

21-ZONE-0013 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 Construction Review, 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 certificate of occupancy. In addition to Chapter 10 requirements, the plan shall include substantially the same vegetation as was shown during the November 29, 2021 Planning Commission hearing, and shall include an 8' privacy fence adjacent to R-4 zoned properties. 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. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the November 29, 2021 Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
5. 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.
6. 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.

7. The future development of both residual tracts 1 & 2 shall be limited to a single shared access to Watterson Trail and one to Bardstown Road with the corner lot (currently developed with a tire store). A crossover access agreement shall be required.

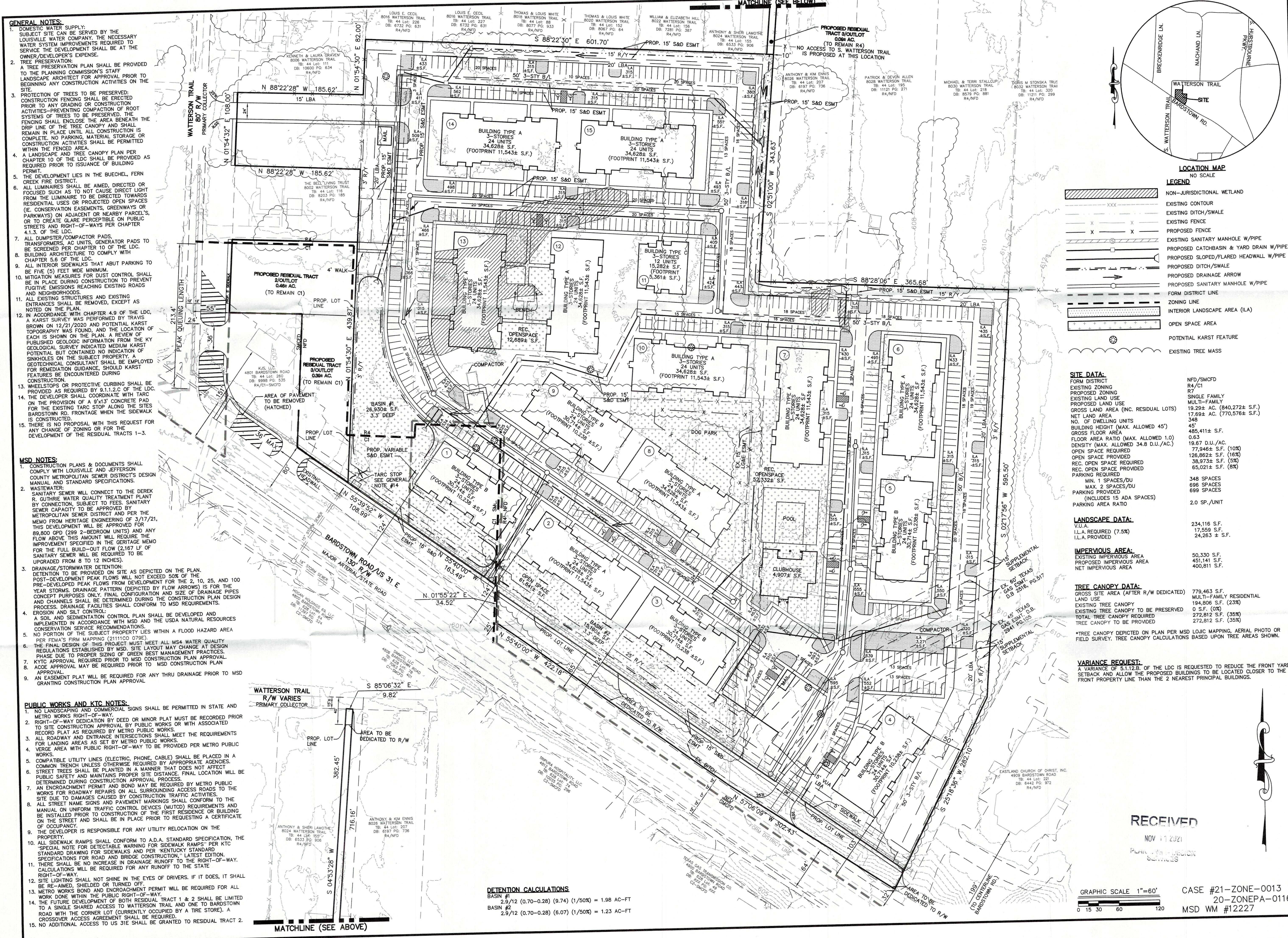
8. The development shall be restricted to not more than 348 units (net density 19.67 dwelling units/acre). This binding element may not be amended without review by the full Planning Commission, with final approval by Metro Council.

9. Developer shall construct the improvements to Watterson Trail and Bardstown Road as shown during the November 29, 2021 Planning Commission hearing, prior to issuance of the 200th certificate of occupancy.

10. The sidewalk in the public right of way shall be constructed to the east beyond the site frontage to the Eastland Church of Christ driveway.

11. All property owners within 500 feet of a proposed blasting location shall be notified 30 days before any blasting operations occur and be offered pre-blast surveys. Any homeowners who opt to have a pre-blast survey conducted shall be provided copies of all materials resulting from that survey, including any photos and/or videos. Any blast surveys shall be done in a manner consistent with Kentucky Blasting Regulations.

12. All Texas Gas recommendations and requirements shall be followed with respect to the Texas Gas easement.



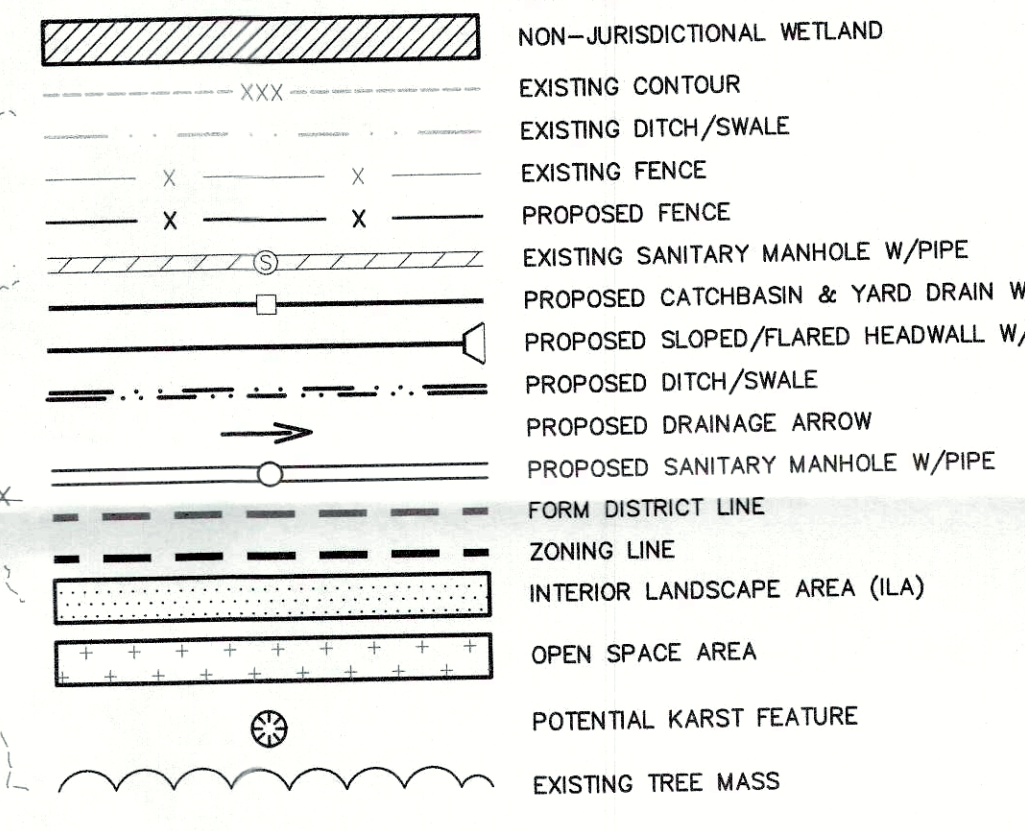
- GENERAL NOTES:**
- DOMESTIC WATER SUPPLY: SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER/DEVELOPER'S EXPENSE.
 - TREE PRESERVATION:** A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING 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 DRIPLINE 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 5.6 OF THE LDC SHALL BE PROVIDED AS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
 - THE DEVELOPMENT LIES IN THE BUECHEL, FERN CREEK FIRE DISTRICT.
 - ALL LUMINAIRES SHALL BE AIMED, DIRECTED OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE DIRECTED TOWARDS RESIDENTIAL USES OR PROJECTED OPEN SPACES (IE. CONSERVATION EASEMENTS, GREENWAYS OR PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR TO CREATE CLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT-OF-WAYS PER CHAPTER 4.1.3. OF THE LDC.
 - ALL DUMPSTER/COMPACTOR PADS TRANSFORMER AND GENERATOR PADS TO BE SCREENED PER CHAPTER 10 OF THE LDC. BUILDING ARCHITECTURE TO COMPLY WITH CHAPTER 5.6 OF THE LDC.
 - ALL INTERIOR SIDEWALKS THAT ABUT PARKING TO BE FIVE (5) FEET WIDE MINIMUM.
 - 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 TRAVIS BROWN ON 12/21/2020 AND POTENTIAL KARST TOPOGRAPHY WAS FOUND, AND THE LOCATION OF EACH IS SHOWN ON THE PLAN. A REVIEW OF PUBLISHED GEOLOGIC INFORMATION FROM THE KY GEOLOGICAL SURVEY INDICATED MEDIUM KARST POTENTIAL BUT CONTAINED NO INDICATION OF SINKHOLE ON THE SUBJECT PROPERTY. A GEOTECHNICAL CONSULTANT SHALL BE EMPLOYED FOR REMEDIATION GUIDANCE. SHOULD KARST FEATURES BE ENCOUNTERED DURING CONSTRUCTION.
 - WHEELSTOPS OR PROTECTIVE CURBING SHALL BE PROVIDED AS REQUIRED BY 9.11.2.C OF THE LDC.
 - THE DEVELOPER SHALL COORDINATE WITH TARC ON THE PROVISION OF A 9'X13' CONCRETE PAD FOR THE EXISTING TARC STOP ALONG THE SITES BARDSTOWN RD. FRONTAGE WHEN THE SIDEWALK IS CONSTRUCTED.
 - THERE IS NO PROPOSAL WITH THIS REQUEST FOR ANY CHANGE OF ZONING OR FOR THE DEVELOPMENT OF THE RESIDUAL TRACT 1-3.

- MSD NOTES:**
- CONSTRUCTION PLANS & DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS.
 - WASTEWATER:** SANITARY SEWER WILL CONNECT TO THE DEREK R. GUTHRIE WATER QUALITY TREATMENT PLANT BY CONNECTION, SUBJECT TO FEES. SANITARY SEWER CAPACITY TO BE PROVIDED BY METROPOLITAN SEWER DISTRICT AND PER THE MEMO FROM HERITAGE ENGINEERING OF 3/17/21, THIS DEVELOPMENT WILL BE APPROVED FOR 89,800 GPD (209 2-BEDROOM UNITS) AND ANY FLOW ABOVE THIS AMOUNT WILL REQUIRE THE IMPROVEMENT SPECIFIED IN THE HERITAGE MEMO FOR THE FULL BUILD-OUT FLOW (2187 LF OF SANITARY SEWER WILL BE REQUIRED TO BE UPGRADED FROM 8 TO 12 INCHES).
 - DRAINAGE/STORMWATER DETENTION:** DETENTION TO BE PROVIDED ON SITE AS DEPICTED ON THE PLAN. POST-DEVELOPMENT PEAK FLOWS WILL NOT EXCEED 50% OF THE PRE-DEVELOPED PEAK FLOWS FROM DEVELOPMENT FOR THE 2, 10, 25, AND 100 YEAR STORMS. DRAINAGE PATTERN (DEPICTED BY FLOW ARROWS) IS FOR PRELIMINARY 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 FLOOD MAPPING (21111CO 079E).
 - THE FINAL DESIGN OF THIS PROJECT MEET ALL MS4 WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MANAGEMENT PRACTICES.
 - KYTC APPROVAL REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
 - ACOE APPROVAL MAY BE REQUIRED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
 - AN EASEMENT PLAT WILL BE REQUIRED FOR ANY THRU DRAINAGE PRIOR TO MSD GRANTING CONSTRUCTION PLAN APPROVAL.

- PUBLIC WORKS AND KTC NOTES:**
- NO LANDSCAPING AND COMMERCIAL SIGNS SHALL BE PERMITTED IN STATE AND METRO WORKS RIGHT-OF-WAY.
 - METRO RIGHT-OF-WAY DEDICATION BY DEED OR MINOR PLAT MUST BE RECORDED PRIOR TO SITE CONSTRUCTION APPROVAL BY PUBLIC WORKS OR WITH ASSOCIATED RECORD PLAT AS REQUIRED BY METRO PUBLIC WORKS.
 - ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
 - VERGE AREA WITH 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.
 - 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 DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
 - ALL SIDEWALK RAMPS SHALL CONFORM TO A.D.A. STANDARD SPECIFICATION, THE STANDARD DRAWING FOR SIDEWALK RAMPS PER KTC SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION. CALCULATIONS WILL BE REQUIRED FOR ANY RUNOFF TO THE STATE RIGHT-OF-WAY.
 - SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS. IF IT DOES, IT SHALL BE RE-AIMED, SHIELDED OR TURNED OFF.
 - METRO WORKS BOND AND ENCROACHMENT PERMIT WILL BE REQUIRED FOR ALL WORK DONE WITHIN THE PUBLIC RIGHT-OF-WAY.
 - THE FUTURE DEVELOPMENT OF BOTH RESIDUAL TRACT 1 & 2 SHALL BE LIMITED TO A SINGLE SHARED ACCESS TO WATERSON TRAIL AND ONE TO BARDSTOWN ROAD WITH THE CORNER LOT (CURRENTLY OCCUPIED BY A TIRE STORE). A CROSSOVER ACCESS AGREEMENT SHALL BE REQUIRED.
 - NO ADDITIONAL ACCESS TO US 31E SHALL BE GRANTED TO RESIDUAL TRACT 2.

DETENTION CALCULATIONS

BASIN #1	2.9/12 (0.70-0.28) (9.74) (1/50%) = 1.98 AC-FT
BASIN #2	2.9/12 (0.70-0.28) (6.07) (1/50%) = 1.23 AC-FT



SITE DATA:

FORM DISTRICT	NFD/SMCFD
EXISTING ZONING	R4/C1
PROPOSED ZONING	R7
EXISTING LAND USE	SINGLE FAMILY
PROPOSED LAND USE	MULTI-FAMILY
GROSS LAND AREA (INC. RESIDUAL LOTS)	19.29± AC. (840,272± S.F.)
NET LAND AREA	17.69± AC. (770,576± S.F.)
NO. OF DWELLING UNITS	348
BUILDING HEIGHT (MAX. ALLOWED 45')	45'
GROSS FLOOR AREA	485,411± S.F.
FLOOR AREA RATIO (MAX. ALLOWED 1.0)	0.63
DENSITY (MAX. ALLOWED 34.8 D.U./AC.)	19.67 D.U./AC.
OPEN SPACE REQUIRED	77,946± S.F. (10%)
OPEN SPACE PROVIDED	126,862± S.F. (16%)
REC. OPEN SPACE REQUIRED	38,973± S.F. (5%)
REC. OPEN SPACE PROVIDED	65,021± S.F. (8%)
PARKING REQUIRED	348 SPACES/DU
PARKING PROVIDED	696 SPACES
(INCLUDES 15 ADA SPACES)	699 SPACES
PARKING AREA RATIO	2.0 SP./UNIT

LANDSCAPE DATA:

V.L.A. REQUIRED (7.5%)	234,116 S.F.
V.L.A. PROVIDED	17,559 S.F.
	24,263 ± S.F.

IMPERVIOUS AREA:

EXISTING IMPERVIOUS AREA	50,330 S.F.
PROPOSED IMPERVIOUS AREA	451,141 S.F.
NET IMPERVIOUS AREA	400,811 S.F.

TREE CANOPY DATA:

GROSS SITE AREA (AFTER R/W DEDICATED)	779,463 S.F.
LAND USE	MULTI-FAMILY RESIDENTIAL
EXISTING TREE CANOPY	194,806 S.F. (25%)
EXISTING TREE CANOPY TO BE PRESERVED	0 S.F. (0%)
TOTAL TREE CANOPY REQUIRED	272,812 S.F. (35%)
TREE CANOPY TO BE PROVIDED	272,812 S.F. (35%)

VARIANCE REQUEST:
A VARIANCE OF 5.1-12.B. OF THE LDC IS REQUESTED TO REDUCE THE FRONT YARD SETBACK AND ALLOW THE PROPOSED BUILDINGS TO BE LOCATED CLOSER TO THE FRONT PROPERTY LINE THAN THE 2 NEAREST PRINCIPAL BUILDINGS.

RECEIVED

NOV 11 2021

PLANNING & DESIGN SERVICES

GRAPHIC SCALE 1"=60'

0 15 30 60 120

CASE #21-ZONE-0013
20-ZONEPA-0116
MSD WM #12227

MINDEL SCOTT

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OWNER
WATERSON TRAIL
5226 BARDSTOWN RD.
LOUISVILLE, KY 40291

OWNER
KJS, LLC
5226 BARDSTOWN RD.
LOUISVILLE, KY 40291

OWNER
CAROLYN S. SIMS
4813 BARDSTOWN RD.
LOUISVILLE, KY 40291

OWNER
WATERSON TRAIL
5226 BARDSTOWN RD.
LOUISVILLE, KY 40291

OWNER
SIMS DEVELOPER
5226 BARDSTOWN RD.
LOUISVILLE, KY 40291

REVISIONS

DATE	DESCRIPTION
3/1/2021	PER AGENCY COMMENTS
3/22/2021	PER AGENCY COMMENTS
5/24/2021	COMMENTS AND REVISED ENTRANCE
8/29/21	MSD NOTE & ESMT. EXTENDED
11/11/21	EXTEND WALK TO RESIDUAL TRACT

Vertical Scale: N/A
Horizontal Scale: 1"=60'
Date: 02/01/2021
Job Number: 3730
Sheet: 1 of 1

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