

Development Review Committee

Staff Report

April 20, 2016



Case No:	16DEVPLAN1007
Project Name:	Ivy Ridge Gate
Location:	4318 Ivy Crest Circle
Owners:	Ivy Ridge Patio Home Assoc.
Applicant:	Ivy Ridge Patio Home Assoc. – David Williams
Representative(s):	Goldberg Simpson, LLC. – Mark Sandlin
Project Area/Size:	19.5 Acres
Existing Zoning District:	R-5A, Multi-Family
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	16 – Kelly Downard
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **Revised Detailed District Development Plan (RDDDP)** for proposed gate to close secondary entrance.

CASE SUMMARY/SITE CONTEXT

The applicant proposes to construct a gate and close the entrance to the patio home development from Creekton Drive. Only the entrance on Barbour Lane will remain open to the public. The gate will be an arched ornamental aluminum fence; roughly 6' in height. All drive lanes within the development are private.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Multi-family	R-5A	N
Proposed	Multi-family	R-5A	N
Surrounding Properties			
North	Single-Family	R-4	N
South	Single-Family	R-4	N
East	Single-Family	R-4	N
West	Single-Family	R-4	N

PREVIOUS AND ASSOCIATED CASES ON SITE

9-50-05: Rezoning from R-4 to R-5A (approved December 19, 2005)

INTERESTED PARTY COMMENTS

Staff received an inquiry from Mark and Laurie Adams. Their concerns were related to the closure of the access point with chain and miscellaneous materials that were unsightly, as well as general concerns with the process and the proposed style of the gate. Photos were submitted of the chain drawn across the access to Creekton Drive and examples of fencing styles that they deemed appropriate to the character of the

neighborhood. Staff finds the proposed gate is in keeping with the character of the neighborhoods and images submitted by the Adams'.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code (revised April 2016)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP AND AMENDMENT TO BINDING ELEMENTS

- 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 development does not appear to have an impact on the existing natural resources.

- 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 within the development and the community is provided through the entrance to the patio home development along Barbour Lane and the internal network of streets, parking, and walks are private.

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

STAFF: The proposal does not impact provisions for sufficient open space (scenic and recreational) to meet the needs of the proposed development.

- 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 will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

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

STAFF: The overall site design and land uses are compatible with the existing and future development of the area as the proposed gate is compatible with the character of fences within the general vicinity.

- 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 conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code (LDC).

TECHNICAL REVIEW

The proposed development plan is in order.

All roads within the development are private drive lanes for access to patio homes and parking areas. Land Development Code, section 6.1.3 requires developments with an aggregate of 200 or more dwellings to maintain at least two separate access points. The Ivy Ridge Patio Homes contain 92 units; thus, requiring only one access point. Harrod's Creek Fire Department emergency vehicles access Creekton Drive via Beechspring Farm Blvd. Harrod's Creek Fire has no concerns with the proposed gate.

STAFF CONCLUSIONS

The Revised Detailed District Development Plan appears to be adequately justified and meets the standard of review based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving a Revised Detailed District Development Plan.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the Revised Detailed District Development Plan.

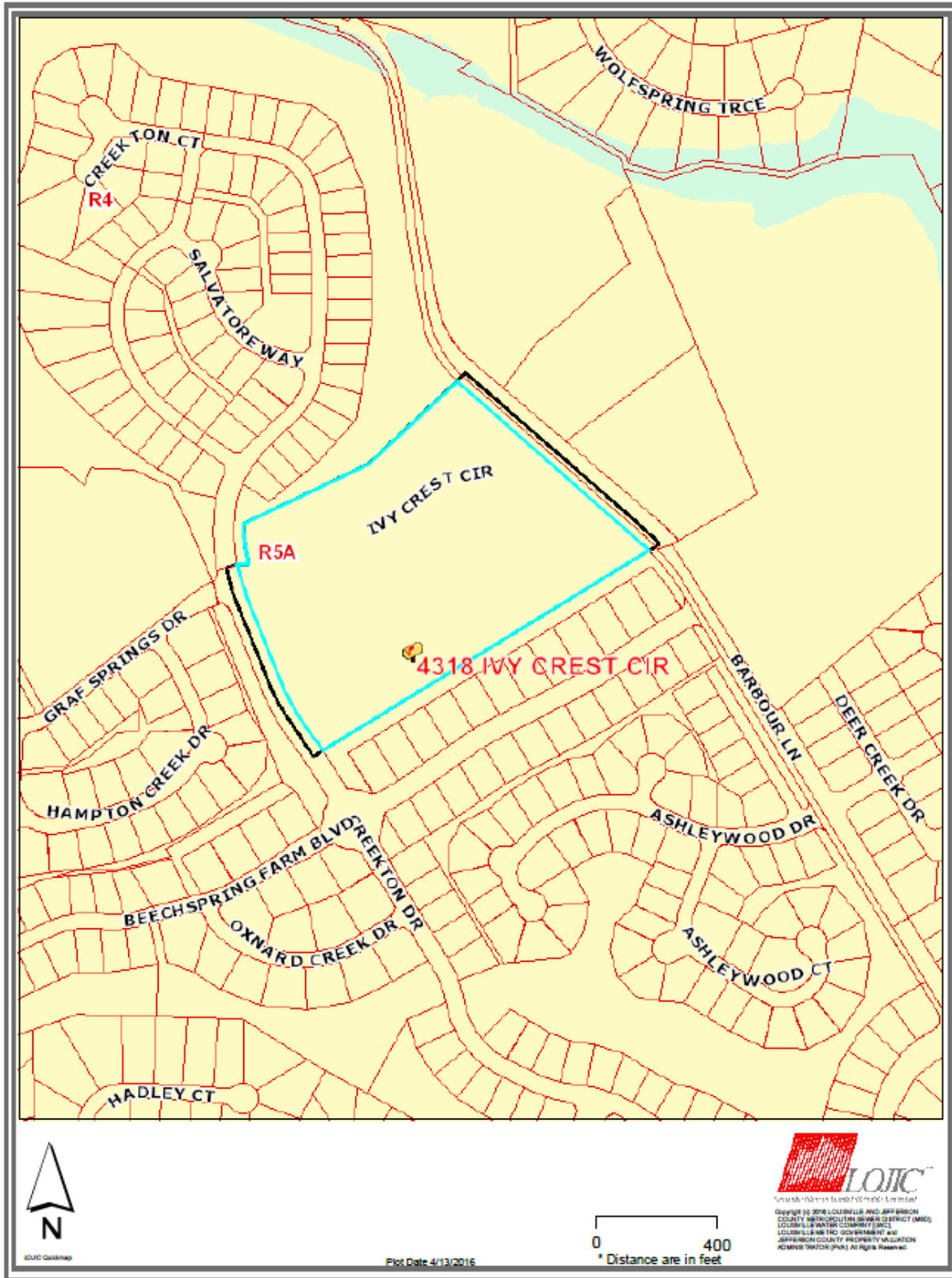
NOTIFICATION

Date	Purpose of Notice	Recipients
4/6/16	DRC	Adjoining property owners, applicant, owner, and registered users of Council District 16.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Gate
4. Existing Binding Elements

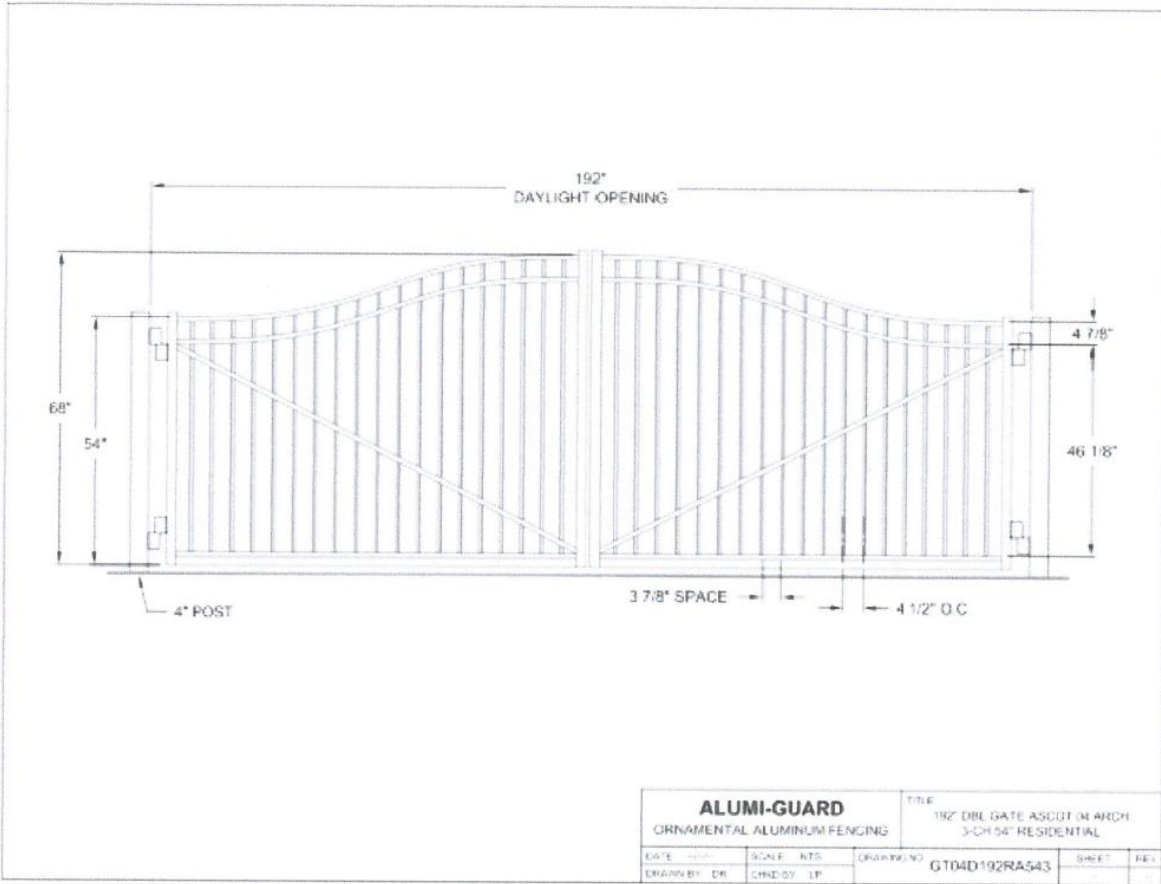
1. Zoning Map



2. Aerial Photograph



3. Proposed Gate



Starling/Arched Gates

Structural interest and elegance to your property with OnGuard estate and arched gates. Single and double gate models are available in all standard sizes to match any OnGuard fence color. Our gates can also be custom-sized to suit your specific design needs.

Arched gates feature heavy-duty rigid 2-inch square frames with welded construction to ensure reliable operation. Estate gates offer extraordinary strength with U-frame construction to resist deformation and maintain proper alignment and smooth operation. All welds are polished and powder coated for a superior, clean, beautiful finish. The highest quality hardware comes with every OnGuard gate, while diagonal bracing is standard for adding strength.

LIFETIME WARRANTY

Black Pool Starling Arched

Black Residential Starling Arched

4. Existing Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The density of the development shall not exceed 4.7 dwelling units per acre (92 units on 19.5 acres).
3. Signs shall be in accordance with Chapter 8.
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
5. 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.
6. Before any permit (including but not limited to building, parking lot, change of use, or site disturbance permit is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. 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.
 - c. 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.
 - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
7. 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.
8. 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.
9. 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.

10. At the time the developer turns control of the condo owner's association over to the condo owners, the developer shall provide sufficient funds to ensure there is no less than **\$3,000** cash in the condo owner's association account. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement.
11. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the ~~November 14~~ December 19, 2005 Planning Commission meeting.
12. The façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.
13. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained thereafter. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.
14. 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.
15. Multi-family development of the property shall be limited to development under a horizontal property regime.
16. No two adjoining buildings shall have identical façade colors (e.g., one building with a red brick façade shall not adjoin another building with a red brick façade).
17. At no time shall the density of the subject property be greater than 5.25 dwelling units per acre.