

Case No. 21-ZONE-0108 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan and Major Preliminary Subdivision 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. 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. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter
 - c. A major subdivision plat creating the lots and roadways as shown on the approved district development plan shall be recorded
3. 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.
4. 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.
5. 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.

6. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
7. 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.
8. 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.
9. 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.
10. Prior to the recording of the record plat for any section or phase copies of the recorded documents listed below shall be filed with the Planning Commission.
 - a. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
 - c. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
11. All necessary right-of-way within the area of the approved development plan to enable the future connection of Chathamwood Drive across the property at 5318 Chathamwood Drive shall be provided at the time of record subdivision plat. A sidewalk connection from the development site to connect with the sidewalk terminating along the frontage of 5317 Chathamwood Drive shall be made. No connection from 5318 Chathamwood Drive shall be made to any roadway proposed on the approved development plan, unless the roadway connection has been completed.
12. Landscaping shall be provided along the entryway of Street "A" and abutting the Roark property (5312 Cooper Chapel Road) as presented at the Planning Commission public hearing on December 16, 2021.

GENERAL NOTES

- ALL EXISTING STRUCTURES AND DRIVEWAYS TO BE REMOVED.
- A SIGNATURE ENTRANCE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION STAFF FOR REVIEW AND APPROVAL PRIOR TO RECORDING THE RECORD PLAT.
- RIGHT-OF-WAY DEDICATION WILL BE RECORDED BY MINOR PLAT OR AS PART OF THE REQUIRED RECORD PLAT.
- ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
- ALL STREETS AND RIGHTS OF WAY SHALL MEET THE REQUIREMENTS OF CHAPTER 6 OF THE LAND DEVELOPMENT CODE.
- CONSTRUCTION PLANS, BOND, AND PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORHOODS.
- MOSQUITO CONTROL SHALL BE PROVIDED IN ACCORDANCE WITH CHAPTER 96 OF THE LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES.
- ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF THE LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES.
- COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY THE RESPONSIBLE AGENCIES.
- A KARST SURVEY WAS PERFORMED ON AUGUST 6, 2021 BY KELLI JONES. NO KARST FEATURES WERE FOUND.
- THIS DEVELOPMENT LIES IN THE OKOLONA FIRE DISTRICT.
- 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 THE CONSTRUCTION APPROVAL PROCESS.
- THE MINIMUM LENGTH OF RESIDENTIAL DRIVEWAYS IS 25 FEET FROM GARAGE DOOR TO BACK OF SIDEWALK WITH THE EXCEPTION OF LOTS 5, 9, 26, & 48 WHICH ARE DIMENSIONED AS LABELED.

MSD NOTES

- SANITARY SEWER WILL CONNECT TO THE DEREK R. GUTHRIE WASTEWATER TREATMENT PLANT EXTENSION AGREEMENT, SUBJECT TO FEES. THE SANITARY SEWER PATTERN DEPICTED IS FOR CONCEPTUAL PURPOSES ONLY. FINAL CONFIGURATION AND SIZE OF SEWER PIPES SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. SANITARY SEWER FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
- DRAINAGE / STORM WATER DETENTION: FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES, CHANNELS, AND PERMANENT WATER QUALITY FEATURES TO BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
- ON-SITE DETENTION WILL BE PROVIDED. POST DEVELOPED PEAK FLOWS WILL BE LIMITED TO PREDEVELOPED PEAK FLOWS FOR THE 2, 10, 25 & 100 YEAR STORMS.
APPROXIMATE DETENTION VOLUME REQUIRED:
 $X = A \text{ GRA}/12$ $A = 9.24 \text{ ACRES}$
 $AC = 0.68 - 0.23 - 0.45$ $R = 2.8 \text{ INCHES}$
 $X = (9.24)(0.45)(2.8)/12 = 0.97 \text{ AC.-FT. (42,262 CU. FT.)}$
PROVIDED BASIN = 15,000 SQ.FT.
TOTAL = 15,000 SQ.FT. @ APPROX. 3 FT. DEPTH
= 45,000 CU.FT. > 42,262 CU.FT.
- THE REAR OF THIS PROPERTY IS LOCATED IN A 100 YEAR FLOOD HAZARD AREA PER FIRM MAP NO.21111C0111E DATED 12/05/2006.
- 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.
- PSC MAY NEED TO BE RELOCATED FOR 5318 CHATHAM WOOD DRIVE AT THE TIME OF THIS LE. DETAILS TO BE APPROVED PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.
- MSD DRAINAGE BOND REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.

UTILITY NOTE

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE KENTUCKY DIG SAFETY UTILITY PROTECTION CENTER "K.D.S." (TOLL FREE PHONE NO. 1-800-752-6007) FORTY EIGHT HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS, AND WATERLINES). WHEN CONTACTING THE "K.D.S." CALL CENTER, PLEASE STATE THAT THE WORK TO BE DONE IS FOR A PROPOSED MSD SEWER OR DRAINAGE FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

EPSC NOTES

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S 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 SEEDING AND STABILIZED. ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOILS TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDING, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCING. ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER-02.

WHERE CONSTRUCTION OR LAND DISTURBANCE 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 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

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

EPSC NARRATIVE

- INSTALL STABILIZED CONSTRUCTION ENTRANCE.
- CONSTRUCT DITCH CHECKS.
- BEGIN SITE GRADING.
- INSTALL CLEAN WATER DIVERSION.
- CONSTRUCT SANITARY SEWERS.
- CONSTRUCT STORM DRAINAGE & INSTALL ASSOCIATED INLET PROTECTION.
- CONSTRUCT ROADWAYS.
- ESTABLISH VEGETATION.
- REMOVE EPSC MEASURES ONCE DISTURBED AREA IS STABILIZED.

OPEN SPACE CALCULATIONS

Lot	Area	< 6000
1	4,532	1,468 SF
2	4,154	1,846 SF
3	4,230	1,770 SF
4	4,787	1,213 SF
5	3,965	2,035 SF
6	4,159	1,841 SF
7	4,138	1,862 SF
8	4,293	1,707 SF
9	3,884	2,116 SF
10	3,560	2,440 SF
11	4,191	1,809 SF
12	4,180	1,820 SF
13	3,557	2,443 SF
14	4,138	1,862 SF
15	4,164	1,836 SF
16	3,553	2,447 SF
17	4,138	1,862 SF
18	4,164	1,836 SF
19	3,553	2,447 SF
20	4,138	1,862 SF
21	4,164	1,836 SF
22	3,553	2,447 SF
23	4,866	1,134 SF
24	4,892	1,108 SF
25	3,553	2,447 SF
26	4,940	1,060 SF
27	4,895	1,105 SF
28	3,485	2,515 SF
29	4,085	1,915 SF
30	4,254	1,746 SF
31	3,554	2,446 SF
32	4,892	1,108 SF
33	4,866	1,134 SF
34	4,164	1,836 SF
35	4,138	1,862 SF
36	4,164	1,836 SF
37	4,138	1,862 SF
38	4,164	1,836 SF
39	4,138	1,862 SF
40	4,222	1,778 SF
41	4,605	1,395 SF
42	4,078	1,922 SF
43	4,078	1,922 SF
44	4,606	1,394 SF
45	4,741	1,259 SF
46	4,198	1,802 SF
47	4,196	1,804 SF
48	4,228	1,772 SF
86,665		SF
REQUIRED		43,333 SF

SITE DATA

GROSS AREA: 9.24 ACRES
 AREA IN ROW: 2.38 ACRES
 NET AREA: 6.86 ACRES
 EXISTING ZONING: R4
 PROPOSED ZONING: PRD
 EXISTING USE: VACANT ATTACHED
 PROPOSED USE: SINGLE FAMILY ATTACHED
 BUILDABLE LOTS: 48 LOTS
 NON-BUILDABLE LOTS: 3 LOTS
 OPEN SPACE LOTS: 3 LOTS
 RECREATIONAL/NATURAL RESOURCE OPEN SPACE*: 77,447 SF
 TOTAL OPEN SPACE: 83,338 SF
 GROSS DENSITY: 5.19 DU/AC
 NET DENSITY: 7.00 DU/AC

* RECREATIONAL/NATURAL RESOURCE OPEN SPACE COUNTS TOWARD PRD REQUIREMENTS. LOT 49 AND ALL RESIDUAL TRACTS DO NOT.

DIMENSIONAL REQUIREMENTS

FRONT YARD: 15'
 SIDE YARD: 0'
 REAR YARD: 25'
 MAX. BUILDING HEIGHT: 35'
 MIN. LOT WIDTH: 18'
 MIN. EXTERIOR LOT SIZE: 3,000 SF
 MIN. INTERIOR LOT SIZE: 2,000 SF
 MAX. CONTIGUOUS UNITS: 4 UNITS
 MAX. FLOOR AREA RATIO: 2.0
 MAX. DENSITY: 7.26 DU/AC

TREE CANOPY CALCULATIONS

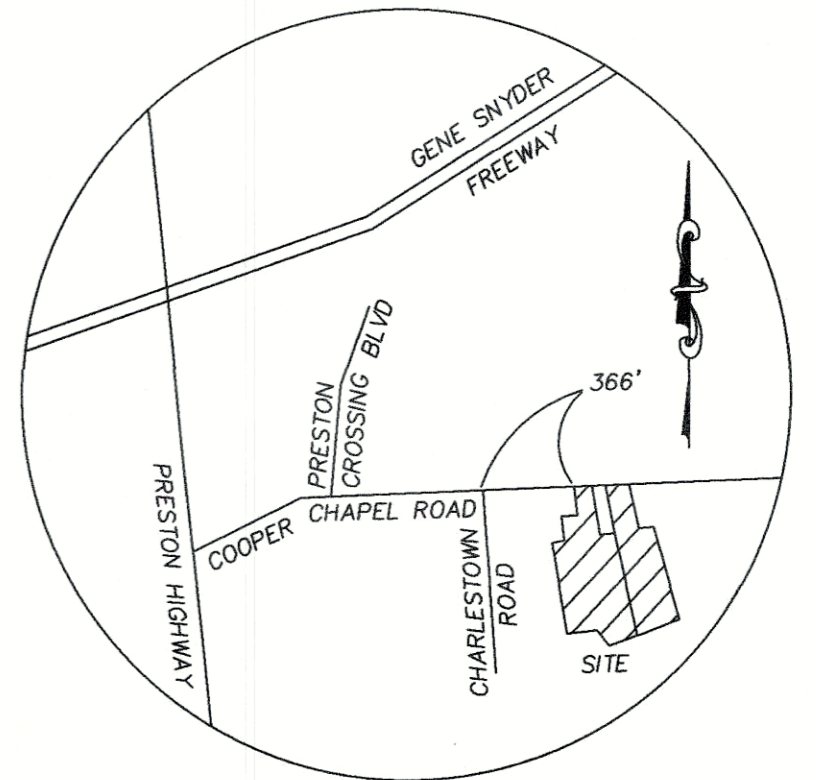
TOTAL SITE AREA: 402,396 SF
 EXISTING TREE CANOPY: 13,024 SF (3%)
 EXISTING TREE CANOPY TO REMAIN: 0 SF (0%)
 REQUIRED TREE CANOPY: 160,958 SF (40%)
 PROPOSED TREE CANOPY: 160,958 SF (40%)

BENCHMARK

RAILROAD SPIKE IN POWER POLE AT THE NORTHEAST CORNER OF 5402 COOPER CHAPEL ROAD. ELEVATION 585.97

ADDITIONAL REQUESTS

- WAIVER FROM LDC 7.3.30.E TO ALLOW REAR YARDS AND EASEMENTS TO OVERLAP ON ALL LOTS AS NECESSARY.
- VARIANCE FROM LDC 5.3.1.0.1 TO ALLOW A 3' ENCRoACHMENT INTO THE STREET SIDE YARD FOR 6 LOTS.



LEGEND

- 652 EXISTING 2' CONTOUR
- 650 EXISTING 10' CONTOUR
- SWALE OR DITCH
- EX. SANITARY SEWER
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- COMMON OPEN SPACE
- EX. FENCE
- PROP. FENCE

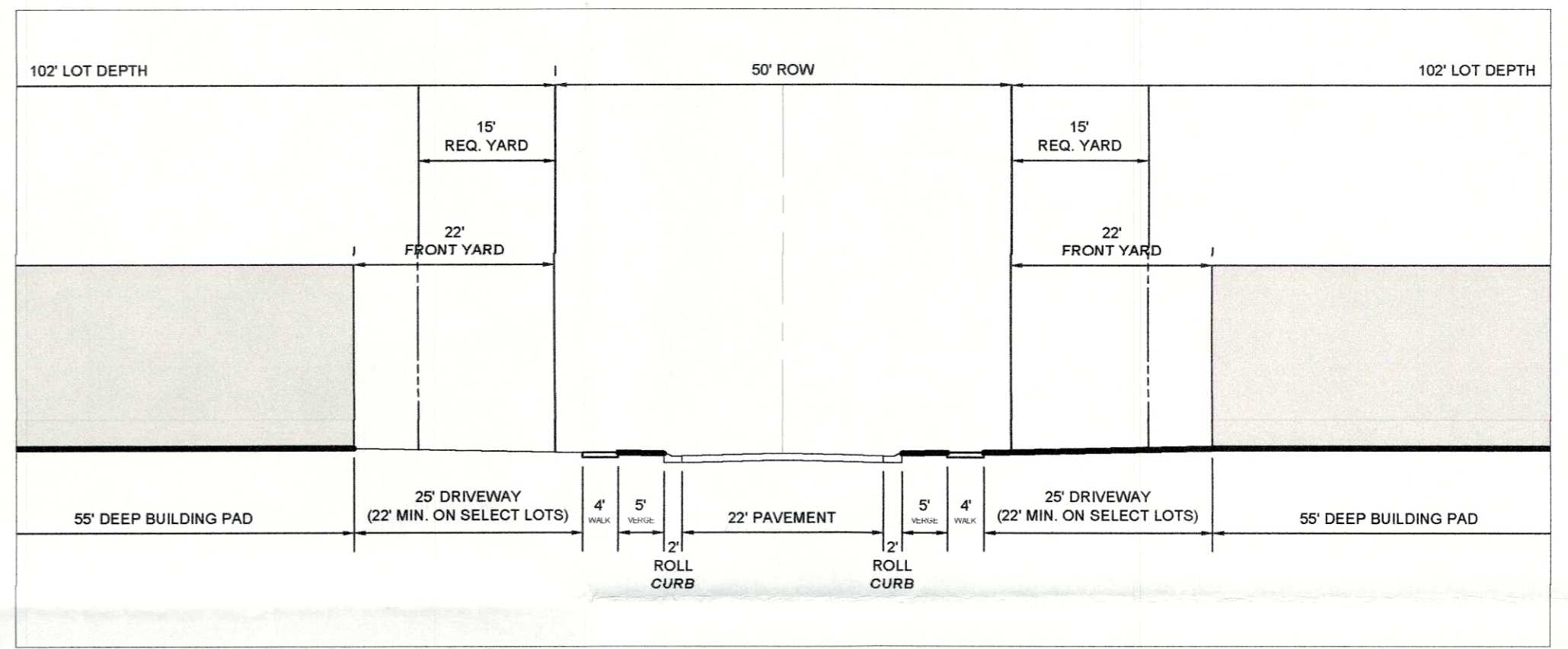
PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

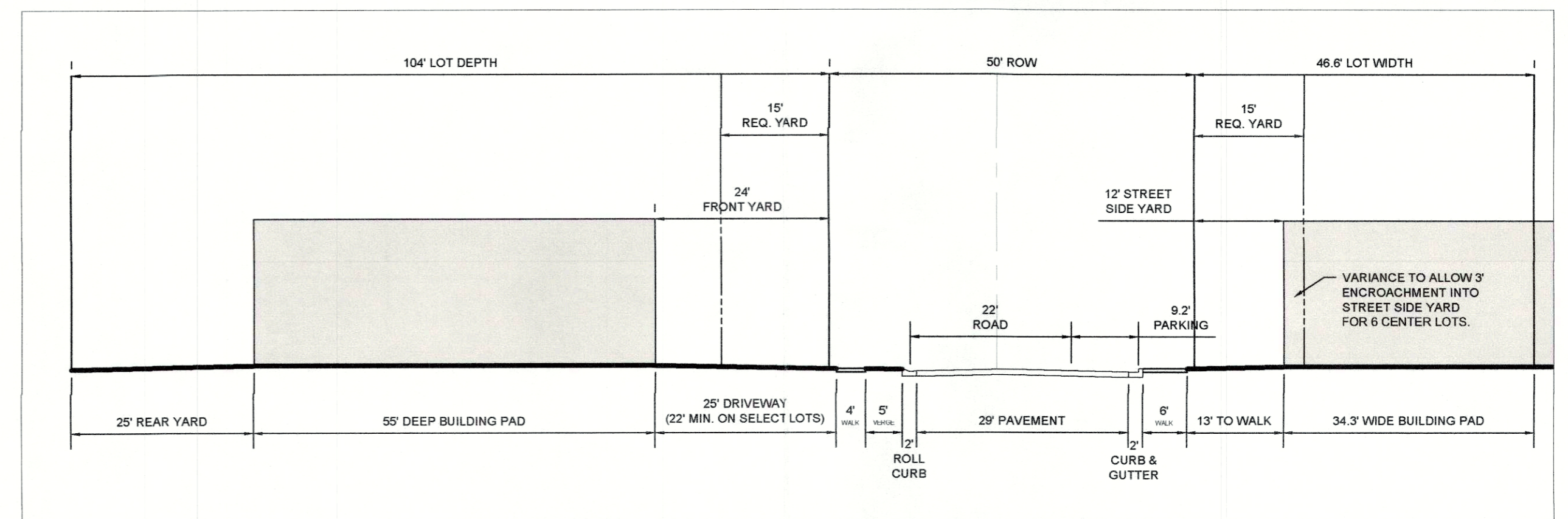
BY: [Signature]
 DATE: 12/22/21
 LOUISVILLE JEFFERSON COUNTY METRO PUBLIC WORKS

PRELIMINARY APPROVAL
 Condition of Approval:
 DOCKET NO. 21-ZONE-0108
 APPROVAL DATE 12/10/21
 EXPIRATION DATE 12/31/21
 SIGNATURE OF PLANNING COMMISSION [Signature]
 PLANNING

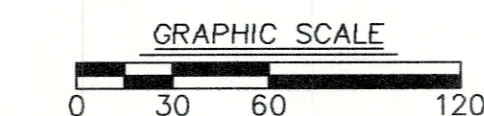
PRELIMINARY APPROVAL
 Condition of Approval:
 Development Review [Signature] Date 12-22-21
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT



TYPICAL STREET SECTION NO PARKING
 SCALE: 1" = 16'



TYPICAL STREET SECTION WITH PARKING
 SCALE: 1" = 16'



RECEIVED
 DEC 17 2021
 PLANNING & DESIGN SERVICES

WM # 12321/211050
 CASE # 21-ZONE-0108
 RELATED CASE # 21-ZONEPA-0087
 TAX BLOCK 85, LOTS 98 & 102/290
 OWNER: ROBIN UNDERWOOD JOHNSON
 17020 MEETING HOUSE ROAD
 FISHERVILLE, KY 40023
 D.B. 11944, PG. 77 & D.B. 11357, PG. 191



NO.	REVISION	DATE
1	REVISED PER AGENCY COMMENTS	08/15/21
2	REVISED PER AGENCY COMMENTS	09/29/21
3	REVISED PER AGENCY COMMENTS	10/29/21
4	REVISED PER AGENCY COMMENTS	12/02/21

SHEET TITLE: MAJOR PRELIMINARY SUBDIVISION PLAN & DETAILED DEVELOPMENT PLAN
 PROJECT TITLE: HARDENS COVE
 DEVELOPER: HARDENS COVE, LLC
 JOB NO. 3197
 SCALE: 1"=60'
 DATE: 08/16/2021
 DRAWING NO. P SP
 SHEET 1 OF 1

SABAK, WILSON & LINGO, INC
 ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
 THE HENRY CLAY ENGINEERING CENTER
 608 S. THIRD STREET, LOUISVILLE, KENTUCKY 40202
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