

# Land Development and Transportation Committee Staff Report

December 10, 2015



<b>Case No:</b>	15subdiv1017
<b>Request:</b>	Revised Preliminary Subdivision Plan for Section 5B
<b>Project Name:</b>	Brookfield Section 5B
<b>Location:</b>	447 Rockcrest Way
<b>Owner:</b>	Pulte Homes
<b>Applicant:</b>	Pulte Homes
<b>Representative:</b>	Sabak Wilson and Lingo
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	19-Kelly Downard
<b>Case Manager:</b>	<b>Julia Williams, RLA, AICP, Planner II</b>

## REQUEST

- Revised Preliminary Subdivision plan

## CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal revises Section 5B of the overall conservation subdivision. No additional lots are being created. Open space lot 375 decreased in size 0.09 Acres and open space lot 376 was reduced by 0.01 acres. Existing binding element #7 indicates that open space shall not be further subdivided. The proposal reduces the open space square footage to increase the size of the adjacent lots. The conservation areas, while reduced, still meet the minimum requirements.

## LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<b><i>Subject Property</i></b>			
<b>Existing</b>	Vacant	R-4	Neighborhood
<b>Proposed</b>	Brookfield Subdivision Section 5B Single-Family Residential	R-4	Neighborhood
<b><i>Surrounding Properties</i></b>			
<b>North</b>	Glen Lakes Subdivision Single-Family Residential	R-4	Neighborhood
<b>South</b>	Brookfield Subdivision Section 1 Single-Family Residential (under construction)	R-4	Village & Neighborhood
<b>East</b>	Glen Lakes Subdivision Single-Family Residential	R-4	Village & Neighborhood
<b>West</b>	Single-Family Residential	R-4	Neighborhood

## PREVIOUS CASES ON SITE

Docket #10-23-05/Case No. 10605 – In 2005 the original preliminary plan for Brookfield Subdivision (then called Glen Lakes Subdivision) was approved for 267 lots on 104.36 acres. A revised preliminary plan for the same number of lots was approved in 2008.

Case No. 13170 – A revised preliminary plan for Section 1 of Brookfield Subdivision was approved in November 2010 for 36 lots on 15.1 acres.

Case No. 14662 – A Conservation Subdivision preliminary plan for Section 2 of Brookfield Subdivision is currently under review by Planning & Design Staff and will be discussed at the 11/11/10 LD&T meeting. This plan includes 330 lots on 89.62 acres.

Case No. 16615- A revised preliminary subdivision plan for Section 2.

### INTERESTED PARTY COMMENTS

None received.

### APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code

### TECHNICAL REVIEW

- Agency review comments have been addressed.

### STAFF CONCLUSIONS

This proposal complies with all requirements of the Conservation Subdivision regulations, as well as the remaining applicable sections, of the Land Development Code.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Land Development & Transportation Committee must determine if the proposal meets the requirements for a preliminary subdivision plan established in the Land Development Code.

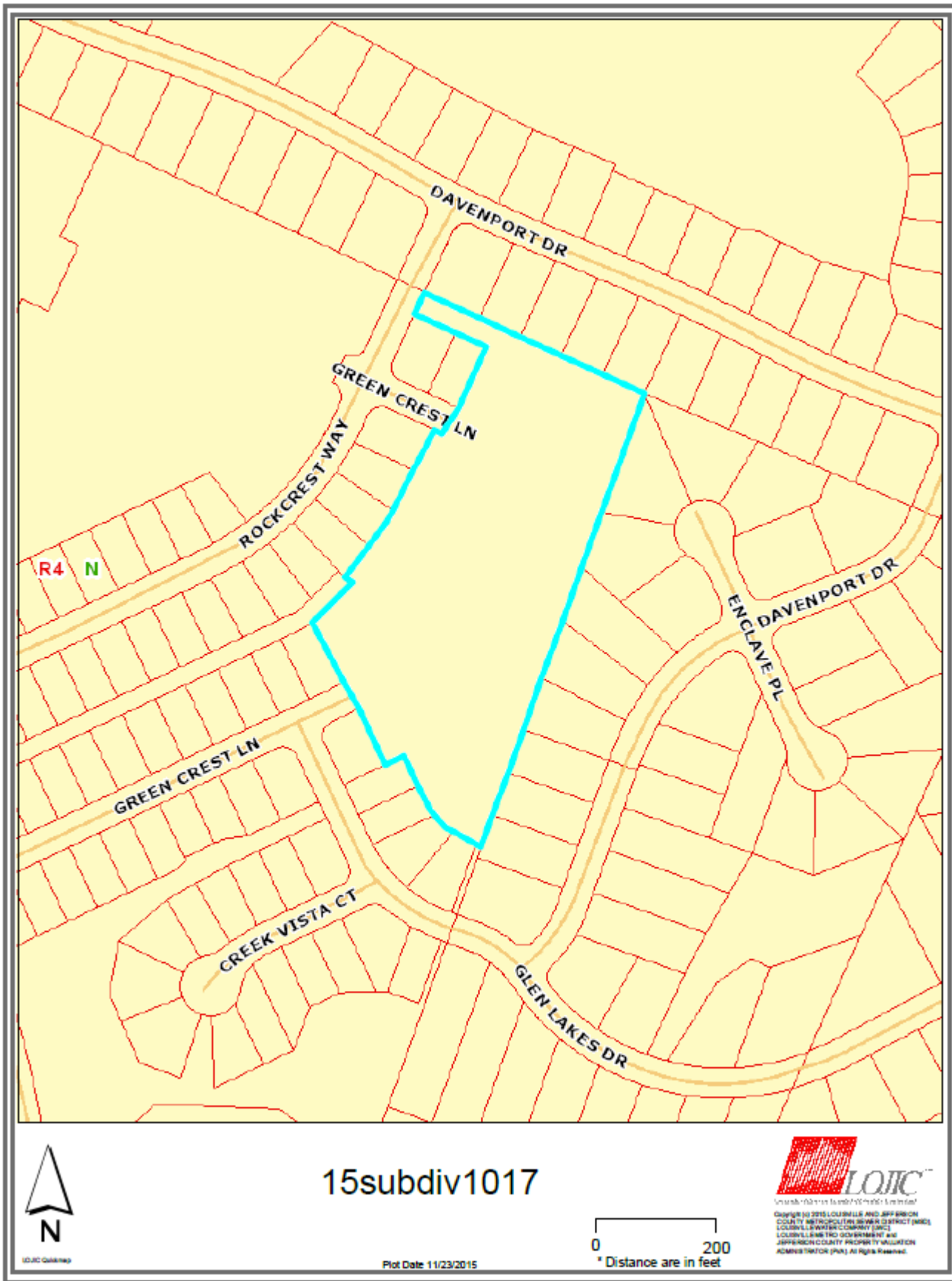
### NOTIFICATION

Date	Purpose of Notice	Recipients
11/18/15	Hearing before LD&T on 12/10/15	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 19 Notification of Development Proposals

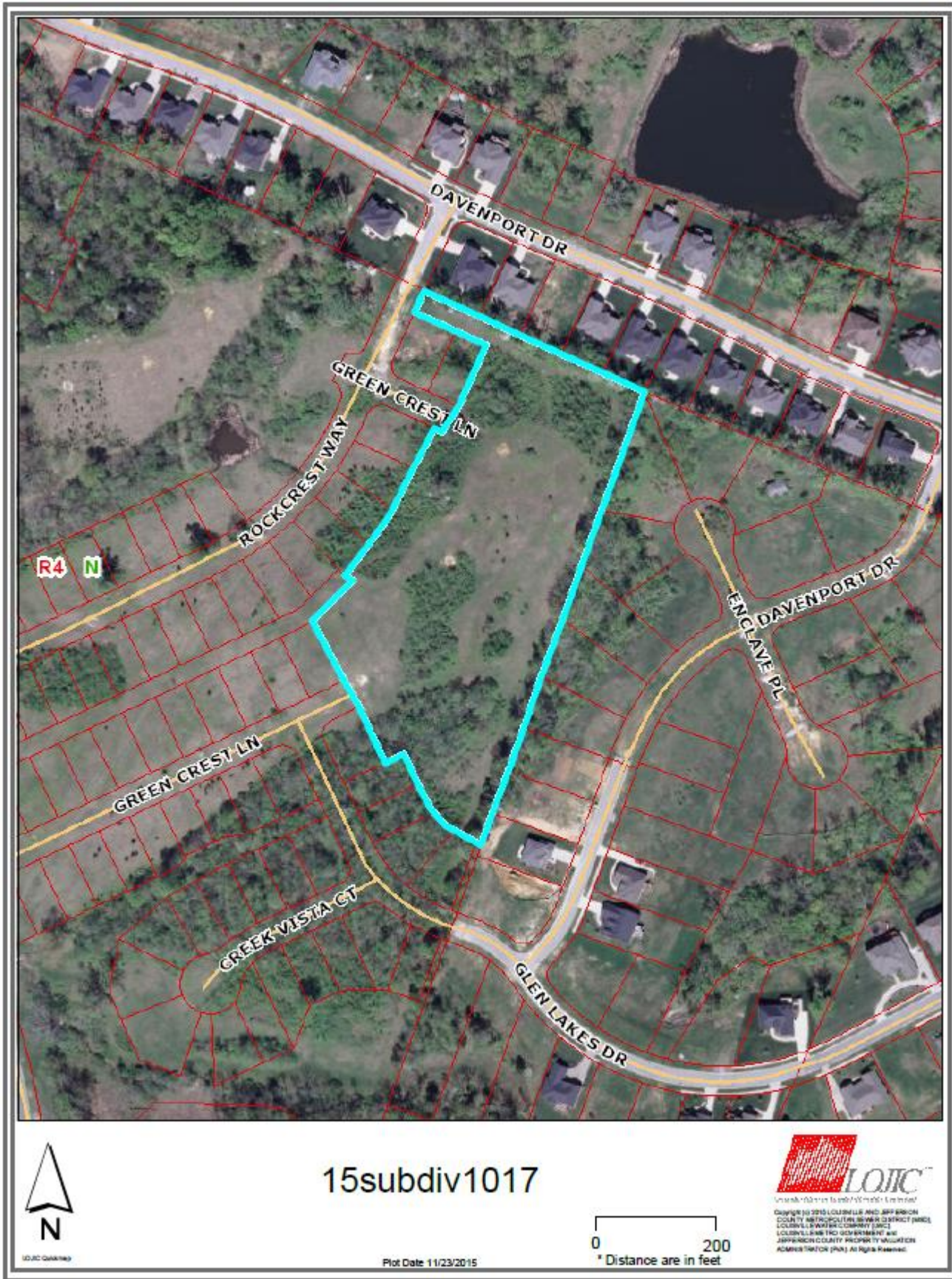
### ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing 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 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 Planning Commission staff 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 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."
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 applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public right of way for Street B and Street D. Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.
7. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
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 larvacide 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 and maintained thereafter 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. Tree Canopy Protection Areas (TCPAs) identified on this plan represent individual trees and/or portions of the site designated to meet the Tree Canopy requirements of Chapter 10 Part 1 of the Land

Development Code and are to be permanently protected. All clearing, grading and fill activity in these areas must be in keeping with restrictions established at the time of plan approval. As trees within TCPAs are lost through natural causes, new trees shall be planted in order to maintain minimum tree canopy as specified on the approved development or preliminary subdivision plan.

11. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
  1. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
  2. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
  3. 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.
13. When limits of disturbance are shown on the plan, a note shall be placed on the preliminary plan and construction plan that states, "Construction fencing shall be erected at the edge of the limits of disturbance area, prior to any grading or construction activities. The fencing shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
14. If sinkholes are found on the property or if ponds are to be filled on the site, a geotechnical report shall be conducted for the site and the results shall be submitted to Public Works and MSD for review prior to construction plan approval. Construction methods and precautions recommended in the report shall be applied to construction within the development.
15. The density of the development shall not exceed the following:
  - i. Gross Density: 3.68 dwelling units per acre (330 units on 89.62 gross acres);
  - ii. Net Density: 4.4 dwelling units per acre (330 units on 75.03 net acres).
16. As required by Sections 7.11.B.9 and 7.11.7.B of the Land Development Code the developer must develop a Preliminary Conservation Area Management Plan that details the entities responsible for maintaining the various elements of the property, and describing management objectives and techniques for each part of the property. This Management Plan shall be submitted to Planning & Design Services staff prior to approval of the first record plat for the subdivision.
17. Sections 1 and 2 of Brookfield Subdivision (Case No. 13170 & Case No. 14662) may not create greater than 199 units until such time as a second connection to the subdivision is completed.