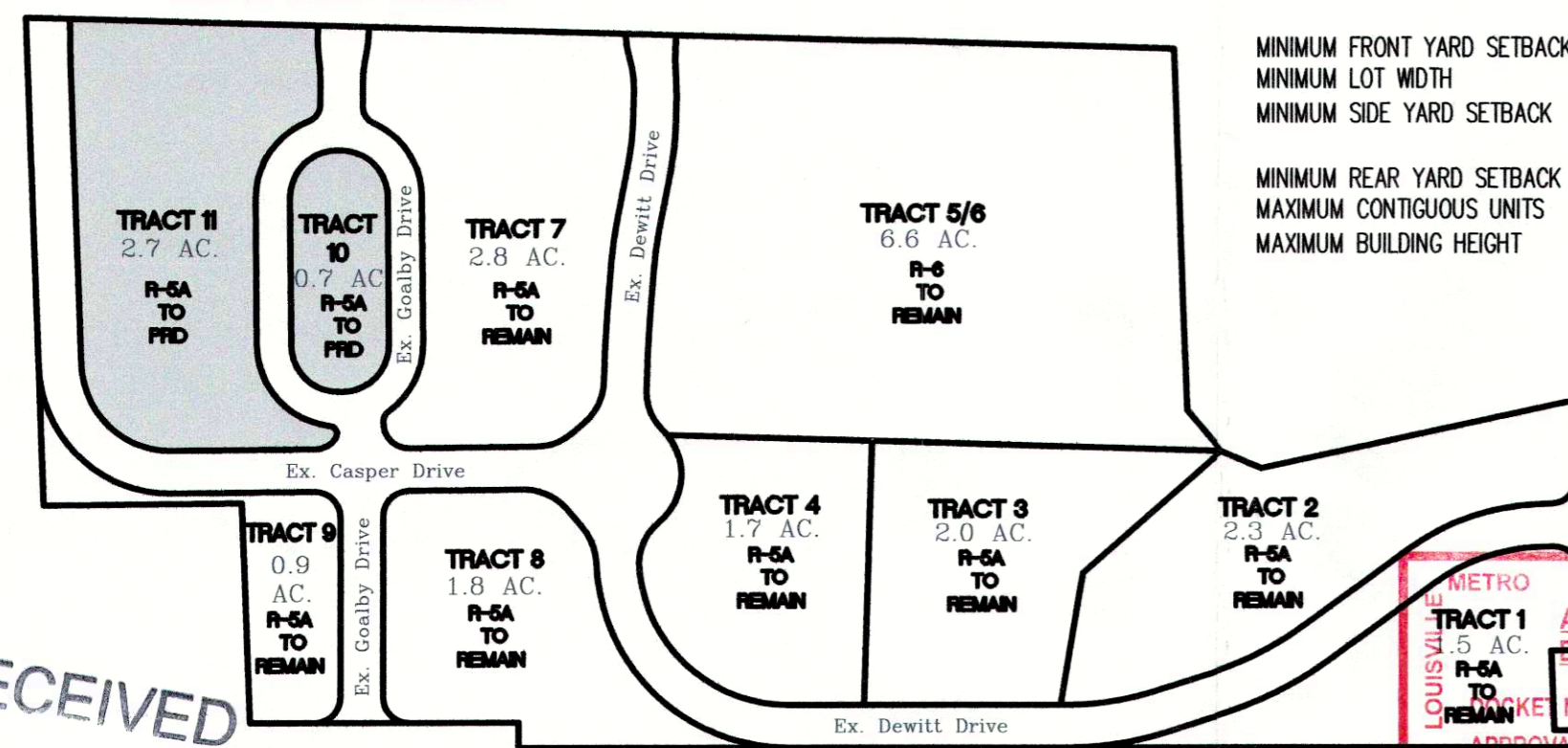
RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Revised Detailed District Development Plan, **SUBJECT** to the following binding elements:

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. The density of the development shall not exceed 7.0 7.9 dwelling units per acre (195 221 units on 27.9 acres).
3. Except for for-sale/development advertisement and signature entrance signs permitted by the Land Development Code, no outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site, except a signature entrance.
4. 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.
5. Before any permit (including but not limited to building, parking lot, change of use, or site disturbance permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, 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.
6. If a clearing, grading or site construction 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.
7. 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.
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.

9. 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.
11. The structures shall appear substantially similar to the renderings submitted at the July 21, 2005 and May 20, 2015 public hearing. All condominium structures shall be principally faced on all four sides with brick but may also feature accent treatments, gable details, cornices and so forth of other possible building materials such as vinyl. Structures on Lot 11 shall appear substantially similar to the building elevations submitted at the May 10, 2018 public hearing.
12. The address number shall be displayed on all structures prior to requesting a certificate of occupancy for that structure. Street signs shall also be installed prior to the issuance of a certificate of occupancy.
13. Street trees and screening along the development's perimeter shall be as depicted on the colored site plan and other landscape elevations presented at the July 21, 2005 public hearing.
14. There shall be no construction entrance other than at Greenwood Road.

REVISED TRACT 11



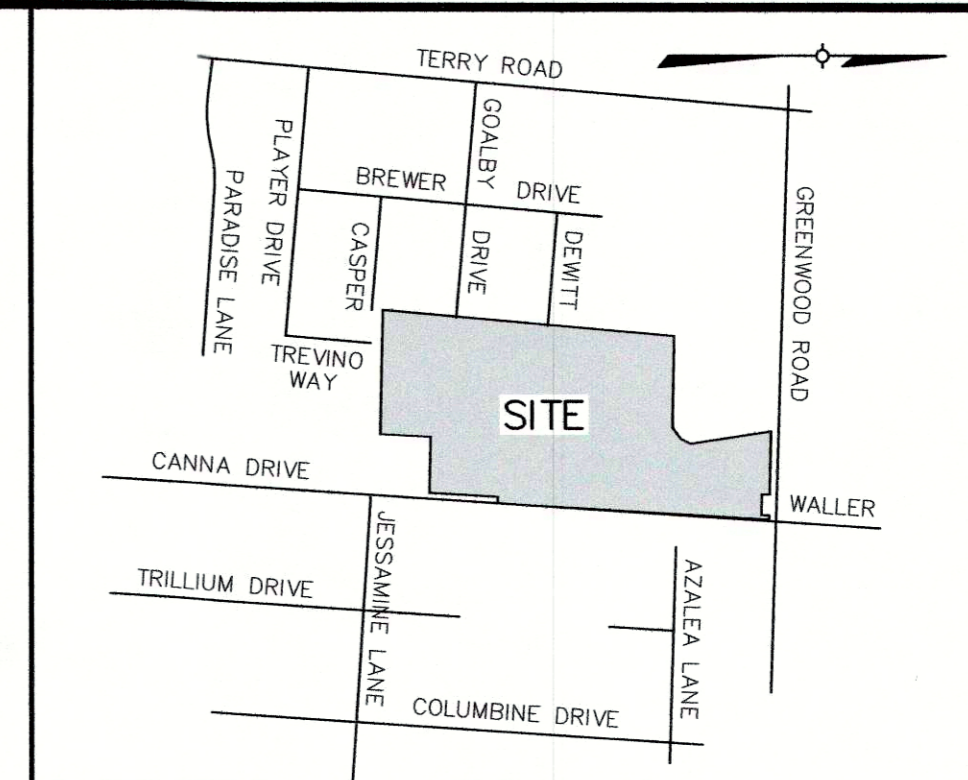
PRD REQUIREMENT DATA

- ALTERNATIVE HOUSING STYLE = TOWNHOUSE
- MINIMUM LOT AREA = END UNITS (3000 SF)
- MINIMUM FRONT YARD SETBACK = INTERIOR UNITS (2000 SF)
- MINIMUM SIDE YARD SETBACK = 15 FT
- MINIMUM REAR YARD SETBACK = 18 FT
- MINIMUM CONTIGUOUS UNITS = 0 FT (BETWEEN ATTACHED UNITS)
- MINIMUM BUILDING HEIGHT = 0 FT (BETWEEN UNITS)
- MAXIMUM CONTIGUOUS UNITS = 25 FT, IF ALLEY: 5 FT
- MAXIMUM BUILDING HEIGHT = 4
- MAXIMUM BUILDING HEIGHT = 35'

GENERAL NOTES

- Parking areas and drive lanes to be a hard and durable surface. Curbs will be provided.
- No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0088 E dated December 5, 2006.
- 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 shown is conceptual only, and final design will be determined on construction plans. 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.
- Individual garbage container collection is proposed at curbside - unless shown otherwise.
- 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.
- Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff and height of the light standard shall be set so that no light source is visible off-site.
- Boundary per P.B. 52 PG. 88.
- 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.
- Site shall be served by sanitary sewers by property service connections.
- Storm drainage detention to be mitigated with a Regional Facility Fee.
- If the site has thru drainage an easement plat will be required prior to MSD granting 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.
- A request for sanitary sewer capacity will be submitted and approved by MSD.
- 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 if any of the current drainage structures are altered or removed and/or any are to be added.
- A Downstream Sanitary Capacity Facility request will be submitted before preliminary plan approval.
- There should be no commercial signs on the right-of-way.
- There should be no landscaping in the right-of-way without an encroachment permit.
- Site lighting should not shine in the eyes of drivers. If it does, it should be re-aimed, shielded or turned off.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- Verge areas within public right-of-way to be provided per Metro Public Works.
- Compatible utility lines (electric, phone, cable) shall be placed in a common trench unless otherwise required by appropriate agencies.
- A left turn lane has been provided along Greenwood Road at the Dewitt Dr. intersection in accordance with KDOT recommendations.
- Proposed sidewalks shall be connected to existing sidewalks on stub streets where existing sidewalks exist.

- Street trees shall be planted in a manner that does not affect public safety and maintains proper sight distance. Final location will be determined during construction approval process.
- An encroachment permit and bond are required by Metro Public Works for roadway repairs on all surrounding access roads to subdivision site due to damages caused by construction traffic activities.
- All street name signs shall conform to the manual on uniform traffic control devices (MUTCD) requirements and be installed prior to the construction of the first residence or building on the street and shall be in place at the time of the bond release.
- The minimum grade of all streets shall be 1% maximum grade shall be 10%.
- The developer will be responsible for any utility relocation on the property.
- All cul-de-sacs and bubble pavement widths, radiuses, sidewalk locations and offset shall be in accordance with Metro Public Works standards and approval at the time of construction.
- Final design of the existing roundabout was determined at construction approval stage as required by Public Works and Fire Dept.
- Principle structures on the same or adjacent lots constructed as detached buildings shall maintain the following minimum separations per LDC Section 5.3.1.C.8.
 - a. Building wall has primary entrance or exit = 25 feet.
 - b. Building wall has secondary entrance or exit = 15 feet.
 - c. Building wall has no entrance or exit = 10 feet.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.



LOCATION MAP NOT TO SCALE

THE ONLY REVISIONS TO THE SITE LAYOUT IS ON TRACTS 10 & 11 ARE REQUESTING A REZONING FROM R-5A TO PRD. NO OTHER TRACTS ARE TO BE REVISED.

PROJECT DATA

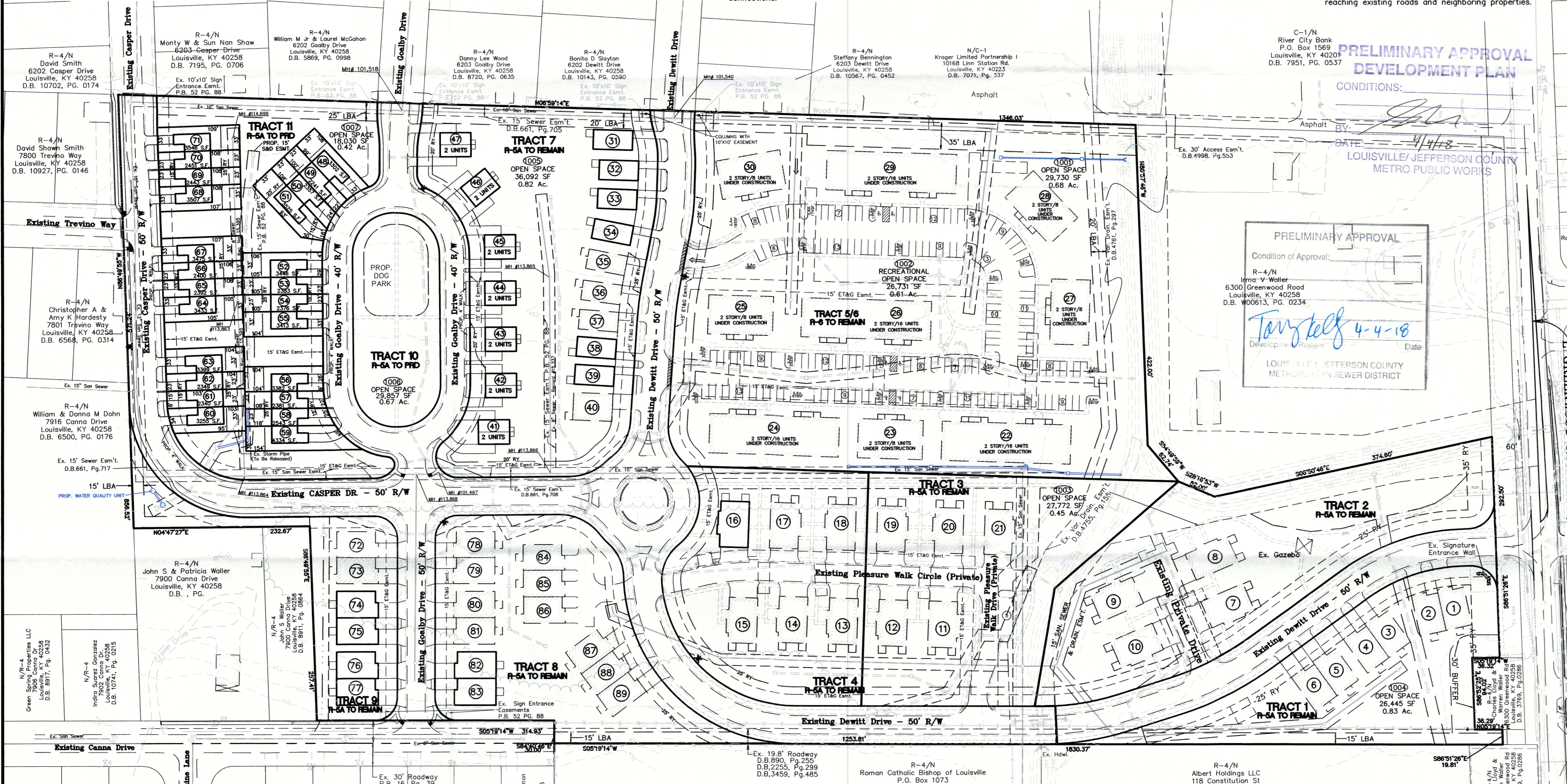
TOTAL SITE AREA	= 27.9± Ac.
RIGHT OF WAY AREA	= 4.9± Ac.
NET AREA	= 23.0± DU/Ac.
EXISTING ZONING TO REMAIN	= R-5A (TRACTS 1-4, 7-9)
	= R-6 (TRACT 5/6)
PROPOSED ZONING (TRACTS 10 & 11)	= PRD
FORM DISTRICT	= NEIGHBORHOOD
EXISTING USE	= MULTI-FAMILY RESIDENTIAL
PROPOSED USE	= MULTI-FAMILY RESIDENTIAL
TOTAL # OF UNITS	= 221 UNITS
BUILDING AREA	= 323,418 SF
F.A.R. (TRACT 5/6)(R-6)	= 0.40
F.A.R. (TRACTS 1-4, 7-9)(R-5A)	= 0.29
F.A.R. (TRACT 10&11)(PRD)	= 0.31
NET DENSITY (TRACT 5/6)(R-6)	= 15.88± DU/Ac. (0.75 - R-6 MAX. ALLOWED)
NET DENSITY (TRACTS 1-4, 7-9)(R-5A)	= 7.2± DU/Ac. (0.5 - R-5A MAX. ALLOWED)
NET DENSITY (TRACT 10&11)(PRD)	= 7.05± DU/Ac. (2.0 - PRD MAX. ALLOWED)
NET DENSITY (TRACT 10&11)(PRD)	= 7.26± DU/Ac. (7.26 DU/Ac. - PRD MAX. ALLOWED)
GROSS DENSITY	= 7.9± DU/Ac.
PARKING	
PARKING REQ. (1.5/UNIT MIN.)	= 332 SPACES
PARKING REQ. (3.0/UNIT MAX.)	= 663 SPACES
PARKING PROVIDED	
GARAGE SPACES	= 165 SPACES
DRIVEWAY SPACES	= 165 SPACES
COMMON SPACES	= 179 SPACES (INCLUDING 6 H.C. SPACES)
TOTAL PARKING PROVIDED	= 509 SPACES
TOTAL VUA	= 131,453 SF
ILA REQUIRED (7.5%)	= 4,660 SF
ILA PROVIDED	= 6,590 SF

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

DATE: 4/4/18

PRELIMINARY APPROVAL
Condition of Approval:
Tongstaff 4-4-18
LOUISVILLE/JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT



BENCHMARKS

- BENCH MARK ELEVATIONS RUN FROM RIVERS END #01178
- BM#2 RR SPIKE IN PP ON THE NORTH SIDE OF GREENWOOD ROAD 240' +/- WEST OF WALLER LANE. ELEVATION = 450.24 (NGVD 29)
- BM#3 RR SPIKE IN PP ON THE NORTH SIDE OF GREENWOOD ROAD 25' +/- EAST OF BEAHL BLVD. ELEVATION = 453.03 (NGVD 29)
- SOURCE OF BENCH MARK = HARM CONTROL MONUMENT BO 08-02 AT THE END OF TRENA TRACE. ELEVATION = 443.06 (NGVD 29)

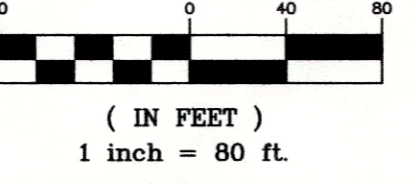
OPEN SPACE (TRACTS 1-9)

PER SECTION 5.11.9 TABLE 5.4.1 REQUIRED
NET SITE AREA = 19.5± ACRES
NET DENSITY = 10.1± DU/ACRE
5 TO 17 DU/ACRES REQUIRES AN OPEN SPACE OF 15% OF NET LOT AREA OR 2.93 ACRES (127,631 SF)
RECREATIONAL OPEN SPACE (50% OF REQUIRED) = 63,815 SF
PROVIDED OPEN SPACE
TOTAL = 146,770 SF
PROVIDED RECREATIONAL OPEN SPACE:
PEDESTRIAN PATH & GAZEBO/
PLAYGROUND AREA = 122,287 SF

OPEN SPACE (TRACTS 10-11)

PER SECTION 2.7.3.G.5.a
PROPOSED DENSITY - 7.05 DU/Ac.
OPEN SPACE REQUIRED = 36,664 SF
50% OF DIFFERENCE IN LOT AREA AND 6000 SF
OPEN SPACE PROVIDED = 47,887 SF

GRAPHIC SCALE

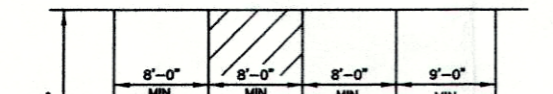


PRELIMINARY NOT FOR CONSTRUCTION

PROFESSIONAL STAMP

LEGEND

- EXISTING SEWER AND MANHOLE
- EXISTING STORM SEWER, CATCH BASIN
- EXISTING HYDRANT
- EXISTING GAS VALVE
- EXISTING FENCE



TYPICAL PARKING SPACE LAYOUT
NO SCALE

TREE CANOPY CALCULATIONS

TOTAL SITE AREA	= 1,001,880 S.F.
TOTAL TREE CANOPY AREA REQUIRED	= 20% (200,376 S.F.)
EXISTING TREE CANOPY TO REMAIN	= 4% (36,200 S.F.)
PROPOSED TREE CANOPY TO BE PLANTED	= 16% (164,880 S.F.)
TOTAL TREE CANOPY TO BE PROVIDED	= 20% (201,080 S.F.)

TYPE	BUILDING NUMBERS	TOTAL UNITS OF EACH TYPE	TOTAL GARAGE SPACES PROVIDED
1 UNIT DETACHED W/GARAGE	31-40	10 UNITS	11 GARAGE SPACES
1 UNIT ATTACHED	1-6, 72-83	18 UNITS	44 GARAGE SPACES
2 UNIT ATTACHED	41-47	14 UNITS	14 GARAGE SPACES
3 UNIT ATTACHED	7-21, 84-89	51 UNITS	72 GARAGE SPACES
4 UNIT ATTACHED	48-71	24 UNITS	24 GARAGE SPACES
8 & 16 UNIT ATTACHED	22-30	104 UNITS	0 GARAGE SPACES
TOTAL NO. OF UNITS		221 UNITS	165 GARAGE SPACES

TRACT 11 OWNER:
MOSS CREEK ENTERPRISES LLC
P.O. BOX 70458
LOUISVILLE, KY 40270
TRACT 11 ADDRESS:
6110 GOALBY DRIVE
LOUISVILLE, KY 40258
TAX BLOCK 3911, LOT 0011
D.B. 10350, PG. 0139
CASE: 15DEVPLAN1041 & 17DEVPLAN1033
WM #9001

NO.	DATE	DESCRIPTION

PROJECT DATA
FILE NAME: 05021-R00DP
DATE: 3/12/18
CHECKED BY: AER
SCALE: AS SHOWN
GRABBY: JH/SBS

LD&D
LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • LAND SURVEYING • LANDSCAPE ARCHITECTURE
507 WASHINGTON AVE., SUITE 101, LOUISVILLE, KENTUCKY 40202
TEL: 502-261-1111 FAX: 502-261-1111

DEVELOPER
MOSS CREEK ENTERPRISES LLC
143 WEST MARKET STREET
LOUISVILLE, KY 40202

JOB NO. 05021
SHEET 1 OF 1