

Land Development & Transportation Committee

Staff Report

June 25, 2020



Case No:	20-DDP-0021
Project Name:	Ormsby II Parking Garage
Location:	10350 Ormsby Park Place
Owner(s):	Ormsby Louisville II, LLC
Applicant:	Ormsby Louisville II, LLC
Representative(s):	Gresham Smith
Jurisdiction:	City of Lyndon
Council District:	18 – Marilyn Parker
Case Manager:	Joel P. Dock, AICP, Planner II

REQUEST(S)

- **Waivers**
 1. **Waiver** of Land Development Code (LDC – City of Lyndon), section 5.8.1.B to not provide public sidewalks along Dorsey Lane
 2. **Waiver** of LDC, section 5.8.1.B to not provide public sidewalks along Ormsby Station Road and Ormsby Park Place
 3. **Waiver** of LDC, section 5.9.2.A.1.b to not provide pedestrian connection to Dorsey Lane
 4. **Waiver** of LDC, section 10.2.12 to exceed the maximum distance between interior landscape areas (ILA) within the current parking lot
- **Revised Detailed District Development Plan**

CASE SUMMARY

The applicant proposes to construct a 3.5 story, 32,000 sq. ft. parking garage for the existing uses on-site. The garage will be painted concrete to match existing structures. It is proposed in the southeast corner of the existing parking lot. This places the garage to the rear of the existing buildings away from Hurstbourne Parkway. The garage will provide 325 spaces, resulting in a net-parking increase of 235 and 841 total parking spaces for the two office buildings on the development site.

A pedestrian walk is proposed from the main entrance to Hurstbourne Parkway. A second pedestrian walk is proposed from the west side of the structure on Lot 9A to Ormsby Station Road via existing landscape areas along Ormsby Park Place and connecting to a crosswalk at Ormsby Station Road. Crosswalks will be provided from the garage to main buildings.

STAFF FINDING

The revised detailed district development plan and waivers, except for the requested waiver of the public sidewalk along Dorsey Lane appear to be adequately justified based on staff's analysis contained in the standard of review.

TECHNICAL REVIEW

- Louisville Metro Government was transferred (Planning Commission case 14MISC1008 and DB 10343 PG 326) several tracts of land to the south and east of the development site for the

purpose of constructing and maintaining a greenway trail along Beargrass Creek from A.B Tom Sawyer Park to Dorsey Lane. An existing soft-surface trail is present along the eventual pathway. The first phase of construction for the greenway trail from AB Sawyer Park across Hurstbourne Parkway and terminating in the area of Forest Bridge Road is currently in construction planning phase, see *AB Tom Sawyer Exhibit* provided in the Planning Commission materials. The terminus of the proposed greenway trail at Dorsey Lane will connect to any future public walks.

- The City of Lyndon has not adopted the current Standard of Review for sidewalk waivers currently in effect within Louisville Metro – Louisville Metro Ordinance 85, Series 2019.
- Dorsey Lane is indicated on the *Region 2 – Northeast Loop Trail Exhibit* as a possible route for the Louisville Loop to connect from the south to EP Tom Sawyer State Park. Currently, it is premature to identify Dorsey Lane as the proposed future route.
- No changes to existing binding elements are proposed. Louisville Metro Government may later pursue amendments to binding elements related to open space (elements 15-17) to revise for ownership, maintenance responsibilities, and construction activities.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

1. Dorsey Lane sidewalk waiver

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

STAFF: The waiver will adversely affect adjacent property owners as Louisville Metro is the owner of adjacent property and was transferred this land for the purpose of constructing a greenway trail from AB Tom Sawyer Park to Dorsey Lane. The exclusion of a sidewalk at this location restricts pedestrian connectivity to/from Hurstbourne Parkway with the proposed greenway trail. Granting the waiver further adversely affects adjacent property owners as the first phase of construction for the greenway trail from AB Sawyer Park across Hurstbourne Parkway and terminating in the area of Forest Bridge Road is currently in construction planning phase and the terminus of the proposed greenway trail at Dorsey Lane will connect to any future public walks.

- (b) The waiver will not violate specific guidelines of Plan 2040.

STAFF: The waiver will violate specific guidelines of Plan 2040. Land Use & Development Goal 1, Policy 1.3 promotes sidewalks along the streets of all developments. Land Use & Development Goal 1, Policy 1 states that in order to promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate. Land Use & Development Goal 3, Policy 5 states that developments should be evaluated for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. The granting of the waiver would violate these stated land use and development policies as the exclusion of a sidewalk at this location restricts pedestrian connectivity and safe access to/from Hurstbourne Parkway with the proposed greenway trail. Each of these options furthers the mobility goals of Louisville Metro to promote healthy lifestyles and multi-modal transportation options, as well as safe pedestrian connectivity within the immediate vicinity or council district.

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

STAFF: The extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant as new development and redevelopment should provide for the safe movement of pedestrians, bicyclists and transit users, where appropriate and the location of the required sidewalk is an appropriate location for pedestrian connectivity to the Greenway Trail proposed by Louisville Metro Government.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

2. Ormsby Station Road and Ormsby Park Place sidewalk waiver

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

STAFF: The waiver will not adversely affect adjacent property owners as sidewalks are present only on one side of Ormsby Station Road and Ormsby Park Place is similar use to a private drive lane serving non-residential uses. Pedestrian connections within existing landscape areas are provided along Ormsby Park Place to the existing network via Crosswalk at Ormsby Station Road and will connect pedestrians from adjacent properties.

- (b) The waiver will not violate specific guidelines of Plan 2040.

STAFF: The waiver will not violate specific guidelines of Plan 2040. Land Use & Development Goal 1, Policy 1.3 promotes sidewalks along the streets of all developments. Land Use & Development Goal 1, Policy 1 states that in order to promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate. Land Use & Development Goal 3, Policy 5 states that developments should be evaluated for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. Adequate connectivity will be provided within the existing built environment to connect pedestrians from adjacent properties without removing existing tree canopy along Ormsby Station Road or decreasing the parking needs of the development site.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as existing network walks provide for the safe movement of pedestrians to/from the development site and adjacent uses.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

3. Dorsey Lane pedestrian connection waiver

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

STAFF: The waiver will not adversely affect adjacent property owners as the subject property maintains adequate connectivity to primary streets serving the development site.

- (b) The waiver will not violate specific guidelines of Plan 2040.

STAFF: The waiver will not violate specific guidelines of Plan 2040. Land Use & Development Goal 1, Policy 1 states that in order to promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and

transit users, where appropriate. Adequate connectivity to primary streets serving the development to promote the movement of pedestrians and transit users will be provided.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as connectivity to serve pedestrians from primary streets, specifically those using transit is provided.

- (d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the regulation would deprive the applicant of the reasonable use of the land as the request does not violate specific provisions of Plan 2040.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

4. ILA waiver

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

STAFF: The waiver will not adversely affect adjacent property owners as the subject property maintains a tree canopy around the exterior of its property and this canopy provides considerable surface parking lot coverage similar to an ILA.

- (b) The waiver will not violate specific guidelines of Plan 2040.

STAFF: The waiver will not violate specific guidelines of Plan 2040 as tree canopy requirements will be met and the impact of existing canopy overhanging the surface lot provide similar coverage.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the installation of ILA would decrease parking the total number of spaces, which the applicant has indicated to be in high demand on the subject property.

- (d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the regulation would deprive the applicant of the reasonable use of the land as existing exterior parking lot coverage provides a similar coverage area to

what would be required for the required ILA and the minimum tree canopy requirements are being met.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR REVISED DETAILED DISTRICT DEVELOPMENT PLAN

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

STAFF: The proposed revision does not negatively impact environmental features adjacent to the development site, including the greenway and streams.

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

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community has been generally provided, except for the sidewalk waiver request on Dorsey Lane. That request did not appear to be adequately justified by staff. Pedestrian connections have been provided to primary streets to provide access to pedestrians and transit users.

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

STAFF: Provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development is provided as internal courts are provided and the site is adjacent to a greenway.

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

STAFF: The Metropolitan Sewer District has approved the preliminary development plan.

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

STAFF: The proposal appears to be substantially similar in design to existing buildings on site. The proposal will consist of painted concrete to match current buildings.

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

STAFF: The development plan generally conforms to the Comprehensive Plan and Land Development Code, except for the sidewalk waiver request on Dorsey Lane. That request did not appear to be adequately justified by staff.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the following **Waivers**
 1. **Waiver** of Land Development Code (LDC – City of Lyndon), section 5.8.1.B to not provide public sidewalks along Dorsey Lane
 2. **Waiver** of LDC, section 5.8.1.B to not provide public sidewalks along Ormsby Station Road and Ormsby Park Place
 3. **Waiver** of LDC, section 5.9.2.A.1.b to not provide pedestrian connection to Dorsey Lane
 4. **Waiver** of LDC, section 10.2.12 to exceed the maximum distance between interior landscape areas (ILA) within the current parking lot
- **Recommend** to the City of Lyndon that the **Revised Detailed District Development Plan** subject to existing binding elements in case 17502 be **APPROVED** or **DENIED**

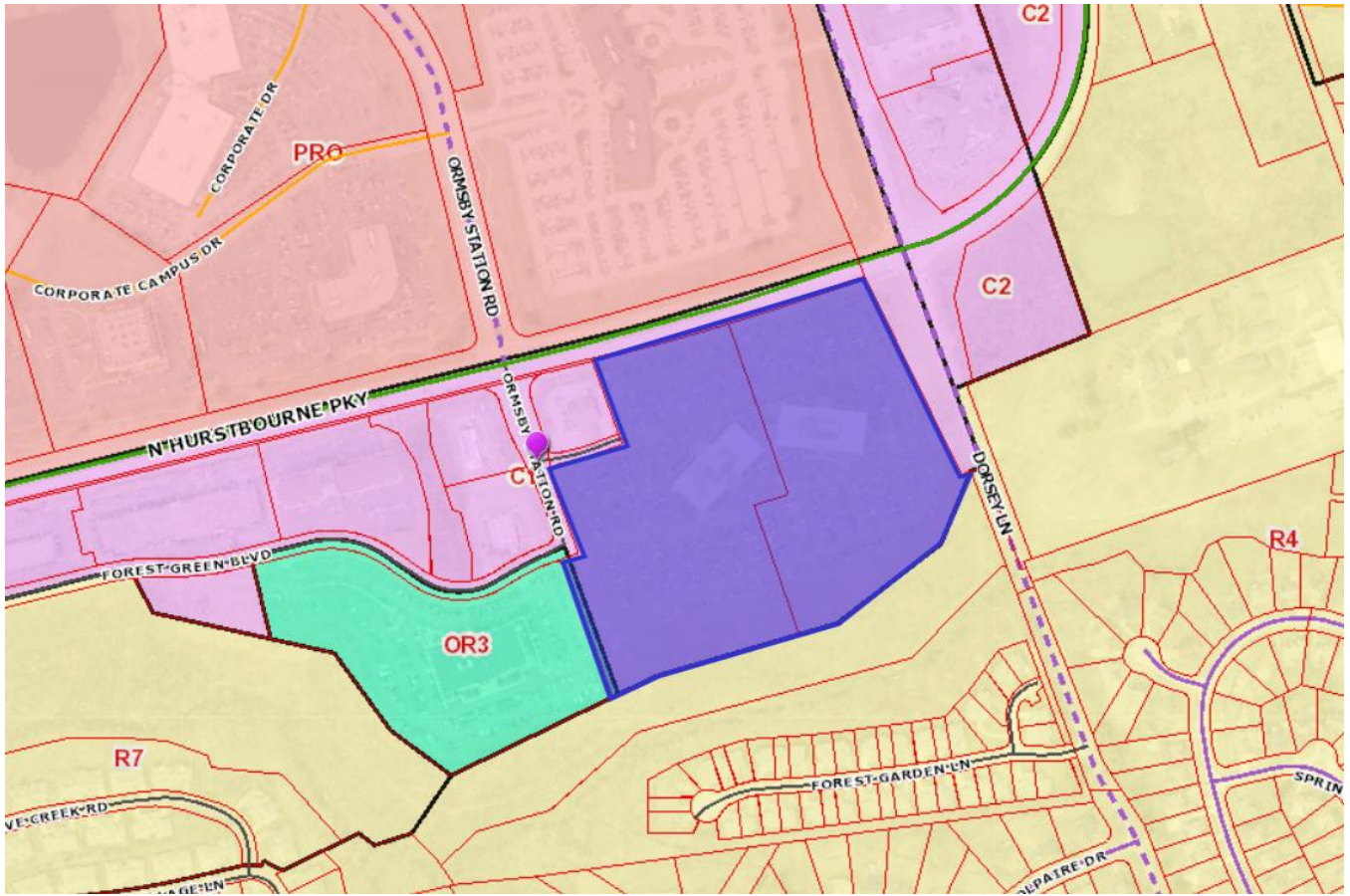
NOTIFICATION

Date	Purpose of Notice	Recipients
6/10/20	Hearing before LD&T	1 st tier adjoining property owners. Registered Neighborhood Groups in Council District 18

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements (case 17502)

1. **Zoning Map**



2. Aerial Photograph



4. Existing Binding Elements (Case 17502)

CASE NO. 17502
DOCKET NO. 9-106-97

1. The development shall be in accordance with the approved district development plan. Any changes/additions/alterations of any binding element(s) shall require notice to the Old Dorsey Place Homeowners Association and Owl Creek Community Association via their registered agents thirty (30) days in advance of any Planning Commission meeting (i.e. LD&T) at which any such change/addition/alteration is considered, and any such change/addition/alteration shall be referred by the Planning Commission to the City of Lyndon for approval, and any changes/additions/alterations not so referred shall not be valid.
2. Prior to development of each site or phase of this project, a detailed district development plan shall be submitted to the Planning Commission for approval. Each plan shall be in adequate detail and subject to additional binding elements. The additional binding elements may relate, but not be limited, to the following items:
 - a. screening, buffering, landscaping, tree preservation
 - b. density, floor area, size and height of buildings
 - c. points of access and site layout with respect to on-site circulation
 - d. land uses
 - e. signage
 - f. loading berths
 - g. parking
 - h. sidewalks
 - i. site design elements relating to alternative transportation modes
 - j. outdoor lighting
 - k. minor subdivision-plot approval
 - l. air pollution
 - m. the timing of construction to coincide with the availability of flood protection measures, municipal sewer and water service, and adequate fire protection
 - n. Dumpsters

At the time of detailed district development plan approval, a rendering of buildings proposed for construction on a site shall be submitted to the Planning Commission for review and approval as to consistency with the use, design and locational guidelines of these binding elements and general district development plan.

3. The density of the R-7 multi-family development shall not exceed 9.5 dwelling units per acre (186 units on 19.55 acres). 44 of these units shall be developed as patio homes and 142 shall be developed as apartments. No more than 50% of the apartment units shall be one bedroom units. One bedroom apartments will be a minimum of 700 square feet in size. Each of the other units (two and three bedroom) shall be a minimum of 1000 square feet in size.
4. The commercial/office component of the development shall not exceed the following square feet of gross floor area:
 - a. 581,418 square feet of office space
 - b. One 4-story 150 room hotel
 - c. 24,792 square feet of restaurant space
 - d. 34,624 square feet of retail space
 - e. 21,000 square feet of bank space
 - a. ~~300,000 square feet of office space~~ two six-story buildings (150,000 per building)
 - b. ~~60,000 square feet of office space~~ in one four-story building
 - c. ~~One three-story 100-room hotel~~
 - d. ~~15,000 square feet business/office services center~~

- e. ~~one 150 bed assisted living facility~~
- f. ~~1,100 square foot on two outparcels for restaurants~~
- g. ~~3,000 on one outparcel for a bank~~

The following are prohibited uses of the property: adult entertainment; automobile parking areas, public and private; gas stations; automobile service stations with service bays for repair; automobile part stores that have service bays for parts installation and/or for automobile repair; automobile sales agencies; automobile rental agencies; car washes; clubs, private, non-profit or proprietary; community residences; garage or yard sales; laundries or laundrettes, self-service; towers (radio, TV cellular, receiving or transmitting); and all uses of the property (except assisted living facilities, homes for the elderly and nursing homes) that require a conditional use permit in addition to appropriate zoning.

5. The highest peak roof elevation for any apartment building shall not exceed the highest peak roof elevation of the adjoining patio homes.
6. *Freestanding signage shall be monument style with uniform brick foundations and uniform tops. No freestanding sign shall exceed seven feet in height and 63 square feet in area. Only two four freestanding signs shall be permitted along Hurstbourne Parkway - at the designated entrances to the Forest Green development, **for Lots 9A and 9B along Hurstbourne Pkwy., and one additional sign along Dorsey Ln. as shown on the Revised Detailed District Development Plan presented to the Development Review Committee July 18, 2012.** All other freestanding signs shall be located along the interior access road (Forest Green Parkway) All freestanding signs shall obtain prior approval from the Planning Commission.*
7. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants balloons, or banners shall be permitted on the site.
8. There shall be no outdoor storage on the site.
9. Outdoor lighting shall be designed to be similar in height, style and intensity to that approved at the Woodlawn Center at Hubbards Lane and Westport Road. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff so that no light source is visible off-site. Lighting levels attributable to the fixtures located on the subject site shall not exceed two foot candles at the property line, except that, at the back side of the berm at the rear of the main shopping center, lighting levels shall not exceed one foot candle.
10. The applicant shall submit a plan for approval by the Planning Commission staff landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Any modification of the tree preservation plan requested by the applicant may be approved by the Planning Commission staff landscape architect if the changes 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; and
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.

11. A note shall be placed on the preliminary plan, construction plan and the record plat that construction fencing shall be erected prior to any grading or construction activities to prevent compaction of root systems of trees to be preserved and to prevent any disturbance of Greenway areas. The fencing shall enclose the area beneath the dripline of the tree canopy and, where necessary, to prevent any disturbance to Greenway areas and shall remain in place until all construction is completed. No parking, material storage or construction activities shall be permitted within the fenced area.
12. A soil erosion and sedimentation control plan shall be developed and implemented in accordance with the Metropolitan Sewer District Design Manual and the USDA National Resources Conservation Service recommendations. The plan shall be submitted to Friends of Beargrass Creek for review and comment at the time of submittal to MSD. Documentation of MSD's approval of the plan shall be submitted to the Planning Commission prior to grading and construction activities. Developer shall actively inspect and enforce plan implementation and maintenance and keep streets free of mud.
13. The developer and its assigns shall mitigate stormwater- runoff from impervious surfaces using accepted Best Management Practices ("BMPs") to the extent reasonable and practical in accordance with the accompanying letter from Gresham Smith & partners. Plans for storm water management shall be submitted to Friends of Beargrass Creek for review and comment at the time of submittal to MSD.
14. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) in accordance with the parkway policy, "Section Study at Lots 1,4 and 7" and as described in Article 12 prior to requesting a building permit. Within the parkway buffer along the frontage of Lots 2 through 10, the owner/developer shall install a berm of no less than 3 feet in height and varying between 3 and 5 feet in height. Such plan shall include enhanced screening along the rear of the main retail enter in accordance with the concept plan presented at the public hearing, which shall include a berm with a staggered double row of evergreen trees as approved by the Planning Commission, and shall be implemented prior to occupancy of the site and shall be maintained thereafter.
15. Responsibility for open space areas shall be divided between the Forest Garden Village Association (herein referred to as the "Homeowners Association", membership in which shall include all of the owners of lots in the innovative residential subdivision) and the Forest Green Development Association (herein referred to as the "Development Association", membership in which shall include all of the owners of all of the lots in the overall Forest Green development) and may also include a Forest Green Commercial Association (hereinafter referred to as the "Commercial Association", membership in which may include the owners of lots in the commercial portion of the Forest Green Development). The Homeowners Association shall have responsibility for maintenance of all areas of the Forest Green innovative subdivision which comprise the lots on which dwelling units are located as well as interior streets, and the Homeowners Association's maintenance obligation shall include signage, streets, street lighting, yards of individual dwellings and its and building exteriors. The Development Association shall have responsibility for maintenance of all areas of the Forest Green innovate subdivision, plus areas outside of said subdivision, which comprise areas denoted on the preliminary plan and development plan as reserved as "Open Space" areas and as "Greenways" areas, and the Development Association's maintenance obligations shall include tree and trail preservation and are of other planting and facilities within those Open Space and Greenways areas. The Commercial Association, if formed, will have responsibility for maintenance of all interior streets

and public areas outside of the innovative subdivision that are not the responsibility of the Development Association or of an individual lot owner, and the Commercial Association's maintenance obligation will include entrance and street signage, street lighting, street repairs and landscaping along streets and at entrances.

16. Within the "Open Space" areas denoted on the Development Plan, the Developer or its assignee, including any builder other than Developer, shall not be permitted to remove any healthy shade tree of 4 inch or greater caliber. Open Space areas and building setbacks as denoted on the Preliminary Plans shall not be reduced on the record plat.
17. Within the "Greenways" areas denoted on the Development Plan, no development shall occur except as shown on the approved district development plan. Within these "Greenway" areas and within areas located outside of Greenways areas which, contain slopes greater than 15 percent inside Open Space areas, the Developer or its assignee shall not be permitted to engage in any land disturbing activities until such time as a plan, prepared generally in accordance with the Louisville and Jefferson County Multi-Objective Stream Corridor/Greenway Plan, which shall include provisions for preservation of vegetation, stream and slope protection and public usage of Greenway areas, has been approved by the Planning Commission. Such plan shall also be submitted to Friends of Beargrass Creek for review and comment at the time of submittal to applicable agencies. The plan for stream corridor preservation mandated by this binding element shall be implemented within six months of approval of said plan by the Planning Commission. No portion of the "Greenways" area shall be the subject of any future rezoning request. (A portion of the "Greenways" area is the subject of the present rezoning application.) Grading within the "greenways" area shall be limited to that necessary for pedestrian paths, vehicular and pedestrian stream crossings, with possible minor incursions into the "Greenways" in the vicinity of Lots 1, 2, and 3.
18. The level of quality and design and building materials shall be generally consistent with the renderings and photographs produced at the April 2, 1998 public hearing and at the March 18, 1999 Planning Commission review of the Revised District Development Plan. Buildings shall be constructed of brick except for minor accent treatments, and except that Lot 9 office buildings shall be constructed in accordance with the rendering produced at the March 18, 1999 Planning Commission meeting, which includes mostly glass, concrete, and stone.
19. Developer shall provide at its cost a deceleration (right-turn) lane heading north on Hurstbourne Parkway into the Old Dorsey Place Subdivision. Construction of the deceleration lane shall begin at approximately the same time as reconstruction of Dorsey Lane, or, in any event, no later than any occupancy permit is issued for the apartments and/or commercial use.
20. Drive-thru businesses shall be limited to Outlots 6, 7, 8. No more than one of those outlots shall be utilized for what is typically known as fast food restaurants.
21. Hours of operation (i.e., when customers are served) for businesses other than, groceries, pharmacies and hotels shall be limited to 6:00 a.m. until 12:00 midnight.
22. Construction activity shall be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m. No construction activity (except on the interior of building) shall be permitted on Sundays or holidays. Heavy equipment operation shall be prohibited on weekend days. Construction traffic shall be prohibited from using neighborhood streets.
23. Cleaning of lots and waste pick up shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday. Waste receptacles shall be bricked on three sides and wood gated with all sides high enough to completely conceal interior receptacles.

24. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
25. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy, unless specifically waived by the Planning Commission.
26. The property owner/developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project, and shall inform them of the content of these binding elements. Further, the property owner/developer shall require contractors to similarly notify all of their sub-contractors of the duties related to the binding elements. The property owner/developer shall ensure their compliance with the binding elements.
27. The developer shall furnish to representatives of the adjacent residents associations (Foxboro Manor, Old Dorsey Place, Owl Creek) the name and telephone number of a contact person for purposes of reporting possible violations of the approved district development plan. Provision shall be made for gaining access to the contact person over the weekend and after normal business hours.
28. The developer shall improve the Hurstbourne Parkway left-turn storage lanes, tapers, medians, and radii at the proposed development entrances as required per Jefferson County Public Works and Transportation (JCPW&T) and the Kentucky Transportation Cabinet (KTC).
29. The Developer shall improve Dorsey Lane to provide a minimum of 12 ft. from centerline pavement width 6 ft. shoulders and a sidewalk. Appropriate left-turn storage lanes and tapers shall be provided at the Hurstbourne Parkway intersection and at the patio homes (Forest Garden Drive). Utilities shall be relocated as necessary.
30. Prior to any construction approvals by JCPW&T, Hurstbourne Pkwy. & Dorsey Lane improvement construction plans, bonds, and encroachment permits must be obtained from JCPW&T and KTC.