

Land Development & Transportation Committee

Staff Report

October 12, 2017



Case No:	17SUBDIV1004
Project Name:	Wilkie Ridge Subdivision, Section 4
Location:	5408 Mount Holyoke Drive
Owner(s):	Hyview Estates, Inc.
Applicant:	Hyview Estates, Inc.
Representative(s):	Milestone Design Group
Project Area/Size:	13.58 acres
Jurisdiction:	Louisville Metro
Council District:	12 – Rick Blackwell
Case Manager:	Joel P. Dock, Planner II

REQUEST(S)

- **Revised Preliminary Subdivision/District Development Plan** for 47 residential lots

CASE SUMMARY

The proposed subdivision connects two existing sections of the Wilkie Ridge Subdivision via Bagby Way. A cul-de-sac is being provided to “dead-end” Mount Holyoke Drive. Tree canopy areas will be provided along the Northwest and Southeast boundaries. Sidewalks will be provided as required to connect the networks of the adjacent subdivisions.

STAFF FINDING

The revised major preliminary subdivision plan meets or exceeds the minimum requirements of the Land Development Code.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the **Revised Preliminary Subdivision/District Development Plan** for 47 single-family lots

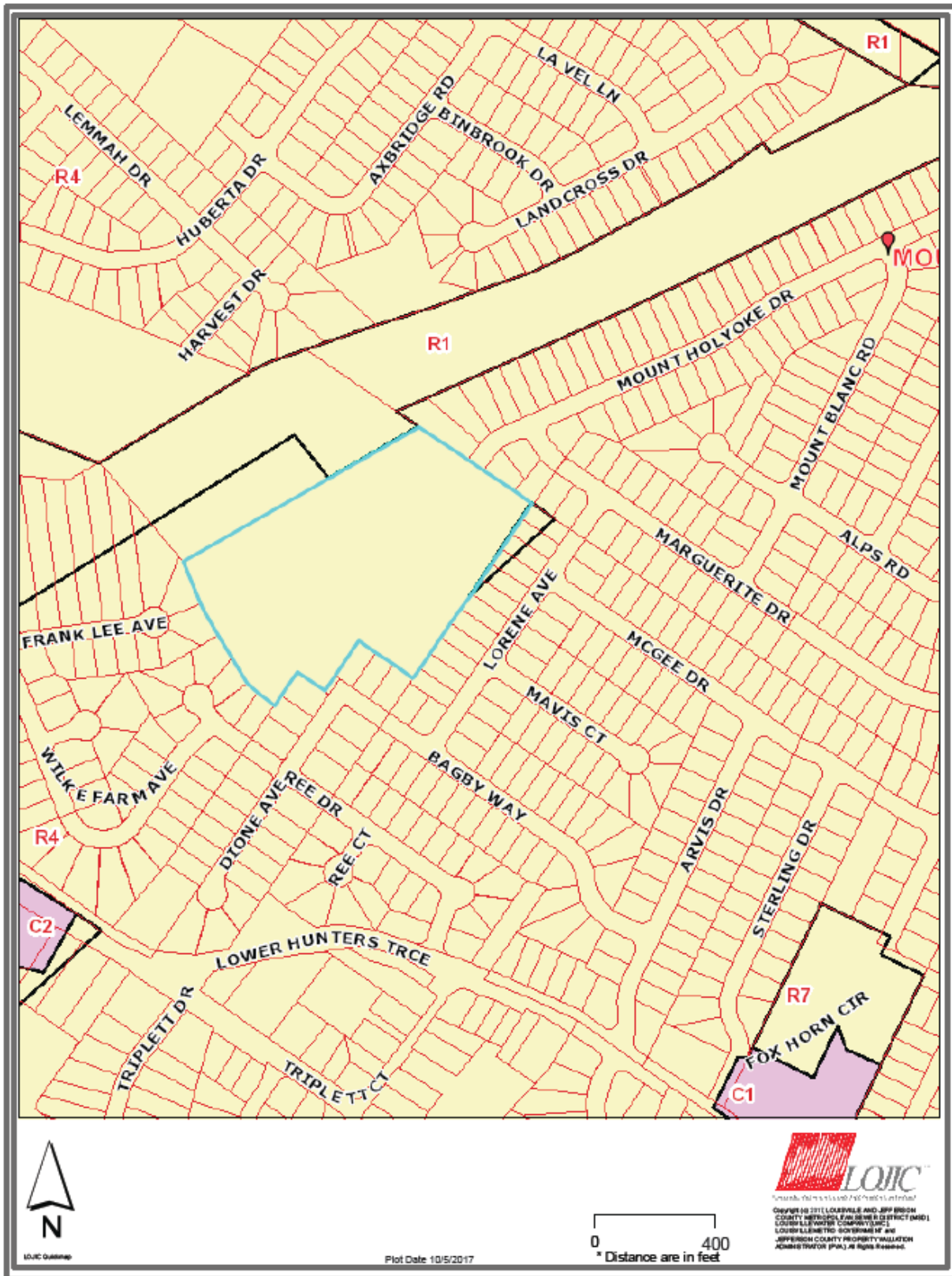
NOTIFICATION

Date	Purpose of Notice	Recipients
9/29/17	Hearing before LD&T	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 12

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval
4. Existing Binding Elements
5. Proposed Conditions of Approval

1. Zoning Map



2. Aerial Photograph



3. Existing Conditions of Approval

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur.
2. 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.
3. When 80% of the dwelling units have been sold, the homeowners association must have cash in its account in the amount of \$3,000 and the subdivision performance bond may be required by the Planning Commission to fulfill this funding.
4. The applicant shall submit a plan for approval by the Planning Commission staff's landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, and demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by the Planning Commission staff's landscape architect if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
 - a. Proposed site plan showing existing buildings, edges of pavement, property/lot lines, easements, existing topography, and other significant site features (LOJIC topographic information is acceptable).
 - b. Preliminary drainage considerations (retention/detention, ditches/large swales, etc.).
 - c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or MSD topography.
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.
5. 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."
6. A soil erosion and sedimentation control plan shall be developed and implemented in accordance with the Metropolitan Sewer District and the USDA Soil Conservation Service recommendations. Documentation of MSD approval of the plan shall be submitted to the Planning Commission prior to recording the plat.
7. The developer/builder shall immediately halt all earth moving activity if such activity results in the discovery or exposure of archeological materials. Archeological materials may include but not be limited to prehistoric or historic artifacts or any human remains or fragments of human

remains. The developer shall contact Jefferson County Historic Preservation and Archives at (502) 574-5761, Philip J. DiBlasi of the University of Louisville Program of Archaeology at (502) 852-6724, and Dr. R. Berle Clay at the Kentucky Office of State Archaeology at (606) 257-5734 if archaeological materials are discovered at the site. The developer shall immediately notify Jefferson County Coroner at (502) 574-3506 if human remains or fragments of human remains are found during construction.

8. The developer shall obtain approval for a change in zoning to the R-4 Residential Single Family District for all lots or any part of said lots outside the floodplain shown in the R-1 Residential If Single Family District prior to the recording of those lots.

4. Existing Binding Elements (these BEs are the result of COA #8 above)

1. The applicant shall submit a plan for approval by the Planning Commission staff's landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, and demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by the Planning Commission staff's landscape architect if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
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8. There shall be no filling with the boundary of the 100 year floodplain as shown on the approved preliminary plan

5. **Proposed Conditions of Approval for Wilkie Ridge Subdivision, Section 4**

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur.

2. 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.~~

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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.

d) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) and/or tree preservation plan as described in Chapter 10. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

~~3. When **80%** of the dwelling units have been sold, the homeowners association must have cash in its account in the amount of **\$3,000** and the subdivision performance bond may be required by the Planning Commission to fulfill this funding.~~

3. 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 homeowner's association account. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement.

~~4. The applicant shall submit a plan for approval by the Planning Commission staff's landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, and demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by the Planning Commission staff's landscape architect if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:~~

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