

**15DEVPLAN1195/15SUBDIV1023**

**Notting Hills, Section 4**



**Louisville Metro Planning Commission Public Hearing**

**Joel P. Dock, Planner I**

**March 17, 2016**

# Request

- **Revised Detailed District Development Plan** proposal for 48 Duplex Villa/multi-family units, clubhouse with parking, and 2 cul-de-sacs.
- **Revised Major Preliminary Subdivision Plan** for the creation of 2 public rights-of-way (cul-de-sac) serving the residential development from Chadwick Glen Circle.
- **Amendment to Binding Elements** to eliminate binding element #23 and revisions to #17 & #35 from Plan Certain docket 9-10-00/10-03-00 and associated Revised Detailed District Development Plan of case 13985.

# Case Summary / Background

- The actions taken by the Development Review Committee (DRC) on February 3, 2016 to approve the above mentioned requests are being appealed to the Planning Commission pursuant to Land Development Code (LDC), section 11.7.2.A.
- Proposed 48 Duplex Villa/multi-family units served by 2 cul-de-sacs with sidewalks on each side of the roadway beginning from Chadwick Glen Circle, a public right-of-way.
  - The number of units proposed has been reduced by 72.
- Proposed clubhouse on the R-5 lot with 20 parking spaces for property owners, residents, and guests of the Notting Hills Subdivision.
- Eliminate binding element #23 across the board from any and all existing and future General or Detailed District Development Plans within the Notting Hills Subdivision. In summary, it required that 10% of units to be sold at a price no greater than 2.75 times the low-moderate income level for a family of four persons.

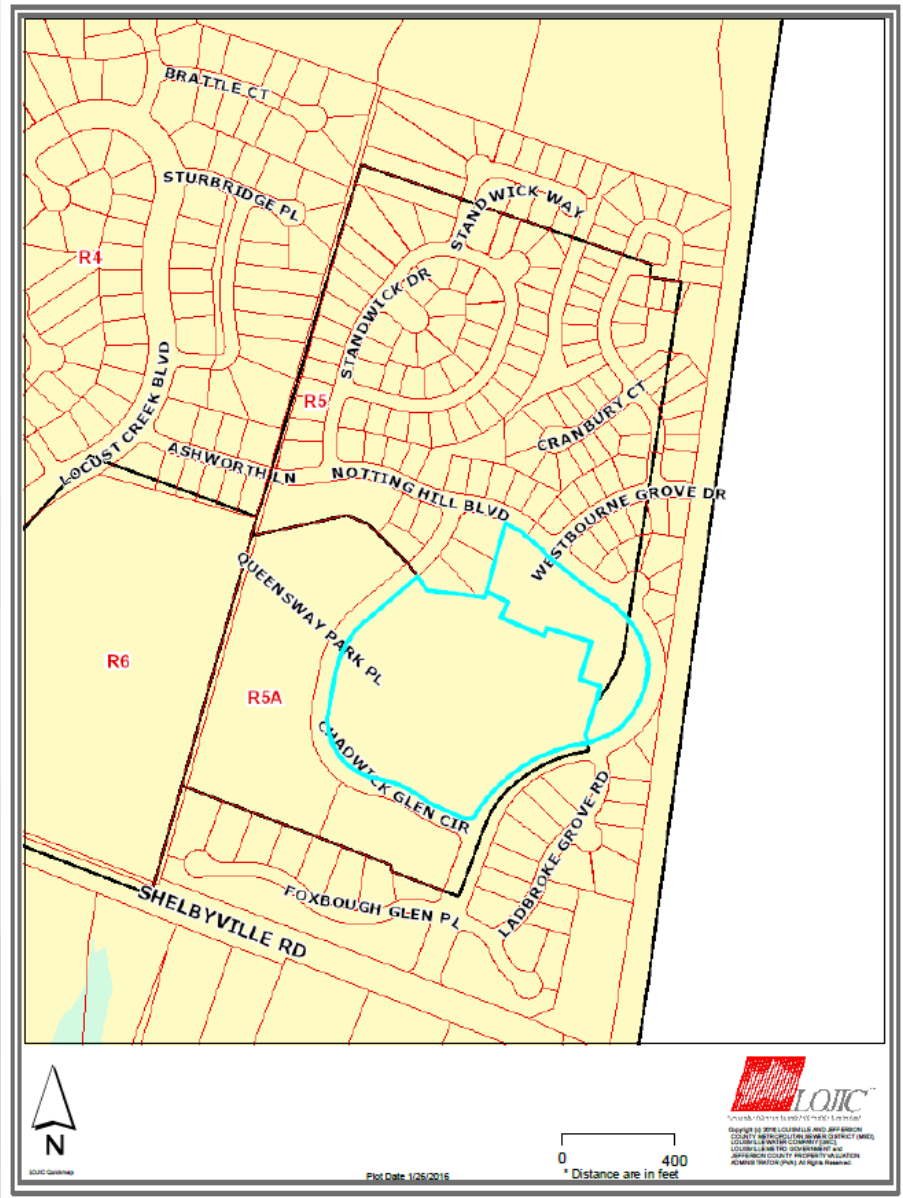
# Zoning/Form Districts

## Subject Property:

- Existing: R-5 & R-5A/N
- Proposed: R-5 & R-5A/N

## Adjacent Properties:

- North: R-5/N
- South: R-5A/N
- East: R-4/N
- West: R-5A/N



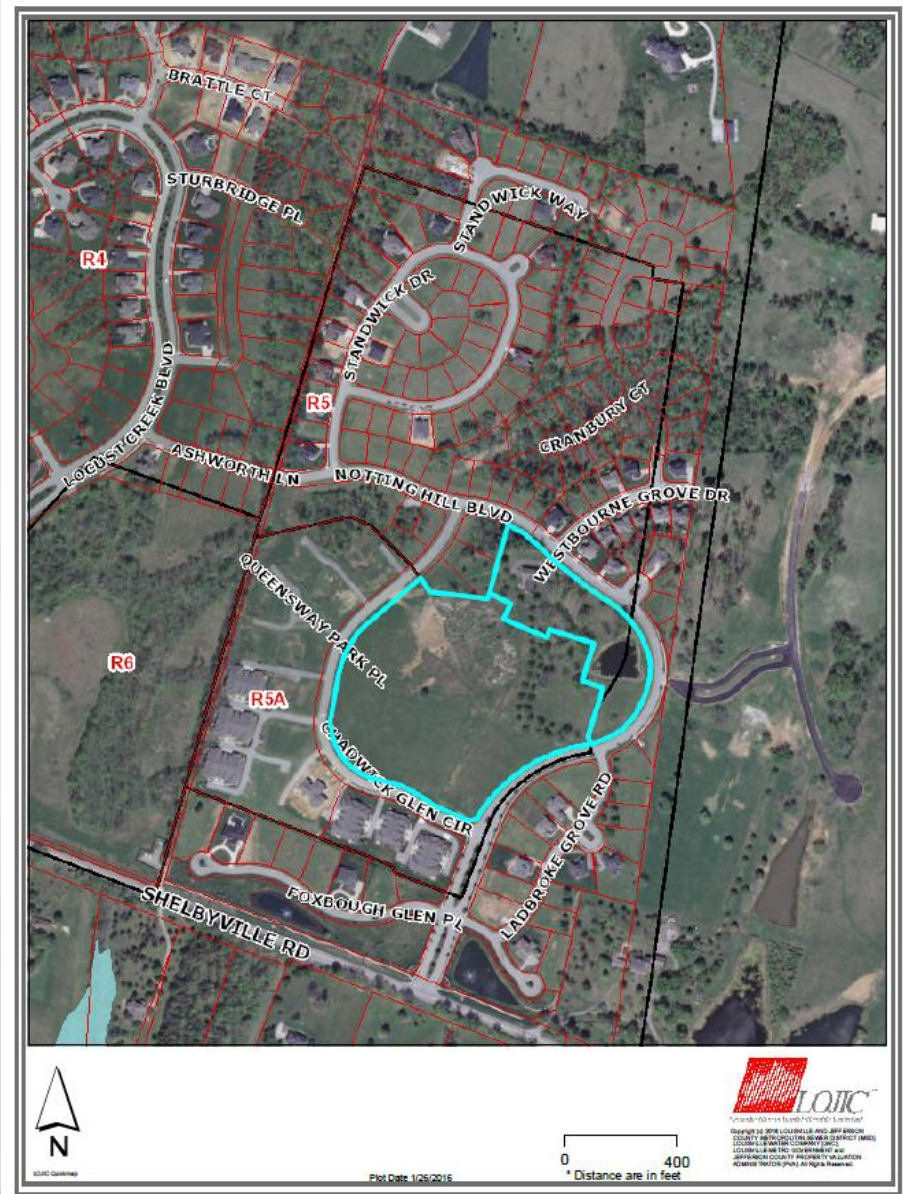
# Aerial Photo/Land Use

## Subject Property:

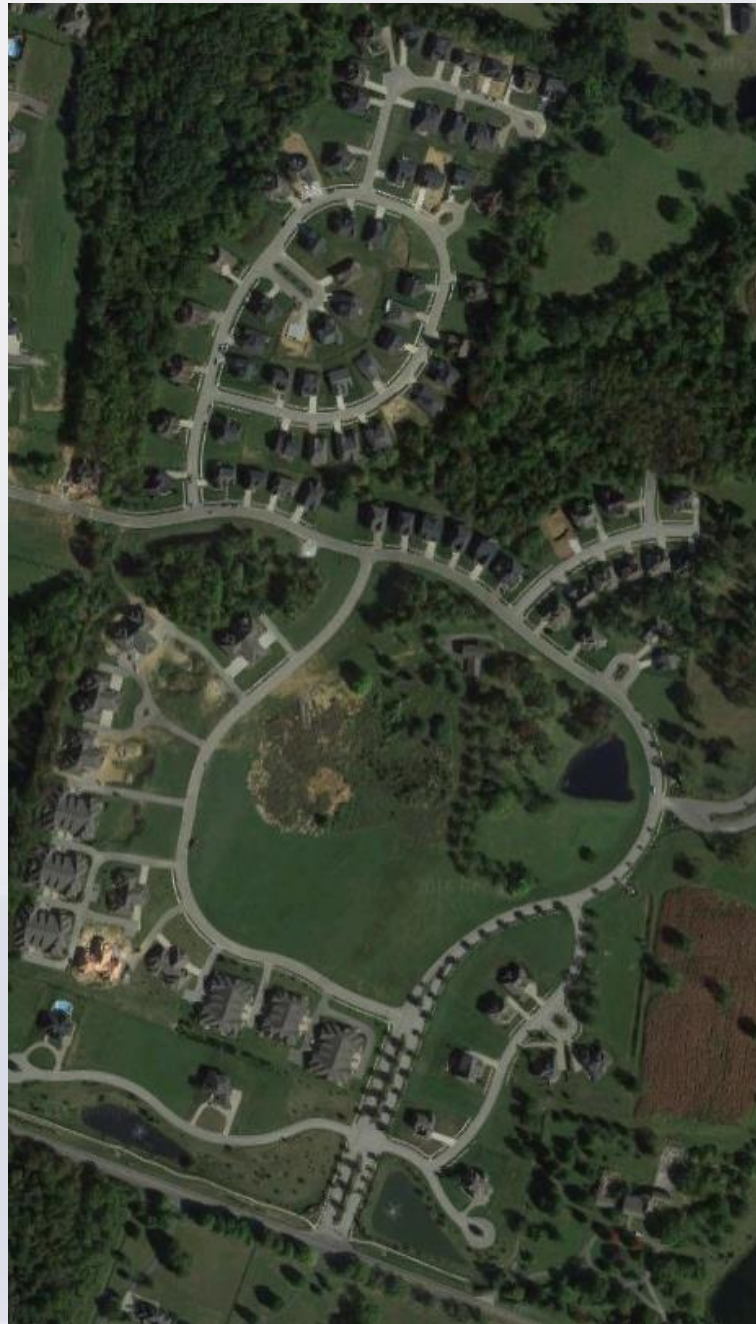
- Existing: Single-Family Residential
- Proposed: Single-Family Residential

## Adjacent Properties:

- North: Single-Family Residential
- South: Multi-Family Residential
- East: Single-Family Residential
- West: Multi-family residential



# Subject Site



Subject Site from Northeast



Subject Site from Subdivision Entrance

## Subject Site from Chadwick Glen Circle





**GENERAL NOTES**

1. WASTEWATER, SANITARY SEWER WILL CONNECT TO THE FLOODS FOR WASTEWATER TREATMENT PLANT BY A TRENCH AGREEMENT, SUBJECT TO FEES. SANITARY SEWER PATTERN DETECTED FOR CONSTRUCTION. PARALLEL CONFIGURATION AND SIZE OF SEWER PIPES SHALL BE DETERMINED DURING THE CONSTRUCTION DESIGN PROCESS. SANITARY SEWER FACILITIES SHALL CONFORM TO MSO REQUIREMENTS.
2. DETENTION FOR THIS PROJECT IN THE WEST DETENTION BASIN WEST OF THE SUBDIVISION ENTRANCE BUILT WITH SECTION OF NOTING WILL BE PROVIDED. PARALLEL CONFIGURATION, IF REQUIRED, WILL BE PROVIDED WITHIN THIS SITE BY USE OF PROPRIETARY WATER QUALITY UNITS OR OTHER MEASURES, IN ACCORDANCE WITH CHAPTER 18 OF THE MSO DESIGN MANUAL.
3. PROTECTION OF TREES TO BE PRESERVED: CONSTRUCTION SHALL BE SCHEDULED FROM 12:00 AM TO 5:00 PM. CONSTRUCTION ACTIVITIES PREVENTING THE REMOVAL OF TREES TO BE PRESERVED, THE FENCING SHALL ENCLOSE THE TREES TO BE PRESERVED. THE FENCING SHALL BE MAINTAINED IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETE. NO FURNISH MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.
4. TREE PRESERVATION: A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSIONS STAFF, LANDSCAPE ARCHITECT FOR APPROVAL, PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
5. THE DEVELOPMENT LIES IN THE EASTWOOD FIRE DISTRICT. CONSTRUCTION PLAN SHALL BE REVIEWED AND APPROVED BY THE EASTWOOD FIRE DISTRICT.
6. NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA MAP, (2011100202E DATED DECEMBER 5, 2006).
7. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE APPROVED PRELIMINARY PLAN. NO FURTHER SUBDIVISION OF LAND INTO A GREATER NUMBER OF LOTS THAN ORIGINALLY APPROVED SHALL OCCUR WITHOUT THE APPROVAL OF PLANNING COMMISSION.
8. COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
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12. THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MSO WATER QUALITY REGULATIONS ESTABLISHED BY MSO. SITE LAYOUT MAY CHANGE AT THE DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MANAGEMENT PRACTICES.
13. A HARVEST SURVEY WAS PERFORMED BY KILLI JONES ON DECEMBER 18, 2013 AND SEVERAL SINGLEHOLES WERE FOUND AS INDICATED ON THE PLAN.
14. TREE CANOPY PROTECTION AREAS FOR THIS PROJECT HAVE BEEN PROVIDED PER THE LANDSCAPE ARCHITECT'S TREE CANOPY 2 & 3 UNDER DOCKET # 200-050 & CASE # 15LACAP1042.

**UTILITY NOTES**

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY KENTUCKY BTL (PHONE 811, WWW.KENTUCKYBTL.COM) FORTY EIGHT HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. LOCATIONS OF EXISTING BELOW GROUND UTILITIES (ELECTRIC, CABLE, GAS, WATER, SEWER, TELEPHONE) SHALL BE WHEN CONTACTING KENTUCKY BTL CALL CENTER. PLEASE STATE THAT YOU ARE CONTACTING KENTUCKY BTL CALL CENTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

**SWPPP NOTES**

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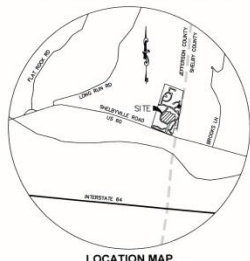
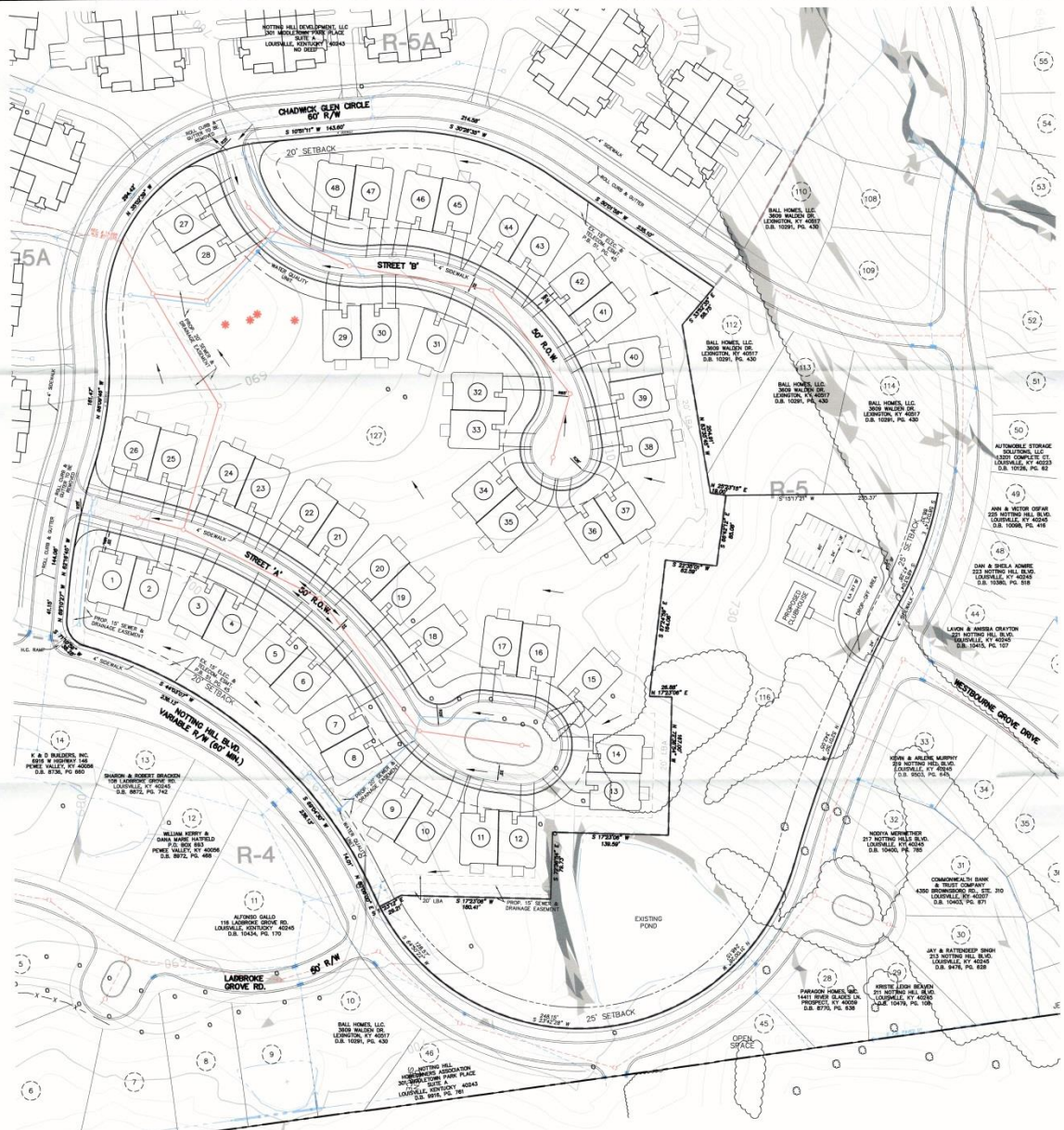
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WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS FEASIBLE, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING OR OTHER EXCAVATION ACTIVITIES SHALL BE FUNNELED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGE INTO A STREAM, POND, SHALLOW OR CATCH BASIN.

**LEGEND**

- 730 - EXISTING MAJOR CONTOURS
- - - EXISTING SANITARY SEWERS
- - - EXISTING STORM SEWERS
- - - PROPOSED SANITARY SEWERS
- - - PROPOSED STORM SEWERS
- SLOPES BETWEEN 20 AND 30%
- SLOPES GREATER THAN 30%
- - - EXISTING TREE LINE
- TEMPORARY CONSTRUCTION ENTRANCE
- PROPOSED FLOW ARROW
- ZONING LINE
- APPROXIMATE SINKHOLE LOCATION



**EXISTING FORM DISTRICT:** NEIGHBORHOOD VACANT  
**EXISTING USE:** DUPLEX VILLAS/MULTI-FAMILY & CLUBHOUSE

**EXISTING ZONING:** R-5A  
**PROPOSED ZONING:** R-5A  
**AREA IN R.O.W.:** 1.9 ACRES  
**NET SITE AREA:** 10.5 ACRES  
**TOTAL NUMBER OF UNITS:** 48 UNITS  
**GROSS DENSITY:** 3.87 DU/AC  
**NET DENSITY:** 4.57 DU/AC  
**BUILDING AREA:** 158,400 SF  
**FAIR:** 0.22

**CLUBHOUSE LOT EXISTING ZONING:** R-5  
**EXISTING ZONING:** R-5  
**EXISTING SITE AREA:** 3.98 ACRES  
**BUILDING AREA:** 1,624 SF  
**MIN. PARKING ALLOWED (1 SPACE/100 SF):** 15 SPACES  
**MAX. PARKING ALLOWED (1 SPACE/50 SF):** 30 SPACES  
**PARKING PROVIDED:** 20 SPACES  
**FAIR:** 0.009

**YARD REQUIREMENTS**

|                       |     |      |
|-----------------------|-----|------|
| FRONT YARD:           | R-5 | R-5A |
| STREET SIDE YARD:     | 25' | 30'  |
| REAR YARD:            | 5'  | 5'   |
| MAX. BUILDING HEIGHT: | 30' | 30'  |

**TREE CANOPY CALCULATIONS**

|                                  |                  |
|----------------------------------|------------------|
| TOTAL SITE AREA:                 | 715,020 SF       |
| EXISTING TREE CANOPY:            | 61,134 SF (8%)   |
| EXISTING TREE CANOPY TO REMAIN:  | 0 SF (0%)        |
| ADDITIONAL TREE CANOPY REQUIRED: | 143,004 SF (20%) |

**ILA CALCULATIONS**

|                                |          |
|--------------------------------|----------|
| VIA AREA (CLUBHOUSE LOT ONLY): | 9,227 SF |
| ILA REQUIRED (5%):             | 461 SF   |
| ILA PROVIDED:                  | 294 SF   |
| TREES REQUIRED:                | 3 TREES  |

**BENCHMARK (U.S.G.S. DATUM)**  
 (REFERENCE B.M. - N.S.D. CONTROL MONUMENT BA-50-01-1929  
 B.M. 2491" - SET "T" CUT ON CURB, SOUTH SIDE OF WESTLORNE GROVE DRIVE AT INTERSECTION WITH GRANBURY WAY. ELEV. 734.39)

RECEIVED  
 DESIGN SERVICES

CASE # 15DEVPLAN1195  
 MSO SUB # 894  
 TAX BLOCK 26, LOT 165  
 TAX BLOCK 3800, LOT 127  
 NO DEED LISTED

**OWNER:**  
 NOTTING HILL DEVELOPMENT, LLC  
 301 MIDDLETOWN PARK PLACE, STE. A  
 LOUISVILLE, KY 40243

**DEVELOPER:**  
 WELCH DEVELOPERS, LLC  
 301 MIDDLETOWN PARK PLACE, STE. A  
 LOUISVILLE, KY 40243

**SABAK, WILSON & LINGO, INC.**  
 ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS  
 THE HERBY CLAY  
 608 S. THIRD STREET,  
 LOUISVILLE, KENTUCKY 40202  
 (502) 584-6271

STATE OF KENTUCKY  
 DAVID W. COOPER  
 10/16/15

REVISIONS

| NO. | DATE | DESCRIPTION |
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| 1   |      |             |
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SHEET TITLE: REVISED DEVELOPMENT PLAN & PRELIMINARY SUBDIVISION PLAN PROJECT: NOTTING HILL SECTION 4 DUPLEX VILLAS & CLUBHOUSE 200-050 WITH ADDENDUM & CHADWICK GLEN CIRCLE, LOUISVILLE, KY 40243

SHEET NO. 2340-4  
 SCALE: 1" = 60'  
 DATE: 11/20/15  
 DRAWING NO. DDP

15062014.195

# Public Comments and Notification

- Removal of clubhouse structure.
- Not providing pool as originally proposed.
- Notification requirements.
- Decreased property value as a result of changes in the subdivision.
- Promises made to home purchasers and the original development plan.
- Tree preservation.
- “Amenities need to be kept to minimum in order to ensure future marketability of our homes with the lowest possible association dues and that it is imperative the builder/developer continue to build in the manner/style that he has proposed, also in order to ensure the future marketability of our property.”
- Preservation of rural and green spaces and historic structures, design of homes and materials used to be consistent with previous approvals within the area, pedestrian access, discouraging front facing garages, and that promises made by developers are followed even if they are not included in binding elements.
- Notification was provided for DRC and Planning Commission to all landowners within the subdivision, representative, case manager, and neighborhood groups (roughly 160 notices).

# Applicable Plans & Policies

- Cornerstone 2020
- Land Development Code

# Technical Review

- The proposed development plan is in order and has received preliminary approvals from Transportation Planning Review and the Metropolitan Sewer District.
- The language that was eliminated per DRC (15MOD1002) action was the original language placed upon the Plan Certain docket of 9-10-00/10-03-00 by the Planning Commission and not the language that was updated and revised by the Land Development & Transportation committee on July 8, 2004 to reflect the Land Development Code (LDC) in effect as of March 1, 2003. Along with revising the language of the binding element now known as #23, additional criteria were placed upon the binding element requiring reports to be submitted at 6-month intervals from the time of recording the first section of the subdivision. This binding element as amended by LD&T July 8, 2004 was carried forward to the General District Development Plan approved October 1, 2005 and incorporated into the Revised District Development Plans of cases 11632 and 13985.

# Staff Analysis and Conclusions

- The Revised Detailed District Development Plan, Revised Major Preliminary Subdivision Plan, and Amendment to Binding Elements appear to be adequately justified and meet the standard of review based on staff analysis in the staff report

# Required Actions

- APPROVE or DENY the Revised Detailed District Development Plan and Revised Major Preliminary Subdivision Plan, as well as an Amendment to Binding Elements of docket 9-10-00/10-03-00 and cases 11632 and 13985; thus, upholding or overturning the action of the Development Review Committee on February 3, 2016.

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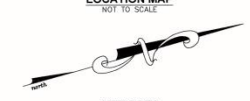
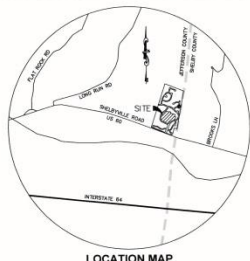
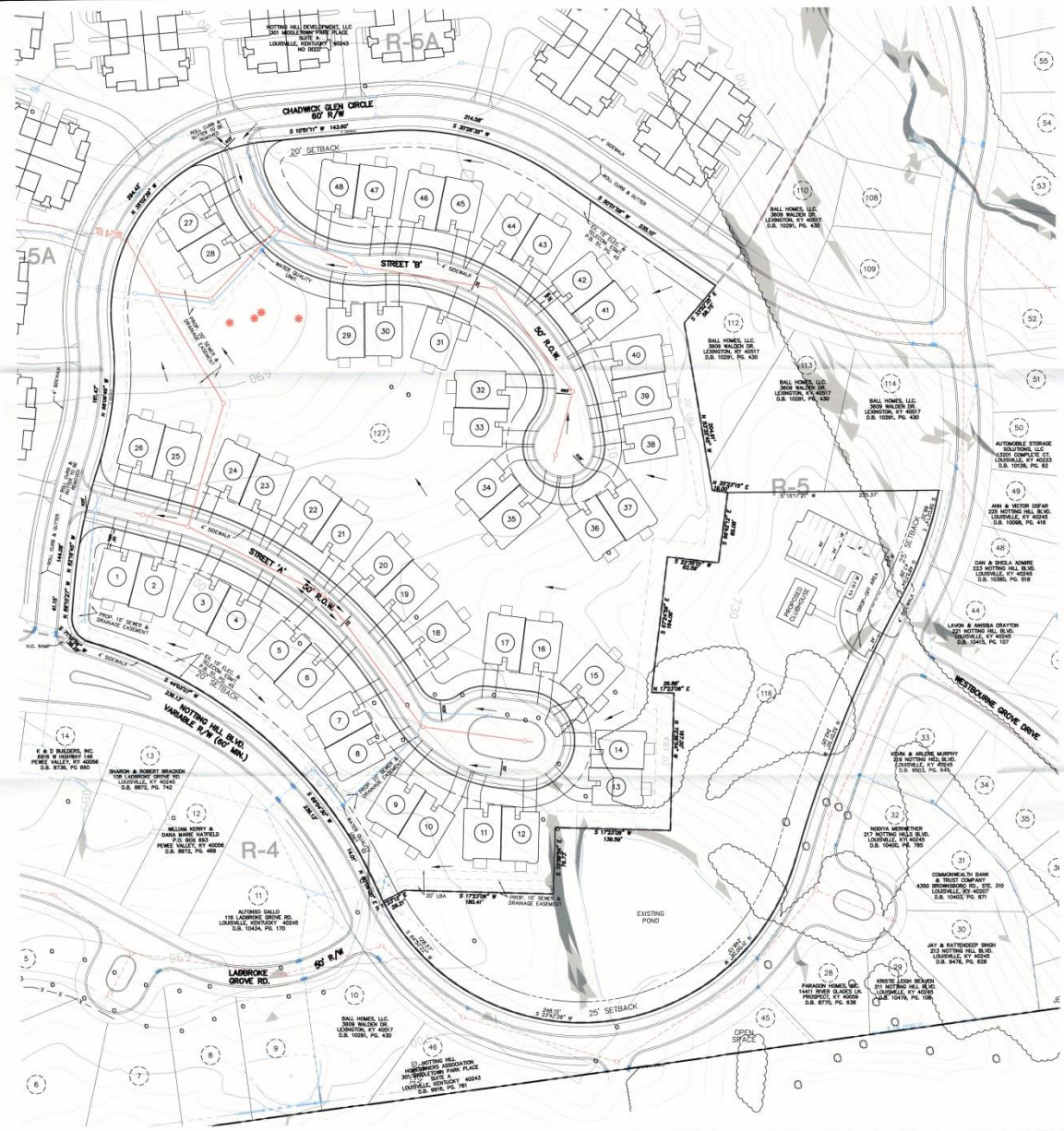
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**EXISTING ZONING:** DUPLEX VILLAS/MULTI-FAMILY & CLUBHOUSE  
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**RECEIVED**  
 DESIGN SERVICES  
 10/11/15

CASE # 15DEVPLAN1195  
 MSO SUB # 894  
 TAX BLOCK 26, LOT 165  
 TAX BLOCK 3800, LOT 127  
 NO DEED LISTED

**OWNER:**  
 NOTTING HILL DEVELOPMENT, LLC  
 301 MIDDLETOWN PARK PLACE, STE. A  
 LOUISVILLE, KY 40243

**DEVELOPER:**  
 WELCH DEVELOPERS, LLC  
 301 MIDDLETOWN PARK PLACE, STE. A  
 LOUISVILLE, KY 40243

**SABAK, WILSON & LINGO, INC.**  
 ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS  
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 LOUISVILLE, KENTUCKY 40202  
 (502) 584-6271

STATE OF KENTUCKY  
 DAVID W. LINGO  
 10/11/15

REVISIONS

| NO. | DATE | DESCRIPTION |
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SHEET TITLE: REVISED DEVELOPMENT PLAN & REVISED PRELIMINARY SUBDIVISION PLAN PROJECT: NOTTING HILLS SECTION 4 DUPLEX VILLAS & CLUBHOUSE 200 SOUTHWALL AVE. LOUISVILLE, KY 40202

SHEET NO. 2340-4  
 SCALE: 1" = 60'  
 DATE: 11/20/15  
 DRAWING NO. DDP

1506241195