

# Land Development & Transportation Committee

## Staff Report

March 27, 2014



<b>Case No:</b>	14SUBDIV1000 / 14DEVPLAN1022
<b>Project Name:</b>	Stony Farm Section 2
<b>Location:</b>	8809-8832 Stara Way (Formerly 8500 Six Mile Lane)
<b>Owner:</b>	Stony Farms, LLC
<b>Applicant:</b>	Marian Development Group, LLC
<b>Representative:</b>	BTM Engineering, Inc.
<b>Project Area/Size:</b>	3.77 acres
<b>Existing Zoning District:</b>	R5A, Residential Multi-Family District
<b>Existing Form District:</b>	N, Neighborhood
<b>Jurisdiction:</b>	City of Jeffersontown
<b>Council District:</b>	11 – Kevin Kramer

### REQUEST

- Revised Detailed District Development Plan (RDDDP) and Revised Preliminary Subdivision Plan

### CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is proposing a RDDDP and Revised Preliminary Subdivision Plan that creates 16 residential lots and 1 open space lot (lots 87-103 on the proposed plan) in section 2 of the Stony Farm Subdivision. Previously, the two lots fronting on Stara Way were approved for 34 patio home units, 10 of which will remain. The total number of dwelling units/lots for all of Stony Farm decreases from 227 to 219. No other revisions are requested at this time.

Stony Farm Subdivision is located south of Six Mile Lane and east of South Hurstbourne Parkway in the City of Jeffersontown. Section 2 was recorded in plat book 52, page 97.

### LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing</b>	Vacant lot/approved for patio homes	R5A	N
<b>Proposed</b>	Single-family residential	R5A	N
<b>Surrounding Properties</b>			
<b>North</b>	Patio homes	R5A	N
<b>South</b>	Single-family residential	R5A	N
<b>East</b>	Patio homes	R5A	N
<b>West</b>	Single-family residential	R4/R5	N

### PREVIOUS CASES ON SITE

9-3-05 & 10-4-05: Approved change in zoning from R1 and R4 Single Family Residential to R5 Single Family Residential and R5A Multi-Family Residential and major preliminary subdivision.

## INTERESTED PARTY COMMENTS

Staff has not received any comments to date.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code (July 2004)

### STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and REVISED PRELIMINARY SUBDIVISION PLAN

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: All natural resources have been identified on the plan and the proposed development will comply with any applicable regulations in the Land Development Code with respect to the conservation of natural resources.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community have been provided. Transportation Review has approved the preliminary development plan.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: All open space and landscape buffer requirements are met on the site.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: MSD has approved the preliminary development plan and will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to the requirements of the Land Development Code.

## TECHNICAL REVIEW

The proposed development plan has received preliminary approvals from Transportation Planning and the Metropolitan Sewer District.

A record plat has been submitted for section 2 of Stony Farm under Case 14RECORDPLAT1004, which will amend the previously approved plat recorded in plat book 52, page 97.

## STAFF CONCLUSIONS

The proposed development plan appears to be adequately justified based on staff review and analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Land Development & Transportation Committee must determine if the proposal meets the standards established in the LDC for approving the RDDDP and Revised Preliminary Subdivision Plan.

### Required Actions:

- **APPROVE** or **DENY** the RDDDP and Revised Preliminary Subdivision Plan.

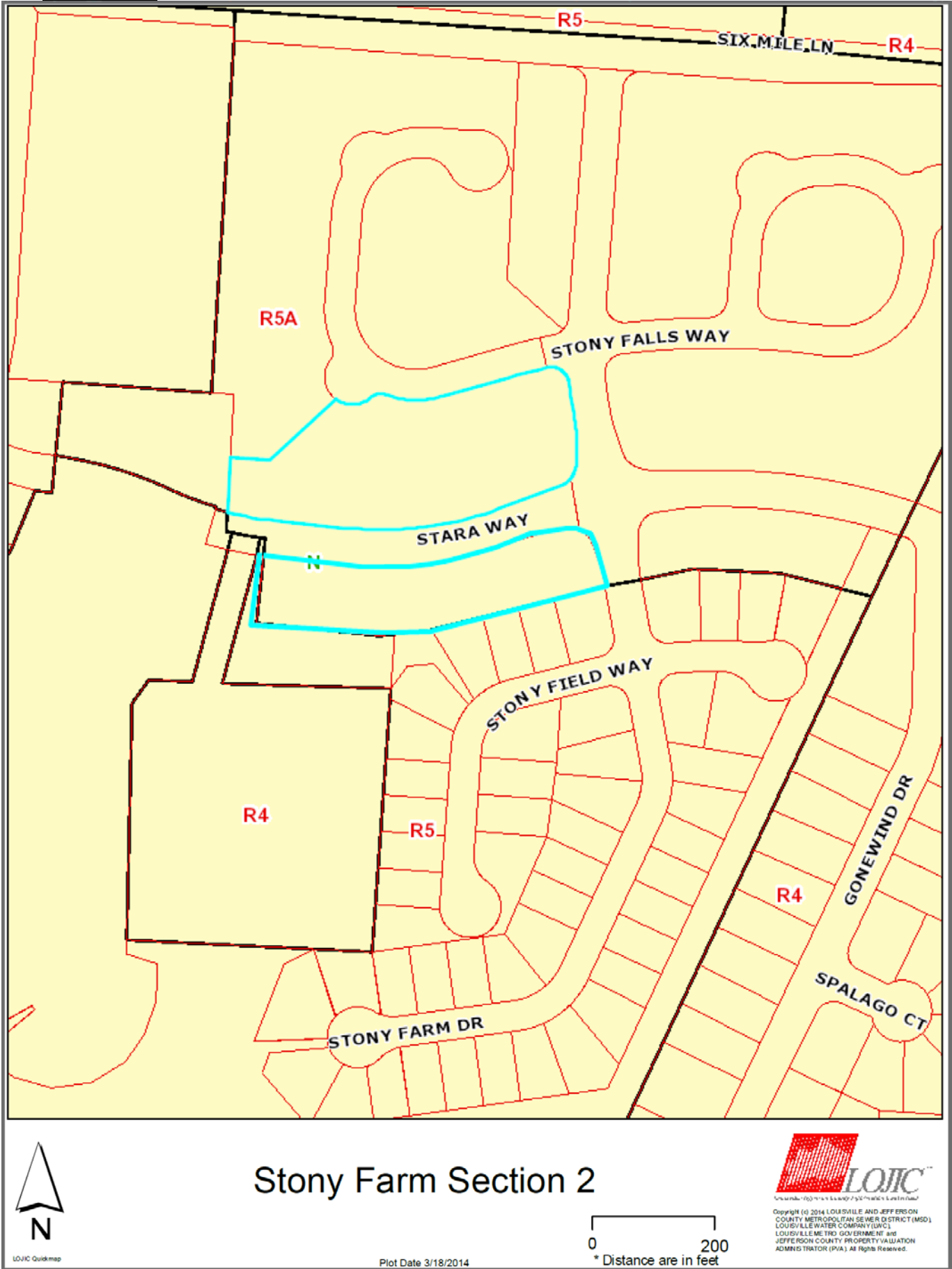
## NOTIFICATION

Date	Purpose of Notice	Recipients
03/12/2014	Hearing before LD&T	1 <sup>st</sup> tier adjoining property owners Registered neighborhood groups

## ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements
4. Proposed Binding Elements

1. Zoning Map





2. Aerial Photograph



**3. Existing 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 and the City of Jeffersontown for review and approval.
2. The density of the development shall not exceed overall 4.35 dwelling units per gross acre (227 units on 52.14 acres), which excludes the historic home property and sell-off to the adjoining church, which thus includes 5.74 dwelling units per gross acre (147 condominium units on 25.6 acres) on the R-5A section, and 3.05 dwelling units per gross acre (80 buildable lots on 26.2 acres) on the R-5 section.
3. Except for for-sale/development, advertising signs permitted by the Land Development Code, no outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site, except a signature entrance.
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. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, or demolition permit) is requested:
  - a. The development plan must receive full construction approval from Louisville Metro Public Works, the Metropolitan Sewer District and the City of Jeffersontown.
6. If a clearing, grading, or site construction permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission and the City of Jeffersontown.
7. 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 and the City of Jeffersontown.
8. 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.
9. The applicant shall provide documentation showing that the development complies with all the regulations from Chapter 4, Part 1, Section 3, Lighting, prior to the issuance of a construction permit. These regulations include the following items: Mounting Height Limit, Luminaire Shielding, Canopy Lighting Level, and Light Trespass.
10. The R-5A portion of the development and property shall be developed under a Horizontal Property Regime.

11. The structures shall appear substantially similar to the renderings submitted at the March 3, 2005 public hearing. All single family homes and condominium structures shall be faced on all four sides with brick and will also feature accent treatments and gable details of other possible build materials, such as vinyl.
12. The address number shall be displayed on all structures prior to requesting a certificate of occupancy for that structure. Street signs shall also be installed prior to the issuance of a certificate of occupancy.
13. The 40 foot setback area along Six Mile Lane shall include a meandering variable maximum 4-foot high beam with vinyl four board horse fence irrigated landscaping in conformance with the Land Development Code, which shall include a variety of shrubs plus deciduous and evergreen trees.
14. Out of the Tree Canopy planting requirements there shall be allocated at least one tree per in the front yard of every residential structure, except on corner lots which shall have at least one tree in the front yard and at least one tree in the street side yard.
15. Residential condominium structures shall be kept outside of the drip line of the existing trees on the west side of the proposed walking trail, running from Six Mile Lane to the historic home site.
16. A walking trail shall be constructed of asphalt or similar hard pack material all the way around the pond. Benches shall be installed along said walking trail.
17. As to the R-5 Standard Style Family Subdivision section of the plan, the easement open space shall be as stipulated; not within 75 feet of the property line or 125 feet from the residential homes to the east (plus or minus 5%).
18. The existing fence on the east side of the property (chain link with cedar post) shall be preserved, or if damaged, replaced, prior to the Issuance of any certificate of occupancy.
19. The applicants shall notice all abutting property owners prior to requesting any changes/ additions, or alterations to any binding element or the development plan from either the Planning Commission, any of its committees, or the City of Jeffersontown, Kentucky.

**4. Proposed Binding Elements**

2. The density of the development shall not exceed overall ~~4.35~~ **4.23** dwelling units per gross acre (~~227~~ **219** units on ~~52.44~~ **51.72** acres), which excludes the historic home property and sell-off to the adjoining church, which thus includes ~~5.74~~ **5.38** dwelling units per gross acre gross acre (~~447~~ **139** condominium units on ~~25.6~~ **25.86** acres) on the R-5A section, and 3.05 dwelling units per gross acre (80 buildable lots on 26.2 acres) on the R-5 section.