

Case No. 16ZONE1032 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 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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
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, site disturbance, is requested:
 - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. A minor subdivision plat or legal instrument shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - 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 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.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
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. 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.
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) and other issues required by these binding elements.
 - 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.
 10. An original stamped copy of the approved Tree Preservation Plan shall be present on site during all clearing, grading, and construction activity and shall be made available to any DPDS inspector or enforcement officer upon request.
 11. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "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 dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
 12. All street signs shall be installed by the Developer, and shall conform with the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
 13. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
 14. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
 15. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvacide approved by the Louisville Metro Health Department. Larvacides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.
 16. The signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.
 17. Building materials shall be limited to brick, stone and cementitious (Hardy-plank type) siding except for accents of other durable materials and front-facing garage doors shall be of different, instead of uniform, design and colors.

PRELIMINARY APPROVAL
 Condition of Approval: _____

 Development Review Date _____

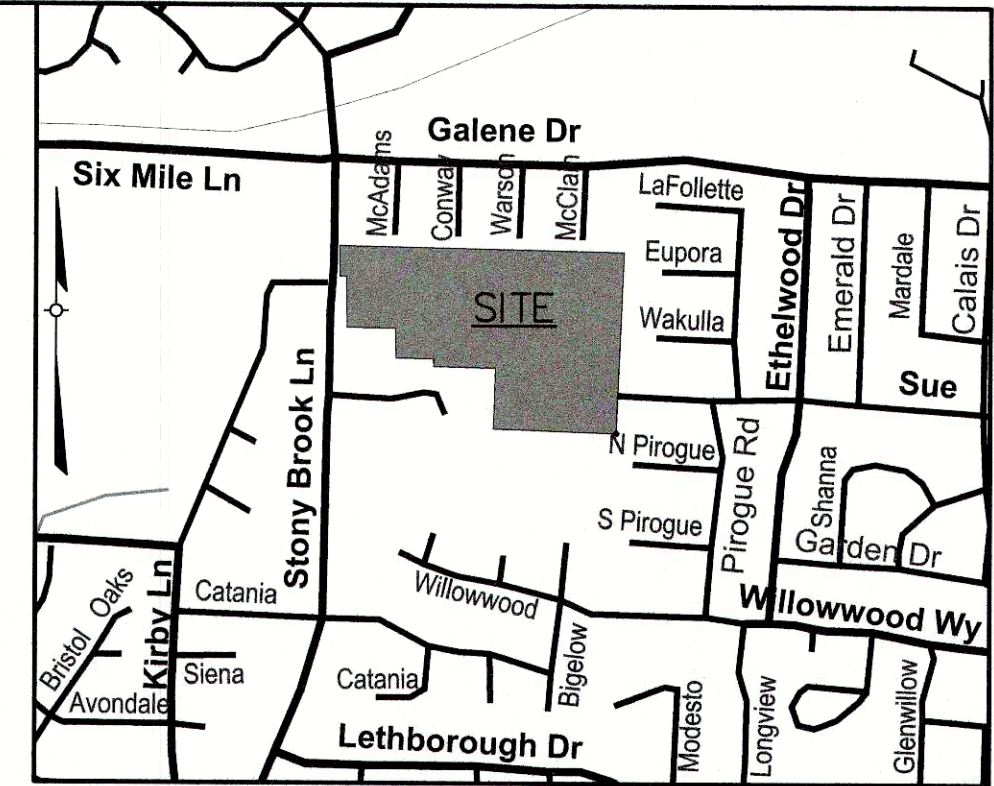
 LOUISVILLE & JEFFERSON COUNTY
 METROPOLITAN SEWER DISTRICT

PROJECT DATA

TOTAL SITE AREA = 18.0± Ac.
 TOTAL AREA OF R/W = 3.8± Ac.
 NET SITE AREA = 14.2± Ac.
 EXISTING ZONING = R-4
 FORM DISTRICT = NEIGHBORHOOD
 PROPOSED ZONING = R-5
 EXISTING USE = SINGLE FAMILY RESIDENTIAL
 PROPOSED USE = SINGLE FAMILY RESIDENTIAL
 TOTAL # OF LOTS = 61 LOTS
 TOTAL AREA OF LOTS = 10.8± Ac.
 NET DENSITY = 4.3 DU/Ac. (7.26 DU/Ac. MAX.)
 GROSS DENSITY = 3.4 DU/Ac. (7.26 DU/Ac. MAX.)
 OPEN SPACE PROVIDED = 140,155± S.F. (3.2± Ac.)

R-5 STANDARDS:

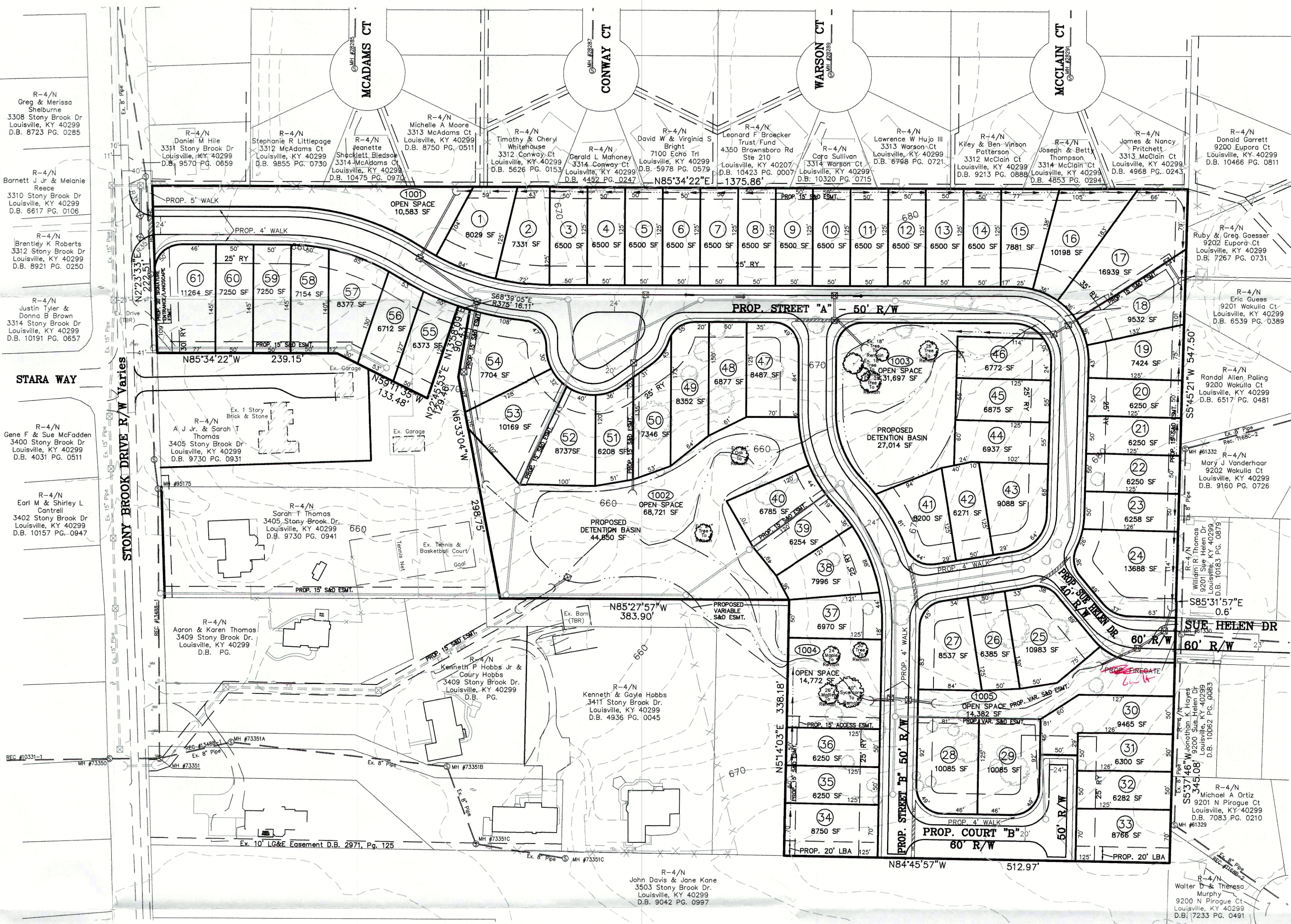
MINIMUM LOT AREA = 6,000 SF
 MINIMUM LOT WIDTH = 50 FT.
 MINIMUM FRONT YARD SETBACK = 25 FT.
 MINIMUM STREET SIDE YARD SETBACK = 25 FT.
 MINIMUM SIDE YARD (EACH SIDE) = 5 FT.
 MINIMUM REAR YARD SETBACK = 25 FT.
 MAXIMUM BUILDING HEIGHT = 35 FT.



LOCATION MAP
NOT TO SCALE

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

LOUISVILLE METRO
APPROVED DISTRICT DEVELOPMENT PLAN
 DOCKET No. 16Z01032
 APPROVAL DATE: Jan. 19, 2017
 EXPIRATION DATE: Feb 23, 2019
 SIGNATURE OF PLANNING COMMISSION



NOTES

- GENERAL**
- No lots shown hereon may be subdivided or resubdivided resulting in the creation of a greater number of lots than originally approved by the planning commission.
 - Construction fencing shall be erected at the edge of the limits of disturbance areas prior to any grading or construction activities. The fencing is to remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area.
 - A soil erosion and sedimentation control plan shall be developed and implemented in accordance with the Metropolitan Sewer District and USDA Soil Conservation Service recommendations.
 - All open space lots are non-buildable and will be recorded as open space and utility easements.
 - Benchmark and topographical information shown hereon were derived from Lojic data. Boundary information was taken from deeds.
 - Compatible on-site utilities, (electric, phone, cable) shall be placed in a common trench unless otherwise required by appropriate agencies.
 - Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
 - Street trees shall be planted in a manner that does not effect public safety or hamper sight distance. Final location will be determined during construction approval process.

SEWER & DRAINAGE

- Runoff from this development must be conveyed to an adequate public outlet. On-site detention will be provided. Due to down stream flood issues this site shall reduce proposed 100 year peak flow to 50% of the existing 100 Year Peak Flows.
- No portion of the site is located in a floodplain per FIRM map 21111 C 0063 C dated December 5, 2006.
- Sewers by L. E. and subject to all applicable fees.
- A "Request for Sanitary Sewer Capacity" will be submitted to MSD.
- All proposed sewer and drain easements shall be 15' unless otherwise indicated.
- The Louisville Water Company will determine the width of their easement prior to 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.
- TV inspection may be required prior to MSD construction approval of the existing outfall pipe system to ensure the system is up to MSD standards. Modifications may be required.
- A down stream capacity facility request was submitted on September 26th, 2016.
- MSD drainage bond required prior to construction plan approval.

STREETS & SIDEWALKS

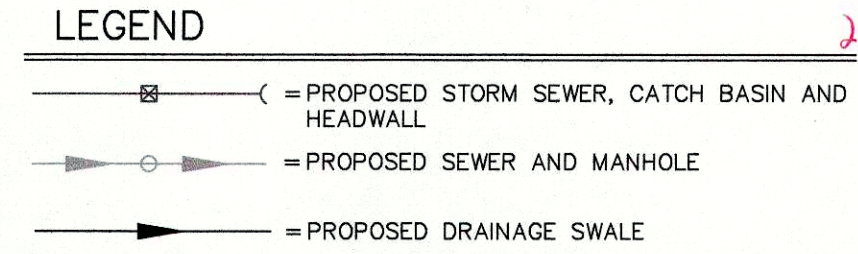
- All roads within the development shall have curb and gutters. Cul-de-sacs shall have a pavement width of 20 feet with a radius of 35 feet at Cul-de-sac. All other roads shall be 24 feet in width with a 35 foot radius at intersections.
- Sidewalks within the subdivision shall be provided in accordance with Table 6.2.1 of the Land Development Code.
- Street grades shall not be less than 1% (Min.) or 10% (max.).
- Street trees are required along Stony Brook Drive. In the event that the trees are not allowed to be placed in mentioned streets and Right-of-Ways the trees shall be placed elsewhere on the property.
- A Bond & Encroachment Permit is required by Metro Public Works for all work within the Stony Brook Drive Right-of-Way, and for roadway approaches on all surrounding access roads to the subdivision site due to damages caused by construction traffic.
- Verges shall be provided as required by Metro Public Works.
- All streets, intersections, loop roads, cul-de-sacs, bulbs, traffic circles and rights-of-way shall be in accordance with the Development Code and Metro Public Works' standards and approved at the time of construction.
- All street name signs shall conform with the MUTCD requirements and shall be installed prior to the recording of the applicable subdivision plat or prior to obtaining the first certificate of occupancy and shall be in place at time of bond release.
- The location and type of plantings within the street right-of-way will be evaluated for roadway safety and sight distance requirements by Metro Public Works which reserves the right to remove them without the property owner's approval.
- Should any existing drainage structures and/or utilities located within offsite rights-of-way become necessary to be altered, extended or relocated, such shall be at the owner's/developer's expense.
- All roadway intersections shall meet the requirements for landing areas as set by Metro Public Works.

DETENTION BASIN CALCULATIONS

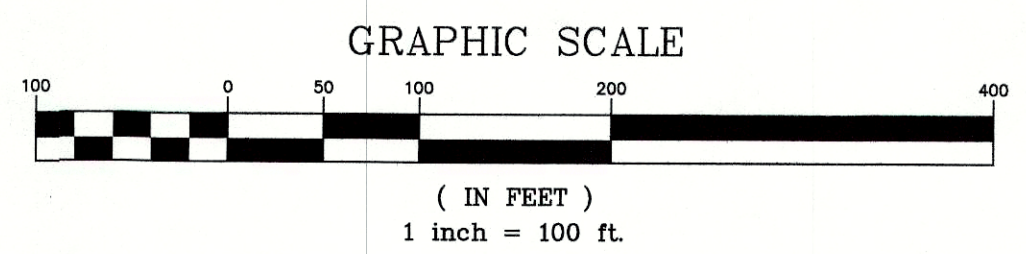
REQUIRED TO REDUCE 100 YEAR TO 50% OF EXISTING 100 YEAR PEAK FLOW
 $X = \Delta CRA / 12$
 EXISTING "C" = 0.23 TO BE REDUCED BY 50% (0.23/2) = (0.115)
 $\Delta C = 0.50 - 0.115 = 0.385$
 A = 18.0 Ac.
 R = 2.8 INCHES
 $X = (0.385)(18.0)(2.8) / 12 = 1.63 \text{ AC.-FT.}$
 REQUIRED X = 71,003 CU.FT.
 PROVIDED BASIN 1 = 44,850 SF @ APPROX. 2 FT. DEPTH = 89,700 CU. FT.
 PROVIDED BASIN 2 = 27,014 SF @ APPROX. 1 FT. DEPTH = 27,014 CU. FT.
 TOTAL BASIN PROVIDED = 116,714 CU. FT.
 TOTAL = 116,714 CU.FT. > 71,003 CU.FT.

TREE CANOPY CALCULATIONS (CLASS C)

TOTAL SITE AREA = 782,948 S.F.
 TOTAL TREE CANOPY AREA REQUIRED = 20% (156,590 S.F.)
 EXISTING TREE CANOPY COVERAGE = 73% (573,961 S.F.)
 EXISTING TREE CANOPY TO BE PRESERVED = 2% (14,400 S.F.)
 PROPOSED TREE CANOPY TO BE PLANTED = 18% (142,560 S.F.)
 TOTAL TREE CANOPY TO BE PROVIDED = 20% (156,960 S.F.)



NO.	DATE	DESCRIPTION	BY
1	9-26-16	PER AGENCY COMMENTS	KMY
2	10-17-16	PER AGENCY COMMENTS	KMY
3	11-14-16	SUE HELEN CONNECTION	KMY



PRELIMINARY APPROVAL
 DEVELOPMENT PLAN
 CONDITIONS: Sidewalks shall be provided on both sides of Street "B" because of the future possible extension of the stub road, which may require sidewalks on both sides if over 20' wide.
 BY: _____
 DATE: _____

PRELIMINARY NOT FOR CONSTRUCTION
 STATE OF KENTUCKY
 KEVIN M. YOUNG
 643
 REGISTERED ARCHITECT
 PROFESSIONAL STAMP

THOMAS STATION SUBDIVISION
 PRELIMINARY SUBDIVISION PLAN

DEVELOPER/OWNER: A. THOMAS CONSULTING LLC, LOUISVILLE, KY 40269
 OWNER: A J JR & SARAH T THOMAS, 3405 STONY BROOK DRIVE, LOUISVILLE, KY 40299
 SITE ADDRESS: STONY BROOK DRIVE, TAX BLOCK 0045, LOT 0927, D.B. 9999, PG. 0613
 SITE ADDRESS: 3403 STONY BROOK DRIVE, TAX BLOCK 0045, LOT 0925, D.B. 9730, PG. 0931
 CASE: 16ZONE1032
 COUNCIL DISTRICT - 11
 FIRE PROTECTION DISTRICT - JEFFERSONTOWN
 PREPARED BY: LAND DESIGN & DEVELOPMENT, INC., 503 WASHBURN AVENUE, SUITE 101, LOUISVILLE, KENTUCKY 40222
 PHONE: (502) 426-9374
 FAX: (502) 426-9375
 JOB: 08062
 MSD WM# 10866
 DATE: 09/2/16

12-20-16 Revision TCEPA Remove LWF
 F. White

16ZONE1032