

# Land Development & Transportation Committee Staff Report

December 10, 2020



<b>Case No:</b>	19-ZONE-0096
<b>Project Name:</b>	Star Hill Development
<b>Location:</b>	6600, 6700, & 6725 S. Hurstbourne Pkwy 5800, 5802, & 5930 Watterson Trail
<b>Owner(s):</b>	Hurstbourne Property Group, LLC
<b>Applicant:</b>	Hurstbourne Property Group, LLC
<b>Representative(s):</b>	Mindel Scott
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	24 – Madonna Flood
<b>Case Manager:</b>	Joel P. Dock, AICP, Planner II

## REQUEST(S)

- **Change-in-Zoning** from R-4, single-family, R-5A, multi-family & PD, Planned Development to R-6, multi-family & C-1, Commercial
- **Waiver** of Land Development Code (LDC), section 10.2.4 to allow a utility to overlap by more than 50% a Landscape buffer area
- **Waiver** of LDC, section 10.3.5 to allow utility easement/LBA overlap and omission of planting material in the area of lot 1 that is contained within the 150' LG&E transmission easement
- **Revised Detailed District Development Plan**

## CASE SUMMARY

This case was continued from the LD&T meeting on October 22, 2020. Since that time, the applicant has revised the development plan to include the following:

- A 30' private access easement and roadway within the multi-family development south of Hurstbourne Parkway (Tract 7). The roadway will connect Street 'A' through the development to a vacant residentially zoned site sharing the eastern property line. An existing easement is present along the north property line where the roadway will connect to the eastern site.
- Additional public right-of-way at the western entrance to the development site on the north side of Hurstbourne Parkway. The owner or authorized representative of this property (6750 Hurstbourne Parkway) will be required to sign the application as this land is being subdivided. A signature has not yet been obtained.
- Street 'B' modified at Watterson Trail and intersection improvements included, which will realign the residential driveway within the right-of-way with this intersection. No turning restrictions will result from the realignment of the driveway.
- Binding elements 12-14 added to address blasting, construction of Street 'A' with the development proposed in case 20-ZONE-0074, and the existing access easement shared along the north property line of tract 7.

The proposed change-in-zoning will facilitate the development of 35 acres of land for commercial and multi-family use on two sides of Hurstbourne Parkway at S. Watterson Trail. Commercial space will front the parkway on each side and multi-family uses will be located to the rear. Access is proposed from S. Hurstbourne Parkway to each development site. The development on the north side will provide access to Watterson Trail. The development to the south will provide public roadway

connectivity from Hurstbourne Pkwy to an adjacent proposed mixed-residential development, case 20-ZONE-0074.

Single-family, multi-family and low- to moderate-intensity commercial districts occupy the land along S. Hurstbourne Parkway from Bardstown Road to Fegenbush Lane. The northern side of the subject property is currently composed of multi-family and mixed-use zoning districts, while the southern side is zoned for single-family use. A CN, neighborhood-commercial district is present to the east of Watterson Trail adjoining the site.

### Associated Cases

9-45-06: Change in zoning from R-4 to R-5A (approved 12/7/06)

10067: Change in zoning from R-4 to PDD for Pear Hill Smithy (approved 8/6/09)

### **STAFF FINDING**

The proposal does not appear to be ready for a public hearing. A signature will be required from the adjacent land owner at 6750 Hurstbourne Parkway to subdivide the land and include in this application. Preliminary approval from agencies will need to be received on the most recent revised plan.

### **TECHNICAL REVIEW**

- Preliminary approval will need to be received from Louisville MSD and Transportation Planning on the most recent development plan submittal.
- All existing binding elements will be abandoned. Proposed binding elements have been included in Attachment #5.

#### The site is located within the limits of the Fern Creek Small Area Plan (adopted May 2001)

The subject property is in *Quadrant 1: Northwestern Quadrant*. The plan calls for a three-tiered approach to land use. The first and second tiers call for commercial and medium- to high-density residential development. These first two tiers are located immediately adjacent to Bardstown Road. Low-density is suggested in Tier 3 for the remainder of the plan area, see Figure 3. The plan encourages the preservation of Fern Creek as a "Suburban Town". The plan generally calls for:

- Where residential land uses are appropriate, encourage subdivision designs for low-density housing that preserve open space and enhance the existing rural, small-town character
- Medium-density residential land uses are appropriate only for select locations where adequate traffic access exists and the surrounding land uses are compatible
- High-density residential land uses are inappropriate in the community and should be discouraged.
- Encourage:
  - The redevelopment of abandoned commercial buildings as an alternative to constructing new facilities
  - The location of commercial development in existing high-density areas of the Bardstown Road corridor, north of the Gene Snyder Freeway
  - The location of commercial development where opportunities for adequate circulation exist
  - Providing fine dining and family-style sit-down restaurants
- Discourage:

- The development of liquor stores, pawnshops, adult entertainment and other such enterprises.
- The proliferation of small, stand-alone retail developments (i.e., fast food restaurants, gas stations/mini marts, etc.)
- Neighborhood-size commercial structures, rather than regional-size commercial structures
- Both front and rear access roads for new developments to facilitate efficient circulation
- The preservation of rights-of-way within developments to allow for both future road widening and new roads

The site is located within the limits of the Highview Neighborhood Plan (adopted June 2015)

Applicable guidelines are listed below:

- **LU2: Establish a Network of Strategic Neighborhood Activity Centers/Nodes.**

Existing areas with a cluster of commercial uses have been identified as future Neighborhood Nodes as seen in Figure 3.4. These nodes are the preferred location for future medium to high density development. Other compatible uses that are also appropriate for the Neighborhood Nodes include office, civic, open space, and higher density residential. The scale and character of future development should fit within the existing character and be neighborhood serving. Neighborhood Nodes should be: centered around a defined intersection; have finite boundaries with appropriate transition to surrounding neighborhoods, and; be walkable in size—generally defined as a ¼ mile from edge to edge (See CF2 for design guidelines for Neighborhood Nodes).

- **LU6: Limit Future Commercial Zoning within the Town Center and Neighborhood Activity Centers/Nodes.**

To preserve and protect the existing neighborhood character, future commercial development should be limited to the Town Center and limited within Neighborhood Activity Centers/Nodes as illustrated in red circles in Figure 3.7. Concentrating commercial development helps build a critical mass that is beneficial to both the commercial uses and preserving the character of the remainder of the neighborhood by limiting potential expansion of fragmented incompatible uses.

- **CF3: Incorporate Design Principles for New Development**

Redevelopment of Multi-Family Residential to ensure a high-quality of multi-family development in Highview, design guidelines should be developed and adopted for all multi-family development. The design guidelines should incorporate the following design elements:

- New multi-family development should be designed to a scale (both height and mass) to be cohesively integrated into the surrounding existing development.
  - Small sites should act as infill development and focus on design over density
  - Medium-scaled sites should take advantage of opportunities for a variety of housing types and options
  - Larger sites should provide a range of housing types with a centralized common open space or focal point, interconnected system to streets, sidewalks and paths to create a neighborhood feel

- New development should connect to surrounding neighborhoods through an integrated car, bike and pedestrian network with adequate and appropriately sited parking (i.e., not located between a building and public street).
  - Both public and private open spaces (scaled appropriately for the design of the development) should be incorporated into the design. The orientation of buildings around common spaces should also be designed to face the public space or streets.
  - Landscaping treatments, including trees, planting and other treatments, should be incorporated throughout the development with utilities and service structures screened from view.
  - The architectural design of new multi-family developments should vary to create interest rather than duplicating the same facade or building design in a continuous row or in multiple locations. The scale of buildings should be pedestrian-friendly and highlight the entry to individual units. The buildings should have proportions and massing that creates a higher-density residential neighborhood (compared to a large apartment building with large parking lot). High-quality and durable materials, such as brick, stone, etc., should be used in all multi-family developments and changes in colors and materials should be encouraged.
- **M6: Develop a network of neighborhood travelways that allow for residents to ride their bikes or go for walks, instead of simply driving through their neighborhoods.**

Figure 3.12 identifies areas where Neighborhood bikeways/walkways are recommended in the Highview area. If designed correctly, these Neighborhood Travelways can serve as important connections to destinations such as transit, schools, and parks, but they can also promote healthy lifestyles by providing facilities for residents to walk and bike for exercise and recreational purposes. The proposed routes are located on roads that have sidewalks, are low traffic volume streets, and help connect the residents to and from the north and south of the proposed High Priority Regional Bikeway/Transit Corridor proposed by TARC and Move Louisville. There are several options for the design of these routes including the use of specialty pavement markings such as sharrows (include picture), signage, colored pavement, and other specialty treatments. The southern portion of the Highview planning area is located adjacent of the Louisville Loop project. The Louisville Loop is an estimated 100-mile trail system that is planned to encircle the city and link existing and new parks and neighborhoods. This plan recommends that a study be conducted to determine the best route and/or method for connecting the Highview planning area to the Louisville Loop project. Potential connections are shown in Figure 3.12. These routes are rural road cross-sections

- **Sustainability Principles:**

S1 The plan promotes distinct, livable communities with high quality of place.

S2 The plan promotes economic vitality of the community, stimulates quality development and job creation, business development.

S3 The plan supports compact development/growth in urban and neighborhood centers and where infrastructure is adequate or planned to be improved.

S4 The plan promotes a range of housing opportunities and choices, including affordable housing options.

S5 The plan promotes the preservation of open space, greenways, natural resources, and critical environmental areas.

S6 The plan provides for a variety of transportation/mobility choices that promote efficient use of infrastructure.

S7 The plan encourages connected, walkable neighborhoods that promote healthy lifestyles.

- S8 The plan supports and encourages community collaboration in development decisions
- S9 The plan encourages accessibility to natural features and resources
- S10 The plan addresses consensus environmental challenges including but not limited to: air quality, tree canopy, stormwater and flooding issues and water quality.

**STANDARD OF REVIEW FOR ZONING DISTRICT CHANGES**

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

- 1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; **OR**
- 2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
- 3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

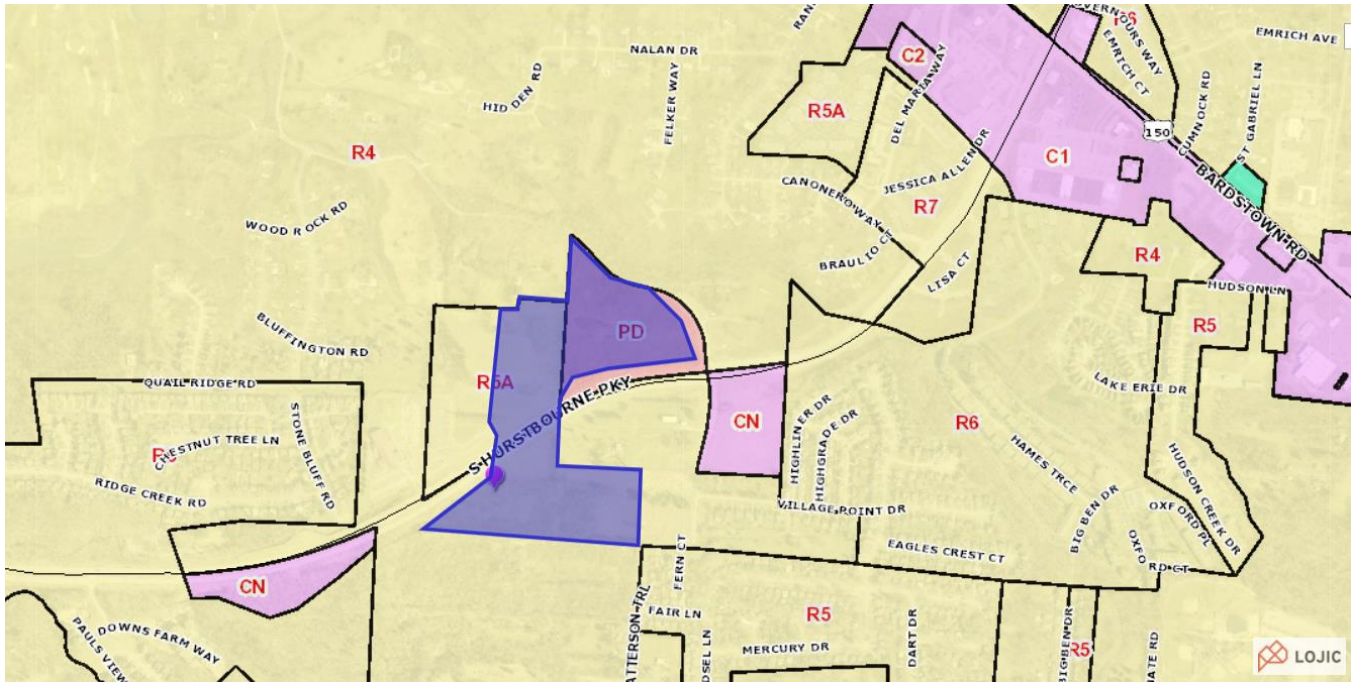
**NOTIFICATION**

Date	Purpose of Notice	Recipients
10/7/20	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 24
	Hearing before Planning Commission	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 24
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

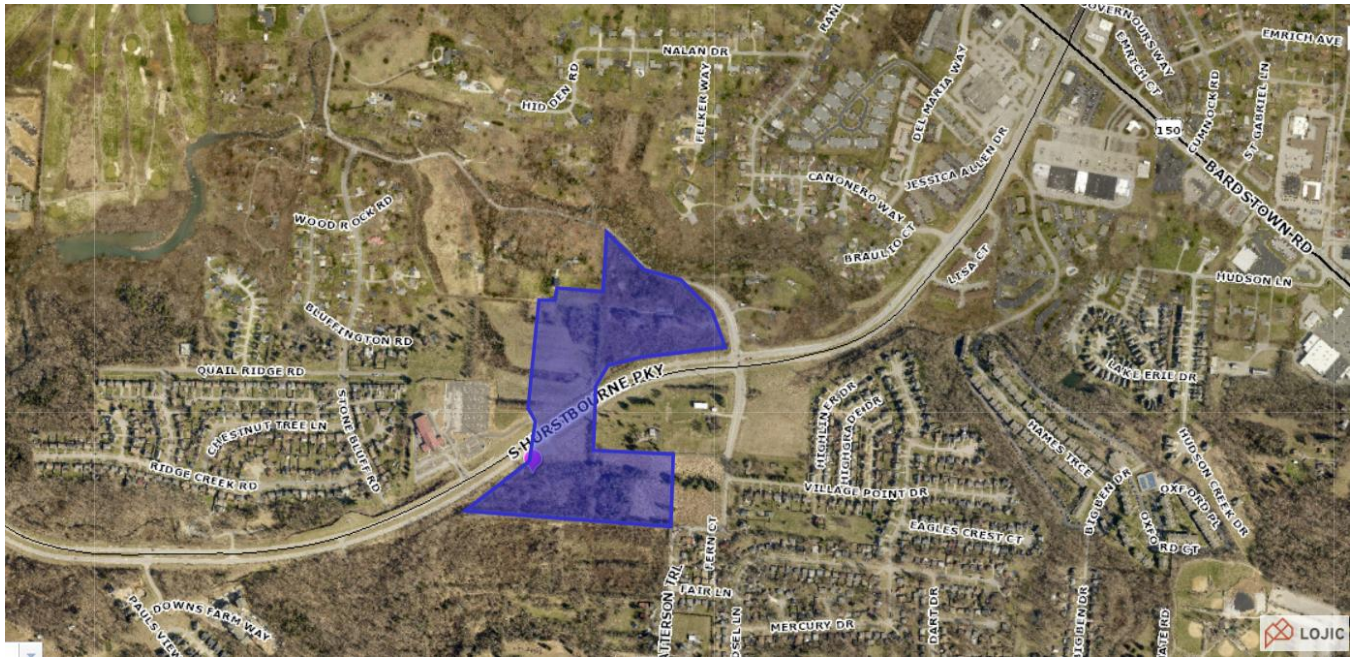
**ATTACHMENTS**

- 1. Zoning Map
- 2. Aerial Photograph
- 3. Existing Binding Elements 9-45-06
- 4. Existing Binding Elements 10067
- 5. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



### 3. Binding Elements 09-045-06

1. ~~The development shall be in accordance with the approved district development plan and binding elements unless amended pursuant to the Land Development Code. Modifications to the binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any modifications not so referred shall not be valid.~~
2. ~~Use of the subject site shall be limited to multi-family and other uses permitted in the R-5A zoning district. There shall be no other use of the property unless prior approval is obtained from the Planning Commission or its designee. Notice of a request to amend this binding element shall be given in accordance with the Planning Commission's policies and procedures. The Planning Commission may require a public hearing on the request to amend this binding element.~~
3. ~~The density of the development shall not exceed 8.27 dwelling units per acre.~~
4. ~~Signs shall be in accordance with Chapter 8 of the LDC.~~
5. ~~No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.~~
6. ~~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.~~
7. ~~Prior to issuance of a permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit):~~
  - a. ~~The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.~~
  - b. ~~The property owner/developer shall 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 prior to issuance of any building permits.~~
8. ~~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.~~
9. ~~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.~~

- ~~10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the December 7, 2006 Planning Commission meeting.~~
- ~~11. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained there after. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.~~
- ~~12. The signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.~~
- ~~13. The location of sinkholes as shown on the district development/preliminary plan shall be identified on the record plat.~~
- ~~14. A geotechnical report shall be conducted for the site and the results shall be submitted to the Planning Commission, Public Works, and MSD for review prior to construction plan approval. A plan shall be submitted to said agencies specifying how the mitigation measures and construction practices, including construction supervision, necessary to assure the stability of buildings and foundations to be constructed on the site as recommended in the geotechnical report will be implemented.~~
- ~~15. 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 Land Development Code prior to recording a record plat. The applicant shall provide the landscape materials on the site as specified on the approved landscape plan prior to the issuance of the Certificate of Occupancy. The applicant shall provide landscaping along Hurstbourne Parkway frontage, including a variable 15-foot landscape buffer area outside the LG&E easement, meaning in some places more and in some places less than 15 feet outside the LG&E easement can be provided as long as the average is 15 feet.~~
- ~~16. Trees will be preserved and/or provided on site as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the District Development Plan. The applicant shall submit a landscape plan for approval by Planning Commission staff for any trees to be planted to meet the Tree Canopy requirements of Chapter 10, Part 1 of the Land Development Code. Trees removed for maintenance of utility easement, disease or other reasons shall be replaced at the owner's expense.~~
- ~~17. Street name signs shall be installed prior to requesting a certificate of occupancy for any structure. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.~~

#### 4. Binding Elements 10067

1. ~~The development shall be in accordance with the approved PD-Development Plan and binding elements unless amended pursuant to the Land Development Code. Modifications to the binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any modifications not so referred shall not be valid.~~
2. ~~Prior to development (includes clearing and grading) of the site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed development plan in accordance with Chapter 2, Part 8. Each plan shall be in adequate detail and subject to additional binding elements.~~
3. ~~No outdoor advertising 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. ~~Prior to issuance of a permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit):
  - a. ~~The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.~~
  - b. ~~The property owner/developer must obtain approval of a detailed development 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.~~~~
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. ~~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.~~

9. ~~The materials and design of proposed structures shall be substantially the same as depicted in the Pattern Book as presented at the August 6, 2009 Planning Commission meeting.~~
10. ~~The sidewalk fee in lieu is being applied for the sidewalk requirement along South Watterson Trail north of the proposed entrance. The fee in lieu shall be calculated per the approved construction plans and must be paid prior to construction approval by Louisville Metro Public Works.~~
11. ~~Per the approved road improvement exhibit dated 08/05/09 and Metro Public Works requirements and standards, the applicant shall provide the following:~~
  - A. ~~South Watterson Trail shall be improved along the property frontage to provide 14' from centerline pavement widening (minimum 2' widening) and 6-8' shoulders per metro public works standards.~~
  - B. ~~A southbound right turn taper shall be constructed at the proposed entrance. Southbound Watterson Trail shall be restriped to provide bike lane striping and a northbound left turn lane into the proposed entrance.~~
  - C. ~~The existing slope along South Watterson Trail shall be re-graded to provide appropriate sight distance per Louisville Metro Public Works' direction.~~
  - D. ~~At the eastern Hurstbourne Parkway proposed entrance, a 150' right turn lane with a 100' taper shall be constructed. The existing center median curb cut will be closed and the median restored.~~
  - E. ~~At the western Hurstbourne Parkway proposed entrance, a 150' right turn lane with a 100' taper shall be constructed. The existing median will be modified to create a left turn lane. The dimensions of this left turn lane and taper will be determined during construction plan review by the Kentucky Transportation Cabinet. The height of the grass median along Hurstbourne Parkway shall be reduced to improve sight distance per the Kentucky Transportation Cabinet's direction.~~
12. ~~Developer shall be responsible for any required utility relocations, final surface overlay, signage, and striping associated with required road improvements to Hurstbourne Parkway and South Watterson Trail. Construction plans, bond, and KTC permit are required by Metro Public Works prior to construction approval and issuance of MPW encroachment permit. Developer shall not request a certificate of occupancy until road improvements are complete.~~
13. ~~All street signs shall be installed by the Developer and shall conform to 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 or building 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.~~
14. ~~An encroachment permit and bond may be required by Metro Public Works for roadway repairs on all surrounding access road to the subdivision site due to damages caused by construction traffic activities.~~

## 5. **Proposed Binding Elements**

1. The development shall be in accordance with the approved district development plan and binding elements unless amended pursuant to the Land Development Code. Modifications to the binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any modifications not so referred shall not be valid.
2. Unless developed in strict compliance with the detailed development as shown on the approved general and detailed district development plan, the applicant, developer, or property owner shall obtain approval of a revised detailed district development plan for each site or phase of this project, in accordance with Chapter 11, Part 6. Approval shall occur prior to development (includes clearing and grading). Each plan shall be in adequate detail and subject to additional binding elements.
3. No outdoor advertising 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. Prior to issuance of a permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit):
  - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b. The property owner/developer must obtain approval of a detailed development 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. A major subdivision plat creating the lots and roadways as shown on the approved district development plan shall be recorded
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. 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.
9. Developer shall be responsible for any required utility relocations, final surface overlay, signage, and striping associated with required road improvements to Hurstbourne Parkway and South Watterson Trail. Construction plans, bond, and KTC permit are required by Metro Public Works prior to construction approval and issuance of MPW encroachment permit. Developer shall not request a certificate of occupancy until road improvements are complete.
10. All street signs shall be installed by the Developer and shall conform to 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 or building 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.
11. An encroachment permit and bond may be required by Metro Public Works for roadway repairs on all surrounding access road to the subdivision site due to damages caused by construction traffic activities.
12. 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- and post-blast surveys. Any blast surveys shall be done in a manner consistent with Kentucky Blasting Regulations.
13. If development to the south at 6106 S. Watterson Trail is to occur prior to the development of the subject site, Street 'A' may be recorded after review and approval by Planning Commission staff. All improvements for Street 'A', including required improvements at Hurstbourne Parkway as shown on the approved development plan may be made in conjunction with development to the south at 6106 S. Watterson Trail.
14. The existing access easement of record in DB 5656 PG 549 and shared along the northern property line of Tract 7 shall be modified or released prior to requesting a building permit for Tract 7, or the proposed road shall be re-located with approval by Planning Commission staff outside the boundaries of the existing easement.