

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
September 14, 2017

NEW BUSINESS

CASE NO. 17SUBDIV1013

Case No: 17SUBDIV1013
Project Name: Twin Lakes at Floyd's Fork
Location: 15528 Aiken Road
Owner(s): Estates of Floyds Fork Creek, Inc.
Applicant: Elite Built Homes, LLC.
Representative(s): Bardenwerper, Talbott & Roberts, PLLC
Project Area/Size: 68.2 acres
Jurisdiction: Louisville Metro
Council District: 19 – Julie Denton
Case Manager: **Joel P. Dock, Planner II**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

01:53:21 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Bill Bardenwerper, Bardenwerper, Talbott and Roberts, 1000 Hurstbourne Parkway, Louisville, Ky. 40223
Kathy Linares, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Suite 101, Louisville, Ky. 40219

Summary of testimony of those in favor:

01:57:14 Mr. Bardenwerper gave a power point presentation.

02:02:32 Ms. Linares discussed the enhanced landscape plan. Also, the applicant agrees to connect the sidewalks and eliminate the 5 foot open space as shown in the power point presentation.

Deliberation

02:13:54 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
September 14, 2017

NEW BUSINESS

CASE NO. 17SUBDIV1013

website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** Case No. 17SUBDIV1013, the Revised Conservation Subdivision Plan within Floyds Fork Development Review Overlay District (FFRO) for 137 single family residential lots with 28 acres of conservation area **ON CONDITION** that the subdivision plan is revised to eliminate the 5 foot open space to the rear of lots 33-39, 56-66, 40-43 and 55; **ON CONDITION** that the rear lot lines of lots 40-43 be extended to the boundary of the subdivision; also, **ON CONDITION** that the developer should use best efforts to preserve the trees behind lots 31 and 32 at the landscape plan review stage based on the staff report and testimony heard today, **SUBJECT** to the following conditions of approval as provided on pages 8 and 9 of the staff report, except strikethrough staff's number 13 and accept the applicants' proposed condition related to the sidewalk because they provided an exhibit showing that sidewalk; and add number 14, requiring a restrictive conservation easement be placed on the rear of lots 40-43 and 55 at the time of recording:

Conditions of Approval

1. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
2. 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
September 14, 2017

NEW BUSINESS

CASE NO. 17SUBDIV1013

- a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
- d. 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.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
 5. 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.
 6. 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.
 7. 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 filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing responsibilities for the maintenance of common areas and open space, maintenance of noise barriers, maintenance of WPAs, TPAs and other issues required by these binding elements / conditions of approval.
 - c. Bylaws of the Homeowner's Association in a form approved by the Counsel for the Planning Commission.
 8. 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.

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
September 14, 2017**

NEW BUSINESS

CASE NO. 17SUBDIV1013

9. All 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.
10. A long-term encroachment permit and license agreement with Louisville Metro is required for the signature entrance to be located in the right-of-way.
11. The developer/applicant shall coordinate with the developer of the property to the north along Old Aiken Rd. to fully connect sidewalks with the conceptual trailhead to provide safe pedestrian access as depicted at the 9/14/17 LD&T hearing.
12. A restrictive conservation easement (no build/preservation area) shall be placed along the rear of lots 40-43 and 55 at the time of recording.

The vote was as follows:

YES: Commissioners Brown, Carlson and Lewis

NOT PRESENT AND NOT VOTING: Commissioners Lindsey and Peterson

Sidewalk Waiver

On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted.

WHEREAS, the waiver will not adversely affect adjacent property owners as the adjacent owner on the North side of Old Aiken Road has proposed sidewalks and the applicant has agreed to coordinate with the developer of the adjacent subdivision to fully connect and integrate sidewalks between the two developments to provide for the safe movement of pedestrians to/from the trailhead at the Western edge of Old Aiken Road or to Aiken Road; and

WHEREAS, the Louisville Metro Land Development & Transportation Committee finds, the waiver will not violate specific guidelines of cornerstone 2020 as the safe movement of pedestrians will be provided through the connection and integration of the sidewalk along the North side of Old Aiken Road, and Old Aiken Road is not an integral part of the roadway network in the area as it does not provide connection to adjacent developments; and

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds the extent of the waiver is the minimum necessary to afford relief to the applicant as a sidewalk along the Southside of Old Aiken Road would not provide primary access

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
September 14, 2017

NEW BUSINESS

CASE NO. 17SUBDIV1013

to residences in the proposed subdivision from Aiken Road and additional provisions for the safe movement of pedestrians will be made.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** Case No. 17SUBDIV1013, the sidewalk waiver to omit the sidewalk along the south side of Old Aiken Rd. based on the staff report and testimony heard today.

The vote was as follows:

YES: Commissioners Brown, Carlson and Lewis

NOT PRESENT AND NOT VOTING: Commissioners Lindsey and Peterson

Land Development & Transportation Committee Staff Report

September 14, 2017



Case No:	17SUBDIV1013
Project Name:	Twin Lakes at Floyd's Fork
Location:	15528 Aiken Road
Owner(s):	Estates of Floyds Fork Creek, Inc.
Applicant:	Elite Built Homes, LLC.
Representative(s):	Bardenwerper, Talbott & Roberts, PLLC
Project Area/Size:	68.2 acres
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
Case Manager:	Joel P. Dock, Planner II

REQUEST(S)

- **Revised Conservation Subdivision Plan within Floyds Fork Development Review Overlay District (FFRO)** for 137 single-family residential lots with 28 acres of conservation area
- **Sidewalk Waiver** to omit the sidewalk along the South side of Old Aiken Road

CASE SUMMARY

At a meeting of the Planning Commission on June 29, 2017 a motion was made and approved to consider the revised settlement plan under the old regulations (conservation subdivision regulations in effect prior to December, 2016) to settle pending litigation in 14SUBDIV1009. The most apparent change from this previously approved plan is the elimination of the attached sidewall units in the Northeast area of the site along Floyds Fork. The conservation areas and layout of the lots in the remaining sections remain similar to the approved plan. A sidewalk waiver has also been requested along the frontage of Old Aiken Road. Sidewalks have been proposed on the North side of Old Aiken Road for the Manors at Floyds Fork Subdivision, case 16SUBDIV1011. The applicant has agreed to add a condition of approval requiring coordination with the developer of the adjacent subdivision to fully connect and integrate sidewalks between the two developments to ensure safe pedestrian access to the trailhead at the Western edge of Old Aiken Road and Aiken Road.

Previous Cases

- 14SUBDIV1009: Conservation Subdivision Plan (approved 1/29/17)

STAFF FINDING

The conservation subdivision plan meets or exceeds the requirements of Land Development Code (LDC), Chapter 7, Part 11 (Conservation Subdivisions), as well as the Chapter 3, Part 1 (FFRO). Further, the sidewalk waiver appears to be adequately justified based on staff's analysis beginning on Page 2 of the staff report. The omission of the sidewalk on the South side of Old Aiken road will not diminish the ability to provide for the safe movement of pedestrians to/from the trailhead at the Western edge of the roadway or to Aiken Road.

TECHNICAL REVIEW

All applicable regulations pertaining to the review of development within the Floyds Fork Development Review Overlay District have been satisfied through the conservation subdivision review procedures.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR SIDEWALK WAIVER

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners as the adjacent owner on the North side of Old Aiken Road has proposed sidewalks and the applicant has agreed to coordinate with the developer of the adjacent subdivision to fully connect and integrate sidewalks between the two developments to provide for the safe movement of pedestrians to/from the trailhead at the Western edge of Old Aiken Road or to Aiken Road.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: The waiver will not violate specific guidelines of cornerstone 2020 as the safe movement of pedestrians will be provided through the connection and integration of the sidewalk along the North side of Old Aiken Road, and Old Aiken Road is not an integral part of the roadway network in the area as it does not provide connection to adjacent developments.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver is the minimum necessary to afford relief to the applicant as a sidewalk along the Southside of Old Aiken Road would not provide primary access to residences in the proposed subdivision from Aiken Road and additional provisions for the safe movement of pedestrians will be made.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the **Revised Conservation Subdivision Plan within Floyds Fork Development Review Overlay District** for 137 single-family residential lots with 28 acres of conservation area
- **APPROVE** or **DENY** the **Sidewalk Waiver** of LDC, section 5.8.1.B to omit the sidewalk along the South side of Old Aiken Road

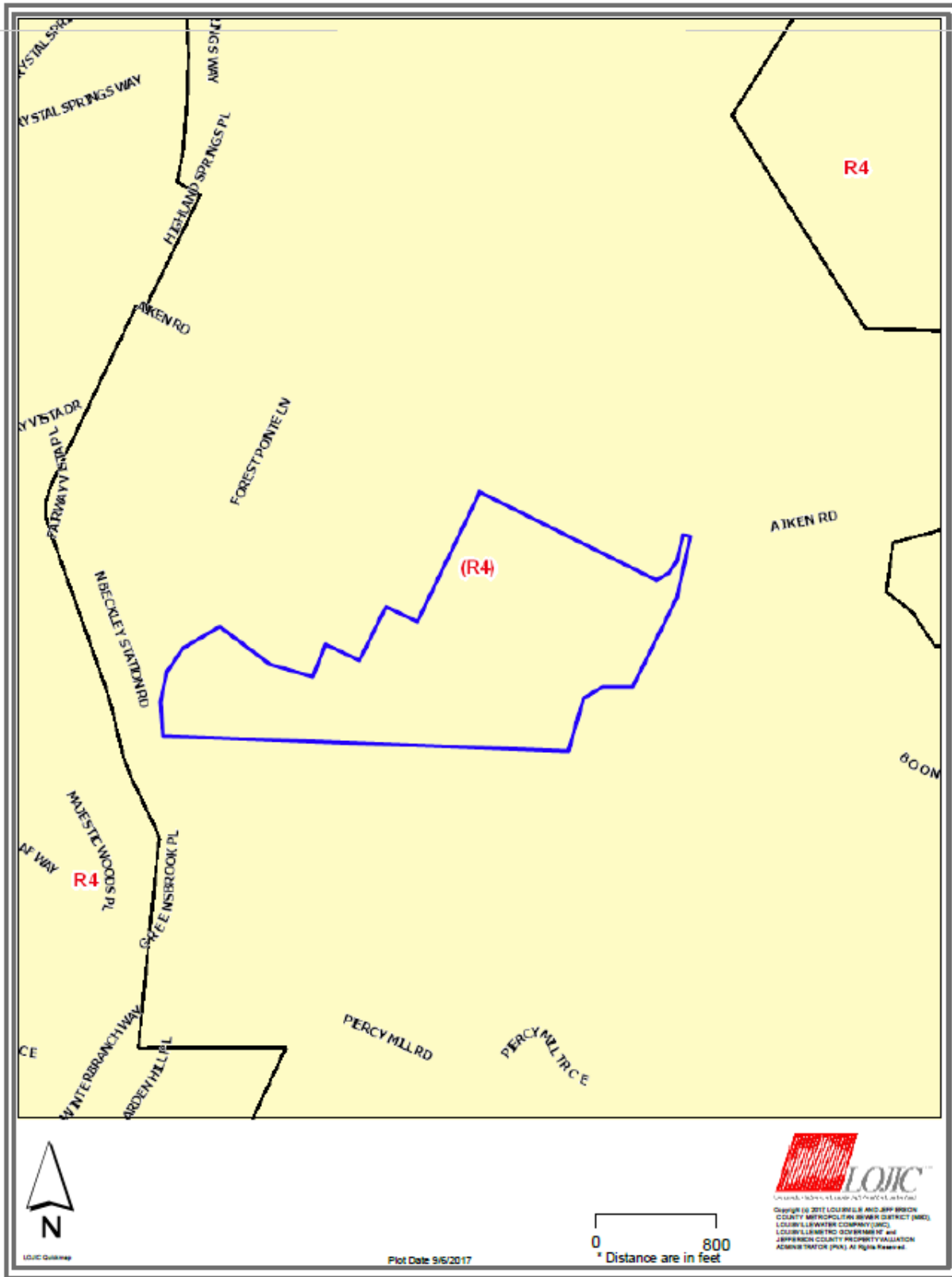
NOTIFICATION

Date	Purpose of Notice	Recipients
9/1/17	Hearing before LD&T	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 19

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval
4. 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 Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
2. 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed 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.
 - d. 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.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
5. 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.
6. 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. 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 filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing responsibilities for the maintenance of common areas and open space, maintenance of noise barriers, maintenance of WPAs, TPAs and other issues required by these binding elements / conditions of approval.
 - c. Bylaws of the Homeowner's Association in a form approved by the Counsel for the Planning Commission.
10. 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.
 11. All 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.
 12. A long-term encroachment permit and license agreement with Louisville Metro is required for the signature entrance to be located in the right-of-way.

3. Proposed Conditions of Approval

1. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
2. 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed 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.
 - d. 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.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
5. 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.
6. 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. 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 filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing responsibilities for the maintenance of common areas and open space, maintenance of noise barriers, maintenance of WPAs, TPAs and other issues required by these binding elements / conditions of approval.
 - c. Bylaws of the Homeowner's Association in a form approved by the Counsel for the Planning Commission.
10. 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.
 11. All 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.
 12. A long-term encroachment permit and license agreement with Louisville Metro is required for the signature entrance to be located in the right-of-way.
 13. **The applicant and/or developer shall coordinate with the owner and/or developer of the subdivision to be located on a parcel of land on the North side of Old Aiken Road, having a parcel identification number of 0016-0101-000, to fully connect and integrate the sidewalk on the North side of the roadway from the proposed conceptual trailhead to the proposed sidewalks of this subdivision.**

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

September 27, 2018

New Business

Case No. 18SUBDIV1015

Request:	Revised Major Subdivision
Project Name:	Twin Lakes at Floyds Fork II
Location:	15318 Aiken Road
Owner:	Joseph Pusateri
Applicant:	Joseph Pusateri
Representative:	Nick Pregliscao - Bardenwerper, Talbott & Roberts PLLC
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton

Case Manager: **Jay Luckett, Planner I**

Notices were sent by first-class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:06:51 Jay Luckett presented the case (see staff report and recording for detailed presentation.) This case was continued from the September 13, 2018 LD&T Committee meeting to explore the possibility of a future street connection. He said Public Works and the applicant have come to an agreement that the plan is all right as-is.

The following spoke in favor of the request:

Nick Pregliasco, Bardenwerper Talbott & Roberts PLLC, 1000 North Hurstbourne Parkway, Louisville, KY 40222

Jim Mims, 16218 Shelbyville Road, Louisville, KY 40245

David Mindel, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

September 27, 2018

New Business

Case No. 18SUBDIV1015

Summary of testimony of those in support:

00:08:23 Nick Pregliasco, the applicant's representative, said he was available to answer questions. He handed out a packet to the Commissioners, which was a paper copy of the presentation made at the last LD&T meeting. He added that no changes have been made to the plan since the last LD&T meeting.

The following spoke in opposition to the request:

No one spoke.

An audio/visual recording of the Land Development and Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

00:09:47 Commissioners' deliberation

00:10:17 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested Revised Major Preliminary Subdivision plan, **SUBJECT** to the existing Conditions of Approval:

1. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
2. 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 system from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

September 27, 2018

New Business

Case No. 18SUBDIV1015

parking, material storage or construction activities are permitted within the protected area.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed 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.
 - d. 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.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
5. 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.
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

September 27, 2018

New Business

Case No. 18SUBDIV1015

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.

7. 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 filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing responsibilities for the maintenance of common areas and open space, maintenance of noise barriers, maintenance of WPAs, TPAs and other issues required by these binding elements I conditions of approval.
 - c. Bylaws of the Homeowners Association in a form approved by the Counsel for the Planning Commission.
8. 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.
9. All 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.
10. A long-term encroachment permit and license agreement with Louisville Metro is required for the signature entrance to be located in the right-of-way.
11. The developer/applicant shall coordinate with the developer of the property to the north along Old Aiken Rd. to fully connect sidewalks with

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

September 27, 2018

New Business

Case No. 18SUBDIV1015

the conceptual trailhead to provide safe pedestrian access as depicted at the 9/14/17 LD&T hearing.

12. A restrictive conservation easement {no build/preservation area) shall be placed along the rear of lots 40-43 67-70 and 55 72 at the time of recording.

The vote was as follows:

YES: Commissioners Brown, Carlson, Daniels, and Lewis.

NOT PRESENT: Commissioner Peterson.

Land Development and Transportation Committee
Staff Report
September 13, 2018



Case No:	18SUBDIV1015
Project Name:	Twin Lakes at Floyds Fork II
Location:	15318 Aiken Rd
Owner(s):	Joseph Pusateri
Applicant:	Joseph Pusateri
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- **Revised Major Preliminary Subdivision**

CASE SUMMARY/BACKGROUND

A revised major preliminary conservation subdivision plan was approved under docket 17SUBDIV1013 for 137 buildable lots. The applicant has entered into a contract to purchase additional acreage from an adjacent property owner, and is proposing to add a total of 13 additional lots to the previously approved subdivision. All lots on the portion of new land added to the subdivision are being developed under standard R-4 subdivision rules. There will be a total of 150 buildable lots, of which 7 are being developed under standard subdivision regulations and 143 are being developed under the 2007 conservation subdivision rules.

STAFF FINDING

The subdivision plan is in order and meets all provisions of the Land Development Code. MSD and Transportation Planning have approved the preliminary plan.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Revised Major Preliminary Subdivision**

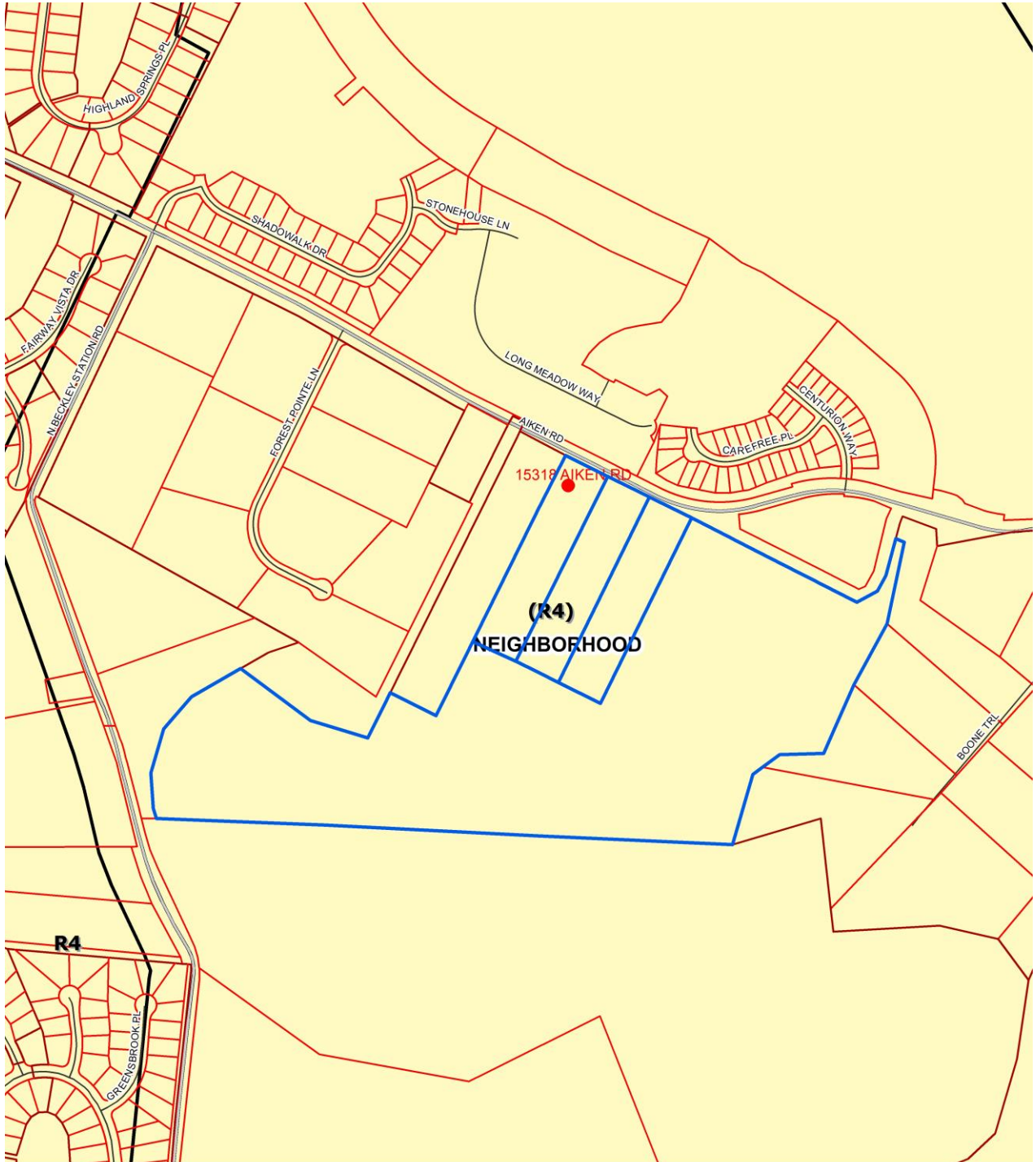
NOTIFICATION

Date	Purpose of Notice	Recipients
8-30-18	Hearing before LD&T	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 19

ATTACHMENTS

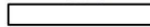
1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval

1. **Zoning Map**



18SUBDIV1015

feet

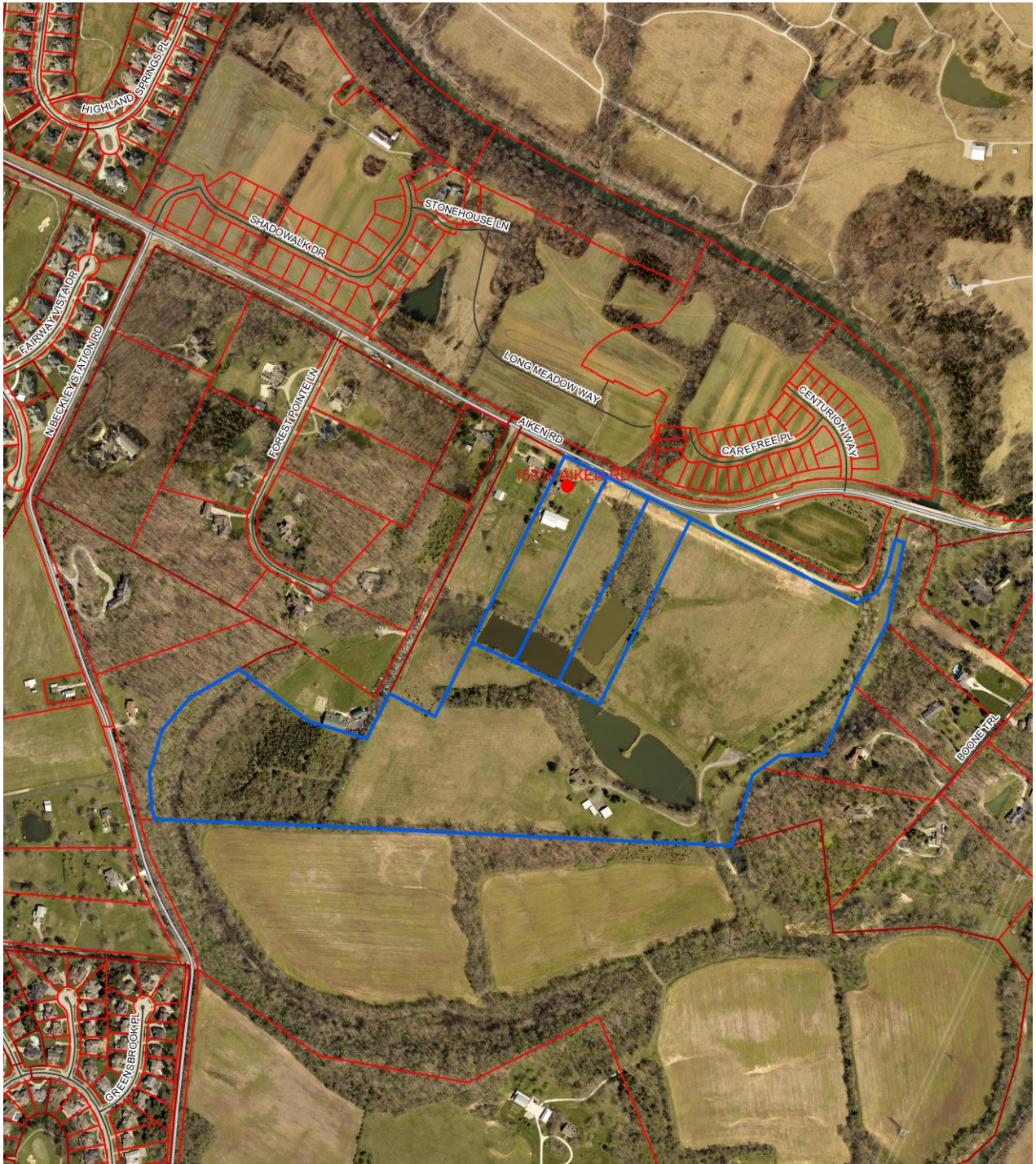


550



Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

2. Aerial Photograph



18SUBDIV1015

feet



550



Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

3. Existing Conditions of Approval

1. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
2. 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 system 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed 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.
 - d. 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.
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
5. 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.
6. 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.
7. 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 filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing responsibilities for the maintenance of common areas and open space, maintenance of noise barriers, maintenance of WPAs, TPAs and other issues required by these binding elements I conditions of approval.
 - c. Bylaws of the Homeowners Association in a form approved by the Counsel for the Planning Commission.
8. 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.
 9. All 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.
 10. A long-term encroachment permit and license agreement with Louisville Metro is required for the signature entrance to be located in the right-of-way.
 11. The developer/applicant shall coordinate with the developer of the property to the north along Old Aiken Rd. to fully connect sidewalks with the conceptual trailhead to provide safe pedestrian access as depicted at the 9/14/17 LD&T hearing.
 12. A restrictive conservation easement {no build/preservation area) shall be placed along the rear of lots ~~40-43~~ **67-70** and ~~55~~ **72** at the time of recording.

OVERALL SITE DATA

FORM DISTRICT	NFD
EXISTING ZONING	R-4
EXISTING PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
GROSS LAND AREA	71.21 ± AC.
NET LAND AREA	62.22 ± AC.
TOTAL BUILDABLE LOTS	143
NON-BUILDABLE LOTS	5
GROSS DENSITY	2.11 (DU./AC.)
NET DENSITY	2.41 (DU./AC.)

CONSERVATION SUBDIVISION SITE DATA

GROSS LAND AREA	68.21 ± AC.
NET LAND AREA	62.04 ± AC.
TOTAL BUILDABLE LOTS	143
NON-BUILDABLE LOTS	5
AVERAGE LOT SIZE	9,802 ± SF.
MINIMUM AVERAGE LOT SIZE ALLOWED	5,500 ± SF.
GROSS DENSITY	2.10 (DU./AC.)
NET DENSITY	2.30 (DU./AC.)
CONSERVATION SPACE REQUIRED	891,288 ± S.F. (30%)
CONSERVATION SPACE PROVIDED	1,178,102 ± S.F. (40%)
PCA	911,578 ± S.F.
SCA	266,524 ± S.F.

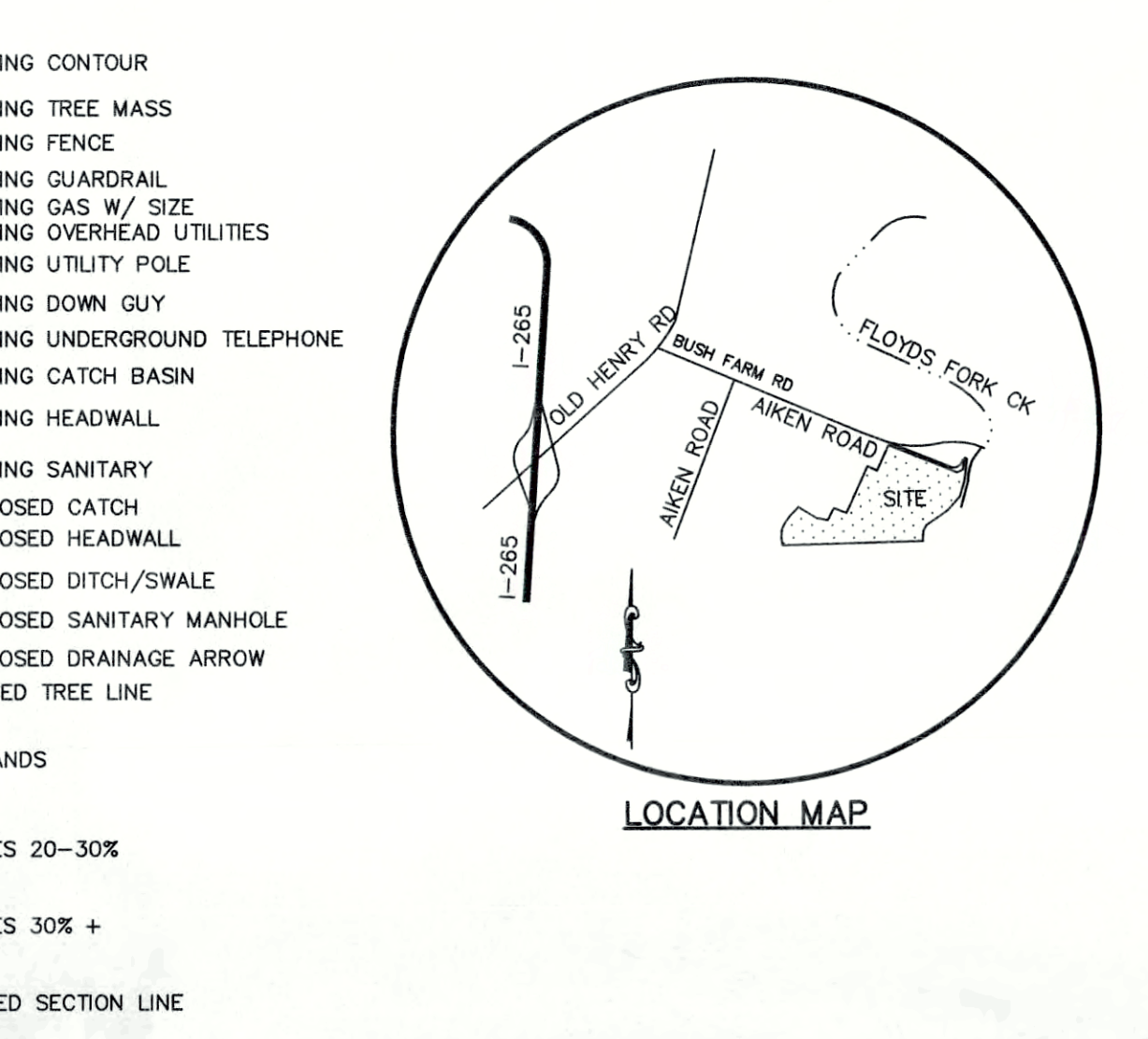
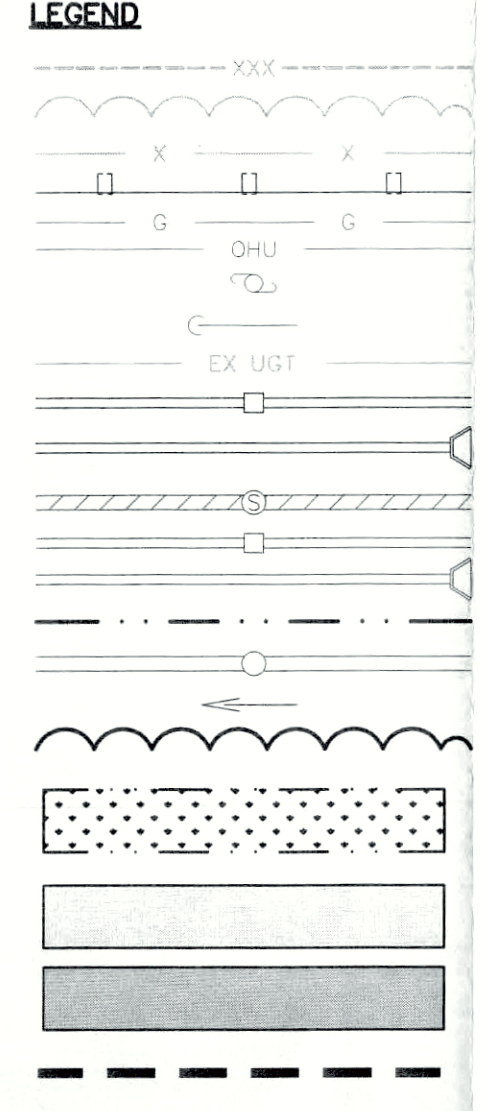
STANDARD R4 SUBDIVISION SITE DATA

GROSS LAND AREA	3.00 ± AC.
NET LAND AREA	2.82 ± AC.
TOTAL BUILDABLE LOTS	7
NON-BUILDABLE LOTS	1
AVERAGE LOT SIZE	10,309 ± SF.
GROSS DENSITY	2.33 (DU./AC.)
NET DENSITY	2.48 (DU./AC.)
OPEN SPACE PROVIDED	50,543 ± S.F.

- GENERAL NOTES:**
- DOMESTIC WATER SUPPLY: SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER / DEVELOPER'S EXPENSE.
 - TREE PRESERVATION:** A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
 - PROTECTION OF TREES TO BE PRESERVED:** CONSTRUCTION FENCING SHALL BE CREATED 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 DRIP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.
 - THE DEVELOPMENT LIES IN THE EASTWOOD FIRE DISTRICT.
 - IF PROPOSED, SIGNATURE ENTRANCE WALLS SHALL BE SUBMITTED TO AND APPROVED BY THE PLANNING STAFF PRIOR TO CONSTRUCTION PLAN APPROVAL AND THEY SHALL MEET THE REQUIREMENTS OF 3.1.C.7.D. OF THE LDC.
 - A CHAPTER 10 LANDSCAPE AND TREE CANOPY PLAN PER SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.
 - MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
 - ALL EXISTING STRUCTURES, EXISTING ENTRANCES AND PAVEMENT SHALL BE REMOVED, EXCEPT AS NOTED ON THE PLAN.
 - ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
 - MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
 - MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
 - A CHAPTER 10 LANDSCAPE AND TREE CANOPY PLAN PER SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.
 - IN ACCORDANCE WITH CHAPTER 4.9 OF THE LDC, A KARST SURVEY OF THE SITE WAS PERFORMED BY MARK SITES, PE, ON JULY 1, 2014 AND NO KARST TOPOGRAPHY WAS FOUND.
 - THOUGH IDENTIFIED AS A BLUELINE STREAM PER USGS MAPPING, NONE EXISTS IN THE OXBOW AS A RESULT OF REALIGNMENT OF THE STREAM PER REDWOOD ECOLOGICAL SERVICES, INC. DELINEATION. WETLAND AREAS HAVE BEEN DELINEATED IN THE AREA OF THE OXBOW AS SHOWN.

- PUBLIC WORKS AND KTC NOTES:**
- RIGHT-OF-WAY DEDICATION BY DEED OR MINOR PLAT MUST BE RECORDED PRIOR TO CONSTRUCTION APPROVAL BY PUBLIC WORKS OR WITH ASSOCIATED RECORD PLAT AS REQUIRED BY METRO PUBLIC WORKS.
 - ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
 - VERGE AREAS WITHIN PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
 - COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
 - STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SITE DISTANCE. FINAL LOCATION WILL BE DETERMINED DURING CONSTRUCTION APPROVAL PROCESS.
 - AN ENCROACHMENT PERMIT AND BOND MAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES.
 - ALL STREET NAME SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS AND BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RESIDENCE OR BUILDING ON THE STREET AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE OF OCCUPANCY.
 - THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND A MAXIMUM GRADE OF 10%.
 - THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
 - ALL CUL-DE-SACS AND BUBBLE PAVEMENT WIDTHS, RADII, SIDEWALK LOCATIONS AND OFFSETS SHALL BE IN ACCORDANCE WITH METRO PUBLIC WORKS STANDARDS AND APPROVED AT THE TIME OF CONSTRUCTION.
 - ALL SIDEWALK RAMPINGS SHALL CONFORM TO A.D.A. STANDARD SPECIFICATIONS, THE "SPECIAL NOTE FOR DETECTABLE WARNINGS FOR SIDEWALK RAMPINGS" PER KTC STANDARD DRAWINGS FOR SIDEWALKS AND PER "KY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," LATEST EDITION.
 - OLD AIKEN ROAD IMPROVEMENTS ARE REQUIRED TO PROVIDE 18 FEET OF PAVEMENT WIDTH (MINIMUM 2 FEET WIDENING) AND 6-8 FEET SHOULDERS (OR CURB) PER METRO PUBLIC WORKS STANDARDS. DEVELOPER SHALL BE RESPONSIBLE FOR UTILITY RELOCATIONS (IF REQUIRED), FINAL SURFACE OVERLAY AND STRIPING ASSOCIATED WITH REQUIRED ROAD IMPROVEMENTS.
 - TREES AND SHRUBBERY SHALL BE TRIMMED OR REMOVED TO DEVELOPE SITE DISTANCE AS REQUIRED PER METRO PUBLIC WORKS STANDARDS.
 - ALL SIDEWALK RAMPINGS SHALL CONFORM TO A.D.A. STANDARD SPECIFICATIONS, THE "SPECIAL NOTE FOR DETECTABLE WARNINGS FOR SIDEWALK RAMPINGS" PER KTC STANDARD DRAWINGS FOR SIDEWALKS AND PER "KY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," LATEST EDITION.
 - OLD AIKEN ROAD IMPROVEMENTS ARE REQUIRED TO PROVIDE 18 FEET OF PAVEMENT WIDTH (MINIMUM 2 FEET WIDENING) AND 6-8 FEET SHOULDERS (OR CURB) PER METRO PUBLIC WORKS STANDARDS. DEVELOPER SHALL BE RESPONSIBLE FOR UTILITY RELOCATIONS (IF REQUIRED), FINAL SURFACE OVERLAY AND STRIPING ASSOCIATED WITH REQUIRED ROAD IMPROVEMENTS.
 - A LONG-TERM ENCROACHMENT PERMIT AND LICENSE AGREEMENT WITH LOUISVILLE METRO IS REQUIRED IF A SIGNATURE ENTRANCE IS TO BE LOCATED IN THE RIGHT OF WAY.
 - EXCESS R/W AT STREET INTERSECTION WITH AIKEN ROAD WILL REQUIRE ROAD CLOSURE APPROVAL TO ADD THIS AREA TO PROPOSED LOTS 1 & 144 (#175RETS1011) PENDING METRO COUNCIL APPROVAL.

- MSD NOTES:**
- WASTEWATER: SANITARY SEWER WILL CONNECT TO THE FLOYDS FORK WASTEWATER TREATMENT PLANT BY LATERAL EXTENSION AGREEMENT AS APPROVED BY MSD. SUBJECT TO FEES. SANITARY SEWER CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
 - DRAINAGE / STORM WATER DETENTION: DETENTION TO BE PROVIDED ON SITE AS DEPICTED ON THE PLAN. POST-DEVELOPMENT PEAK FLOWS WILL NOT EXCEED PRE-DEVELOPED PEAK FLOWS FROM DEVELOPMENT FOR THE 2, 10, AND 100 YEAR STORMS. DRAINAGE PATTERN (DEPICTED BY FLOW ARROWS) IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS. LAKES/DETENTION AREAS WILL BE DESIGNED TO CONTAIN THE FIRST INCH OF RUNOFF BEFORE DISCHARGING INTO FLOYDS FORK. THIS WILL BE DESIGNED TO MEET THE DETENTION AND GREEN INFRASTRUCTURE INITIATIVES.
 - EROSION & SILT CONTROL: A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MSD AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE RECOMMENDATIONS. DOCUMENTATION OF MSD'S APPROVAL OF THE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO GRADING AND CONSTRUCTION ACTIVITIES.
 - A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA'S FIRM MAPPING, (2111100034E AND 2111100035E).
 - APPROVAL FROM THE CORPS OF ENGINEERS AND THE DIVISION OF WATER WILL BE REQUIRED.
 - A LOWWILL BE SUBMITTED TO FEMA AT COMPLETION OF THE PROJECT.
 - ANY FILL PLACED IN THE LOCAL REGULATORY FLOODPLAIN MUST BE MITIGATED ON SITE FOR A 1:1 RATIO.
 - AN MSD FLOODPLAIN PERMIT WILL BE REQUIRED.
 - ALL STRUCTURES WITHIN THE LOCAL REGULATORY FLOODPLAIN MUST HAVE THE LOWEST FLOORS AND ELECTRICAL AND MECHANICAL ELEVATED AT LEAST ONE FOOT ABOVE THE LEVEL OF THE REGULATORY FLOODPLAIN.
 - FLOODWAY, CONVEYANCE ZONE AND LOCAL REGULATORY FLOODPLAIN IDENTIFIED ON THIS PLAN ARE CONSISTENT WITH THE HYDRAULIC STUDY PREPARED BY JIM HARNED SURVEYING & ENGINEERING WITH A REVISION DATE OF OCTOBER 23, 2014.
 - A REVISED FLOODPLAIN FILL WATER QUALITY AND INCREASED RUN-OFF VOLUME ANALYSIS TO BE APPROVED BY MSD PRIOR TO CONSTRUCTION PLAN APPROVAL.



OVERALL TREE CANOPY DATA

GROSS SITE AREA	3,101,938 ± S.F.
TREE CANOPY CATEGORY	CLASS C3
EXISTING TREE CANOPY	782,732 ± S.F. (25%)
TOTAL TREE CANOPY REQUIRED	534,832 ± S.F. (18%)
TREE CANOPY TO BE PRESERVED	231,051 ± S.F. (7%)
TREE CANOPY TO BE PLANTED	287,092 ± S.F. (10%)

DIMENSIONAL STANDARDS—CONSERVATION SUBDIVISION

FRONT	MIN. 15'; MAX. 25'
STREET SIDE YARDS	MIN. 15'
SIDE YARDS	3' (5' IF ADJACENT TO ALLEY)
REAR YARD	25'
MAXIMUM BUILDING HEIGHT	35'
FLOOR AREA RATIO	6,000 S.F. LOT AREA 1.5
	36,000 S.F. LOT AREA 0.5

DIMENSIONAL STANDARDS—STANDARD R4

FRONT	MIN. 30'
STREET SIDE YARDS	MIN. 30'
SIDE YARDS	5'
REAR YARD	25'
MAXIMUM BUILDING HEIGHT	35'
MINIMUM LOT AREA	9,000 S.F.

MAXIMUM LOT CALCULATION—CONSERVATION SUBDIVISION

MLP - MAXIMUM LOTS PERMITTED	191
TA - TOTAL LAND AREA	68.21 AC.
PCA - PRIMARY CONSERVATION AREA	911,578 S.F.
IA - INFRASTRUCTURE AREA	0 S.F.
MLP = TA - PCA - IA	191
ZONING DISTRICT	NFD/R4
MINIMUM LOT AREA	9,000 S.F.

SIDEWALK WAIVER—APPROVED #14SUBDIV1009

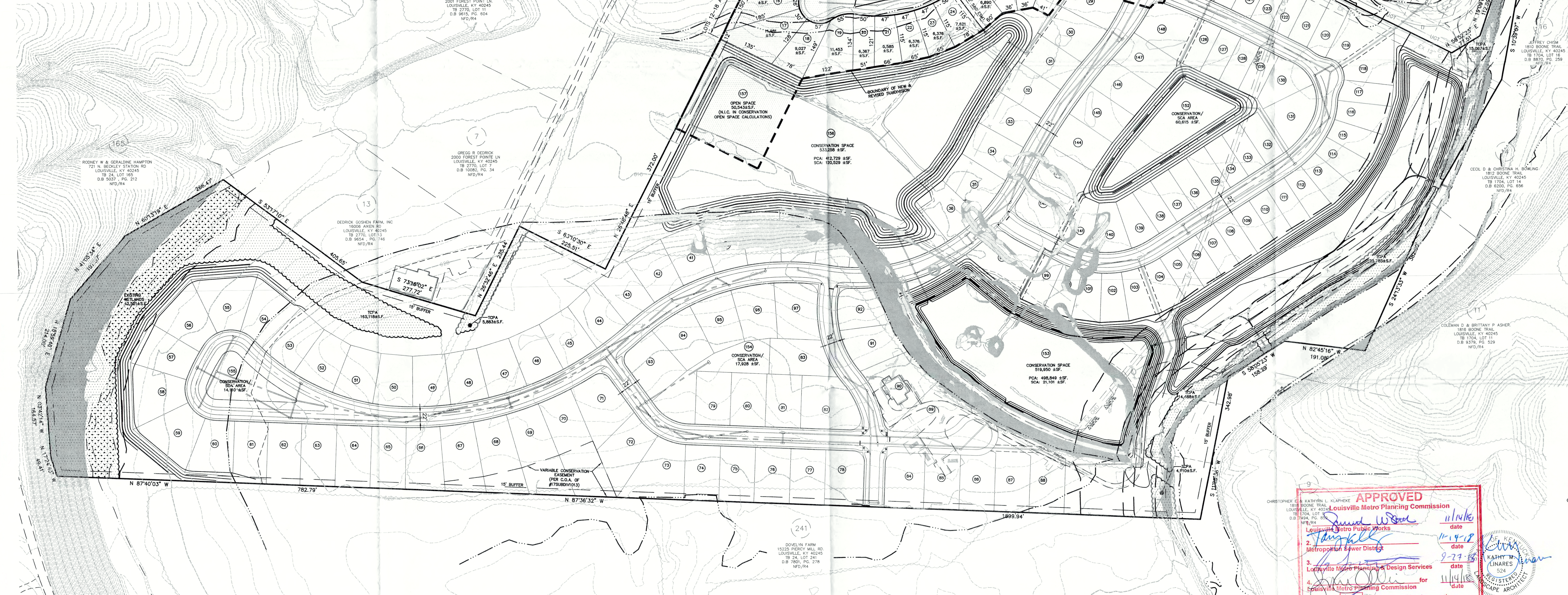
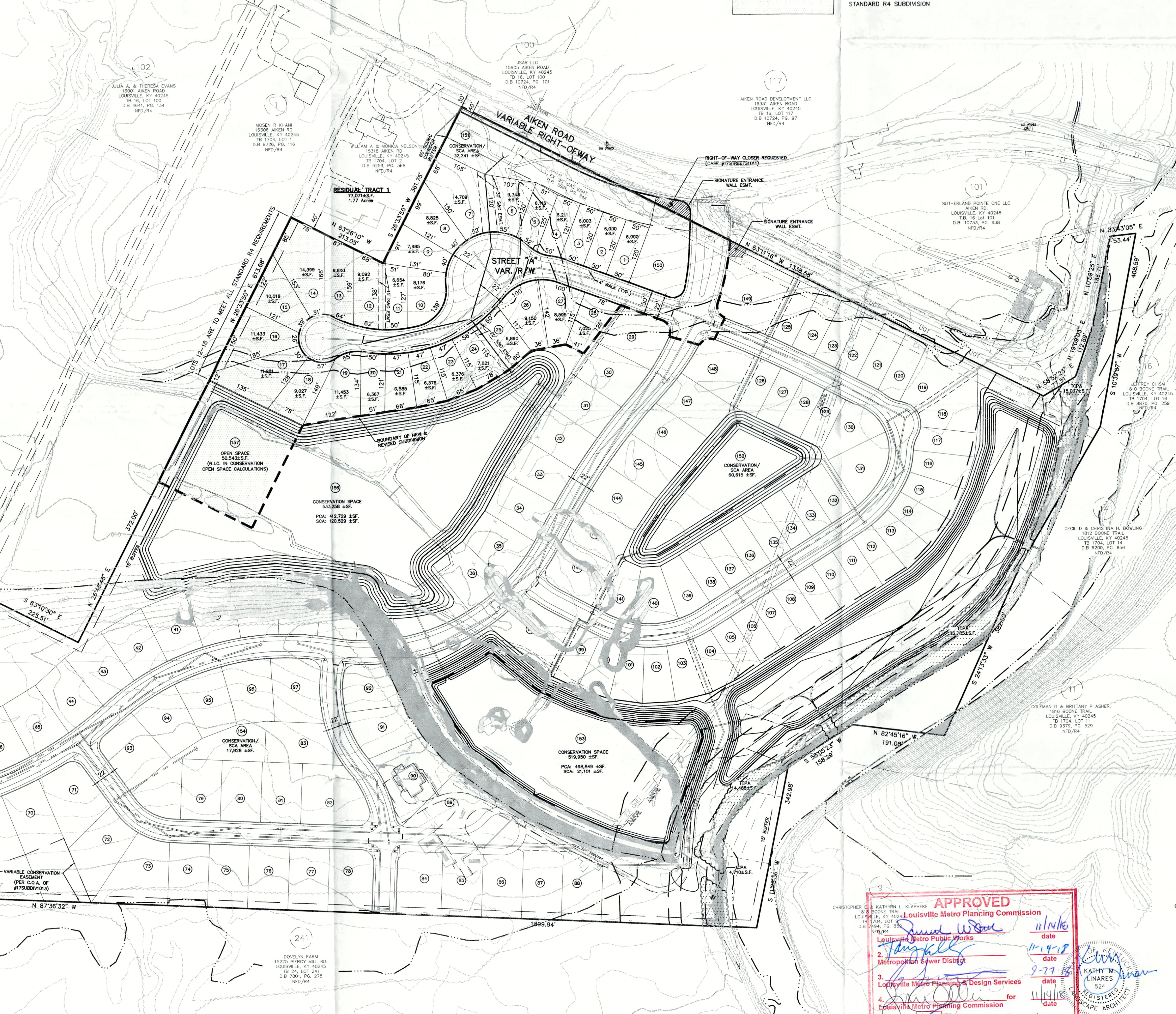
A WAIVER OF 6.2.B.A OF THE LDC IS APPROVED TO OMIT THE SIDEWALK ALONG THE SITE'S OLD AIKEN ROAD FRONTAGE.

WAIVER REQUEST:

WAIVER OF SECTIONS 7.3.10.A AND 5.9.2.A.1.A.II OF THE LAND DEVELOPMENT CODE IS REQUESTED TO NOT PROVIDE A STUB CONNECTION TO THE ADJOINING PROPERTY, T.B. 1704 LOT 1.

DETENTION CALCULATIONS

DETENTION VOLUME REQUIRED	= (0.80-0.30) 12 (68.4)
	= 3.31 ± AC.FT.
BASEIN SURFACE AREA PROPOSED	= 7.8 ± AC.
BASEIN DEPTH REQUIRED	= 7.8 AC. ÷ 0.42 FT.



APPROVED

LOUISVILLE METRO PLANNING COMMISSION

2. *[Signature]* date 11/14/16

3. *[Signature]* date 11/14/16

4. *[Signature]* date 11/14/16

Exp. date 9-2-20

Checked if conditional approval
See back of plan for conditions of approval

MINDEL SCOTT
ENGINEERING & ARCHITECTURE
5151 Jefferson Blvd., Louisville, KY 40219
502-485-1508 | mindelscott.com

OWNER
WILLIAM & MONICA NELSON
15318 AIKEN ROAD
LOUISVILLE, KY. 40245

OWNER / DEVELOPER
ELITE BUILT HOMES, LLC
16218 SHELBYVILLE ROAD
LOUISVILLE, KY. 40245

PRELIMINARY SUBDIVISION—STANDARD R4 PLAN & REVISED PRELIMINARY CONSERVATION SUBDIVISION PLAN
TWIN LAKES AT FLOYD'S FORK
15526, 15310, 15314 & A PORTION OF 15318 AIKEN ROAD
LOUISVILLE, KENTUCKY 40245
TAX BLOCK 1704, PORTION OF LOT 2, LOTS 3, 4 & 6
D.B. 5259 P.G. 366; D.B. 8022 P.G. 924 & D.B. 8134 P.G. 492

Vertical Scale: N/A
Horizontal Scale: 1"=100'
Date: 7/16/18
Job Number: 3188

Sheet 1 of 1

C:\Users\jwagner\OneDrive\Documents\Projects\15526-15310-15314 & A PORTION OF 15318 AIKEN ROAD\15526-15310-15314 & A PORTION OF 15318 AIKEN ROAD.dwg
 11/14/16 11:14:44 AM
 User: jwagner
 Title: 15526-15310-15314 & A PORTION OF 15318 AIKEN ROAD.dwg
 Plot Date: 11/14/16 11:14:44 AM
 Plot Scale: 1"=100'
 Plot Size: 11.00 x 17.00
 Plot Area: 187.00
 Plot Perimeter: 100.00
 Plot Volume: 0.00
 Plot Weight: 0.00
 Plot Color: 0.00
 Plot Line: 0.00
 Plot Text: 0.00
 Plot Image: 0.00
 Plot Annotation: 0.00
 Plot Total: 187.00

SITE DATA

FORM DISTRICT: NFD
 EXISTING ZONING: R-4
 EXISTING/PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
 GROSS LAND AREA: 68.2
 NET LAND AREA: 59.3
 TOTAL BUILDABLE LOTS: 137
 NON-BUILDABLE LOTS: 7
 AVERAGE LOT SIZE: 10,191 S.F.
 MINIMUM AVERAGE LOT SIZE ALLOWED: 5,500 S.F.
 GROSS DENSITY: 2.01 (DU./AC.)
 NET DENSITY: 2.31 (DU./AC.)
 CONSERVATION SPACE REQUIRED: 691,388 S.F. (30%)
 CONSERVATION SPACE PROVIDED: 1,185,478 S.F. (40%)
 PCA: 705,272 S.F.
 SCA: 480,206 S.F.

TREE CANOPY DATA

GROSS SITE AREA: 2,971,294 S.F.
 TREE CANOPY CATEGORY: CLASS C3
 EXISTING TREE CANOPY*: 782,733 S.F. (26%)
 TOTAL TREE CANOPY REQUIRED: 534,634 S.F. (18%)
 TREE CANOPY TO BE PRESERVED: 247,741 S.F. (8%)
 TREE CANOPY TO BE PLANTED: 287,092 S.F. (10%)

*TREE CANOPY CALCULATIONS PROVIDED AND REQUIRED WERE BASED ON INFORMATION OBTAINED FROM AERIAL PHOTOGRAPHS AND FIELD SURVEY DATA. FINAL CALCULATION SHALL BE PROVIDED DURING THE CONSTRUCTION PLAN PROCESS.

DIMENSIONAL STANDARDS

FRONT: MIN. 15'; MAX. 25'
 STREET SIDE YARDS: MIN. 15'
 SIDE YARDS: 3' (5' IF ADJACENT TO ALLEY)
 REAR YARD: 25'
 MAXIMUM BUILDING HEIGHT: 35'
 FLOOR AREA RATIO: ≤ 6.000 S.F. LOT AREA
 ≤ 6.000 S.F. LOT AREA
 0.5

MAXIMUM LOT CALCULATION

M.L.P. - MAXIMUM LOTS PERMITTED
 T.A. - TOTAL LAND AREA
 P.C.A. - PRIMARY CONSERVATION AREA
 I.A. - INFRASTRUCTURE AREA
 M.L.P. = $\frac{T.A. - P.C.A. - I.A.}{9,000 \text{ S.F.}}$
 ZONING DISTRICT: NFD/RA
 MINIMUM LOT AREA: 9,000 S.F.
 M.L.P. = 211

GENERAL NOTES:

- DOMESTIC WATER SUPPLY:** SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVE THE DEVELOPMENT SHALL BE AT THE OWNER / DEVELOPER'S EXPENSE.
- TREE PRESERVATION:** A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
- PROTECTION OF TREES TO BE PRESERVED:** CONSTRUCTION FENCING SHALL BE ERECTED PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES. PREVENTING COMPACTING OF ROOT SYSTEMS OF TREES TO BE PRESERVED. THE FENCING SHALL ENCLOSE THE AREA BENEATH THE DRIP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.
- THE DEVELOPMENT LIES IN THE EASTWOOD FIRE DISTRICT.
- IF PROPOSED, SIGNATURE ENTRANCE WALLS SHALL BE SUBMITTED TO AND APPROVED BY THE PLANNING STAFF PRIOR TO CONSTRUCTION PLAN APPROVAL AND THEY SHALL MEET THE REQUIREMENTS OF 3.1.C.7.D. OF THE LDC.
- A CHAPTER 10 LANDSCAPE AND TREE CANOPY PLAN PER SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
- ALL EXISTING STRUCTURES, EXISTING ENTRANCES AND PAVEMENT SHALL BE REMOVED, EXCEPT AS NOTED ON THE PLAN.
- ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- MOSQUITO CONTROL: IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROAD AND NEIGHBORING PROPERTIES.
- IN ACCORDANCE WITH CHAPTER 4.9 OF THE LDC, A KARST SURVEY OF THE SITE WAS PERFORMED BY MARK SITES, P.C. ON JULY 1, 2014 AND NO KARST TOPOGRAPHY WAS FOUND.
- THOUGH IDENTIFIED AS A BLUELINE STREAM PER USGS MAPPING, NONE EXISTS IN THE OXBOW AS A RESULT OF REALIGNMENT OF THE STREAM. PER REDWING ECOLOGICAL SERVICES, INC. DELINEATION WETLAND AREAS HAVE BEEN DELINEATED IN THE AREA OF THE OXBOW AS SHOWN.

SIDEWALK WAIVER

A WAIVER OF 6.2.6.A OF THE LDC IS REQUESTED TO OMT THE SIDEWALK ALONG THE SITE'S OLD AKEN ROAD FRONTAGE

DETENTION CALCULATIONS

DETENTION VOLUME REQUIRED = $(0.50 - 0.30) \cdot 12 \cdot (68.4) = 3.31 \text{ AC.FT.}$
 BASIN SURFACE AREA PROPOSED = 7.8 AC.
 BASIN DEPTH REQUIRED = $\frac{3.3 \text{ AC.FT.}}{7.8 \text{ AC.}} = 0.42 \text{ FT.}$

PUBLIC WORKS AND KTC NOTES:

- RIGHT-OF-WAY DEDICATION BY DEED OR MINOR PLAT MUST BE RECORDED PRIOR TO CONSTRUCTION APPROVAL BY PUBLIC WORKS OR WITH ASSOCIATED RECORD PLAT AS REQUIRED BY METRO PUBLIC WORKS.
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
- VERGE AREAS WITHIN PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
- COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE PROVIDED BY APPROPRIATE AGENCIES.
- STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SITE DISTANCE. FINAL LOCATION WILL BE DETERMINED DURING CONSTRUCTION APPROVAL PROCESS.
- AN ENCROACHMENT PERMIT AND BOND MAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES.
- ALL STREET NAME SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS AND BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RESIDENCE OR BUILDING ON THE STREET AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE OF OCCUPANCY.
- THE MINIMUM GRADE OF ALL STREETS SHALL BE 1% AND A MAXIMUM GRADE OF 10%.
- THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
- ALL CUL-DE-SACS AND BUBBLE PAVEMENT WIDTHS, RADIUS, SIDEWALK LOCATIONS AND OFFSETS SHALL BE IN ACCORDANCE WITH METRO PUBLIC WORKS STANDARDS AND APPROVED AT THE TIME OF CONSTRUCTION.
- CURBS AND GUTTER SHALL BE PROVIDED ALONG ALL STREETS IN THE DEVELOPMENT. SIDEWALKS SHALL BE PROVIDED ALONG ALL STREETS WHERE REQUIRED BY THE DEVELOPMENT CODE.
- TREES AND SHRUBBERY SHALL BE TRIMMED OR REMOVED TO PROVIDE SITE DISTANCE AS REQUIRED PER METRO PUBLIC WORKS STANDARDS.
- ALL SIDEWALK RAMP SHALL CONFORM TO A.D.A. STANDARD SPECIFICATIONS. THE "SPECIAL NOTE FOR DETECTABLE WARNINGS FOR SIDEWALK RAMP" PER KTC STANDARD DRAWINGS FOR SIDEWALKS AND PER "KY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", LATEST EDITION.
- OLD AKEN ROAD IMPROVEMENTS ARE REQUIRED TO PROVIDE 18 FEET OF PAVEMENT WIDTH (MINIMUM 2 FEET WIDENING) AND 6-8 FEET SHOULDERS (OR CURB) PER METRO PUBLIC WORKS STANDARDS.
- LONG-TERM ENCROACHMENT PERMIT AND LICENSE AGREEMENT WITH LOUISVILLE METRO IS REQUIRED IF A SIGNATURE ENTRANCE IS TO BE LOCATED IN THE RIGHT OF WAY.
- EXCESS R/W AT STREET "A" INTERSECTION WITH AKEN ROAD WILL REQUIRE ROAD CLOSURE APPROVAL TO ADD THIS AREA TO PROPOSED LOTS 1 & 144.

MSD NOTES

- WASTEWATER:** SANITARY SEWER WILL CONNECT TO THE FLOYDS FORK WASTEWATER TREATMENT PLANT BY LATERAL EXTENSION AGREEMENT AS APPROVED BY MSD, SUBJECT TO FEES. SANITARY SEWER CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
- DRAINAGE / STORM WATER DETENTION:** DETENTION TO BE PROVIDED ON SITE AS SHOWN ON THE PLAN. POST-DEVELOPMENT PEAK FLOWS WILL NOT EXCEED PRE-DEVELOPMENT PEAK FLOWS FROM DEVELOPMENT FOR THE 2, 10, AND 100 YEAR STORMS. DRAINAGE PATTERN (DEPICTED BY FLOW ARROWS) IS FOR CONCEPT PURPOSES ONLY. FINAL CONSTRUCTION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS. LAKES/DETENTION AREAS WILL BE DESIGNED TO CONTAIN THE FIRST INCH OF RUNOFF BEFORE DISCHARGING INTO FLOYDS FORK. THIS WILL BE DESIGNED TO MEET THE DETENTION AND GREEN INFRASTRUCTURE INITIATIVES.
- EROSION & SILT CONTROL:** A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MSD AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE RECOMMENDATIONS. DOCUMENTATION OF MSD'S APPROVAL OF THE PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO GRADING AND CONSTRUCTION ACTIVITIES.
- A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA'S FIRM MAPPING, (2111C0034E AND 2111C0035E)
- APPROVAL FROM THE CORPS OF ENGINEERS AND THE DIVISION OF WATER WILL BE REQUIRED.
- A LAMP WILL BE SUBMITTED TO FEMA AT COMPLETION OF THE PROJECT.
- ANY FILL PLACED IN THE LOCAL REGULATORY FLOODPLAIN MUST BE MITIGATED ON SITE FOR A 1:1 RATIO.
- AN MSD FLOODPLAIN PERMIT WILL BE REQUIRED.
- ANY STRUCTURES WITHIN THE LOCAL REGULATORY FLOODPLAIN MUST HAVE THE LOWEST FLOORS AND ELECTRICAL AND MECHANICAL ELEVATED AT LEAST ONE FOOT ABOVE THE FLOODPLAIN ELEVATION.
- THE ELEVATION OF THE DEVELOPMENT MUST BE ELEVATED TO OR ABOVE THE LEVEL OF THE REGULATORY FLOODPLAIN.
- NO INCREASE IN RUNOFF WILL BE DIRECTED TOWARD POND "B". THE EXISTING WATER ELEVATION SHALL NOT CHANGE.
- FLOODWAY, CONVEYANCE ZONE AND LOCAL REGULATORY FLOODPLAIN IDENTIFIED ON THIS PLAN ARE CONSISTANT WITH THE HYDRAULIC STUDY PREPARED BY JIM HARNED SURVEYING & ENGINEERING WITH A REVISION DATE OF OCTOBER 23, 2014.

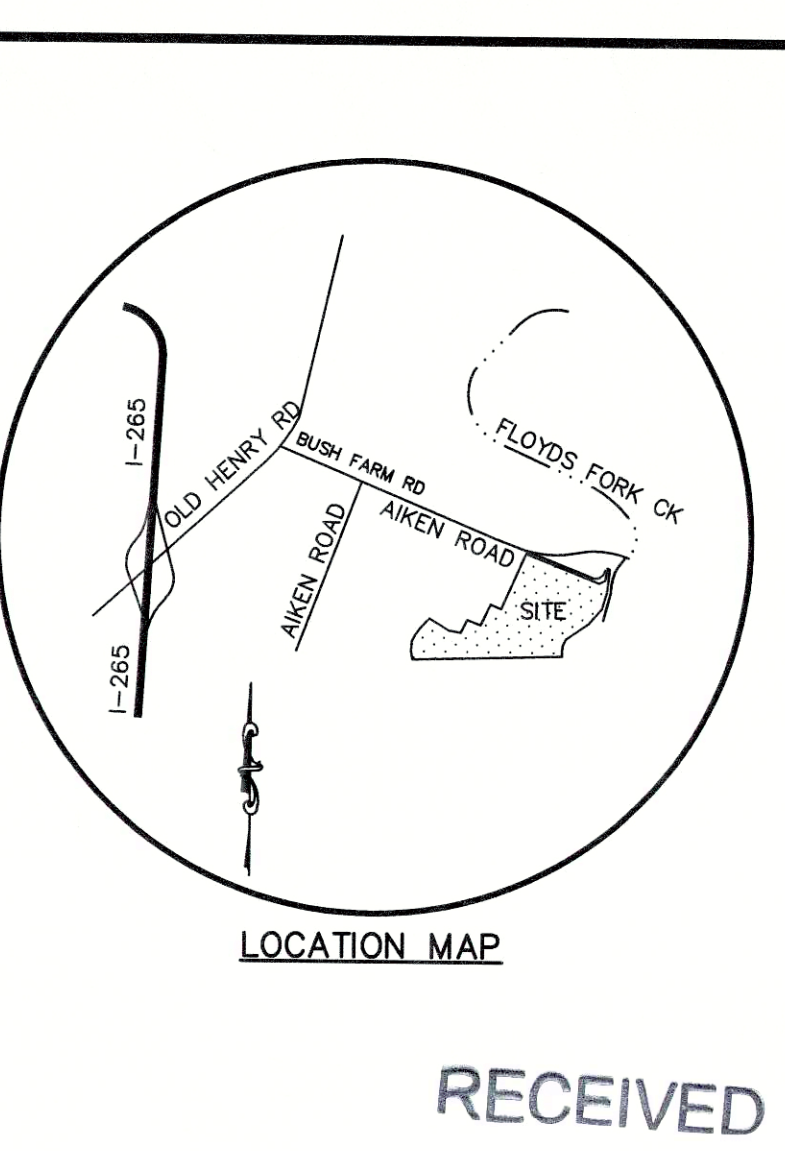
LEGEND

EXISTING CONTOUR
 EXISTING TREE MASS
 EXISTING FENCE
 EXISTING GUARDRAIL
 EXISTING GAS W/ SIZE
 EXISTING OVERHEAD UTILITIES
 EXISTING UTILITY POLES
 EXISTING DOWN GUY
 EXISTING UNDERGROUND TELEPHONE
 EXISTING CATCH BASIN
 EXISTING HEADWALL
 EXISTING SANITARY
 PROPOSED CATCH
 PROPOSED HEADWALL
 PROPOSED DITCH/SWALE
 PROPOSED SANITARY MANHOLE
 PROPOSED DRAINAGE ARROW
 REVISED TREE LINE

WETLANDS

SLOPES 20-30%
 SLOPES 30% +

CONVEYANCE ZONE
 FLOODWAY
 CONCEPTEUAL PEDESTRIAN WALKWAY



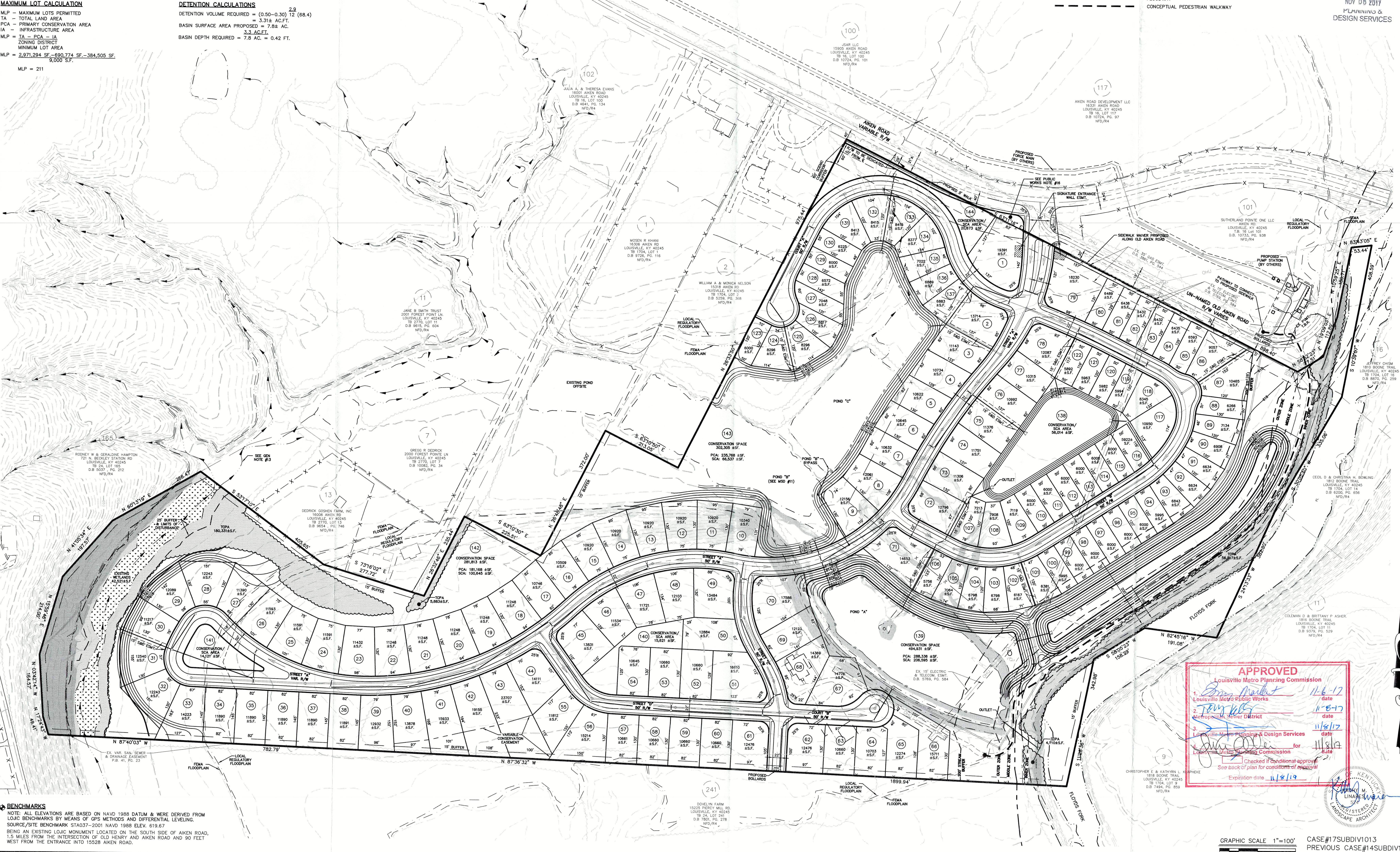
RECEIVED
 NOV 06 2017
 PLANNING & DESIGN SERVICES

Mindel, Scott & Associates, Inc.
 Planning, Engineering, Surveying, Landscape Architecture
 5111 Industrial Parkway, Suite 100
 Louisville, KY 40245
 Phone: (502) 451-5157 Fax: (502) 451-5158 E-Mail: ms@msa.com

NSA
 DEVELOPER
 ELITE BUILT HOMES, LLC.
 16218 SHELBYVILLE ROAD
 LOUISVILLE, KY. 40245

OWNER
 ESTATES OF FLOYDS FORK CREEK, INC
 4337 PINNACLE VIEW PL., SUITE 7C
 LOUISVILLE, KY. 40272

REVISED PRELIMINARY CONSERVATION SUBDIVISION PLAN
TWIN LAKES AT FLOYDS FORK
 15528, 15310, & 15314 AIKEN ROAD
 LOUISVILLE, KENTUCKY 40245
 TAX BLOCK 1704, LOTS 3, 4 & 6
 D.B. 8022, PG. 924 & D.B. 8134, PG. 492



APPROVED
 Louisville Metro Planning Commission

1. *[Signature]* 11/8/17
 Louisville Metro Public Works date

2. *[Signature]* 11/8/17
 Metropolitan Sewer District date

3. *[Signature]* 11/8/17
 Louisville Metro Planning & Design Services date

4. *[Signature]* 11/8/17
 Louisville Metro Planning Commission date

Checked if Conditional approval
 See back of plan for conditions of approval

Expiration date 11/8/19

BENCHMARKS

NOTE: ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM & WERE DERIVED FROM LOCAL BENCHMARKS BY MEANS OF GPS METHODS AND DIFFERENTIAL LEVELING.
 SOURCE/SITE BENCHMARK STA037-2001 NAVD 1988 ELEV. 619.67
 BEING AN EXISTING LOCAL MONUMENT LOCATED ON THE SOUTH SIDE OF AKEN ROAD, 1.5 MILES FROM THE INTERSECTION OF OLD HENRY AND AKEN ROAD AND 90 FEET WEST FROM THE ENTRANCE INTO 15528 AKEN ROAD.

GRAPHIC SCALE 1"=100'
 CASE #17SUBDIV1013
 PREVIOUS CASE #14SUBDIV1009
 MSD WM10946

Vertical Scale: N/A
 Horizontal Scale: 1"=100'
 Date: 6/30/17
 Job Number: 3188
 Sheet
 1
 of 1