

Case No. 22-ZONE-0079 Binding Elements

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested 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. 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.
3. 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 building permit. 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. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff and shall use at least three color variations for the buildings, and shall be substantially similar to those presented at the March 2, 2023 Planning Commission public hearing. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.
4. 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.

5. 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.
6. The applicant/developer/property owner shall provide all fire hydrants or other fire safety equipment as requested per the Okolona Fire Department. The final location shall be shown on the approved construction plans for the site.
7. Unless the Kentucky Transportation Cabinet allows for applicant/developer to install an all-way-stop condition at the Mud Lane-Blue Lick Road intersection (the "Intersection"), the applicant/developer and/or the property owner(s) shall provide Louisville Metro Public Works with a financial contribution for the necessary upgrade/improvement to the Intersection. The developer shall make a contribution not to exceed an amount of \$15,000.00 towards the necessary Intersection improvements, which stated contribution amount is consistent with the traffic growth associated with the Mud Lane Apartments and the proportional impact of the traffic generated by the Apartments will have on the Intersection, as identified by the Traffic Impact Study Report for 3902 Mud Lane Apartments prepared by Adam Kirk Engineering on October 7, 2022 and revised on January 9, 2023. Developer shall provide the contribution within sixty (60) days from when Louisville Metro Public Works requests it. The obligation to pay the contribution toward the improvements to the Mud Lane – Blue Lick Road intersection shall sunset ten (10) years from the date the Metro Council's takes its final action on the zone change request, under Case No. 22-ZONE-0079.

Ashley B Casey
602 Jennymac Drive
Louisville, KY 40229
Parcel No. 043-NW0-25-072
D.B. PG.

Ryan Glen Caldwell
590 Jennymac Drive
Louisville, KY 40229
Parcel No. 043-NW0-25-071
D.B. PG.

Barbara J Hale
580 Jennymac Drive
Louisville, KY 40229
Parcel No. 043-NW0-25-070
D.B. PG.

Marvin Amigo Sanchez
568 Jennymac Drive
Louisville, KY 40229
Parcel No. 043-NW0-25-069
D.B. PG.

Fay Servicing LLC
939 W North Ave Ste 680
Chicago IL 60642
Parcel No. 043-NW0-25-068
D.B. 931 PG. 727

Fundora Iyisaidky Sosa
544 Jennymac Dr
Louisville, KY 40229
Parcel No. 043-NW0-25-0676
D.B. 956 PG. 655

Patricia Napper
536 Jennymac Dr
Louisville, KY 40229
Parcel No. 043-NW0-25-066
D.B. PG.

Lisa Ann Logsdon
524 Jennymac Dr
Louisville, KY 40229
Parcel No. 043-NW0-25-065
D.B. 983 PG. 617

R-4/N
Silvia Sanchez Almaraz &
Aquilino Guerrero Ariza
3804 Mud Lane
Louisville, KY 40229
DB. 11308 PG. 0599

R-4/N
Theresa Lynn Cursinger
4100 Mud Lane
Louisville, KY 40229
DB. 6435 PG. 0348

R-4/N
Michael C & Terry D Misback
4002 Mud Lane
Louisville, KY 40229
DB. 5908 PG. 0867

R-4/SW
Joe Burnett Sr
P.O. Box 43544
Louisville, KY 40253
DB. 8851 PG. 0425

R-4/SW
John H & Louise A Bricken
3905 Mud Lane
Louisville, KY 40229
DB. 5605 PG. 0901

R-4/SW
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DB. 5605 PG. 0901

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John H & Louise A Bricken
3905 Mud Lane
Louisville, KY 40229
DB. 5605 PG. 0901

R-4/SW
Merry L Moore
4002 Mud Lane
Louisville, KY 40229
DB. 10910 PG. 0109

R-4/SW
Nedzad & Zineta Sagic
4007 Mud Lane
Louisville, KY 40229
DB. 10356 PG. 0870

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

BY: *Quintell W. Paul*
DATE: *1/18/23*
LOUISVILLE/JEFFERSON COUNTY
METRO PUBLIC WORKS

DETENTION BASIN CALCULATIONS

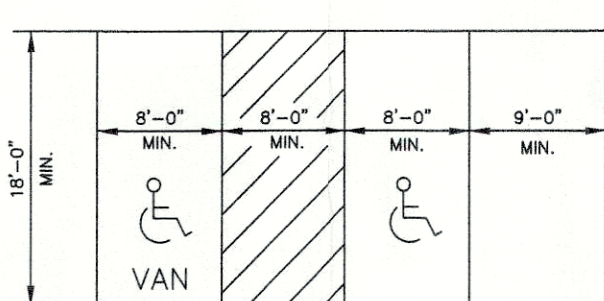
$X = \Delta \text{CRA} / 12$
 $\Delta C = 0.53 - 0.23 = 0.30$
 $A = 15.26 \text{ ACRES}$
 $R = 2.3 \text{ INCHES}$
 $X = (.30)(15.26)(2.3) / 12 = .88 \text{ AC.-FT}$
REQUIRED $X = 38,221 \text{ CU.FT.}$

PROVIDED BASIN = 24,000 SQ.FT.

TOTAL = 24,000 SQ.FT. @ APPROX. 2 FT. DEPTH
= 48,000 CU.FT. > 38,221 CU.FT.

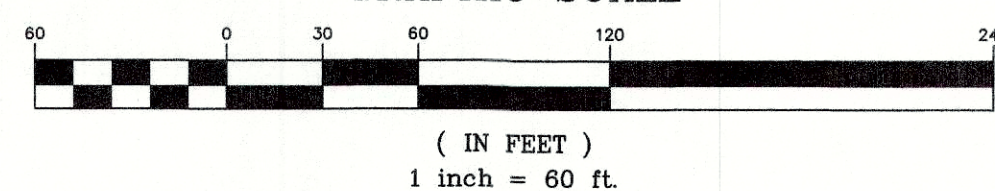
LEGEND

- PROPOSED TREE PRESERVATION AREA
- PROPOSED STORM SEWER, CATCH BASIN
- PROPOSED SEWER AND MANHOLE
- PROPOSED DRAINAGE SWALE



TYPICAL PARKING SPACE LAYOUT
NO SCALE

GRAPHIC SCALE



TREE CANOPY CALCULATIONS

TOTAL SITE AREA	=	664,909 S.F.
EXISTING TREE CANOPY AREA	=	33% (221,208 S.F.)
EXISTING TREE CANOPY TO BE REQUIRED	=	0% (0 S.F.)
EXISTING TREE CANOPY TO BE PRESERVED	=	6% (42,980 S.F.)
TOTAL TREE CANOPY AREA REQUIRED	=	35% (232,718 S.F.)
TOTAL TREE CANOPY AREA TO BE PROVIDED	=	35% (232,718 S.F.)

SITE ADDRESS:
3902 MUD LANE
LOUISVILLE, KY 40229
TAX BLOCK 0090, LOT 0040
D.B. 6834, PG. 0568

COUNCIL DISTRICT - 13
FIRE PROTECTION DISTRICT - OKOLONA
MUNICIPALITY - LOUISVILLE

JAN 11 2023
PLANNING & DESIGN
CASE # 21234
SERIES # 12413



LOCATION MAP
NOT TO SCALE

PROJECT DATA

TOTAL SITE AREA	=	15.26± AC. (664,909 SF)
R/W DEDICATION AREA	=	0.47± AC. (20,265 SF)
NET SITE AREA	=	14.79± AC. (644,644 SF)
EXISTING ZONING	=	R-4
PROPOSED ZONING	=	R-4
FORM DISTRICT	=	NEIGHBORHOOD
EXISTING USE	=	UNDEVELOPED
PROPOSED USE	=	MULTI-FAMILY RESIDENTIAL
NO. OF UNITS	=	252 UNITS
BUILDING HEIGHT	=	3 STORY (35' MAX. ALLOWED)
BUILDING AREA	=	313,266 SF
NET DENSITY	=	17.04 DU/AC. (17.42 DU/AC. MAX. ALLOWED)
GROSS DENSITY	=	16.51 DU/AC. (17.42 DU/AC. MAX. ALLOWED)

PARKING REQUIRED	=	MIN. MAX.
1 SP/UNIT MIN.	=	252 SP 504 SP
2 SP/UNIT MAX.	=	
TOTAL PARKING PROVIDED	=	420 SPACES (22 HC SP INCLUDED)

OPEN SPACE REQUIRED	=	96,697 SF
OPEN SPACE PROVIDED	=	236,332 SF
RECREATIONAL OPEN SPACE REQUIRED	=	48,349 SF (50% OF REQUIRED)
RECREATIONAL OPEN SPACE PROVIDED	=	48,349 SF
TOTAL VEHICULAR USE AREA	=	144,158 SF
INTERIOR LANDSCAPE AREA REQUIRED	=	10,812 SF
INTERIOR LANDSCAPE AREA PROVIDED	=	13,315 SF

EXISTING IMPERVIOUS	=	0 SF
PROPOSED IMPERVIOUS	=	264,055 SF

GENERAL NOTES:

- Parking areas and drive lanes to be a hard and durable surface.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- No increase in drainage run off to state roadways.
- There shall be no commercial signs in the 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.
- 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 drip line of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- Compatible utilities shall be placed in a common trench unless otherwise required by appropriate agencies.
- Wheel stops or curbing, at least six inches high and wide, shall be provided to prevent vehicles from overhanging abutting sidewalks, properties or public right-of-ways, to protect landscaped areas and adjacent properties. Wheel stops shall be located at least (3) feet from any adjacent wall, fence, property line, woody vegetation, walkway or structure.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- A site visit was conducted by Derek Triplett RLA on 3/17/22 and there was no evidence of karst features.
- Street trees to be provided in all adjacent rights-of-way. Final location and type to be shown on the approved landscape plan.
- Construction plans, bond, and permit are required by Metro Public Works prior to construction approval.

MSD NOTES:

- All retail shops must have individual connections per MSD's fats, oils and grease policy.
- 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.
- Sanitary sewer service will be provided by lateral extension and subject to applicable fees. A Downstream Facilities Capacity request will be submitted to MSD.
- No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0127 E dated December 5, 2006.
- Drainage pattern depicted by arrows (==>) is for conceptual purposes.
- If the site has thru drainage an easement plat will be required prior to MSD granting construction plan approval.
- On-site detention shall be provided. Post-developed peak flows will be limited to pre-developed peak flows for 2,10,25, and 100 year storms or to the capacity of the down-stream system, whichever is more restrictive.
- Any required fill in the floodplain shall be compensated on site at a ratio of 1.5:1.
- All drainage, EPSC and Water Quality practices shown on this plan are for conceptual purposes only. Final design of these elements will be determined prior to construction plan approval and shall comply with all MS4 and MSD Design Manual requirements.
- 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 Mgmt. Practices.
- MSD drainage bond required prior to construction plan approval.
- Run off volume impact fee required, calculation based on RFF x 1.5.
- All rooftop drainage shall be directed to drain internal to the site.
- Site may be subject to ACOE approval prior to MSD construction plan approval.

REVISIONS			DESCRIPTION		
NO.	DATE	BY	REVISIONS	PER AGENCY COMMENTS	PER AGENCY COMMENTS
1	8/1/822	JH			
2	10/17/22	DT			

SURVEYOR'S SEAL

ENGINEER'S SEAL

PROJECT DATA		
FILE NAME:	21234-DDP	
DATE:	2/17/22	
CHECKED BY:	TB	
SCALE:	AS SHOWN	
DRAWN BY:	JH	

LD&D
LAND DESIGN & DEVELOPMENT, INC.
ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
507 WESTERN AVENUE SUITE 100 LOUISVILLE, KENTUCKY 40202
TEL: 502.645.9714 FAX: 502.645.9714
WEB SITE: WWW.LD&D.COM

DETAILED DISTRICT DEVELOPMENT PLAN

HESTER
3902 MUD LANE APARTMENTS
OWNER/DEVELOPER
HUBERT L. HESTER TRUST
3304 BROWNSBORO VISTA DR
LOUISVILLE, KY 40242

JOB NO. 21234
SHEET 1 OF 1