

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**

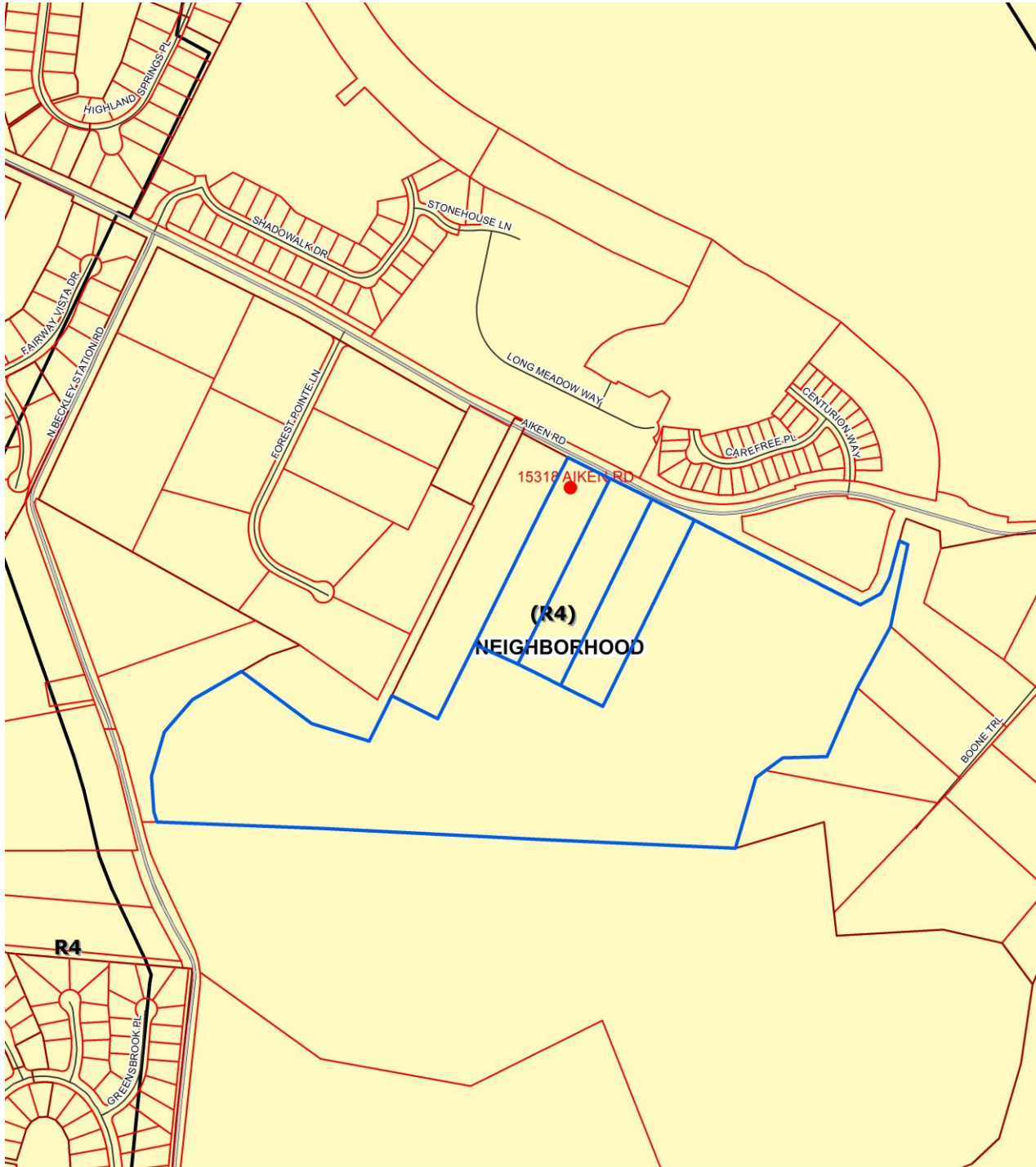
NOTIFICATION

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

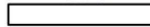
1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval

1. **Zoning Map**



18SUBDIV1015

feet

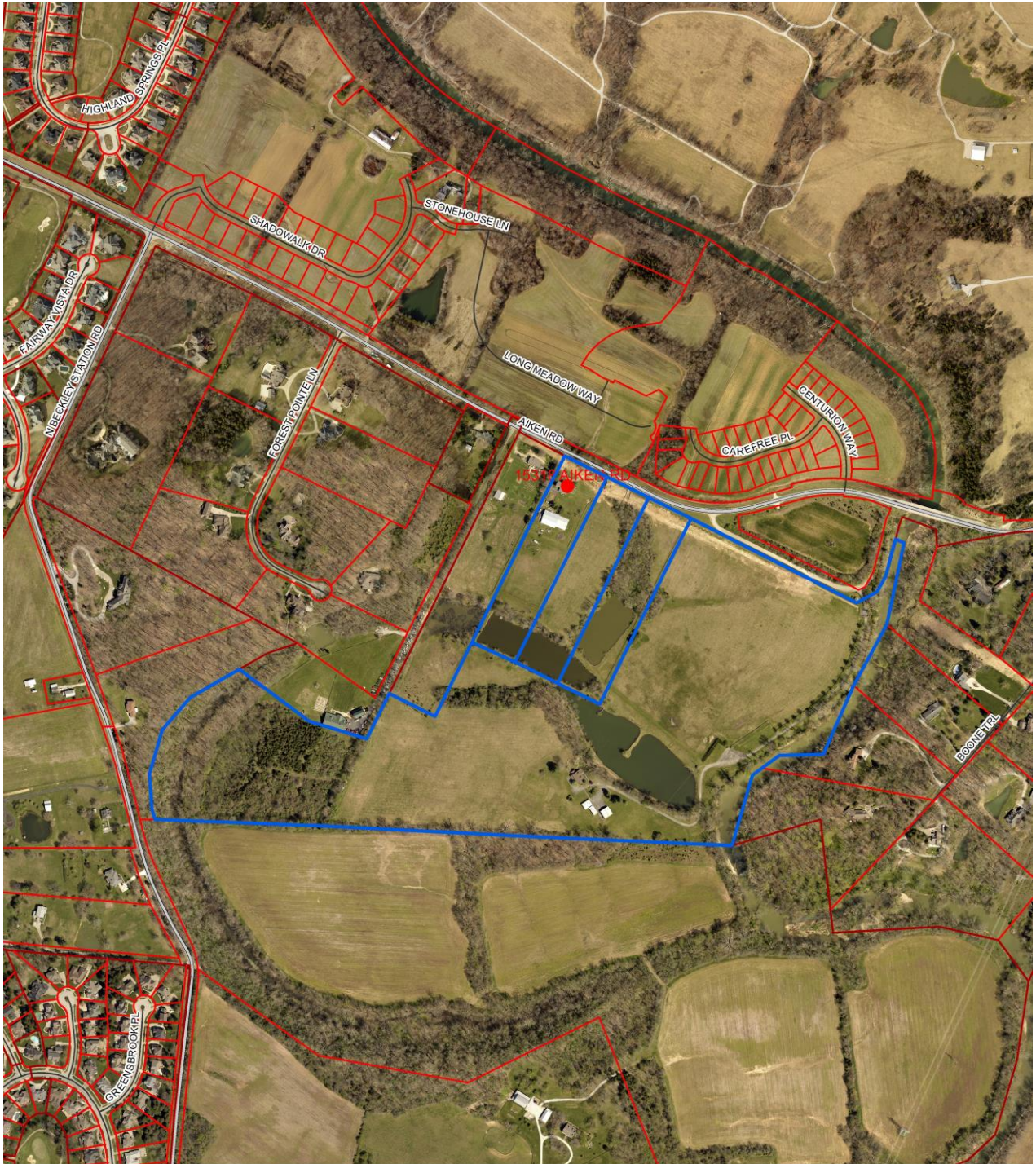


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2. Aerial Photograph



18SUBDIV1015

feet



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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.