

## **Case No. 19-ZONE-0026 Binding Elements**

**RESOLVED**, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan/Major Preliminary Subdivision with Binding Elements, **ON CONDITION** that a note is added to the plan to read, "Driveways shall be a minimum of 25 feet in length from the edge of the right-of-way to the back of the driveway." and **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 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. 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. The applicant shall submit a Tree Preservation Plan for approval by Planning and Design staff showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). 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.
6. The applicant shall submit a landscape plan for approval by Planning Commission staff showing plantings and/or other screening and buffering materials to comply with the Chapter 10 of the Land Development Code prior to recording the record plat. The applicant shall provide the landscape materials on the site as specified on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
7. 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

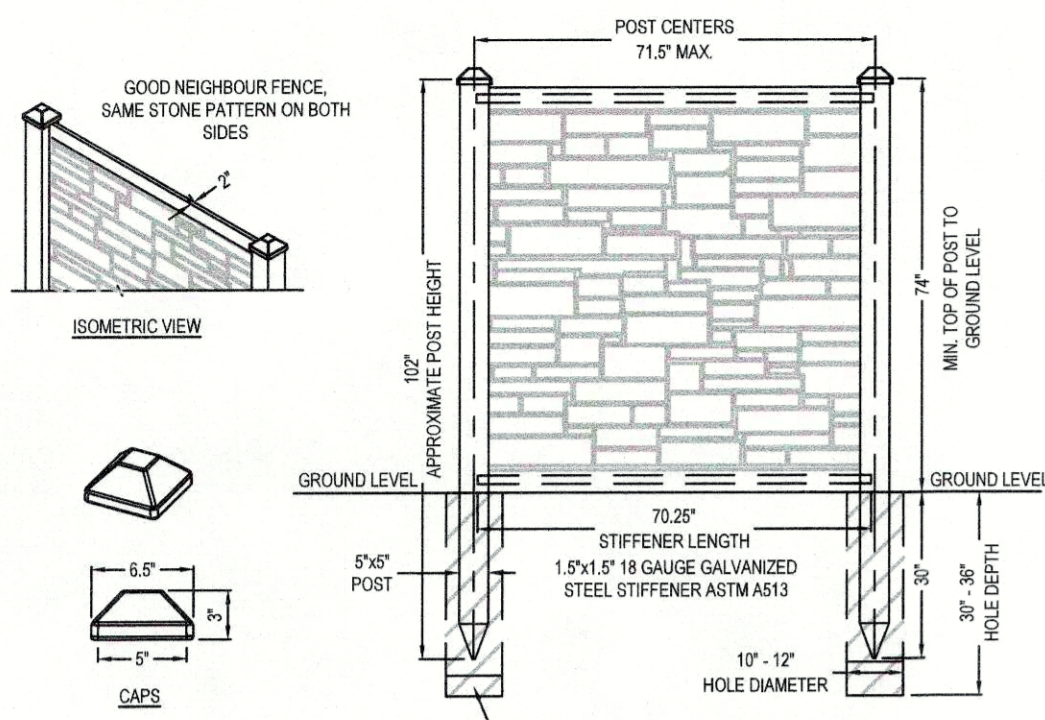
shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."

8. 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.
9. The applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public right of way for "Street A". Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.
10. 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.
11. 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 larvicide approved by the Louisville Metro Health Department. Larvicides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.
12. 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 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.
13. 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 homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.





**SIM TEK FENCE**  
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MADE WITH LINEAR LOW DENSITY POLYETHYLENE  
PLASTIC (LLDPE)  
ACTUAL PANEL DIMENSIONS: 72" x 69.75"  
PANEL WEIGHT 5LB/6  
TOLERANCES ARE ± 5"

- NOTES:**
- US PATENTS 7,478,797 / 7,635,114 FOREIGN PATENTS PENDING.
  - INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
  - ALL DIMENSIONS ARE CONSIDERED TRUE AND REFLECT MANUFACTURER'S SPECIFICATIONS.
  - DO NOT SCALE DRAWING.
  - CONTRACTORS NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADDETAILS.com/info REFERENCE NUMBER 4312-002.

**SIMTEK FENCE**  
MODEL F77202 - FENCE PANEL 6' H X 6' W

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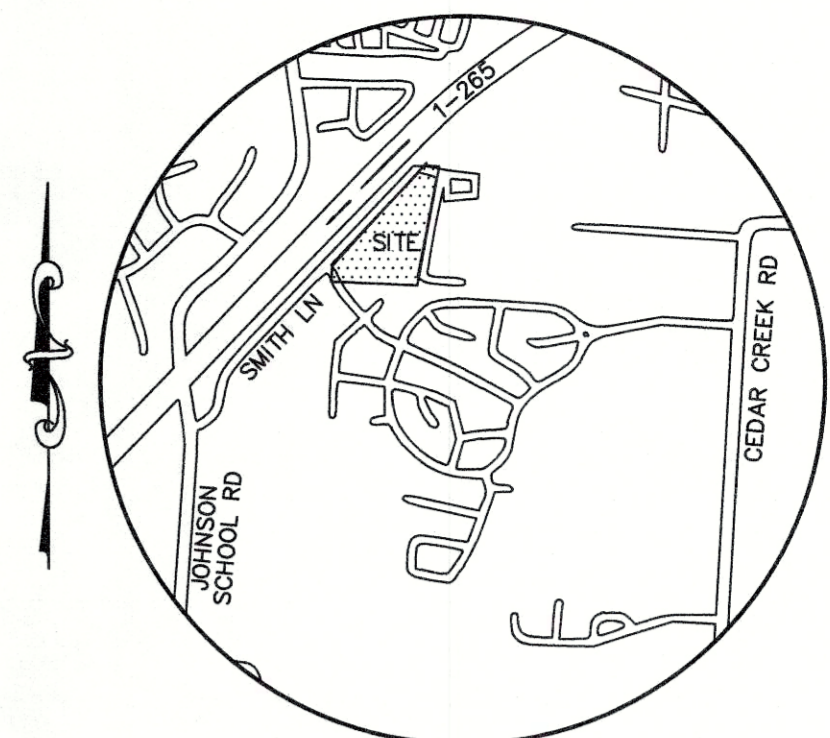
REVISION DATE 05/09/2014

**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. 19-Zone-0026  
APPROVAL DATE January 9, 2024  
EXPIRATION DATE  
SIGNATURE OF PLANNING COMMISSION

**LEGEND**

- EXISTING CONTOUR
- EXISTING TREE MASS
- EXISTING FENCE
- EXISTING SANITARY MANHOLE W/PIPE
- PROPOSED SLOPED & FLARED HEADWALL W/PIPE
- PROPOSED SANITARY MANHOLE W/PIPE
- PROPOSED DRAINAGE ARROW
- RECREATIONAL OPEN SPACE



**LOCATION MAP**  
NO SCALE

**SITE DATA:**  
FORM DISTRICT: R-4  
EXISTING ZONING: PRD  
EXISTING LAND USE: ATHLETIC FIELD/VACANT  
PROPOSED LAND USE: SINGLE-FAMILY RESIDENTIAL  
GROSS LAND AREA: 7.93± AC.  
NET LAND AREA: 6.57± AC.  
BUILDABLE LOTS: 2  
NON-BUILDABLE LOTS: 2  
GROSS DENSITY: 4.91 D.U./AC.  
NET DENSITY (MAXIMUM ALLOWED 7.26): 5.85 D.U./AC.  
OPEN SPACE REQUIRED: 13,715± S.F. (4%)  
OPEN SPACE PROVIDED - RECREATIONAL: 18,699± S.F. (6%)  
MAXIMUM BUILDING HEIGHT ALLOWED: 35'

**OPEN SPACE FORMULA**  
(TOTAL BUILDABLE LOTS X 6,000 S.F.) / 2 = 13,715 S.F.  
(234,000 - 206,569) / 2 = 13,715 S.F.

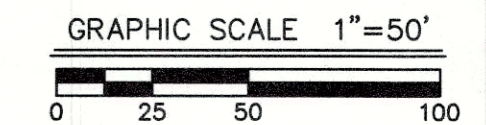
- GENERAL NOTES:**
- DOMESTIC WATER SUPPLY: SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER/DEVELOPER'S EXPENSE.
  - TREE PRESERVATION: A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING 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 ERRECTED 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 FERN 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 CHASE 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 GLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT-OF-WAYS PER CHAPTER 4.1.3. OF THE LDC.
  - MITIGATION MEASURES TO BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
  - IN ACCORDANCE WITH CHAPTER 4.9 OF THE LDC, A KARST SURVEY WAS PERFORMED BY TRAVIS BROWN ON 5/14/2019 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.
  - A NOISE STUDY SHALL BE PROVIDED TO DETERMINE IF THE 250' NOISE SENSITIVE ZONE BUFFER IS REQUIRED ALONG INTERSTATE 265. BUILDINGS MAY BE ALLOWED TO BE LOCATED CLOSER THAN 250' AWAY FROM INTERSTATE 64 BASED ON THE FINDINGS OF THE STUDY.

- PUBLIC WORKS AND KTC NOTES:**
- NO LANDSCAPING AND COMMERCIAL SIGNS SHALL BE PERMITTED IN STATE AND METRO WORKS RIGHT-OF-WAY.
  - 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.
  - 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 REROUNDING ON ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES.
  - THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
  - ALL SIDEWALK RAMPS SHALL CONFORM TO A.D.A. STANDARD SPECIFICATION, THE "SPECIAL NOISE FOR BARRIER WARNING FOR SIDEWALK RAMPS" PER KTC STANDARD DRAWING FOR SIDEWALKS AND PER "KENTUCKY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," LATEST EDITION.
  - THERE SHOULD BE NO INCREASE IN DRAINAGE RUNOFF TO THE STATE RIGHT-OF-WAY. CALCULATIONS WILL BE REQUIRED FOR ANY RUNOFF TO THE STATE RIGHT-OF-WAY.
  - SITE LIGHTING SHOULD NOT SHINE IN THE EYES OF DRIVERS. IF IT DOES, IT SHOULD 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.
  - CURBS AND GUTTERS SHALL BE PROVIDED ALONG ALL STREETS IN THE DEVELOPMENT.
  - ALL CURB-TO-SIDEWALK AND CURB-TO-PAVEMENT WIDTHS, RADIUS, SIDEWALK LOCATIONS AND OFFSETS SHALL BE IN ACCORDANCE WITH METRO PUBLIC WORKS STANDARDS AND APPROVED AT THE TIME OF CONSTRUCTION.
  - THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND MAXIMUM GRADE SHALL BE 10%.
  - CONSTRUCTION PLANS, BOND AND KTC PERMIT WILL BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL BY MPW.
  - ALL ROADWAYS SHALL BE SURFACED WITH A HARD AND DURABLE MATERIAL AS DEFINED BY PUBLIC WORKS STANDARDS.
  - A CROSSOVER ACCESS AGREEMENT SHALL BE RECORDED PRIOR TO CONSTRUCTION APPROVAL BY METRO PUBLIC WORKS. THE EASEMENT SHALL CONFORM TO ORINANCE 187, SERIES 2003 AS AMENDED.

- 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 CEDAR CREEK WASTEWATER TREATMENT PLANT BY LATERAL EXTENSION. SANITARY SEWER CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT. OFFSITE EASEMENTS REQUIRED FOR PROPOSED LATERAL EXTENSION. ANY AND ALL STRUCTURES SHALL BE PERMANENTLY REMOVED FROM THE PROPOSED SEWER AND DRAINAGE EASEMENTS PRIOR TO MSD CONSTRUCTION PLAN APPROVAL AND/OR RECORDING OF THE EASEMENT PLAT.
  - DRAINAGE/STORMWATER DETENTION: DETENTION TO BE PROVIDED ON SITE AS DEPICTED 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 DOWNSTREAM CAPACITY, WHICH 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. CAPACITY OF THE ROADSIDE SWALE SHALL BE EVALUATED AT SMITH LANE AND JOHNSON SCHOOL ROAD, AND THE CULVERT UNDER JOHNSON SCHOOL ROAD PRIOR TO MSD CONSTRUCTION PLAN APPROVAL.
  - 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'S FIRM MAPPING (21111096E).
  - THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MSA WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MANAGEMENT PRACTICES.

**DETENTION CALCULATIONS**  
2.9/12 (0.48-0.19) (7.93) = 0.56 AC-FT

CASE #19-ZONE-0026 (19ZONE1042)  
MSD SUB #490



**TREE CANOPY DATA:**  
GROSS SITE AREA: 345,748± S.F.  
TREE CANOPY CATEGORY: CLASS C  
EXISTING TREE CANOPY: 0± S.F. (0%)  
TOTAL TREE CANOPY REQUIRED: 69,150± S.F. (20%)

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

**DIMENSIONAL STANDARDS**

LOT AREA MIN.	3,000 S.F.
LOT WIDTH MIN.	30'
FRONT/STREET SIDE YARD MIN.	15'
SIDE YARD MIN.	6'
REAR YARD MIN.	25'

**WAIVER REQUEST:**  
A WAIVER OF 7.3.30.E OF THE LDC IS REQUESTED TO ALLOW MORE THAN 15% OF A REQUIRED REAR YARD OF A BUILDABLE LOT TO BE OCCUPIED BY A DRAINAGE EASEMENT.

**BENCHMARKS**  
NOTE: ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM & WERE DERIVED FROM LOIUC BENCHMARKS BY MEANS OF GPS METHODS AND DIFFERENTIAL LEVELING.  
SOURCE BENCHMARK GPS86-37RESET NAVD 1988 ELEV. 662.48  
TO REACH: TRAVEL 1,100' NORTH ALONG BARDSTOWN ROAD FROM THE INTERSECTION OF BARDSTOWN ROAD AND BRENTLINGER LANE TO BARTLEY ROAD, THENCE GO 1,700' WEST ALONG BARTLEY ROAD TO THE STATION ON THE RIGHT OPPOSITE HOUSE #9416. STATION IS 14' NORTH OF THE CENTERLINE OF BARTLEY ROAD AND LEVEL WITH THE PAVEMENT.



**OWNER/DEVELOPER**  
SMITH LANE PROPERTIES, LLC  
9498 BARN ROAD  
LOUISVILLE, KY 40291

**PRELIMINARY SUBDIVISION AND  
DETAILED DISTRICT DEVELOPMENT PLAN**  
**CEDAR HEIGHTS SUBDIVISION**  
8700 SMITH LANE  
LOUISVILLE, KENTUCKY 40291  
TAX BLOCK 647, LOT 22  
DEED BOOK 7377, PAGE 1

**MINDEL SCOTT**  
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Vertical Scale: N/A  
Horizontal Scale: 1"=50'  
Date: 7/15/19  
Job Number: 3616

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