

Land Development and Transportation Staff Report

December 11, 2014



Case No:	14SUBDIV1010
Project Name:	Woodlands Creek Extension
Location:	2708 and 2712 Maxey Lane
Owners:	Casey & Sara Dent Ruby & Calvin Vogt
Applicant:	Pulte Group
Representative(s):	Sabak, Wilson & Lingo, Inc.
Project Area/Size:	5.3 acres
Existing Zoning District:	R-4
Existing Form District:	Neighborhood
Jurisdiction:	Louisville Metro
Council District:	17 – Glen Stuckel
Case Manager:	Matthew R. Doyle, Planner I

REQUEST

- Major Preliminary Subdivision Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant requests approval of an 18-lot (17 buildable, 1 non-buildable) single family residential subdivision on 5.3 acres. The proposal would extend Creekshire Drive from a stub into a cul-de-sac. This was not associated with the approved plan for the Woodlands Creek subdivision approved in Docket No. 10-17-05.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Single family residential	R-4	N
Proposed	Single family residential	R-4	N
<i>Surrounding Properties</i>			
North	Nursing home/homes for the infirm or aged	R-4 w/ CUP	N
South	Single family residential	R-4	SW
East	Single family residential	R-4	N
West	Single family residential	R-4	N

PREVIOUS CASES ON SITE

None

INTERESTED PARTY COMMENTS

Staff has received comments from interested parties. I have included the complete email correspondence from Thorne Vail in the case review materials. To sum, he has concerns about increasing traffic onto Old La Grange Road, believes that the proposal is incompatible with the neighborhood on Maxey Lane, and would like for it to be rejected.

Mr. Jim Steinbach contacted staff by phone and has concerns about the setback of the homes on the lots closest to Maxey Lane with respect to the setbacks of the existing houses along Maxey Lane. Ultimately, he seemed to believe that it was out of character with the homes located along Maxey Lane.

APPLICABLE PLANS AND POLICIES

Land Development Code

TECHNICAL REVIEW

All technical review comments have been addressed.

STAFF CONCLUSIONS

The proposal meets the requirements of the Land Development Code.

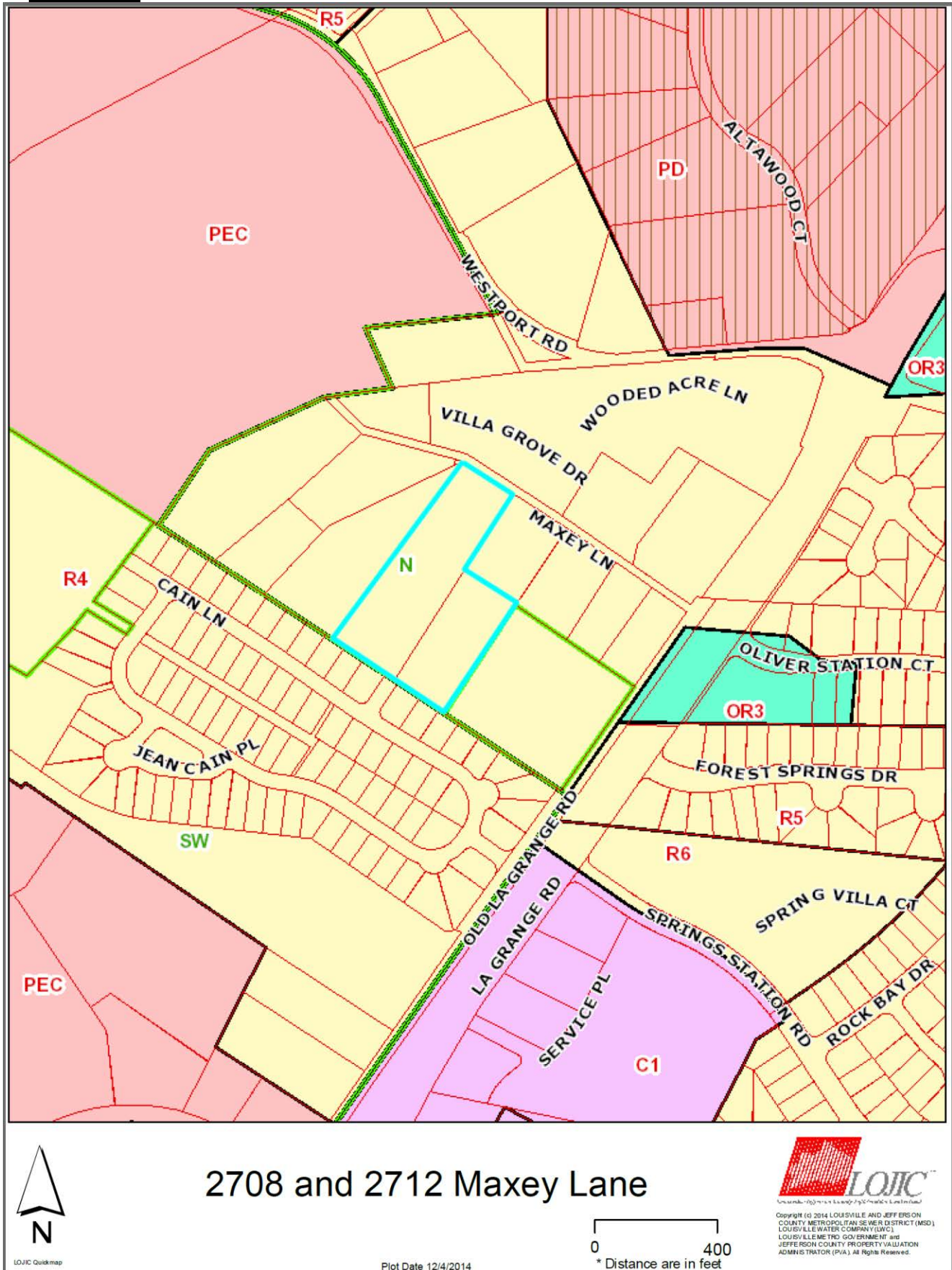
NOTIFICATION

Date	Purpose of Notice	Recipients
11/25/13	LD&T Meeting	Adjoining property owners, applicant, representative, case manager, and neighborhood groups

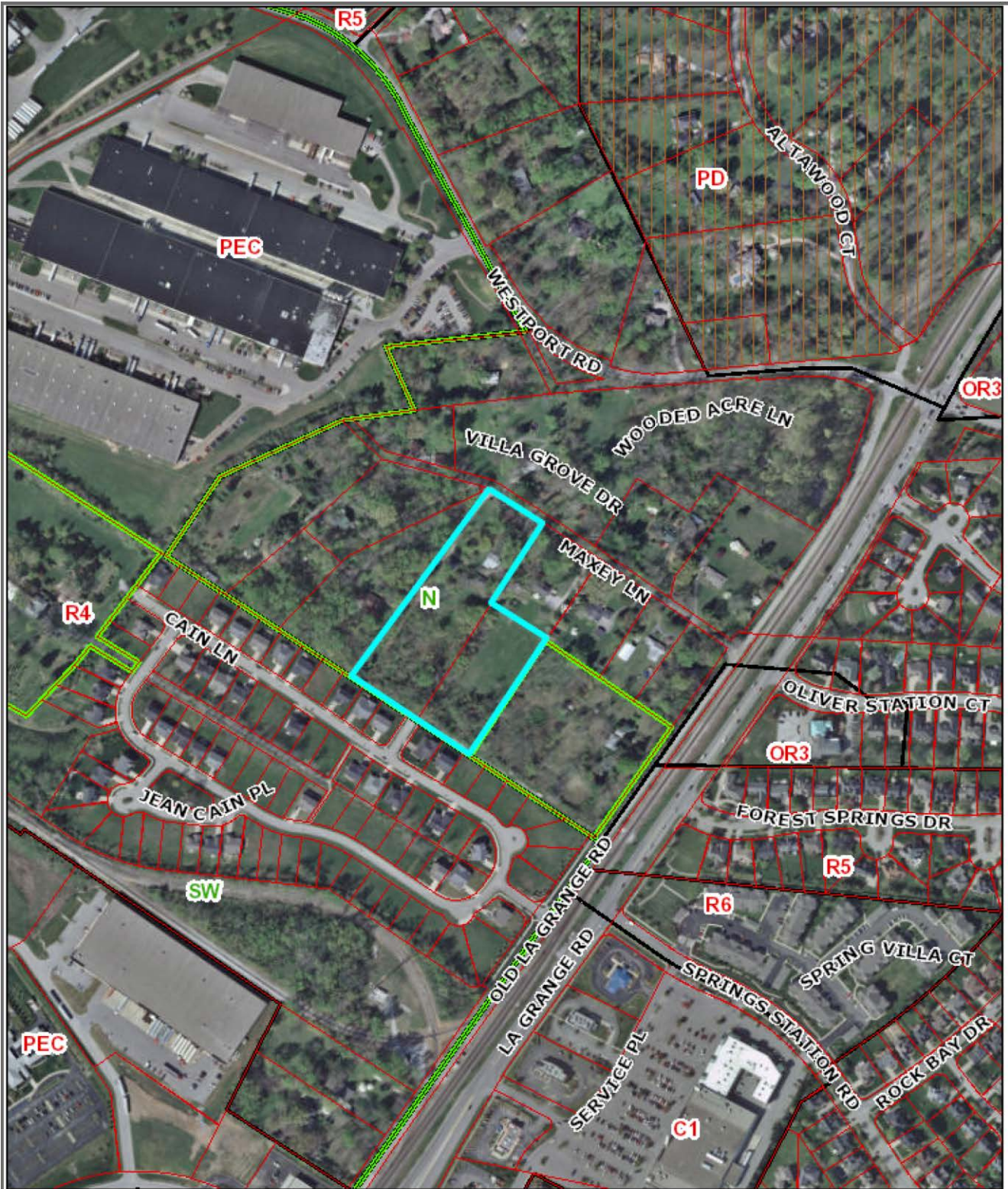
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Conditions of Approval

1. Zoning Map



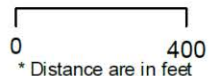
2. Aerial Photograph



LOJIC Quickmap

2708 and 2712 Maxey Lane

Plot Date 12/4/2014



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3. Proposed Conditions of Approval

1. The development shall be in accordance with the approved Major Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission.
2. The applicant shall submit a plan for approval by Planning Commission staff showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e., clearing, grading, 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 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 LOJIC maps.
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.
3. 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.
4. A note shall be placed on the construction plan and 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."
5. All street signs shall be installed by the Developer, and shall conform with 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 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.
6. The homeowners' association shall be responsible for maintaining the non-buildable lot shown on the approved Preliminary Subdivision Plan. A note to this effect shall be placed on the record plat.
7. 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.
8. 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. Larvacides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.
9. 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 Preliminary Subdivision 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. A tree preservation plan shall be submitted for review and approval for any trees to be preserved to meet the Tree Canopy requirements of Chapter 10.
10. The applicant shall obtain approval of a detailed landscape plan for the 20-foot Landscape Buffer Area (LBA) along Maxey Lane. The LBA shall include a minimum visual screen equal to at least 80% of the

length of the LBA using a combination of evergreen trees and shrubs and shall include 1 Type A or B deciduous tree per 40 linear feet. The LBA shall be maintained by the homeowners' association. The landscape plan shall be submitted for review and approval by DPDS staff prior to record plat approval.

11. 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.

12. At the time the developer turns control of the homeowners 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.