

Dock, Joel

From: Randy Strobo <rstrobo@strobobarkley.com>
Sent: Thursday, June 3, 2021 12:14 PM
To: Dock, Joel
Cc: Clay Barkley; Ben Hassett; Ashburner, Clifford
Subject: Re: 20-ZONE-0078

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Joel,

Sorry one more thing. Please add the following statement to the record in Case No. 20-ZONE-0078:

An agreement with the Applicant has been made with Wolf Pen Mill Farm, LLC, to add protections to Wolf Pen Mill and the Wolf Pen Mill Farm. Therefore, Wolf Pen Mill Farm, LLC now has no objection to the approval of this application, and it withdraws all prior objections.

Best,

Randy Strobo
Counsel for Wolf Pen Mill Farm LLC

--

Randy Strobo
www.strobobarkley.com
direct: 502.409.9956
rstrobo@strobobarkley.com

Dock, Joel

From: Randy Strobo <rstrobo@strobobarkley.com>
Sent: Thursday, June 3, 2021 10:18 AM
To: Dock, Joel
Cc: Clay Barkley; Ben Hassett
Subject: 20-ZONE-0078

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Hi, Joel,

Please add me to the speaker list for the PC meeting today in case no. 20-ZONE-0078 as "other" on behalf of Wolf Pen Mill Farm, LLC. I submitted the online speaker form a few minutes ago.

I will state this during my testimony, but we would also like to withdraw our comment letter dated March 24, 2021 and presentation dated March 25, 2021 that we submitted on behalf of Wolf Pen Mill Farm LLC prior to the LDT Committee meeting.

And thank you for your help regarding the email issue yesterday. Very much appreciated.

Thanks,

Randy

--
Randy Strobo
www.strobobarkley.com
direct: 502.409.9956
rstrobo@strobobarkley.com

Dock, Joel

From: stpinlou@aol.com
Sent: Thursday, June 3, 2021 10:13 AM
To: Dock, Joel; agunnison@aol.com; Davis, Brian
Subject: Re: 20-ZONE-0078 COMMENTS FOR PC
Attachments: Atty-WPPA-FOF-Office Park.pdf

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Joel and Brian,

Please send the attached Findings of Fact for Denial to the Commissioners and to legal counsel. Please have it on-screen ready for our presentation also. Thanks

I will be coordinating the opposition speakers in the following order:

- Steve Porter
- Mark Foster
- Marsha Weinstein
- Mary Kannapell
- Vittoria Riedling
- Barbara Kelly
- Leea Bridgeman (if avail;able)
- Alice Gunnison
- Seth Singleton
- Steve Porter

In a message dated 6/3/2021 9:54:03 AM Eastern Standard Time, Joel.Dock@louisvilleky.gov writes:

I've attached a copy of interested party comments received after publication. They've been provided to the Commissioner this morning.

Joel P. Dock, AICP

Planner II

Planning & Design Services

502-574-5860

From: Dock, Joel
Sent: Thursday, June 3, 2021 9:51 AM
To: Davis, Brian <Brian.Davis@louisvilleky.gov>
Subject: 20-ZONE-0078 COMMENTS FOR PC

Please send to commissioners for today. These are comments received after publication.

Joel P. Dock, AICP

Planner II

Planning & Design Services

Department of Develop Louisville

LOUISVILLE FORWARD

444 South Fifth Street, Suite 300

Louisville, KY 40202

502-574-5860

<https://louisvilleky.gov/government/planning-design>



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FINDINGS OF FACT FOR DENIAL

Case Number 20-ZONE-0078

Chamberlain Woods Office Park

5220 Chamberlain Lane

The applicant proposes to re-zone the above properties from R-4 single-family residential to OR-3 Office-residential, For the reasons below, this proposal does not comply with the applicable Plan Elements of the Plan 2040 Comprehensive Plan and does not comply with the Wolf Pen Branch Neighborhood Plan, duly adopted by the Metro Council in 2012. Both the PDS staff report and the applicant's Justification Statement acknowledge the property is located in the boundaries of the Wolf Pen Plan. The existing zoning classification given to the property is appropriate. The proposed zoning classification is inappropriate and not in agreement with the 2040 Comprehensive Plan or the neighborhood plan. Since the adoption of Plan 2040, there have been no major changes of an economic, physical or social nature which have altered the basic character of the area of the property.

Community Form

The proposal does not comply with the intent and applicable policies of the Community Form Plan Elements of the 2040 Comprehensive Plan. The new development is not compatible with the scale and site design of nearby existing development, as evidenced by the many objections from the nearby public. The proposal constitutes a non-residential expansion into an existing residential area. It will have negative impacts such as increased traffic, and increased lighting and noise in a residential area. There is no adequate buffer or transition between lower density residential and non-residential usage.

Plan 2040 defines an "activity center" as: "An area of concentrated, mixed-use activity that often has a residential component." Plan 2040 also defines a "neighborhood center" as "Mixture of neighborhood- serving land uses such as offices, shops, restaurants and services ...". This single office development cannot be considered an activity center or a neighborhood center. It is merely an isolated office, non-residential use, an example, if allowed, of spot zoning. It is not located in or near an activity center. It is not compatible with adjacent uses. There is no proposal for any residential on the site (even though OR-3 zoning would permit that), thus the proposal is not a mixed-use proposal. The plan proposes to demolish an existing residential structures instead of any possible rehabilitation or continued use.

The proposal violates Goal 1, Objective b because this proposal is not in line with the preferred neighborhood character. Very importantly, this proposal violates Goal 1, objective e because, if it is allowed, it would be a direct violation of the Wolf Pen branch neighborhood Plan, thus not allowing the community to be fully engaged in the planning and development process. The proposal violates Policy 2.1.2 because the intensity and density of the proposal is

not appropriate in this location. The proposal violates Policy 2.1.4 because it is incompatible with surrounding uses in use, mass, scale, height, orientation and design. It violates Goal 1, policy 3.1.3 because its high density use is not compatible with the residential nature of the area. The proposal violates Goal 1, Policy 4 because it is not compatible with the scale and site design of nearby existing development.

This proposal violates Goal 1, Policy 6 because it has adverse impacts relating to traffic, lighting, noise, displacement of residents, and loss of affordable housing. It violates Goal 1, Policy 7 because it is not near major transportation facilities and transit corridors. It violates Goal 1, Policy 9 because it does not provide an appropriate transition between uses that are substantially different in scale and intensity. It violates Goal 1, Policy 10 because it does not provide an adequate buffer between uses substantially different in intensity. It violates Goal 1, Policy 11 because its building height is not compatible with nearby development and is almost twice the height allowed in the form district. It violates Goal 1, Policy 17 because it does not mitigate the adverse effects of traffic, especially with the conflict of outgoing residential neighbors with incoming office workers.

The proposal violates Goal 2, Policy 4 because it allows non-residential development to occur with inappropriate access and connectivity. It violates Goal 2, Policy 8 because it does not bring any residential use to the site.

Mobility

The proposal does not comply with Goal 2, Policy 4 because it creates a significant nuisance by bringing access to the development through an area of lower intensity. Access from Chamberlain Lane and Brownsboro Road is not the only potential access. Many office workers would come from Wolf Pen Branch Road through the Wolf pen neighborhood.

Economic Development

The proposal does not comply with the intent and applicable policies of the Economic Development Plan Elements of the 2040 Comprehensive Plan. It violates Goal 2, Objective b because it does not protect the economic value of neighborhoods.

Livability

The proposal does not comply with the intent and applicable policies of the Livability Plan Elements of the 2040 Comprehensive Plan. It violates Goal 3, Objective c because it is in total conflict with the adopted neighborhood plan. Allowing this proposal would not support or empower the ability of neighborhood groups to plan for their neighborhood. It violates Goal 3, Objective f because it does not maintain the existing tree canopy. Despite the applicant's contention that a "significant" portion of the canopy will be undisturbed, only 21% of the existing canopy will be preserved (just barely over the requirement of local ordinance).

Housing

The proposal does not comply with the policies of the Housing Plan Elements described in Goal 2, Policy 1; Goal 2, Policy 2; and Goal 3, Policy 3.. While C-1 zoning does permit higher density housing options that would support aging in place, this proposal not only does not propose any such housing, it proposes to demolish a residential unit currently on the site. The plan does not propose any housing which includes affordable housing. In fact, it proposes demolishing the affordable housing on the site currently and displacing the current residents. It does not encourage the use of vacant property for new housing.

Wolf Pen Branch Neighborhood Plan

Because the neighborhood plan was adopted by the Metro Council, that plan becomes part of plan 2040, the comprehensive plan. As noted by the staff report, the neighborhood plan provides the following: “Restrict future development to single-family residential use and limit future nonresidential development to the reuse of existing non-residentially zoned areas at River Road.”

If the applicant for this proposed office development wanted to comply with some of the housing objectives of Plan 2040, this proposal should look entirely different. But it does not propose any housing, not “middle housing”, not affordable housing, not any residential at all. To say it complies with Plan 2040 because this proposed zoning allows housing is absurd because the development plan does not contain any housing at all.

Our comprehensive plan allows and promotes neighborhood plans. The Metro Council has adopted the Wolf Pen Branch Plan. To allow a flagrant violation of that plan would negate all the hard work of the neighborhood and PDS staff on that plan. Such an approval would seriously violate the plan 2040 objective that neighborhoods should be empowered in the planning process, not ignored.

This zoning request, this development plan and the height variance should all be denied.

From: Willis Taylor
To: Dock, Joel
Subject: # 20-ZONE-0078
Date: Tuesday, June 1, 2021 10:45:06 PM

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Dear Mr. Dock,
I write as a direct descendent of Revolutionary War Captain Reuben Taylor whose 1799 log house still stands off Chamberlain Lane a short distance from the proposed office complex. The Wolfpen Branch/Chamberlain Lane area is one of the oldest settled and most unique areas to live a quiet, reflective life in Louisville. It is regarded as a sanctuary among the creeks, streams, springs, and woods and removed from the incessant noise of commercial developments. It's rich history and well-preserved core is an asset to our city and must be valued as such. An office complex at the roundabout would be completely out of place and irreversibly destroy the pastoral setting of the area. Whatever marginal benefit is offered by the complex - which I struggle to find - is far outweighed by the detrimental impact to the environment and the character of the area.

In a finite world, growth cannot be infinite. We must be smarter about growth. We should follow the guidance of the Neighborhood Plan passed by the Metro Council in 2012 and keep this area zoned as low density residential.

I plan to attend the Planning Commission meeting on Thursday. If time allows, I wish to speak at the hearing in opposition to the proposed office complex. Thank you.

Sincerely,
Willis Taylor
willis.s.taylor@gmail.com
(502) 810-4970

From: Elisabeth Clark
To: Dock, Joel
Subject: #20-ZONE-0078
Date: Saturday, May 29, 2021 9:48:07 AM

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Please do not allow this development in this area. As a 5 year resident of Norton Commons who travels this Chamberlain Lane area everyday, I assure you it is an inappropriate placement. Traffic is already very heavy at certain times of the day and will become worse with the huge condo complex just built within NC that has yet to be habituated and the additional homes under construction. Louisville has a surplus of unused commercial buildings suitable for offices and retail. Please do not burden our residential area with this unnecessary development. Thank you

Elisabeth Clark
9104 Blazing Star Lane
40059

Sent from my iPhone

From: Debra Harlan
To: Dock, Joel
Cc: Reed, Scott
Subject: # 20-ZONE-0078
Date: Saturday, May 29, 2021 10:13:05 AM

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Thank you for the opportunity to comment on this latest sprawl for the helluvit rezoning request. I'm not sure on what planet any city needs this single use, auto-centric so last century plan for offices when existing space is empty and not going to be filled anytime soon. I'm also aghast at 850 surface parking spaces in Heat Island City, or 1990 wants it's zoning plan back.....even WalMart has abandoned this model in favor of walkable sites. While downtown focuses on nothing but hotels for a dwindling transient population while antagonizing the true transient population without affordable housing, this remote looming office building with heat island and a few stick trees screams inequity. Even the folks on Norton Commons Island cannot get there on foot. Is there a bus stop??
Do better Louisville. "Develop Forward Louisville" has been the oxymoron of the past decade.
Thank you for your time.

Debra Harlan
1734 Chichester Ave
40205

Sent from my iPhone

From: Gene Marshall
To: Dock, Joel
Cc: Robert Towler
Subject: #20-ZONE-0078
Date: Saturday, May 29, 2021 1:27:29 PM

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Joel, as a close neighbor of #20-ZONE-0078, I oppose the change in zoning. Our beautiful and natural surroundings will be destroyed by asphalt, concrete, and lighting. Traffic will be increased and result in more congestion at the Norton Common's circle. Our backyards have already been impacted by the increases in surface water flow from the commercial developments near Norton Commons. Undoubtedly this new development will cause even more alteration to the flow and absorption of surface water. I stand opposed to tge rezoning of the subject area.

Gene Marshall
5401 Merrbrook Lane
Prospect, Ky 40059

From: PATRICIA BOLES
To: Dock, Joel
Subject: Case 20-Zone-0078
Date: Wednesday, June 2, 2021 2:32:32 PM

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I am writing in opposition to this planned office development site by the McMahan Group in the area of Wolf Pen Branch Road and Chamberlain Lane. This is an area of virgin forest which is scenic and historic. The Wolf Pen Branch Neighborhood Plan specifies that office space is to be excluded from the plan area. How can the plan be any clearer? Why does the McMahan Group persist in developing this project?

This development is certainly not low impact with one four story building, two two story buildings and a parking lot for 850 cars and other vehicles. This development will be a total of 300,00 sq ft of office space. The traffic from this development is unsuited for the two lane roads in the area. I looked at the McMahan Group website which lists 1,267 office and retail spaces for rent in Jefferson County as of June 2, 2021.

I am asking the McMahan Group to respect the Wolf Pen Branch Neighborhood Plan and not go forward with this office development. If the developers do not respect the Neighborhood Plans and Comerstone 2040, why do we spend tax payer dollars to write, implement and monitor these plans? I am certain that there are areas of Jefferson County that would welcome this kind of economic development. Surely, Mayor Fischer and others would be able to help relocate this office complex? Thank you for your attention to my request.

Best regards,

Pat Boles
2208 Wymewood Circle 40222
502-930-1463

From: G. Bias
To: Dock, Joel
Cc: Alice Gunnison
Subject: 20-ZONE-0078, Chamberlain Office Park
Date: Wednesday, June 2, 2021 9:45:16 AM

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Mr. Dock, good morning. If you would, please pass this to the Planning Commissioners in anticipation tomorrow's hearing. Many thanks to you.

Ladies & Gentlemen: I live not far from the proposed development site, & within the area described by the Wolf Pen Branch Neighborhood Plan. You already know far more about the content & implications of this document than most people, so I won't offer quotes.

What I will do is ask, just for a moment, that you would imagine that you were Barbara Kelly or Mark Foster or Bonnie Loeb or Charles Cassis or Bob Bortogna or Michael Jones, or any of the private citizens who took the time, made the effort, performed the negotiations, & finally produced this neighborhood plan over the course of months, if not years. Had you been involved in that long process, imagine how happy you would have been at the end, upon learning that the plan had been finalized, & then adopted by the Metro leadership.

Now, imagine yourself having had a similar role in the creation of Comerstone 2040.

Then, imagine for a second, how crushing it would be to have spent that time & made that effort, only to have selective portions of the Plans discounted, waived, or perhaps violated for the sake of development. One could easily say that such a feeling would be somewhere between a shame & an absolute travesty, & while feelings are absolutely not the important issue here, control of inconsistent development is absolutely the key.

Please give proper credence to the work that preceded this attempt to avoid several provisions of these now-established rules of the game, & ensure that the residents (the people who would be most impacted by this development, by the way) are properly heard on June 3.

Thanks for your time & consideration.

Geof Biaslas
7508 Wolf Pen Branch Road
Prospect, KY 40059-9172
gbiaslas@bellsouth

From: geob@bellsouth.com
To: Dock, Joel
Subject: 20-zone-0078
Date: Wednesday, June 2, 2021 8:23:36 PM

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Joel,

I oppose the requested rezoning for this project. The project is not appropriate for this neighborhood.

I am greatly concerned that the neighborhood plan is being ignored.

NEIGHBORHOOD PLANS MUST BE HONORED.

Ann Ramsay

From: agunnison@iaol.com
To: Dock, Joel
Subject: 20-ZONE-0078
Date: Friday, May 28, 2021 3:14:46 PM

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Dear Mr. Dock--

As you are aware I am exceedingly interested in this project. I've lived in the area for 65 years and am very concerned about the planned destruction of the tree canopy on Chamberlain with the proposed office complex. The Grande Senior Living directly across Chamberlain promised to replant the entire hillside and has not followed through on that. Yes, the trees are young but they will never completely cover the hillside as promised.

I urge the Commissioners and Staff to carefully consider the canopy--especially in light of the Kindred Rehab Hospital proposed for Chamberlain immediately to the south of the I-71 overpass. I hope there are some construction alternatives to totally gutting the hillside.

Please put this in the record for the June 3, 2021 PC hearing.

Thank you,

Alice Gunnison
7849 Wolf Pen Branch Rd

From: Lee Cory
To: Dock, Joel
Subject: Case: 20-ZONE-0078
Date: Tuesday, June 1, 2021 8:06:17 PM

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Dear Members of the Planning Commission:

I urge you to reject this proposal to build an enormous, uncharacteristic and unneeded office complex in the historic Wolf Pen Branch neighborhood.

It is undisputed that the development violates the thoughtful, deliberate and expensive Wolf Pen Branch Neighborhood Plan, as well as the Comprehensive Plan 2040 which adopted it. The Planning Commission has no basis to ignore the Plan, and to do so disrespects the process and all of the constituents who participated in the process.

Just one example of how this development violates the Comprehensive Plan is the destruction of the tree canopy. The Comprehensive Plan's Vision Statement provides that the Wolf Pen Branch community should remain a unique rural setting by protecting the tree canopy, among other things. However, just the entrance to this enormous development will destroy the hillside which supports the tree canopy.

Furthermore, the Wolf Pen Branch Plan area does not need an enormous office complex. This area is already well served by offices and other commercial development in Norton Commons and on Brownsboro Road.

Nor does it need a huge, uncharacteristic building of any sort. The size and scale of this complex will dwarf everything in the Plan area. The 72 ft. height of the complex is twice the height of what is currently allowed and the 280,000 sq. ft. scale is in no way compatible with the neighborhood or the Neighborhood Plan.

Therefore, I urge the Planning Commission to respect the Wolf Pen Branch Neighborhood Plan and to reject this massive, uncharacteristic complex. Please vote against it.

Yours truly,
Lee Cory

Lee Troutman Cory
31 River Hill Rd.
Louisville, Ky 40207

From: Lillias Pettit-Scott
To: Dock, Joel
Subject: Case: 20-ZONE-0078
Date: Wednesday, June 2, 2021 11:23:07 AM

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Good Morning Joel,

I am writing to voice my support for the Wolf Pen neighbors in opposing the development proposed in case 20-ZONE-0078

The development goes against the neighborhood plan for Wolf Pen. What is the purpose of a neighborhood plan and all of the work and money that goes into putting it together if it is not going to be adhered to?

Thank you for your time,
Lillias Pettit-Scott
1280 Lydia Street
Schnitzelburg Neighborhood, 40217

From: Frances Aprile
To: Dock, Joel
Subject: Case # 20-ZONE-0078 Wolf Pen office bldg
Date: Monday, May 31, 2021 11:56:01 PM

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This proposal is an egregious violation of the Wolf Pen Neighborhood Plan. It is grossly out of scale & out of character with this neighborhood. It would create so many serious, permanent problems with traffic, noise, & pollution as to destroy this neighborhood's character altogether, which is a clear violation of Plan 2040. It would fill no community need whatsoever -- there are already empty office buildings all over the county. We don't need another one, & certainly not in a residential, semi-urban neighborhood.

I strongly urge the Commission to reject this bad proposal.

Thank you,
Frances Aprile
15404 Taylorsville Rd
Fishersville KY 40023

From: Barbara Kelly
To: Dock, Joel
Subject: Chamberlain Lane Office Development, 20-ZONE-0078
Date: Friday, May 28, 2021 3:02:02 PM

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Joel,

I spoke to Jeff Brown about our concerns for preserving the Chamberlain Lane tree canopy with regard to road improvements associated with the development. As yet there are no construction plans for him to review. He recommended that I let you know so you could add this to the record.

The development plan shows a crosswalk on Chamberlain Lane at the roundabout. For those of us who live out here and use the roundabout, this seems unsafe.

Thank you,
-Barbara Kelly

From: Alice Wells
To: Dock, Joel
Subject: Chamberlain Office Park (20-ZONE-0078)
Date: Wednesday, June 2, 2021 11:51:17 AM

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Dear Joel,
PLEASE PLEASE do not let this giant office park (#20-ZONE-0078) be built in this very bucolic neighborhood. It is NOT appropriate for the area. The roads and the area are not zoned for such buildings. Please honor past zoning regulations.
Thank you,
Alice S. Wells
5215 Spring Farm Road
Prospect, KY 40059

From: Jackson Thompson
To: Dock, Joel
Cc: Reed, Scott
Subject: Opposition to case #20-ZONE-0078 - Chamberlain Office Park
Date: Wednesday, June 2, 2021 5:30:21 PM

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Good afternoon, Joel -

I'm writing in opposition to the proposed rezoning to allow the Chamberlain Office Park to move forward. With ongoing work on I-71 — widening and new bridges, as well as the addition of noise barriers, more office structures, increased cars and traffic is a detriment to the area as well as an inconvenience to current and future residents. Please do not move forward with this zoning change.

Best,
Jackson Thompson

From: Seth J. Singleton
To: Dock, Joel
Subject: Public Comment re: Case No. 20-ZONE-0078 Planning Commission
Date: Wednesday, June 2, 2021 12:08:36 PM

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Mr. Dock:

I am writing to submit my comment regarding Case No. 20-ZONE-0078, which is set to be heard at the upcoming Planning Commission meeting on Thursday, June 3, 2021, at 1:00 PM. I ask that my comment be entered into the record.

I am a resident of Wolf Pen Branch Road and I oppose this development as currently proposed.

As the Planning Commission is aware, as required by KRS 100.213(1), the developer must prove that the proposed development complies with the applicable guidelines and policies of Plan 2040. The proposed development does not comply with Plan 2040.

The exceptions to this requirement do not apply. KRS 100.213(1)(a) is not applicable because there is no evidence that the existing zoning classification is inappropriate. And secondly, KRS 100.213(1)(b) does not apply since there have been no major changes of an economic, physical, or social nature within the area, particularly since Plan 2040 was just recently adopted.

The guiding force behind Plan 2040 is the overarching CHASE principles. This proposed development does not fit into the CHASE principles. For instance, in contravention of the "Connect" element of the CHASE principles, the development does not leverage its natural environment and geographic position to improve the quality of life for all citizens. As explained below, it does the opposite. The development also does not support the natural environment by considering air, water, and soil quality, as required by the "Healthy" element of the CHASE principles. And the development as proposed will likely cause systematic and changeable differences in health between geographically defined populations. The "Healthy" element cannot possibly be satisfied with the reduction in natural landscape, loss of tree canopy, and significant addition of impervious pavement contributing to the heat island effect experienced throughout Louisville.

Furthermore, this development violates the "Authentic" element of the CHASE principles. It certainly does not recognize the unique culture of the surrounding area and does not recognize important features in the built and natural environment, including nearby waterways for the reasons explained below. The proposed development does not comply with the "Sustainable" element of the CHASE principles either. It fails to encourage green practices and it is not harmonious with the natural environment. And lastly, the development fails to meet the requirements of the "Equitable" element of the CHASE principles because the developer has failed to engage all citizens in the decision-making process, not just those with deep pockets or political power.

There are several reasons for my opposition but the one that stands out is the potential the development has to increase thru-traffic on the Chamberlain Lane/Wolf Pen Branch Road corridor. While increased traffic isn't typically compelling, the unique surrounding area requires a deep look into the negative impact of increased traffic caused by this proposed development. The area directly surrounding the proposed development is a scenic and historic route cherished by not only nearby residents, but all Jefferson residents. Approving this development will only increase thru-traffic, ultimately disrupting the scenic and tranquil character of the Wolf Pen Branch corridor.

The secondary proposed entrance on Wolf Pen Branch Road will ensure this increased traffic. Although this secondary entrance is proposed as an "emergency" entrance only, there is no guarantee that this will remain in perpetuity. Many developments have installed gates on emergency entrances only to have those gates remain open for general use. This will only create dangerous conditions near the blind curve on Wolf Pen Branch Road where the secondary entrance is proposed. It is worth noting that Wolf Pen Branch Road is narrower than a typical two lane road. And widening Wolf Pen Branch Road to accommodate the secondary entrance would further the disruption caused to the corridor.

In addition to the increased thru-traffic on Wolf Pen Branch Road, this proposed development will undoubtedly create problems for water management to the Wolf Pen Branch watershed. Wolf Pen Branch Road experiences significant flooding during any given year, namely due to other nearby development, and the proposed detention basins will not adequately offset the increased stormwater run-off created by this proposed development.

This development will also add to the surrounding light pollution, which will negatively impact the overall ambiance of the area. And, in the same vein, it will add to the surrounding noise pollution. Not only by the initial construction, but also by the increased traffic and activity created by tenants, clients, and visitors to this proposed development.

Next, the development's proposed utilities will require the removal of the natural landscape

and tree canopy. As a result, it will greatly disrupt the scenic feel of Wolf Pen Branch Road. This will also deplete the much-needed landscape for native wildlife, forcing them into the line of traffic and creating a dangerous environment for drivers, bikers, joggers, and other pedestrians.

It must also be considered that there is a 2-story rehabilitation facility proposed on property adjacent to this development. This further adds to the potential disruptions to the scenic Wolf Pen Branch corridor, including traffic, light pollution, water management, and natural landscaping. This development does not consider this adjacent development.

And lastly, this development does not fit into the Wolf Pen Branch Road neighborhood plan (effectively adopted by and incorporated into Plan 2040). This plan has been in effect since 2006 and updated in 2012. It limits development to low- and very low-density residential. The proposed office buildings do not conform with the neighborhood plan. The buildings are completely out of character for the scenic and historic Chamberlain Lane/Wolf Pen Branch Road corridor. It will be argued by proponents of the development that they are not required to abide by the neighborhood plan. This is not true. The Wolf Pen Branch Road neighborhood plan was approved by the Louisville Metro Government and incorporated into Plan 2040. Accordingly, our public servants have indicated a desire for the Wolf Pen Branch area to retain its scenic and historic atmosphere.

Thank you, Mr. Dock. I appreciate your time and attention to this matter.

Best,

Seth J. Singleton, Esq.
(502) 612-8745
sethsingleton@gmail.com

From: Dock, Joel
To: agunnison@aol.com
Subject: RE: Case 20-ZONE-0078
Date: Tuesday, June 1, 2021 9:00:00 AM

Both. They are not be rezoned and they are not part of the development site. They are undisturbed. This keep wolf pen branch road along these two parcels undisturbed. In exchange for a small bit of frontage on Wolf Pen Branch where the emergency access is located and sidewalks are required, a sidewalk is being provisioned across these two parcels on Chamberlain Lane to connect to Norton Commons.

Joel P. Dock, AICP
Planner II
Planning & Design Services
502-574-5860

From: agunnison@aol.com <agunnison@aol.com>
Sent: Sunday, May 30, 2021 1:06 PM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: Re: Case 20-ZONE-0078

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Joel-- In the April 22 email below, you state in item 1) "the parcel of land containing the two homes is not included in the proposal." I am not sure if that means they are not part of the proposed office complex, or not part of the rezoning request.

Alice

-----Original Message-----
From: Dock, Joel <Joel.Dock@louisvilleky.gov>
To: agunnison@aol.com <agunnison@aol.com>
Cc: sizar@att.net <sizar@att.net>
Sent: Thu, Apr 22, 2021 9:45 am
Subject: RE: Case 20-ZONE-0078

Alice,

1. The parcel of land containing the two homes is not included in the proposal.

2. I will request that the applicant address this as needed since utility coordination and installation is a construction phase matter. There is also gas along Chamberlain Lane that intersects the proposed entrance on Chamberlain.
3. The case will be last on the agenda but there is no guarantee that the case wont start before 4 PM. It seems likely to begin between 3-4 based current agenda items.

Joel P. Dock, AICP
Planner II
Planning & Design Services
502-574-5860

From: agunnison@aol.com <agunnison@aol.com>
Sent: Wednesday, April 21, 2021 6:32 PM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Cc: sizar@att.net
Subject: Case 20-ZONE-0078

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Joel-- I have three questions I'd like to ask:

1) The attachment above shows a public hearing sign for May 6, 1 pm. It is posted on the strip of land along Wolf Pen which includes the existing house at 8720 and there is another sign in front of the 1930s house on Chamberlain by the roundabout (I don't know that house number). The area marked seems to be only the parcel that is currently excluded from the proposed office complex proposal. There are no other signs on the Chamberlain or Wolf Pen areas indicating the parcel that is being heard by the Planning Commission on May 6th. We just want to make sure this parcel is not included in the zoning change case referenced above.

2) I'm trying to figure out where the gas lines are going. Looks like they tie in at the roundabout and head west on Wolf Pen on the opposite side from the development. Then, they cross the road at the big curve and head in (near the gated entrance) toward the buildings. Am I reading this correctly? How close to the Wolf Pen roadway will these lines run? There are dense trees and brush on both sides of Wolf Pen on that stretch so it will be a noticeable loss.

3) I believe Steve Porter has requested that our case be heard at 4 pm. Would you have information about that?

Thanks,
Alice

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From: memoss@aol.com
To: Dock_Jed
Subject: Wolf Pen Branch
Date: Tuesday, June 1, 2021 3:04:08 PM

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Mr. Dock,

So much for protection of anything. The fact that this project is even being considered, a ruination of an entire vista of beauty which deserves preservation... is beyond thinking. And countervailing entirely to long term agreed upon plans

It reminds one- does it not??? of the Manhattan glass towers by Kevan Cogan when we can see that downtown is empty. Would those in your position not ask themselves why this Mayor wanted to pull people away from downtown rather than tamp down the sprawl which is allowing that?

This speaks to the same illogical unsound thinking. But worse!

In this case, rise to the occasion. It shouldn't be so very hard to do the right thing.

Mary Moss Greenebaum

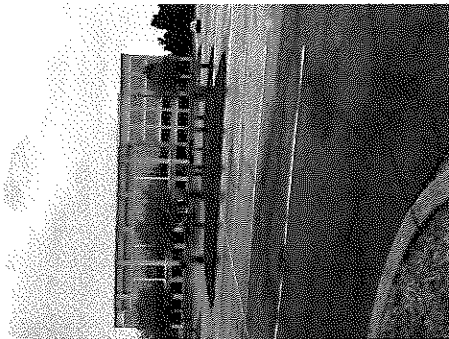
From: Ted Stone
To: Dock_Jed
Subject: Wolf Pen development
Date: Tuesday, June 1, 2021 4:55:57 PM

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Approving a project inconsistent with the neighborhood plan is wrong and sends exactly the wrong message to the development community as downtown Louisville attempts to rebuild its leasing and tax base. Thanks
Ted Stone
2830 Tremont Drive
Louisville Ky 40265

Sent from my iPhone

There is a lot of office space in the surrounding area...



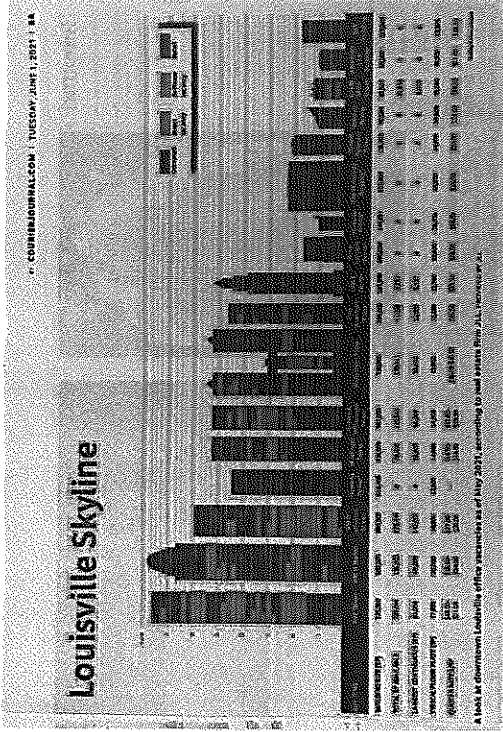
Source: Photographs of surrounding area

...and a lot of this space is vacant



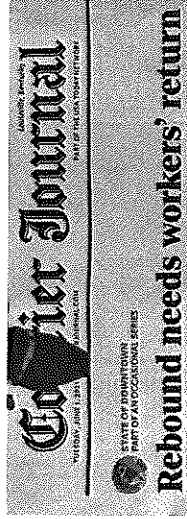
Source: Photographs of surrounding area

Why build new office space when Downtown Louisville is suffering?



Source: Courier Journal, 'Rebound Needs Workers' Return', 6/1/2021

And experts agree the recovery Downtown requires the return of employees



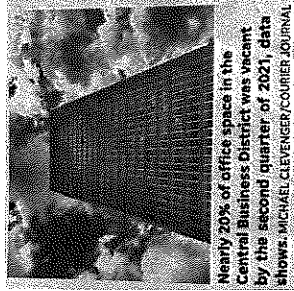
"It is really one of those questions we are grappling with in real-time. How do you replace that population, because that really is the lifeblood for a lot of our lunchtime restaurants when there's not a convention in town."

— Jeff O'Brien, Co-Chief of Louisville Forward

"It is important for office workers to come back and they will impact the retail scene and downtown. You just can't sustain your business indefinitely when you have no customers."

— Doug Owen, Senior Vice President at leasing agency JLL

Source: Courier Journal, 'Rebound Needs Workers' Return', 6/1/2021



Nearly 20% of office space in the Central Business District was vacant by the second quarter of 2021, data shows. MICHAEL CLEVELAND/COURIER JOURNAL

"You look at New York, you look at the West Coast — a lot of companies there are saying they're not going back to a physical office."

— Sarah Davasher-Wisdom, President and CEO of Greater Louisville Inc.

Printed Name: Laurie Burt Signature: [Signature] Address: 816 Weyburn Blvd Email and telephone: laurieburt@comcast.net 502-550-8747 Zip Code: 40207

Petition summary and background: Request for zoning change from R-4 single family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 50-foot requirement.

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition to Deny Zoning Change

- 1. Mary Dennis Kenworthy 5800 Cheny Valley Rd Prospect, KY 40059
- 2. Steve Solis 5101 Cheny Valley Rd Prospect, KY 40059
- 3. Chris Shipper 5217 Cheny Valley Rd Prospect, KY 40059
- 4. Apple Springs 5217 Cheny Valley Rd Prospect, KY 40059
- 5. Stacy Smith 5101 Cheny Valley Rd Prospect, KY 40059
- 6. Patricia Green 5209 Cheny Valley Rd Prospect, KY 40059
- 7. 2 Voice Group 5209 Cheny Valley Rd Prospect, KY 40059
- 8. Mark Foster 5209 Cheny Valley Rd Prospect, KY 40059
- 9. David E. Koppel 5215 Cheny Valley Prospect, KY 40059

Petition summary and background: Request for zoning change from R-4 single family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 50-foot requirement.

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition to Deny Zoning Change

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background
Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement
Action petitioned for
We, the undersigned, are OPPOSED to the zoning change/waiver/variance requested in Case # 20-ZONE-0078

Printed Name: Tim Hank Signature: [Signature] Address: 8321 Southball Blvd, Pasadena, CA 90057 Email and telephone: gabriel@southball.com Zip Code: 90057

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background
Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement
Action petitioned for
We, the undersigned, are OPPOSED to the zoning change/waiver/variance requested in Case # 20-ZONE-0078

Printed Name: Dean Wiggins Signature: [Signature] Address: 4617 West Crestway Email and telephone: Zip Code: 46041

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background
Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement
Action petitioned for
We, the undersigned, are OPPOSED to the zoning change/waiver/variance requested in Case # 20-ZONE-0078

Printed Name: Mindy Owest Signature: [Signature] Address: 8515 West Benbow Blvd Email and telephone: 562-497-3774 Zip Code: 46057

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background
Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement
Action petitioned for
We, the undersigned, are OPPOSED to the zoning change/waiver/variance requested in Case # 20-ZONE-0078

Printed Name: Julia Tolley Signature: [Signature] Address: 5615 Inwoodland Ln, Jacksonville, VA 22001 Email and telephone: 571-4574 Zip Code: 46057

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background
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Yes, the undersigned, are OPPOSED to the zoning change/variance requested in Case # 20-ZONE-0078

Printed Name	Signature	Address	Email and telephone	Zip Code
KRISTIN KORSHAK	<i>Kristin Korshak</i>	317 Hill Rd Prospect, Ky	502-579-9676	40059
Stacy Crawford	<i>Stacy Crawford</i>	8504 Walf Branch Rd Prospect, Ky	502-579-2324	40059
Abbie Crawford	<i>Abbie Crawford</i>	8505 Walf Branch Rd Prospect, Ky	502-572-5205	40059
Todd Anderson	<i>Todd Anderson</i>	5505 Walf Branch Rd Prospect, Ky	502-645-9049	40059
Ann Anderson	<i>Ann Anderson</i>	8515 Walf Branch Rd Prospect, Ky	31-431-2500	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Yes, the undersigned, are OPPOSED to the zoning change/variance requested in Case # 20-ZONE-0078

Printed Name	Signature	Address	Email and telephone	Zip Code
Helen Shaw	<i>Helen Shaw</i>	704 Wolfe Rd Prospect, Ky	hshaw@comcast.net	40059
Janet Theater	<i>Janet Theater</i>	5050 Walf Branch Rd Prospect	attent@comcast.net	40059
Beth Macklin	<i>Beth Macklin</i>	5010 Walf Branch Rd Prospect, Ky	macklinbeth@comcast.net	40059
John Hays	<i>John Hays</i>	5010 Walf Branch Rd Prospect, Ky	johnhays@comcast.net	40059

Petition to Deny Zoning Change

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Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement
Action petitioned for
Yes, the undersigned, are OPPOSED to the zoning change/variance requested in Case # 20-ZONE-0078

Printed Name	Signature	Address	Email and telephone	Zip Code
Laurel Fuson	<i>Laurel Fuson</i>	516 W. Red Prospect, Ky		40059
Ernie Batts	<i>Ernie Batts</i>	409 Fairview Ln Prospect, Ky		40059
Robin Wells	<i>Robin Wells</i>	7206 Cranford Rd Prospect, Ky		40059
Mark Wolfe	<i>Mark Wolfe</i>	7206 Cranford Rd Prospect, Ky		40059
Charles Chapman	<i>Charles Chapman</i>	565 Merriweather Ln Prospect, Ky		40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement
Action petitioned for
Yes, the undersigned, are OPPOSED to the zoning change/variance requested in Case # 20-ZONE-0078

Printed Name	Signature	Address	Email and telephone	Zip Code
Bert Lindsey	<i>Bert Lindsey</i>	7500 Wolfe Rd Prospect, Ky	bertlindsey@comcast.net	40059
Carol Belden	<i>Carol Belden</i>	7817 Walf Branch Rd Prospect, Ky	carol.belden@comcast.net	40059
Lois Lester	<i>Lois Lester</i>	7817 Walf Branch Rd Prospect, Ky	lblester@comcast.net	40059
Tina McNair	<i>Tina McNair</i>	5724 Woodland Dr Prospect, Ky		40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Printed Name	Signature	Address	Email and telephone	Zip Code
Mark Williams	<i>Mark Williams</i>	70275 Wolf Pen Road	mark@berchmark.com	40059
David	<i>David</i>	2825 Wolf Pen Road	David@berchmark.com	40059
Susan Payne	<i>Susan Payne</i>	7835 Wolf Pen Road		40059
Caro	<i>Caro</i>	5858 Williams Circle		40059
Melissa Kean	<i>Melissa Kean</i>	9408 Harlow Ct	Melissa.Kean@gmail.com	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Printed Name	Signature	Address	Email and telephone	Zip Code
Sara Salva	<i>Sara Salva</i>	7027 Wolf Pen Road	sarasalva@gmail.com	40059
Jung Suk	<i>Jung Suk</i>	7027 Wolf Pen Road		40059
Divina Kishino	<i>Divina Kishino</i>	1300 Wolf Pen Road	divinakishino@gmail.com	40059
Ra Salva	<i>Ra Salva</i>	7027 Wolf Pen Road	ra.salva@gmail.com	40059
Teart Helman	<i>Teart Helman</i>	5858 Williams Circle		40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Printed Name	Signature	Address	Email and telephone	Zip Code
Paul DeWald	<i>Paul DeWald</i>	6421 Market Street	PaulDeWald@aol.com	40059
Maria	<i>Maria</i>	6421 Market St		40059
Nick Payne	<i>Nick Payne</i>	4415 4th St	nick.payne@gmail.com	40208
Rita Hart	<i>Rita Hart</i>	15425 Bobby Hill		40245
Rubert Hart	<i>Rubert Hart</i>	11		40245

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Printed Name	Signature	Address	Email and telephone	Zip Code
Jim Watson	<i>Jim Watson</i>	5612 Wolf Pen Road	WatsonJim@gmail.com	40059
Kason Linton	<i>Kason Linton</i>	5612 Wolf Pen Road		40059
Melissa Whiston	<i>Melissa Whiston</i>	5608 Wolf Pen Road	MWhiston413@gmail.com	40059
Sharon Steel	<i>Sharon Steel</i>	5831 Warfield Circle	sharonsteel@aol.com	40059
Sara Helman	<i>Sara Helman</i>	5858 Williams Circle		40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Printed Name	Signature	Address	Email and telephone	Zip Code
John K. Dore	<i>[Signature]</i>	5611 Wolf Run Trace Parsippany, NJ 07054	jdore58@gmail.com	40059
Leanne D. Dill	<i>[Signature]</i>	5611 Wolf Run Trace Parsippany, NJ 07054	leanne.dill@gmail.com 908-995-7474	40059
Nick Newman	<i>[Signature]</i>	5611 Wolf Run Trace Parsippany, NJ 07054	nicknewman@gmail.com	40059
Marcy Smith	<i>[Signature]</i>	4601 Mistflower Circle	Jacksonhealioxia@gmail.com	40059
Sally Hull	<i>[Signature]</i>	4601 Mistflower Circle	oav63@gmail.com	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Printed Name	Signature	Address	Email and telephone	Zip Code
Bruce Hart	<i>[Signature]</i>	1 Wolf Run Lane	brucehart45@gmail.com	40059
Abe ASSAMZ	<i>[Signature]</i>	5904 Waveland City	ASSAMZ.ABE@gmail.com	40059
Asimul Rasani	<i>[Signature]</i>	5704 Woodland Circle Aspen, KY 40054	asimul.rasani@gmail.com 502-584-5177	40054
JANET UPTON	<i>[Signature]</i>	1117 Peregine Pt Prospect, KY 40059	JUPTON@BELLSOUTH.COM	40059
Robby Corrick	<i>[Signature]</i>	1117 Peregine Pt Prospect, KY 40059	robcorrick@att.net	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Printed Name	Signature	Address	Email and telephone	Zip Code
Eric Johnson	<i>[Signature]</i>	Louisville KY 40211 1718 Meddel Rd	EricJohnson@att.net 502-457-1277	40211
Earl Binger	<i>[Signature]</i>	1648 Harmon Prospect 40059	earlbinger@gmail.com	40059
Mike West	<i>[Signature]</i>	4038 White Blossom Est Louisville KY 40241		40241
Virnie West	<i>[Signature]</i>	4038 White Blossom Est Louisville KY 40241		40241
Mike Shogot	<i>[Signature]</i>	8709 Katherin Hill Prospect 40059	mshogot@gmail.com	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Printed Name	Signature	Address	Email and telephone	Zip Code
Wagne Shogot	<i>[Signature]</i>	5611 Wolf Run Trace Prospect	wagne@att.net	40059
Andy Inman	<i>[Signature]</i>	5611 Wolf Run Trace Prospect	andyinman@gmail.com	40059
Gary Winkler	<i>[Signature]</i>	5611 Wolf Run Trace Prospect		40059
Nancy Newman	<i>[Signature]</i>	4601 Mistflower Circle	nnewman@gmail.com	40059
Ernie Nelson	<i>[Signature]</i>	4601 Mistflower Circle	ernie@att.net	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background: Request for zoning change from R-4 single-family to DR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement. Action petitioned for: We, the undersigned, are OPPOSED to the zoning change/waiver/variance requested in Case # 20-ZONE-0078.

Printed Name	Signature	Address	Email and telephone	Zip Code
Doris Trubheim	<i>Doris Trubheim</i>	5120 Wolf Run Branch Rd	Dr Trubheim@att.net	40059
Richard Trubheim	<i>Richard Trubheim</i>	5200 Wolf Run	richardtrubheim@att.net	40059
Mark Witt	<i>Mark Witt</i>	501 Wolf Run	wittm@comcast.net	40059
Johnnie Witt	<i>Johnnie Witt</i>	4100 Jay Court		40059
Johnnie Witt	<i>Johnnie Witt</i>	4510 Jay Court		40059

Petition to Deny Zoning Change

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Printed Name	Signature	Address	Email and telephone	Zip Code
Richard Trubheim	<i>Richard Trubheim</i>	5120 Wolf Run Branch Rd	Dr Trubheim@att.net	40059
Richard Trubheim	<i>Richard Trubheim</i>	5200 Wolf Run	richardtrubheim@att.net	40059
Mark Witt	<i>Mark Witt</i>	501 Wolf Run	wittm@comcast.net	40059
Johnnie Witt	<i>Johnnie Witt</i>	4100 Jay Court		40059
Johnnie Witt	<i>Johnnie Witt</i>	4510 Jay Court		40059

Petition to Deny Zoning Change

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Printed Name	Signature	Address	Email and telephone	Zip Code
Kevin Pryor	<i>Kevin Pryor</i>	7835 Wolf Run Branch Rd	pryorkevin@comcast.net	40059
David Trubheim	<i>David Trubheim</i>	5000 Spruflin Rd	drub@trubheim.com	40059
Johnnie Witt	<i>Johnnie Witt</i>	7901 Wolf Run Br. Rd.	johnnie@comcast.net	40059
Wendy Witt	<i>Wendy Witt</i>	7901 Wolf Run Br. Rd.	wendy@comcast.net	40059
Aditya Bunnitt	<i>Aditya Bunnitt</i>	1 Wolf Run Lane	bunnittaditya@gmail.com	40059

Petition to Deny Zoning Change

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Printed Name	Signature	Address	Email and telephone	Zip Code
Johnnie Witt	<i>Johnnie Witt</i>	7901 Wolf Run Br. Rd.	johnnie@comcast.net	40059
Wendy Witt	<i>Wendy Witt</i>	7901 Wolf Run Br. Rd.	wendy@comcast.net	40059
Kevin Pryor	<i>Kevin Pryor</i>	7821 Wolf Run Branch Rd	pryorkevin@comcast.net	40059
Chad Lewis	<i>Chad Lewis</i>	7821 Wolf Run Branch Rd	chad@comcast.net	40059
Johnnie Witt	<i>Johnnie Witt</i>	7901 Wolf Run Branch Rd	johnnie@comcast.net	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background
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Printed Name	Signature	Address	Email and telephone	Zip Code
ARVIND J. Z-GARR	<i>Arvind J. Z-Garr</i>	7800 Wolf Run Blvd Prospect, KY 40059	dogpack@aol.com 502-308-0352	40059
LAUREL L. ZEGART	<i>Laurel Zegart</i>	1800 W. 1st St Prospect, KY 40059	ARZEGART@aol.com 502-308-0352	40059
ROBERT W. ZEGART	<i>Robert W. Zegart</i>	1900 W. 1st St Prospect, KY 40059	ARZEGART@aol.com 502-308-0352	40059
DAVID L. ZEGART	<i>David L. Zegart</i>	1900 W. 1st St Prospect, KY 40059	ARZEGART@aol.com 502-308-0352	40059
TRACY L. ZEGART	<i>Tracy L. Zegart</i>	1900 W. 1st St Prospect, KY 40059	ARZEGART@aol.com 502-308-0352	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Printed Name	Signature	Address	Email and telephone	Zip Code
STERLING RIGGS	<i>Sterling Riggs</i>	7500 Wolf Run Blvd Prospect, 40059	sterlingriggs@yahoo.com 40059	40059
LILLIAN R. WILSON	<i>Lillian R. Wilson</i>	7711 Wolf Run Blvd Prospect, 40059	lwillson@comcast.net 40059	40059
ALICE GUNNISON	<i>Alice Gunnison</i>	7849 Wolf Run Blvd Prospect, KY	agunnison@aol.com 40059	40059
STEVEN STRAU	<i>Steven Strau</i>	5050 Spring Farm Rd Prospect, KY 40059	502-228-6489 40059	40059

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

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Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement.
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Printed Name	Signature	Address	Email and telephone	Zip Code
NICHOLE M. MAJOR	<i>Nichole Major</i>	606 Wolf Run Blvd Prospect, KY	213-364-9419 NMAJOR1193@comcast.net	40059
BILL DOELKE	<i>Bill Doelke</i>	4305 STABLE PI 40059	423-3738	40059
STATION KEN	<i>Station Ken</i>	9116 DAVENPORT Prospect	(502) 419-0339	40059
KIMBERLY HARRIS	<i>Kimberly Harris</i>	9116 DAVENPORT Prospect, KY	502-553-4685	40059
MITCHELL KOLA	<i>Mitchell Kola</i>	8606 HORTON BLVD Lexington	502-664-4199	40514

Petition to Deny Zoning Change

CASE # 20-ZONE-0078 and VARIANCES and WAIVER

Petition summary and background
Request for zoning change from R-4 single-family to OR-3 Office-residential for the construction of three office buildings and a variance to allow a 72-foot office building to exceed the 30-foot requirement.
Action petitioned for: Yes, the undersigned, are OPPOSED to the zoning change/variance requested in Case # 20-ZONE-0078

Printed Name	Signature	Address	Email and telephone	Zip Code
DAVID BERNHARDT	<i>David Bernhardt</i>	7500 Wolf Run Blvd Prospect, KY 40059	db@bernhardt.com 40059	40059
STEVEN HARTZ	<i>Steven Hartz</i>	7849 Wolf Run Blvd Prospect, KY 40059	502-538-1571 40059	40059
ALICE GUNNISON	<i>Alice Gunnison</i>	7849 Wolf Run Blvd Prospect, KY 40059	agunnison@aol.com 40059	40059
STEVEN STRAU	<i>Steven Strau</i>	5050 Spring Farm Rd Prospect, KY 40059	502-228-6489 40059	40059

Recipient: Joel Dock

Letter: Greetings,

SAVE OUR WOLF PEN/CHAMBERLAIN LANE NEIGHBORHOOD

I am OPPOSED to the zoning change/waivers/variance requested in Case # 20-ZONE-0078.

Signatures

Name	Location	Date
Shawn Riedling	US	2021-04-25
Angela Ciliberti-Riedling	Louisville, KY	2021-04-25
Gene Gruver	Prospect, KY	2021-04-27
Lily Wang	Chicago, IL	2021-04-28
Seth Singleton	Prospect, KY	2021-04-29
Chris Siegel	Louisville, KY	2021-04-29
Rebecca Busch	Louisville, KY	2021-04-29
Heather Toews	Prospect, KY	2021-04-29
Janet Marquardt	Prospect, KY	2021-04-29
Michelle Wright	Louisville, KY	2021-04-29
Chelsea Carden	Prospect, KY	2021-04-29
Cayce Bayens	Prospect, KY	2021-04-29
Rachel Bennett	Prospect, KY	2021-04-29
Aimee Dyess	Louisville, KY	2021-04-29
Michael Rasmovich	Louisville, KY	2021-04-29
charles tolley	Louisville, KY	2021-04-29
Heidi Meyer	Louisville, KY	2021-04-29
Sierra Siegel	Louisville, KY	2021-04-29
Kyla Siegel	Louisville, KY	2021-04-29
Becky Tindall	US	2021-04-29

Name	Location	Date	Name	Location	Date
Megan Reel	Louisville, KY	2021-04-29	James Wolfe	Prospect, KY	2021-04-29
Leonel Lanceta	Louisville, KY	2021-04-29	Vickie Gruver	Prospect, KY	2021-04-29
Reagen Oliver	West Lafayette, IN	2021-04-29	Abderrahman Aissami	Louisville, KY	2021-04-29
Barbara Beauchamp	Prospect, KY	2021-04-29	Mark Watkins	Prospect, KY	2021-04-29
Brent Pottinger	Antioch, TN	2021-04-29	Molly T.	Middleton, WI	2021-04-30
Laura Stone	Prospect, KY	2021-04-29	Erin Oliver	Georgetown, IN	2021-04-30
Jenese Briegel	Prospect, KY	2021-04-29	Daniel Combest	Prospect, KY	2021-04-30
James Hurm	Louisville, KY	2021-04-29	Leea Bridgeman	Louisville, KY	2021-04-30
Michele Zayas	Louisville, KY	2021-04-29	Samuel Bridgeman	Louisville, KY	2021-04-30
Lynette Hurm	Prospect, KY	2021-04-29	Yvonne Bridgeman	Prospect, KY	2021-04-30
Leeza Wright	Louisville, KY	2021-04-29	Maureen Riedling	Louisville, KY	2021-04-30
Mary Peters	Louisville, KY	2021-04-29	Amy Harlib	New York, US	2021-04-30
Judy Graham	Louisville, KY	2021-04-29	Adam Kaluba	Burleson, US	2021-04-30
Carla Mankin	Louisville, KY	2021-04-29	Kathy Hawboldt	Louisville, KY	2021-04-30
Beau Mankin	Louisville, KY	2021-04-29	Corey Meyers	Lakeland, US	2021-04-30
Christy Pfeiffer	Louisville, KY	2021-04-29	Mike Hawboldt	Louisville, KY	2021-04-30
Brittney Zeller	Prospect, KY	2021-04-29	Vittoria Riedling	Louisville, KY	2021-04-30
Aaron Wright	Louisville, KY	2021-04-29	Marsha Weinstein	Prospect, KY	2021-04-30
Julie Wood	Louisville, KY	2021-04-29	Lindsey Slack	Prodpect, KY	2021-04-30
Greg DeSpain	Louisville, KY	2021-04-29	Jackie Washington	Prospect, TX	2021-04-30
Marilyn Zeller	Louisville, KY	2021-04-29	Heidi Elston	Louisville, KY	2021-04-30
Cynthia Kulmer	Prospect, KY	2021-04-29	Aaron Kolarcik	Louisville, KY	2021-04-30

Name	Location	Date	Name	Location	Date
Change This	Allen Park, US	2021-04-30	Juliana Swiney	Prospect, KY	2021-04-30
Mark Mueller	Hockessin, DE	2021-04-30	Petrus Huijbregts	Prospect, KY	2021-04-30
Vani Nadar MD	Louisville, KY	2021-04-30	Mags Mueller	Louisville, KY	2021-04-30
Ann Campbell	Louisville, KY	2021-04-30	Maria Miranda	Brooklyn, US	2021-04-30
Brenda McMahon	Louisville, KY	2021-04-30	ed katz	Charlestown, US	2021-04-30
Ross Batchelor	Louisville, KY	2021-04-30	Anwar Mahmood	Louisville, KY	2021-04-30
Niel Randall	Prospect, KY	2021-04-30	Debbie Provano	Louisville, KY	2021-04-30
Leslie Cottrell	Louisville, KY	2021-04-30	Rob Atchison	Prospect, KY	2021-04-30
Linda Smith	Louisville, KY	2021-04-30	Samantha R	Houston, US	2021-04-30
Nancy Forsha	Prospect, KY	2021-04-30	Jan Uhl	Louisville, KY	2021-04-30
Jeff Hafner	Prospect, KY	2021-04-30	Kara Batchelor	Prospect, KY	2021-04-30
Kimberly Hicks	Prospect, KY	2021-04-30	sally kao	prospect, KY	2021-04-30
Ariel Kronenberg	Brentwood, TN	2021-04-30	Layne Foote	Louisville, KY	2021-04-30
Adam Shircliff	Prospect, KY	2021-04-30	Sherri Hafner	Prospect, KY	2021-04-30
Kelly Shircliff	Louisville, KY	2021-04-30	Matthew Singleton	Prospect, KY	2021-04-30
Jane Stewart	Prospect, KY	2021-04-30	Steve Lentini	Louisville, KY	2021-04-30
Kate Vogel	Louisville, KY	2021-04-30	Deepak Sheth	Louisville, KY	2021-04-30
Chuck Fitch	Prospect, KY	2021-04-30	Thomas Polston	Louisville, KY	2021-04-30
Casey Reynolds	Prospect, KY	2021-04-30	Amy Kamer	Prospect, KY	2021-04-30
Patrice Paglia	Louisville, KY	2021-04-30	Julia Nestor	Louisville, KY	2021-04-30
Lori Madison	Louisville, KY	2021-04-30	Patricia Devins	Louisville, KY	2021-04-30
Deborah Hewitt	Louisville, KY	2021-04-30	Jerry Devins	Louisville, KY	2021-04-30

Name	Location	Date	Name	Location	Date
Anitya Marlowe	Louisville, KY	2021-04-30	Jill Luckett	Prospect, KY	2021-05-01
Bill Thomas	Prospect, KY	2021-04-30	Ajla Cakar	Louisville, KY	2021-05-01
Orielly Riedling	Louisville, KY	2021-04-30	Messer Angie	Louisville, KY	2021-05-01
Nicholas Egart	Prospect, KY	2021-04-30	Julie Ann Taafe	Louisville, KY	2021-05-01
Julian sharp	Louisville, KY	2021-04-30	Mechele Skaggs	Louisville, KY	2021-05-01
Ciana Lancaster	Kentucky	2021-04-30	Andrew Morrison	Louisville, KY	2021-05-01
Beverly Lancaster	Prospect, KY	2021-04-30	Toni Coombs	Louisville, KY	2021-05-01
Donna Campbell	Louisville, KY	2021-04-30	Holley Morrison	Louisville, KY	2021-05-01
Natalie Lancaster	Prospect, KY	2021-04-30	Christina Scott	Prospect, KY	2021-05-01
Kim Dwyer	Prospect, KY	2021-05-01	John Gardner	Pelham, US	2021-05-01
Landon Shelton	Louisville, KY	2021-05-01	Lacey Shell	Prospect, KY	2021-05-01
Kate Perdue	Louisville, KY	2021-05-01	Terri Kearney	Louisville, KY	2021-05-01
Amber Alexander	Prospect, KY	2021-05-01	Larry Bates	Louisville, KY	2021-05-01
Anna Kristin Wilson	Prospect, KY	2021-05-01	Greg Ebel	Prospect, KY	2021-05-01
Ed Messer	Louisville, KY	2021-05-01	Wade Lewis	Prospect, KY	2021-05-01
Missy Hillock	Prospect, KY	2021-05-01	Berry Craig	Louisville, KY	2021-05-01
Angela Parsons	Louisville, KY	2021-05-01	Olivia sullivan	Louisville, KY	2021-05-01
Jamie King	Louisville, KY	2021-05-01	Kathy Croft	Louisville, KY	2021-05-01
Jackie Davis	Prospect, KY	2021-05-01	Molly Stice	Louisville, KY	2021-05-01
Mimi Leppert	Prospect, KY	2021-05-01	Kevin Gabbert	Louisville, KY	2021-05-01
Miranda Olds	Louisville, KY	2021-05-01	Jerry Zegart	Prospect, KY	2021-05-01
Jennifer Desserich	Louisville, KY	2021-05-01	Ronald Benson	Louisville, KY	2021-05-01

Name	Location	Date	Name	Location	Date
Shanen Alcorn	Louisville, KY	2021-05-01	Jennifer Giannone	Louisville, KY	2021-05-01
Michael Seiler	Prospect, KY	2021-05-01	Bruce Nail	Louisville, KY	2021-05-01
Laura Richardson	Prospect, KY	2021-05-01	Sharon Tyler	Prospect, KY	2021-05-01
Jaime Wientjes	Prospect, KY	2021-05-01	Teri Burke	Louisville, KY	2021-05-01
April Rogers	Louisville, KY	2021-05-01	Sarah Mueller	Haines City, FL	2021-05-01
Douglas Chin	Louisville, KY	2021-05-01	Sally Potter	Louisville, KY	2021-05-01
Kristen Donovan	Louisville, KY	2021-05-01	Charlene Minnic	Prospect, US	2021-05-01
Alice Baron	Louisville, KY	2021-05-01	Anthony Holland	Louisville, KY	2021-05-01
Nick Potts	Louisville, KY	2021-05-01	Dustin Shell	Prospect, KY	2021-05-01
Marsha Salzman	Louisville, KY	2021-05-01	Hattie Sager	Prospect, KY	2021-05-01
Andrew Simon	Prospect, KY	2021-05-01	Melissa Atkinson	Prospect, KY	2021-05-01
Chantel Williams	New Orleans, US	2021-05-01	Rose Leiburg	Eden Prairie, US	2021-05-01
Bruce Mercke	Louisville, KY	2021-05-01	Kevin McDearman	Louisville, KY	2021-05-01
Destiny Walker	Louisville, KY	2021-05-01	Jessica Wise	Louisville, KY	2021-05-01
Whitney Wilson	Goshen, KY	2021-05-01	Barbara Kelly	Prospect, KY	2021-05-01
Deborah Glass	Prospect, KY	2021-05-01	Vicki Helms	Prospect, KY	2021-05-01
Ronda Reed	Louisville, KY	2021-05-01	Byron Sprankle	Louisville, KY	2021-05-01
Joel Wilson	Goshen, KY	2021-05-01	Christopher Williams	Sanford, US	2021-05-01
Michelle Dunn	Louisville, KY	2021-05-01	Thomas Fawbush	Louisville, KY	2021-05-01
Maria Cunningham	Louisville, KY	2021-05-01	Rachel Brunner	Louisville, KY	2021-05-01
Robert Dickinson	Fort Collins, US	2021-05-01	Shephali Bhatnagar	Prospect, KY	2021-05-01
Bhanu Calvert	Louisville, KY	2021-05-01	Sue Cornelius	Prospect, KY	2021-05-01

Name	Location	Date	Name	Location	Date
Susan Zinninger	Louisville, KY	2021-05-01	Betty Merz	Prospect, KY	2021-05-01
Debra Richards	Louisville, KY	2021-05-01	Dyan Hyman	Louisville, KY	2021-05-01
H Slusher	Louisville, KY	2021-05-01	Patrick Yates	Louisville, KY	2021-05-01
Cecil Watts	Prospect, KY	2021-05-01	Patty Von Allmen	Louisville, KY	2021-05-01
Laura Crawford	Louisville, KY	2021-05-01	Donna Cocke	Louisville, KY	2021-05-01
Pam Duke	Prospect, KY	2021-05-01	Claudia Dampier	Prospect, KY	2021-05-01
Jas Guthrie III	LouisvilleProspect, KY	2021-05-01	Karen Hargis	Louisville, KY	2021-05-01
Carolyn Ford-Hoover	Prospect, KY	2021-05-01	Kevin Kouba	Louisville, KY	2021-05-01
Andrew Dunn	Louisville, KY	2021-05-01	Scott Lewis	Prospect, KY	2021-05-01
Jule Tinder	Louisville, KY	2021-05-01	Stacie Reed	Louisville, KY	2021-05-01
Pam Robertson	Louisville, KY	2021-05-01	Chris Von Allmen	Louisville, KY	2021-05-01
Drew Beacham	Louisville, KY	2021-05-01	Brian Heck	Louisville, KY	2021-05-01
caroline eager	Louisville, KY	2021-05-01	John Doe	Louisville, KY	2021-05-01
Lee Troutman Cory	Louisville, KY	2021-05-01	Leslie Cavanaugh	Prospect, KY	2021-05-01
Jenny England	Louisville, KY	2021-05-01	Lisa Wells	Prospect, KY	2021-05-01
Tim Mueller	Louisville, KY	2021-05-01	Richard Kelly	Prospect, KY	2021-05-01
Gina Wells	Louisville, KY	2021-05-01	Paul Eager	Dallas, TX	2021-05-01
Peter Fass	Louisville, KY	2021-05-01	Edmund vonAllmen	US	2021-05-01
Bryan Burnett	Louisville, KY	2021-05-01	Elisabeth Clark	Louisville, KY	2021-05-01
julie Mueller	Louisville, KY	2021-05-01	Heather Harstine	Louisville, KY	2021-05-01
Megan Goheen	Kentucky	2021-05-01	Cortney Hayden	Louisville, KY	2021-05-01
Margaret Davis	Louisville, KY	2021-05-01	Ronda Glass	Prospect, KY	2021-05-01

Name	Location	Date	Name	Location	Date
Janet Greider	Prospect, KY	2021-05-01	Veronica Wunderlich	Louisville, KY	2021-05-01
Nancy Terry	Louisville, KY	2021-05-01	Dennis Wunderlich	Louisville, KY	2021-05-01
Laura Stocker	Louisville, KY	2021-05-01	Jason Hughes	Louisville, KY	2021-05-01
Terri Rolfes	Norton Commons, KY	2021-05-01	Kelsey Wunderlich	Louisville, KY	2021-05-01
Danielle Schubargo	Louisville, KY	2021-05-01	Robert B Horner Jr	Prospect, KY	2021-05-01
Denise Caravona	Louisville, KY	2021-05-01	Derek Wunderlich	Louisville, KY	2021-05-01
Charlie MADDIX	Fenton, MI	2021-05-01	Devin Wunderlich	Louisville, KY	2021-05-01
Anne Walsh	Louisville, US	2021-05-01	John Mason	Jacksonville, FL	2021-05-01
Elizabeth Lea	Louisville, KY	2021-05-01	Gia Mendiratta	Louisville, US	2021-05-01
Staci Dyar	US	2021-05-01	Yale Butler	West Hollywood, CA	2021-05-01
Kathy Schweitzer	Louisville, KY	2021-05-01	Kristi Wysner	Gardendale, AL	2021-05-01
Alice Wells	Prospect, KY	2021-05-01	Sarah Pierce	Louisville, KY	2021-05-01
Kristin Wood	Prospect, KY	2021-05-01	Danielle Martel	Louisville, KY	2021-05-01
Kim Brakmeier	Louisville, KY	2021-05-01	Becky Garvey	Prospect, KY	2021-05-01
Elizabeth Jackson	Crestwood, KY	2021-05-01	Alisha Pena	Louisville, KY	2021-05-01
Kenneth Wilson	Louisville, KY	2021-05-01	Brad Wunderlich	Louisville, KY	2021-05-01
Mike Glass	Miami, FL	2021-05-01	Pam Blevens	Prospect, KY	2021-05-01
Jaime LopezOrtiz	Louisville, KY	2021-05-01	Tammy Switow	Los Angeles, CA	2021-05-01
Mark Shacklette	Prospect, KY	2021-05-01	Lauren Butch	Prospect, KY	2021-05-01
Elizabeth Franklin	PROSPECT, KY	2021-05-01	Mark Switow	Prospect, KY	2021-05-01
Patricia Roles	Louisville, KY	2021-05-01	Lauren Powers	Louisville, KY	2021-05-01
Beth Lancaster	Louisville, KY	2021-05-01	Susan Mixon	Louisville, KY	2021-05-01

Name	Location	Date	Name	Location	Date
Kelly Krupp	Prospect, KY	2021-05-01	Ali Ignatow	Louisville, KY	2021-05-02
Donna Payne	Louisville, KY	2021-05-01	Veronica Mizelle	Louisville, KY	2021-05-02
Rhonda Lopez	Louisville, KY	2021-05-01	Franny Aprile	Fisherville, KY	2021-05-02
Rick Edwards	Louisville, KY	2021-05-01	Mike Fraser	Louisville, KY	2021-05-02
Molly Spelder	Louisville, KY	2021-05-01	Marlon Linton	Louisville, KY	2021-05-02
Renee Flannery	Prospect, KY	2021-05-01	Iarry webb	Prospect, KY	2021-05-02
Ronald Holloway	Louisville, KY	2021-05-01	Tina Massey	Louisville, KY	2021-05-02
G Greene	Louisville, KY	2021-05-01	Cheyenne Benson	East Chicago, US	2021-05-02
Michael Carr	Louisville, KY	2021-05-01	C Skelton	Louisville, KY	2021-05-02
Scott Clark	Louisville, KY	2021-05-01	Marcia Jumbblatt	Louisville, KY	2021-05-02
Frank Rodriguez	Port Saint lucie, US	2021-05-01	Heather Yaron	Prospect, KY	2021-05-02
Robin Passino	Alexandria, VA	2021-05-01	Julie Hogan	Prospect, KY	2021-05-02
Ginny First	Louisville, KY	2021-05-01	Gary Simkins	Louisville, KY	2021-05-02
Lauren Purcell	Louisville, KY	2021-05-01	Kevin Jenkins	Louisville, KY	2021-05-02
Alex Gilbert	Louisville, KY	2021-05-01	Pam Buren	Columbus, OH	2021-05-02
Holly Ball	Louisville, KY	2021-05-01	Linda Williams	Louisville, KY	2021-05-02
Sharon Walter	Louisville, KY	2021-05-02	Jocelyn MouseI	Prospect, KY	2021-05-02
ann ramser	Louisville, KY	2021-05-02	Gary Stuart	Prospect, KY	2021-05-02
Sheri Downer	Prospect, KY	2021-05-02	Monica Cabell	Louisville, KY	2021-05-02
Rita Clare	Saint Augustine, FL	2021-05-02	Brenda Monks	Philadelphia, PA	2021-05-02
Barbara Alderks	Chicago, IL	2021-05-02	Yolanda Walker	Louisville, KY	2021-05-02
Edward Pope	Brentwood, TN	2021-05-02	Cheryl Poole	Louisville, KY	2021-05-02

Name	Location	Date	Name	Location	Date
Kevin Young	Louisville, KY	2021-05-02	Joseph Gobis	Louisville, KY	2021-05-02
Dale Reavy	Louisville, KY	2021-05-02	Linda Wells	Louisville, KY	2021-05-02
David Goheen	Prospect, KY	2021-05-02	Bob Liu	Louisville, KY	2021-05-02
Faina Kronenberg	Prospect, KY	2021-05-02	Amanda Perry	Louisville, KY	2021-05-02
Craig Williams	Louisville, KY	2021-05-02	Jennifer Dwyer	Louisville, KY	2021-05-02
Michael Pulley	Prospect, KY	2021-05-02	JENNIFER KIRKWOOD	Louisville, KY	2021-05-02
Ed Ciliberti	Manteca, CA	2021-05-02	John Ferreby	Louisville, KY	2021-05-02
Olivia Ciliberti	Carmel, IN	2021-05-02	Catherine Chandler	Louisville, KY	2021-05-02
Matt Clark	Louisville, KY	2021-05-02	Jerry Kunze	Prospect, KY	2021-05-02
David Rabe	Manteca, CA	2021-05-02	beth madden	Louisville, KY	2021-05-02
Christine Degnan	Louisville, KY	2021-05-02	Laura Mosher	Louisville, KY	2021-05-02
John Hoover	Prospect, KY	2021-05-02	Eric Cornett	Louisville, KY	2021-05-03
Linda Hay	Louisville, KY	2021-05-02	Debra Ford	Prospect, KY	2021-05-03
Ami Gobis	Louisville, KY	2021-05-02	Lori Price	Louisville, KY	2021-05-03
Kelly Sacre	Louisville, KY	2021-05-02	Ann Wathen	Louisville, KY	2021-05-03
Denise Hutchens	Prospect, KY	2021-05-02	Frank Wathen	Louisville, KY	2021-05-03
Leilany Vazquez	Minneapolis, MN	2021-05-02	Erin Rogers	Louisville, KY	2021-05-03
E.V. Wong	Louisville, KY	2021-05-02	Andrew Gordon	Louisville, KY	2021-05-03
Ashley P	Union City, US	2021-05-02	Bob Foreman	Louisville, KY	2021-05-03
Kate Butts	Prospect, KY	2021-05-02	Destiny Walker	Louisville, KY	2021-05-03
Vaughn Bowen	Prospect, KY	2021-05-02	Stephanie Perna	Louisville, KY	2021-05-03
Matt Atkinson	Prospect, KY	2021-05-02	Mitra Shams	Louisville, KY	2021-05-03

Name	Location	Date	Name	Location	Date
Nancy Kranz	Louisville, KY	2021-05-03	Johnna Herrmann	Prospect, KY	2021-05-03
Andrew Ignatow	Louisville, KY	2021-05-03	Erin James	Louisville, KY	2021-05-03
Allie Rogers	Louisville, KY	2021-05-03	Michelle Wells	Louisville, KY	2021-05-03
Zhiwei Fu	Prospect, KY	2021-05-03	Summer Maurer	Prospect, KY	2021-05-03
Betty Probasco	Louisville, KY	2021-05-03	Taylor Maurer	Princeton, IN	2021-05-03
Martina McLaughlin	Louisville, KY	2021-05-03	Trevor Frauhiger	Louisville, KY	2021-05-03
Erin Miller	Louisville, US	2021-05-03	Tracy Shacklette	Indianapolis, IN	2021-05-03
Scott Sacre	Louisville, KY	2021-05-03	Debbie Childress	Asheboro, US	2021-05-03
Yael Ben-Yehuda	Ramat Gan, Israel	2021-05-03	Nicholas Busch	Prospect, KY	2021-05-03
Brian Christie	Louisville, KY	2021-05-03	Ashley Gratton	Ammon, US	2021-05-03
Joseph Shaver	Louisville, KY	2021-05-03	Mark Spelder	Louisville, KY	2021-05-03
Becky Conner	Louisville, KY	2021-05-03	Sallie Bingham	Santa Fe, NM	2021-05-03
Trese Cintron	Chicago, IL	2021-05-03	Matthew Oneill	Federal Way, US	2021-05-03
Michelle Grossmann	Prospect, KY	2021-05-03	Pam Wunderlich	Louisville, KY	2021-05-03
James Davis	Louisville, KY	2021-05-03	Sam Bhimani	Louisville, KY	2021-05-03
Shelah Woodruff	Prospect, KY	2021-05-03	Chelsea Stahl	Louisville, KY	2021-05-04
Shawn Woodruff	Prospect, KY	2021-05-03	Rachel Worley	Louisville, KY	2021-05-04
Nitzan Ben - Yehuda	Ramat Gan, Israel	2021-05-03	mark Worley	Louisville, KY	2021-05-04
Todd Herrmann	Prospect, KY	2021-05-03	Ursula McMahon	Louisville, KY	2021-05-04
Gabi Kronenberg	Louisville, KY	2021-05-03	Katherine Allison	Louisville, KY	2021-05-04
Shirlee Reeves	Prospect, KY	2021-05-03	Riley Atkinson	Prospect, KY	2021-05-04
Bambi Wiggins	St Petersburg, FL	2021-05-03	Keara Bradley	Spokane, US	2021-05-04

Name	Location	Date
Matt Rupp	Prospect, KY	2021-05-04
Wayne Hollins	US	2021-05-04
Karol Johns	Louisville, KY	2021-05-04
Preet Shah	Prospect, KY	2021-05-04
Todd Getz	Louisville, KY	2021-05-04
Deepankar Malik	Louisville, KY	2021-05-04
Priyanka Sehgal	Louisville, KY	2021-05-04
Kasey Myers	Tallahassee, US	2021-05-04
Jigisha Mehta	Louisville, KY	2021-05-04
Anil Shah	Prospect, KY	2021-05-04
Ming Yang	Prospect, KY	2021-05-04
Milton Cooper	Louisville, KY	2021-05-04
Rose Cooper	Louisville, KY	2021-05-04
Ashmeeta Oberoi	Louisville, KY	2021-05-04
John Hikes	Louisville, KY	2021-05-04
Eva Woodruff	Louisville, KY	2021-05-04
Audette Johnson	Evansville, IN	2021-05-04
Kathy Riley	Louisville, KY	2021-05-04
Jackie Grimley	Prospect, KY	2021-05-04
Susan Ulloa	Crestline, US	2021-05-04
Kristine Pham	Harrisburg, US	2021-05-04
Shelly Pease	Prospect, KY	2021-05-04

Name	Location	Date
Catherine Schwerer	Peoria, US	2021-05-04
Marco mazzoli	Miami, US	2021-05-04
Joshua Standiford	Lake Zurich, US	2021-05-04
Marina Vashakmadze	Pensacola, US	2021-05-04
Yamileth Arce	Los Angeles, US	2021-05-04
Stephanie Horseman	Salisbury, US	2021-05-04
Ron Rigby	Louisville, KY	2021-05-04
Khara Michaels	Lakeville, US	2021-05-04
Stian Johnson	Snoqualmie, US	2021-05-04
Jack Sullivan	Philadelphia, US	2021-05-04
Devin Lawson	Atlanta, US	2021-05-04
haleigh watson	owensboro, US	2021-05-04
Dante Medori	jenkintown, US	2021-05-05
Aidan Borgo	Golden, US	2021-05-05
Camilo Cabarcas	Houston, US	2021-05-05
Karen Pitts	Portland, ME	2021-05-05
lisa hibdon	Mill Hall, US	2021-05-05
Oindrila Paul	Louisville, KY	2021-05-05
Ashley Heimerl	Lino Lakes, US	2021-05-05
Grayson Camp	US	2021-05-05
Steven Morris	Sharps Chapel, US	2021-05-05
Thomas Somers	Pasadena, CA	2021-05-05

Name	Location	Date
Katherine Tepaz	Milton, US	2021-05-05
Marcie Hoerig	Prospect, KY	2021-05-05
Skylar Shouse	Indianapolis, US	2021-05-05
Stephanie Johnson	Seattle, US	2021-05-05
Dulce Yang	Covina, US	2021-05-05
Ashlee Patton	Eureka, US	2021-05-05
Annie Temmay	US	2021-05-05
Marti Kunnecke	Louisville, KY	2021-05-05
Justin Whang	Santa Clara, US	2021-05-05
Sophie Schmerin	New York, US	2021-05-05
Ryan Karls	Eau Claire, US	2021-05-05
Perry Gx	Tustin, US	2021-05-05
Patrick W. Mulligan	Mims, US	2021-05-05
Catherine Tsang	Honolulu, US	2021-05-05
Pete Kirven	Louisville, KY	2021-05-05
Bridgett Wilson	San Antonio, US	2021-05-05
Phil Samuel	Louisville, KY	2021-05-05
Ashton Gonzalez	Coweta, US	2021-05-05
Anne Arensberg	Louisville, KY	2021-05-05
Deborah Ford	Louisville, KY	2021-05-05
Juliana Puhakka	Louisville, KY	2021-05-05
Keith Hall	Prospect, KY	2021-05-05

Name	Location	Date
Robin Baker	APO, US	2021-05-05
David Vitrano	Rio Vista, US	2021-05-05
Jillian Tonks	Idaho Falls, US	2021-05-05
Michael Rowland	Prospect, KY	2021-05-05
Jaimie Finley	Jonesboro, US	2021-05-05
NICOLETTE MAIGNANT	Waterbury, US	2021-05-05
Rabeca Maglinger	Owensboro, US	2021-05-05
Christopher Tom	Pleasantville, US	2021-05-05
Richard McConnell	Olympia Fields, US	2021-05-05
wendy peddicord	Watsonville, US	2021-05-06
Dottie Eaton	Louisville, KY	2021-05-06
Alicia Martin	Fort Worth, US	2021-05-06
Eden Farley	Pleasant Grove, US	2021-05-06
Lilias Pettit-Scott	Louisville, KY	2021-05-06
Lisa Strand	Carbondale, US	2021-05-06
Isabella Aleman	Philadelphia, US	2021-05-06
Mark Gaff	Louisville, KY	2021-05-06
Robin Amsbary	Louisville, KY	2021-05-06
Kenneth Becker	Louisville, KY	2021-05-06
Toni Hamilton	Detroit, US	2021-05-06
Maribel Marulanda	New York, US	2021-05-06
Sharma Adams	Thonotosassa, US	2021-05-06

Name	Location	Date
Ayumi Stöhr	San Francisco, US	2021-05-06
Layla Ewan	Chicago, US	2021-05-06
Harriet Barger	Louisville, KY	2021-05-06
Corey Pacheco	Manchester, US	2021-05-06
Dan De Yo	Yorba Linda, US	2021-05-06
Linda Prather	Louisville, KY	2021-05-06
Stephanie Eaton	Prospect, KY	2021-05-06
Carrie Busha	Louisville, KY	2021-05-06
jasmine chung	Rocklin, US	2021-05-06
Braylon Durell	Dallas, US	2021-05-06
Trung Nguyen	Seattle, US	2021-05-06
Justin Truong	San Francisco, US	2021-05-06
Kylie Perry	Sandy, US	2021-05-06
Sarah Rasmovich	Prospect, KY	2021-05-06
zoe ameen	Sparta, US	2021-05-06
Kathy Scheibel	Louisville, KY	2021-05-06
William Mills	Louisville, KY	2021-05-06
EUGENE ATWELL	Louisville, KY	2021-05-06
Cheryl Newbern	Prospect, KY	2021-05-06
Lien Vanloon	Neeroeteren, Belgium	2021-05-06
Laurence Bourguignon	Auray, France	2021-05-06
Kim Bates	Louisville, KY	2021-05-06

Name	Location	Date
Jean Reader	Louisville, KY	2021-05-06
John Paul	Louisville, KY	2021-05-06
Lynda Huckaby	Prospect, KY	2021-05-06
Christy Solines	Guayaquil, Ecuador	2021-05-06
Jessica Eason	Stephenville, US	2021-05-07
Nancy Dubin	New York, US	2021-05-07
Toney Grant	Conyers, US	2021-05-07
Jennifer Wolff	Westminster, US	2021-05-07
Joe Lederman	East Setauket, US	2021-05-07
Jimena Baquero	New Milford, US	2021-05-07
Lisa Santos	Louisville, KY	2021-05-07
Melissa Heithaus	Mckinney, US	2021-05-07
annabella garcowski	Raleigh, US	2021-05-07
Richard Cotter	Boyne City, US	2021-05-07
Christy Howard	Rocky Top, GA	2021-05-07
Shelly Stazen	Louisville, KY	2021-05-07
ralphie beam	Cumberland, US	2021-05-07
Kari Christie	Prospect, KY	2021-05-07
Yasmine Horton	Bessemer, US	2021-05-07
Dustin King	Prospect, KY	2021-05-08
Vicki Romanko	Prospect, KY	2021-05-08
Maria Ciliberti	Louisville, KY	2021-05-08

Name	Location	Date
Said Abusalem	Louisville, KY	2021-05-08
Darrell Gibson	Hoboken, US	2021-05-08
Lauren Anderson	Antioch, TN	2021-05-08
Anthony Grosser	Louisville, KY	2021-05-08
McKinnley Martin	Langley, US	2021-05-08
James Smith	Piscataway, US	2021-05-08
Lindsey Rivas	Enterprise, US	2021-05-08
Deborah Towler	Louisville, KY	2021-05-09
Jordan Laws	Saint Cloud, US	2021-05-09
Dairan Pedroza	Hollywood, US	2021-05-09
Leslie Boles	Louisville, KY	2021-05-10
Jennifer Swanson	Louisville, KY	2021-05-10
Naomi Davis	New Orleans, LA	2021-05-10
Dan Prather	Louisville, KY	2021-05-10
Joy Berger	Louisville, KY	2021-05-10
Bryan Obi	Carrollton, TX	2021-05-10
briana garcia	El Paso, US	2021-05-10
JOSEPH scarcella	Miami, US	2021-05-10
Robert Towler	Prospect, KY	2021-05-10
Amanda Ferguson	Prospect, KY	2021-05-11
Christopher Harrell	Louisville, KY	2021-05-11
Ryan Hall	Georgetown, IN	2021-05-12

Name	Location	Date
Aurelie Hervy	Louisville, KY	2021-05-12
Amina GuerraK	Louisville, DC	2021-05-12
Maggie Neithammer	Louisville, KY	2021-05-12
Jignesh Desai	Louisville, KY	2021-05-13
Judy Wright	Louisville, KY	2021-05-14
Ben Weinstein	Prospect, KY	2021-05-23
Willis Taylor	Goshen, KY	2021-05-24
Robert Shircliff	Louisville, KY	2021-05-26
Heidi Moser	Louisville, KY	2021-05-27
Jean Christensen	Louisville, KY	2021-05-29

Barbara Kelly
6009 Mint Springs Branch Road
Prospect, KY 40058

April 29, 2021

Dear Planning Commissioners:

I am opposed to the proposed zoning change and office complex development plan, 20-ZONE-0078, at 5220 Chamberlain Lane. It is inappropriate, and completely at odds with the Wolf Pen Branch Neighborhood Plan, which was adopted into Comprehensive Plan 2040. Per Metro's website, even completed neighborhood plans not meeting the neighborhood planning ordinance, are still recognized as important planning efforts, even though not officially adopted into the Comprehensive Plan. This would lead me to conclude that plans such as Wolf Pen's that meet the ordinance requirements and are adopted into the Comprehensive Plan, are meant to be taken very seriously in guiding future development in their respective plan area.

Just as the comprehensive plan and the Land Development Code provide county-wide land use policies and standards, the Wolf Pen Plan identifies the special characteristics that make up the unique neighborhood. These elements were used to develop land use policies and standards consistent with its scenic, historic, cultural and environmental heritage. The existing conditions of the Wolf Pen Corridor were developed into appropriate context-specific design guidelines to manage future growth, and are found in the Executive Summary.

The Executive Summary includes the plan's Vision Statement, which reads in part, "The Wolf Pen Branch Neighborhood... will remain a unique rural setting in Metro Louisville with winding tree covered roads and historic single family homesteads. Our vision is to steward this neighborhood so that it will continue to provide the public a scenic, historic, environmental and cultural resource." The Wolf Pen plan area begins at Chamberlain Lane and the I-71 overpass. Tree canopy covers the roadway's hillsides, and sets the tone for the area. Specifically listed in the Executive Summary is protection of the tree canopy. This defining element would be lost if the tree canopy-supporting hillside were removed for the development entrance, as planned.

Just east of the plan area boundary on Chamberlain Lane, opposite the site of the proposed development, is an R-4 zoned parcel with an assisted living facility. Its developer assured the neighborhood with beautiful renderings of how the hillside tree canopy would be restored once replanted. The actual replanting is an abysmal failure. "Fool me once," the saying goes. The tree canopy equates to the neighborhood's authenticity. It aids both good health, by cleaning the air we breathe, and the environment, by absorbing storm water.

The task force for the initial Neighborhood Plan was comprised of area residents, developers and their land use attorney. It met regularly for one year with planning staff and consultants, costing taxpayers \$50,000. This was a serious undertaking, and neighbors wanted to craft a plan that would protect the area for the very long term for many future generations. Unfortunately, the property owner/developer of this development plan never participated in either the initial or revision public processes, which were open to all stakeholders.

The revised plan included these major revisions:

- clarified that office development is excluded from the plan area
- corrected the Wolf Pen Corridor map to indicate the corridor begins at Chamberlain Lane and the I-71 overpass

Approval of this office complex and rezoning would be a complete disregard and dismissal of the Wolf Pen Branch Neighborhood Plan. The location of the 72-foot building is already approximately 15-feet above Chamberlain Lane (15-feet is the clearance of the I-71 overpass at Chamberlain Lane). It would dominate the area. Combined with the other two buildings, it would equal a whopping 280,000-square feet, far out of scale with the neighborhood plan area.

Finally, approving this development would result in:

- **WASTE** of a minimum \$50,000 tax dollars, and one year spent developing the original plan
- **FRAUD** - stakeholders were led to believe the document was a serious, long range planning tool that would protect the area
- **ABUSE** of public trust and public money

This would be a serious blow to the Wolf Pen Branch Neighborhood and would have a detrimental impact on the future of the plan area. The bigger picture is that other neighborhood plans would be that much easier to disregard, resulting in an outraged public. I urge you to reject this plan.

Yours truly,

Barbara Kelly

- added language describing Chamberlain Lane as a transition area in order to justify additional landscaping in the vicinity of the Wolf Trace area
- included all roads in the corridor, in addition to what is referred to as the Wolf Pen Corridor of Chamberlain Lane, Wolf Pen and Mint Springs Branch roads

The plan area is well served by office and commercial development in Norton Commons, nearby Brownsboro Road and the area around Wolf Pen Branch Road and River Road. It is in the Neighborhood Form District, a predominately residential district, characterized by its integration of neighborhood scale development, such as retail and services. South of I-71 on Brownsboro Road is a regional center with a hospital, restaurants, and large office and retail spaces. Insuring that future development is compatible with the surrounding neighborhood is the primary goal of the Comprehensive Plan and Form Districts. The mass, 72-foot height (more than twice what is allowed) and 280,000 square foot scale of this office complex are not compatible with the neighborhood. Those features are appropriate in a regional center.

Over a period of years, neighbors have met with this developer or his representatives numerous times to view the latest development idea for the site. Each time the development was inappropriate, and we would again explain what type of development was suitable per the neighborhood plan. We suggested cluster homes. We suggested a conservation subdivision, but because it was not absolutely Randall Arendt-perfect, the idea was rejected. (Arendt is credited with creating the conservation subdivision concept). They told area residents that since an interstate runs along the southern side of the property, it is not appropriate for homes. In the Wolf Pen plan area there are no less than four residential developments against an interstate: Wolf Pen Estates, Wolf Pen Lane development, development off Spring Farm Road and Wolf Pen Woods. The proposed office complex plan does not even offer a multimodal trail that could run from near the emergency entrance into and around the development. This developer is the same person who developed Old Brownsboro Crossing directly to the south, which offers a walkway around the majority of the development.

Aside from being in accord with the neighborhood plan, the most important point is for development on this site to be low impact. The newer LED parking lot lighting is extremely bright, and light trespass is very noticeable and objectionable. Since the site is elevated, this could pose a very annoying intrusion for surrounding homes. Any development on this site needs to follow the pattern of Old Brownsboro Crossing, by not placing illuminated signs on buildings facing I-71 or toward the neighborhood. The Grand assisted living facility across from the development site agreed to use external lighting on its monument sign, as did Norton Commons, and the as-yet-approved U of L rehab facility further south on Chamberlain Lane has agreed to do so as well.

Overall, the proposal appears to do little to employ the CHASE principles of Plan 2040.

- It does not demonstrate that it is **connected** in a way that enhances the natural environment and geographic location to improve the life of citizens
- It does not demonstrate that it supports the natural environment in a **healthy** way, particularly when it would destroy tree canopy that cleans the air and absorbs storm water runoff
- It does not demonstrate that it is **authentic**, because it fails to recognize the unique culture of the area's natural environment, tree canopy and waterways
- It does not demonstrate that it is **sustainable**, because it fails to provide even a minimum walkable multi-modal path to harmonize with the natural environment as indicated in the Executive Summary, and it fails to recognize that bright parking lot lighting is detrimental to area wildlife
- It does not demonstrate a willingness to engage with citizens to devise an **equitable** development plan whereby the built and natural environment are in harmony

From: Daniel Keppie
To: Dock Joel
Subject: # 20-ZONE-0078
Date: Tuesday, April 27, 2021 4:50:14 PM

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This note concerns a possible rezoning and new building at the edge of the Wolf Pen Branch Road.

I oppose rezoning and such a new building. This would be far different than some simple, low-incurion change. In natural ecological communities, land at or near the edges of extant communities tend to be the richest in plant and animal species. The present Wolf Pen Forest is probably too unique to support added pressure from the outside.

Daniel Keppie
5165 Cherry Valley Road
Prospect, KY 40059

From: Alice Wells
To: Dock, Joel
Subject: #20-ZONE-0078
Date: Monday, April 26, 2021 2:19:37 PM

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Hi Joel,
I am writing to request you to oppose rezoning for this huge office complex. Case #20-ZONE-0078. Please Please this building is not appropriate for this neighborhood
Thank you for your consideration.
Alice S. Wells
5215 Spring Farm Road
Prospect, KY 40059

PLEASE SUPPORT THE NEIGHBORHOOD PLAN.

From: Naomi Scheirich
To: Dock, Joel
Subject: Case #20-Zone-0078
Date: Tuesday, Apr 20, 2021 1:54:53 PM

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

As a 52 year resident of Wolf Pen Branch Rd., I am greatly OPPOSED to the zoning change/waivers/variance requested in Case #20-ZONE-0078.

A neighborhood plan was developed several years ago to protect and enhance our neighborhood character. The first step in the rezoning process was an online meeting with the LD&T committee members evaluating things such as height and scale of buildings, signage, parking access, traffic, stormwater detention and drainage.

Aside from the inappropriateness of the development, all of those issues as stated above are of great concern.

Please put this email in the file for the LD&T meeting in May.

Naomi Scheirich
7823 Wolf Pen Branch Rd.

From: marshall_gabev@gmail.com
To: Dock, Joel
Cc: "Robert Taylor"; "Gai Muhl"; kathvbrand@gmail.com
Subject: 20-zone-0078
Date: Wednesday, March 24, 2021 1:23:09 PM

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Dear Mr. Dock,

Thank you for the opportunity to comment on the 5220 Chamberlain Road rezoning project. We live at 5401 Merribrook Lane and look off our rear deck to see deer, turkey, squirrel, many different birds, and a few skunks. It is a wooded view of the Wolf Penn Springs Open Space. If we look to our right off our deck in the winter, we see the house that is shown to remain in the development. Behind that house, we will see the parking lot lighting and the upper floors of the proposed 4 story building. Our request is simple. We would like some kind of light management so that the development is not overwhelmingly noticeable at night and some additional tall bushes and or trees in front of the house. It is unlikely that we can avoid seeing the 4 story building, but given our angle of view up towards the house, a little landscaping in front of it, would hide a good bit. There are times that traffic is backed up at the traffic circle both into and out of Norton Commons, but good traffic management at the entrance to the development could help avoid adding to that problem.

As an FYI, the Gandhi's at 5400 Merribrook Lane sold their house to Preet Shah. I let him know about the development.

All of my neighbors are concerned about what they will have to look at from their rear decks. Light management and adequate bush/tree buffers will go a long way in preserving the wooded environment we were once in.

Thank you for what you are doing to keep adjacent property owners aware of the project.

Best regards,

Gene and Becky Marshall
5401 Merribrook Lane
Prospect, Ky 40059
502-419-6205

From: Arnold/Carol Zegart
To: Dock, Joel
Subject: Case # 20-Zone-0078 |
Date: Wednesday, March 24, 2021 3:14:17 PM

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

I am writing to express my opposition to the zoning change, case # 20-Zone-0078 to be discussed on Thursday, March 25th, 2021.

I am a long time resident of Wolf Pen Branch Rd since October, 1966. Others have expressed all the right reasons for the opposition, such as increased traffic, potential storm damage run-offs, ruining the scenic & historic view shed, etc etc which you'all have heard many times before and usually ignore. Usually the well financed developer & his excellent well financed zoning attorney prevail as the L D & T Committee always fall in line believing that any major commercial development is always better economically for the overall community. The long term residential opponents of such developments are always discounted. Of course this has been a great boom for Oldham County as many former Louisville/Jefferson County residents flock there to escape commercial encroachment.

We spent many hours working with City Government developing, implementing and updating the Neighborhood Plan. If you approve the zoning change along with the proposed office building complex plan, which quite honestly I expect you to do, you have confirmed my belief that PUBLIC PARTICIPATION IS A SHAM & just a continuing PR stunt to "give the public a voice". When the chips are down & push comes to shove, LD&T always sides with the development community. I dare you to prove me wrong.

Sincerely,

Arnold J. Zegart
7800 Wolf Pen Branch Rd.
Prospect, Ky 40059

From: Marsha Weinstein
To: Dock, Joel
Subject: Case # 20-ZONE-0078
Date: Tuesday, March 23, 2021 1:43:30 PM

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Mr Dock,

Please record my comments into the record.

The Wolf Pen Branch Road Corridor has always been an historic rural area in Jefferson County with very low density of residential property, therefore making it totally inappropriate to build office buildings in this neighborhood. Four story buildings do not belong! The utilities for these buildings will result in removal of the natural landscape of trees and bushes which further erodes the character of this Jefferson County treasure!!!

I am proud of the Neighborhood Plan we wrote in 2006 with the input and support of the residents. Everyone who lives here are well aware of the water problems that occur when it rains as water last many days. Increased traffic on Wolf Pen Branch Road has made it extremely dangerous for residents to simply walk to their neighbors homes and children are always at risk when they are playing outside.

Please stop the madness of destroying this historic neighborhood!

Marsha Weinstein
5608 Wolf Pen Trace
Prospect, KY 40059

--
Marsha Weinstein
5608 Wolf Pen Trace
Prospect, KY 40059
502-819-2537

From: Wolf Pen Estates Community Association
To: Dock, Joel
Cc: Ashburner, Clifford; Abdul Jabbar; Pakisla, Ahmed
Subject: Case Number 20-ZONE-0078
Date: Wednesday, March 24, 2021 10:59:06 AM

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Mr. Dock: I am the President of the Wolf Pen Estates Community Association, Inc. We are the legal Homeowners Association for the Wolf Pen Estates Subdivision on Wolf Pen Branch Road in Prospect. A few of our lots have a contiguous property line with the property affected by the Case Number listed above and for which rezoning from R-4 to OR-3 has been requested. I write to advise the Planning Commission that, after several months of negotiations, the WPECA has reached a written agreement with the Developers of the property in question that satisfies our concerns. We support the rezoning provided that the detailed plans, waivers and variances as listed are implemented. The Agreement was approved by a unanimous vote of the members of the HOA at a meeting this week. Should you have further questions, do not hesitate to contact me. Thank you.

Lisa Fleming
President
Wolf Pen Estates Community Association, Inc.
502-439-4081

From: Seth J. Singleton
To: Dock, Joel
Subject: Comments re: Case No. 20-ZONE-0078
Date: Wednesday, March 24, 2021 10:38:39 AM

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Mr. Dock:

I am writing to submit my comments regarding Case No. 20-ZONE-0078, which is set to be discussed at the upcoming Land Development & Transportation Committee meeting on Thursday, March 25, 2021 at 1:00 PM. I ask that my comments be entered into the record.

I am a resident of Wolf Pen Branch Road and I oppose this development as currently proposed. There are several reasons for my opposition but the one that stands out is the potential the development has to increase thru-traffic on Wolf Pen Branch Road. This corridor is a scenic and historic route cherished by not only nearby residents, but all Jefferson residents. Approving this development will only increase thru-traffic, ultimately disrupting the scenic and tranquil character of the Wolf Pen Branch corridor.

The secondary proposed entrance on Wolf Pen Branch Road will ensure this increased traffic. Although this secondary entrance is proposed as an "emergency" entrance only, there is no guarantee that this will remain in perpetuity. Many developments have installed gates on emergency entrances only to have those gates remain open for general use. This will only create dangerous conditions near the blind curve on Wolf Pen Branch Road where the secondary entrance is proposed. And widening Wolf Pen Branch Road to accommodate the secondary entrance would further the disruption caused to the corridor.

In addition to the increased thru-traffic on Wolf Pen Branch Road, this proposed development will undoubtedly create problems for water management to the Wolf Pen Branch watershed. Wolf Pen Branch Road experiences significant flooding during any given year, namely due to other nearby development, and the proposed detention basins will not adequately offset the increased stormwater run-off created by this proposed development.

This development will also add to the surrounding light pollution, which will negatively impact the overall ambiance of the area. And, in the same vein, it will add to the surrounding noise pollution. Not only by the initial construction, but also by the increased traffic and activity created by tenants, clients, and visitors to this proposed development.

Next, the development's proposed utilities will require the removal of natural landscape. As a result, it will greatly disrupt the scenic feel to Wolf Pen Branch Road. This will also deplete the much-needed landscape for native wildlife, forcing them into the line of traffic and creating a dangerous environment for drivers and bikers.

It must also be considered that there is a 2-story rehabilitation facility proposed on property adjacent to this development. This further adds to the potential disruptions to the scenic Wolf Pen Branch corridor, including traffic, light pollution, water management, and natural

landscaping. This development does not consider this adjacent development.

And lastly, this development does not fit into the Wolf Pen Branch Road neighbor plan that has been in effect since 2006 and updated in 2012. The neighborhood plan limits development to low- and very low-density residential. The proposed office buildings do not conform with the neighbor plan. They are completely out of character for the scenic and historic Wolf Pen Branch corridor. It will be argued by proponents of the development that they are not required to abide by the neighborhood plan. The Wolf Pen Branch Road neighbor plan was approved by the Louisville Metro Government. Accordingly, our public servants have indicated a desire for the Wolf Pen Branch area to retain its scenic and historic atmosphere.

Thank you, Mr. Dock.

Best,

Seth J. Singleton, Esq.
sethsingleton@gmail.com

Joel,

In the zoom meeting with the lawyer and engineer I spoke of the flooding that occurs across Wolf Pen at 8617. This water comes from the proposed development area. We don't need more. This is not a trivial amount of water. The development would cause wolf pen to be a cut through from 42. Wolf pen also has a very narrow bridge farther down of which I'm waiting for the day I smack/shatter side mirrors with someone.





Mark Worley

Apparently sending you pictures of water over Wolf Pen Branch prompted MSD to react. They did a few days of work to the stream and roadside for the water that would be coming from the proposed new development. The problem of water over wolf pen was not resolved as Thursday nights storm with water running over the road washed away the road edge material they had just placed. There also appears to be a culvert exit nearer to the corner bend that they did not touch that water has to run up hill to get to the creek. Can you please add this to the record and forward to whomever it was forwarded to before that prompted the first repairs.





Mark Worley

March 24, 2021

Louisville Metro Planning
Commission Members
LDT Committee
444 South 5th Street, Suite 300
Louisville, Kentucky 40202

Joel Dock, AICP, Planner II
Louisville Metro Planning & Design Services
444 South 5th Street, Suite 300
Louisville, Kentucky 40202

Re: Opposition to Change in Zoning Form District, 20ZONE0078
Property Owner: McMahan Holdings, LLC and Roy F. McMahan III
Applicant: McMahan Holdings, LLC
5220 Chamberlain Road

Dear Louisville Metro Planning Commission, LDT Committee Members, and Planning Staff:

Thank you for the opportunity to comment. This firm represents Wolf Pen Mill Farm, LLC ("Wolf Pen Mill"), a historic 412-acre farm protected by conservation easement property in Jefferson County, Kentucky, adjacent to the property proposed for a change in zoning-form district. McMahan Holdings, LLC submitted an application for a zone change for property owned by McMahan Holdings, LLC and Roy F. McMahan III (collectively "McMahan" or "Applicant") located at 5220 Chamberlain Road near Norton Commons. McMahan requests a zone change from the current zoning designation of Single-Family Residential ("R-4") to Office-Residential ("OR-3").

Wolf Pen Mill is opposed to the application because the proposed change violates the Comprehensive Plan 2040 ("Comp. Plan") the Louisville Land Development Code ("LDC"), as well as the Wolf Pen Branch Neighborhood Plan. The requested zone change would exacerbate already problematic stormwater flows and further threaten this historic property and mill which the Comp. Plan, LDC, and Neighborhood Plan seek to prevent. For the following reasons, Wolf Pen Mill opposes the application.

BACKGROUND

A Change in Zoning-Form District Pre-Application, 20-ZONEPA-0054, was filed on June 22, 2020 by McMahan for property located at 5220 Chamberlain Road with a total area to be rezoned listed as 33.79 acres. The requested zoning of Office Residential or OR-3 is to be used for constructing the Chamberlain Woods Office Park – 270,000 square feet of office space, which according to plans, would include three different buildings, one that is four stories high and two buildings both two stories high each, as well as approximately 853 parking spaces. On August 17, 2020, the Change in Zoning-Form District Application was filed as case number 20-ZONE-0078, which contained largely the same information as the pre-application.

MARCEL A. LYPOD PSTOB@strobobarkley.com | CLAY A. BARKLEY CBARK@strobobarkley.com
232 S. 5th Street, Suite 317 | Louisville, Kentucky 40202 | www.strobobarkley.com | (502) 293-8751 TMOBILE | (502) 276-6399 FAX/HOME

Applicant fails to comply with the Comp. Plan, LDC, and Neighborhood Plan, as outlined below. Therefore, the zone change application should be DENIED.

SUMMARY OF OPPOSITION

- 1) The application is incompatible with Louisville's 2040 Cornerstone Plan, specifically violating Sections 4.1, 4.4, and 4.5. The proposed development is incompatible with the Neighborhood Form District and has the potential to exacerbate the already intense flooding suffered by the downstream Wolf Pen Mill and therefore should be denied.
- 2) The proposed zone change is inconsistent with the Land Development Code and is better suited as R-4 versus OR-3.
- 3) The proposed use is inconsistent with the Wolf Pen Branch Neighborhood Plan as it violates the Plan's intended designation of the area as Extremely Low to Very Low Density Residential.
- 4) The proposed zone district change violates KRS 100.213(1) and therefore must be denied.

COMMENTS IN OPPOSITION

1) THE PROPOSED USE DOES NOT COMPLY WITH THE 2040 COMPREHENSIVE PLAN

A. The application is incompatible with the Comp. Plan and its designated Neighborhood Form District.

Louisville Metro has implemented a layered approach to planning and development review which assigns parcels a traditional zoning designation as well as a Form District. A development must be reviewed for whether it complies with the traditional zoning designation which regulate land use and density, as well as the form-based designs such as height and setbacks.

McMahan's plan seeks to transform and further erode a rural residential area with a 270,000 sq. ft. office complex located at the headwaters of Wolf Pen Branch.

The Neighborhood Form Area is defined as, "A pattern of development characterized by mostly residential areas that are served by neighborhood-scale shops and services at locations that have public spaces such as parks and playgrounds." Comp. Plan at 111, see also Section 4.1, Policy 3.1.3. The proposed development does not comply with the definition for a Neighborhood Form District as any commercial use cannot be described as "neighborhood-scale shops and services." Policy 3.1.3 lays out other similar mixtures of the appropriate civic uses including "offices, shops, restaurants and services" but mandates that these "neighborhood centers should be at a scale that is appropriate for nearby neighborhoods." Comp. Plan at 41. The Comp. Plan does not contemplate locating 270,000 sq. ft. of office complex within its Neighborhood Form District.

The Wolf Pen Branch Neighborhood is a predominately rural area of north east Jefferson County, rich in historic, cultural, and environmental character. The area stretches down a 6.4-mile corridor that includes all of Wolf Pen Branch Road and Mint Spring Branch Road, as well as portions of Chamberlain Lane. The preservation of the scenic Wolf Pen Branch Neighborhood has become increasingly important within the last few decades as developments continue to degrade the watershed and viewshed. There are only a few parcels of commercial land in the area, close to the River Road intersection, although there is substantial commercial growth on Brownsboro Road at I-265. The Neighborhood Plan was enacted to ensure that future development would be compatible with the existing plan, which mainly consists of "low," "very low," to "extremely low" density single-family residential developments. This zone change is inconsistent with the Neighborhood's goals and the properly adopted Wolf Pen Branch Neighborhood Plan.

Wolf Pen Mill Farm is a crown jewel of the Wolf Pen Branch Neighborhood. The Wolf Pen Mill is a stone corn mill constructed in the early 1800s and is one of the oldest functioning mills in the Commonwealth. Its picturesque water wheel and stone foundation are the lynchpin of the 412-acre tract that was permanently protected in 1999 by conservation easements donated to River Fields and the Kentucky Heritage Council. The farm is also home to a rare collection of the region's native wildflowers as well as the federally endangered plant, the running buffalo clover. The farm is also known as the home to the "largest and most significant plant community" in the region.

The Wolf Pen Branch watershed is approximately 1,440 acres and the name-sake stream is a protected perennial blue-line stream. The area is already inundated with stormwater runoff from sprawling development upstream. Just recently, after the days of heavy rain at the end of February, increased stormwater flows from upstream properties inundated the stream, threatening the stability of the mill. The flooding significantly damaged three bridges on the Wolf Pen Mill Farm. All three bridges were covered with heavy debris and water eroded abutments and undercut the driveway on the downstream side due to the tremendous velocity of water in the stream. The abutments and foundations were heavily damaged and after an engineer's inspection, it is clear that one bridge requires replacement which is now underway. Cost of these repairs will be significant.

Inadequate stormwater drainage from this massive development will be significant and without proper mitigation measures in place, key features of Wolf Pen Mill Farm could be completely destroyed.

According to the application, the office complex would span across 800 feet of frontage on Wolf Pen Branch Road, and 800 feet of frontage on Chamberlain Lane. The complex is located within the Neighborhood Form District. The Wolf Pen Mill believes the area should remain residential, as intended by the Neighborhood Plan and because of its location within a Neighborhood Form District.

Because the proposed zone change would allow large commercial complexes which will undoubtedly increase stormwater flows which already pose a substantial threat to the historic integrity of the property Wolf Pen Mill must oppose this action. Further, the

The Neighborhood Form is reserved for "predominantly residential uses ... that blend compatibly into the existing landscape and neighborhood areas." Id. (emphasis added). These large-scale office complexes proposed by McMahan that range from 2-4 stories tall with a total of 853 parking spaces will not blend compatibly into the scenic and historic landscape of Wolf Pen Branch Road. Nor will these complexes blend compatibly into the other single family residential neighborhoods on the property's north side.

According to the Comp. Plan, "high-density uses," like the one proposed here, "will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas." Id. This development would be better suited on a major arterial like Brownsboro Road versus on Wolf Pen Branch Road and Chamberlain Lane, on top of a Wolf Pen Branch headstream. While 800 or so feet of the complex has frontage on Wolf Pen Branch Road, approximately 2,000 or so of that remaining side will face residential neighbors of Wolf Pen Estates as well as residents near Deepa Drive. The neighboring assisted living facility, with its mainly permanent residents and limited staff, is not compatible in use with the busting traffic of hundreds of cars every day at peak rush hour times going to and from work at the office facility.

The Comp. Plan's Form Districts exist to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District." Comp. Plan Section 4.1, Policy 4, p. 45. This development does not satisfy this objective. The Comp. Plan also seeks to "[d]iscourage non-residential expansion into existing residential neighborhoods unless applicant can demonstrate that any adverse impact on residential uses will be mitigated." Id. at Section 6. Vegetative buffers, open spaces, landscaping, site design, building heights, building design, materials, and orientation all assist in transitioning different density categories. The applicant argues that there will be adequate barriers between the proposed office buildings and the adjacent residential properties as well as Wolf Pen Branch Road, claiming this will offset any light, noise, and traffic in and out of the complex. The applicant has not demonstrated that adequate mitigation of adverse impacts will be used to properly form boundaries and/or transition between these 2-4 story office buildings, and the scenic corridor of Wolf Pen Branch Road and its surrounding residential areas. Neighboring residents are concerned about noise and light pollution from the office buildings as well as from the parking lots, while Wolf Pen Mill is concerned with increased traffic during peak rush hour and the lack of stormwater management plan in the current design from this proposed high-density complex.

B. The application is incompatible with the Comp. Plan's policies regarding livability, conservation, and economic development.

This application also fails to meet several other goals and policies set forth in the Comp. Plan. Section 4.5 of the Comp. Plan address livability concerns. One of the guiding principles of the Comp. Plan is to provide for appropriate growth and development while also supporting the natural environment as well as air, water and soil quality. See Comp. Plan's CHASE Principles, p. 32.

Goal 1 within the Livability Section is to "Protect and enhance the natural

environment and integrate it with the built environment as development occurs." Within the same section, Policy 10 states, "Mitigate negative development impacts to the watershed and its capacity to transport stormwater by discouraging changes to stream channels and drainage features." Comp. Plan at Section 4.5, Goal 1, Policy 10. This zone change would allow negative impacts to the Wolf Pen Branch watershed, including overwhelming its already strained capacity to transport stormwater as 270,000 square feet of office space and 853 parking spaces will only eliminate access to stream channels and natural drainage features, exacerbating flooding of downstream properties like Wolf Pen Mill.

Section 4.5, Goal 1, Policy 12 seeks to "minimize impervious surface area and take advantage of soil saturation capacities." Id. at 89. Policy 17 prioritizes adequate site selection in order to mitigate disturbance to "groundwater resources, flow patterns, and existing and proposed surface drainage." Id. Policy 26 states, "Ensure that drainage systems are designed to be capable of accommodating the runoff from development upstream, assuming a fully-developed watershed and an increased frequency of intense storm events." Id. at 90. Policy 28 would mandate onsite management and treatment of stormwater, because this development will increase runoff. This plan violates all of these policies. As previously mentioned, Wolf Pen Mill is already being threatened by intense storm events like the flooding in late February that continue to cause erosion issues. The increased frequency, volume, and velocity of flows is also threatening the historic mill's operation and underlying structure. There have been no assurances from the Applicant regarding mitigation of increased runoff from a large, upstream development. This in violation of multiple policies within Section 4.5, Goal 1.

The McMahan application is also inconsistent with Section 4.4 of the Comp. Plan regarding economic development. Goal 1, Policy 3 states to "locate commercial uses generating high volumes of traffic on a major arterial street, at the intersection of two minor arterials, or at a location with adequate access to a major arterial and at locations where nuisances and activities of the proposed use will not adversely affect adjacent areas." Comp. Plan at 83. As noted above, noise and light pollution from the office buildings and parking lots will create nuisances for nearby residential properties. The development will generate high volumes of traffic on minor arterials, which are inadequately designed for peak rush hour traffic to and from the office complex.

The application is inconsistent with Louisville Metro's Comp. Plan. It is better suited being zoned R-4 and is inconsistent with the Neighborhood Form District, as well as Comp. Plan Sections 4.1, 4.4, and 4.5. The zone change should be DENIED.

2) THE PROPOSED USE IS INCONSISTENT WITH THE LAND DEVELOPMENT CODE

The property is better suited for R-4 Zoning versus OR-3.

McMahan's proposal would alter the current zoning designation of Single-Family Residential ("R-4") to Office-Residential ("OR-3"). The permitted land uses within R-4 are the same as the permitted uses in the R-1 Residential Single Family District. See LDC 2.2.6(A). Uses include accessory buildings, agricultural uses, community residences, country clubs, single-family dwellings, family care home, home occupations, as well as residential care facilities. Commercial and office complexes are not permitted in R-4.

buffers to protect existing homesteads, implementing site-specific landscape buffers and building setbacks to maintain historic setbacks, require tree canopy preservation, reduce light pollution, as well as limiting roadway improvements which could endanger joggers, bicyclists, and horse back riders.

The applicant is not in compliance with numerous provisions of the Wolf Pen Branch Neighborhood Plan. The development would ignore the neighborhood's plan to restrict future development to single family residential use and also would threaten existing tree canopy and historic setbacks. The applicant continuously notes that its plan would "preserve the vast majority of the tree canopy on the subject property," but admittedly the development would require removal of some of the existing canopy. The development would also ignore the neighborhood's goal of reducing light pollution as street lighting would need to be installed for the 853 parking spaces, and light pollution from the three building complexes would permeate the surrounding neighborhood at all hours of the day and likely throughout the night. Neighborhood Plan at 12.

Recommendation 6 from the Wolf Pen Branch Neighborhood Plan reiterates the neighborhood's desire to "preserve existing open space, minimize impacts to adjoining neighbors, enhance scenic corridor view sheds and protect historic, cultural, archaeological and natural resources, including scenic view sheds, farmlands, water bodies, wetlands and wildlife habitat." Id. This zone change would violate each of these provisions. The proposal would eliminate existing open space, would create additional noise and light nuisances for neighbors, would degrade the scenic corridors, and threaten existing historic and cultural resources – namely the Wolf Pen Farm Mill.

Regarding mobility in the Wolf Pen Branch Neighborhood, the plan notes that "through traffic is the exception and not the norm." This development would increase through traffic on the narrow, two-lane Wolf Pen Branch Road, jeopardizing the safety of residents and general aesthetic of the scenic route. Many of Wolf Pen Branch's residents travel on Wolf Pen and Chamberlain Lane toward Mint Spring Branch Road, both of which will now be inundated with rush hour traffic entering and exiting the 270,000 square foot office complex. Again, this higher volume of traffic from the proposed development will threaten the safety of walkers, runners, bikers, and horse riders who often enjoy Wolf Pen Branch Road, which violates the Neighborhood Plan's policy to encourage the multimodal use of all roadways within the neighborhood. The Plan continuously emphasizes its desire to ensure that Wolf Pen Branch Road is maintained as a scenic roadway and does not become a connector route. This zone change would undermine this objective.

As directed in the Pre-application Staff Report, the "applicant/ developer [must] strive to ensure compliance with the Wolf Pen Branch Neighborhood Plan and demonstrate such compliance clearly on the development plan and/or renderings to address landscape buffers and tree canopy, architectural design elements, historic context, and roadway improvements." So far, the applicant has been non-compliant with the goals and objectives outlined in the Neighborhood Plan.

4. THE PROPOSED ZONE DISTRICT CHANGE VIOLATES KRS 100.213(1)

It is worth noting that the assisted living facility, on the other side of Chamberlain Lane, adjacent to the proposed development, is on a property that is also zoned R-4. To the extent McMahan argues that this use is consistent with that of its neighbors, Wolf Pen Mill argues that the assisted living facility is a permitted use in R-4 and is an appropriate transition for locating near single-family residences, while a large-scale office complex is not.

On the other hand, Office/ Residential District zoning, OR-3, is designated for dwellings with multiple families such as apartment hotels, assisted living residences, community residences, boarding and lodging houses, office buildings, barbers and hairdressers, medical laboratories, physical fitness instruction, fraternities and sororities and other clubs and lodges, as well as portrait studios. See LDC 2.3.4. The proposed development is not suited for a primarily R-4 designated area despite the Staff Report's finding that an office district is appropriate at this location because it is adjacent to the interstate, mixed-use development, and assisted living community. The Staff Report's finding ignores the fact that all of the development cited is on the east side of Chamberlain Lane. The entire west side of Chamberlain Lane is exclusively residential so this development would encroach in these residential areas and is wholly inconsistent with the current pattern of development. The only area near the proposed site that is designated as OR-3 is the Lowe's and Costco area – which is not at all consistent with the scenic neighborhood feel of Wolf Pen Branch – and is located on the other side of I-71 where development is more appropriate.

If the Commission were to ultimately allow this zone change, it would result in the unnecessary expansion of OR-3 permitted uses in an exclusive R-4 area. This encroachment only further erodes and threatens the historic Wolf Pen Branch area. OR-3 uses should remain on the other side of I-71 between the Brownsboro Road exit from the Gene Snyder, where other OR-3 development already exists and should not permeate that I-71 barrier, nor the west side of Chamberlain Lane. The proposed site is better suited for all residents and travelers along Wolf Pen Branch Road and Chamberlain Lane remaining R-4.

3. THE PROPOSED USE DOES NOT COMPLY WITH THE NEIGHBORHOOD PLAN

The property is currently zoned R-4. This zoning is consistent with the Wolf Pen Branch Neighborhood Plan's intended designation of the area as Extremely Low to Very Low Density Residential. McMahan is requesting a zone change to Office-Residential (OR-3) – a designation which would be wholly inconsistent with the Neighborhood Plan. The Neighborhood Plan specifically emphasizes – "New development within the neighborhood should conform to the existing scenic roadway alignments, be compatible with the existing rural residential development pattern and safeguard the scenic, environmental, historic and cultural resources of the Wolf Pen Branch Neighborhood." See Neighborhood Plan at 20. This proposed zone change violates the stated objective.

Likewise, the Staff Report notes several goals that are emphasized in the Neighborhood Plan including an emphasis on restricting future development to single family residential, promoting the voluntary use of conservation easements as open space

The proposed zone change violates KRS 100.213(1) which states in pertinent part:

Before any map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:

- (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
- (b) That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

The proposal does not meet the requirements of KRS 100.213 for a zone change is not in agreement with the Comp. Plan. The Applicant also has not proven that either exception applies and that the existing zoning classification is inappropriate or that there have been major economic, physical, or social changes in the area which were not anticipated when the Comp. Plan was adopted. As such, the proposed zone change is contrary to statute and cannot be granted under any circumstance.

5. WOLF PEN MILL FARM IS SEEKING ADDITIONAL PROTECTIONS TO WOLF PEN BRANCH.

The Comp. Plan requires the Commission to take into consideration water quality. Wolf Pen Mill Farm is currently in discussions with the Kentucky Division of Water to add further protections to Wolf Pen Branch, especially as Wolf Pen Mill is dependent on a healthy, unaltered stream. As stated above, Wolf Pen Mill Farm is protected from development with a conservation easement and has been so protected since 1999. The integrity of Wolf Pen Branch is critical to the preservation and operation of Wolf Pen Mill, one of the oldest operating mills in the country. The Planning Commission should refrain from approving any new development until the Outstanding State Resource Water process is completed, and the developer can assure that any changes in the water quality do not negatively affect the mill, which is part of a multimillion dollar effort to preserve Wolf Pen Mill Farm and the mill itself.

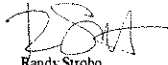
CONCLUSION

The proposed land use is wholly incompatible with the Comprehensive Plan, LDC, and Neighborhood Plan as it violates numerous provisions in each. The proposed complex will be a nuisance to the surrounding neighbors and to the scenic corridor of Wolf Pen Branch, will substantially increase traffic on minor arterials, and will result in irreparable damage to downstream properties, such as Wolf Pen Mill, from increased stormwater flows which threaten the mill's existence. Granting this zone map amendment would fundamentally and permanently alter the residential nature of the area to the detriment of

Wolf Pen Mill and its surrounding neighbors.

Wolf Pen Mill respectfully requests the LDT Committee and Planning Commission refrain from scheduling a full Planning Commission hearing on the application until the developer can show compliance with the Comp. Plan, Neighborhood Plan, and the LDC, and assure that changes to water quality will not threaten Wolf Pen Mill.

Respectfully submitted,



Randy Strobo
Clay Barkley
Strobo Barkley PLLC

From: Barbara Kelly
To: Dock, Joel
Subject: Proposed Development 20-ZONE-0075
Date: Wednesday, March 24, 2021 4:44:33 PM

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Members of the LD&T Committee,

Please address how this proposed development and rezoning to OR-3 comports with the Wolf Pen Branch Neighborhood Plan. Area residents and development community representatives collaborated with PDS staff and Sabak, Wilson and Lingo consultants for one year to carefully craft a plan appropriate for the area, insuring that its appeal would endure for the long term.

This development plan is wholly incongruous with the neighborhood and the neighborhood plan area, due to its rezoning for office use, and the mass, height and scale of the buildings. The height of the building closest to Chamberlain Lane, coupled with the elevated grade of the site, would dominate the area. That alone is hardly low impact.

The Grande Senior Center is located directly across Chamberlain Lane from this site. Had area residents realized how massive The Grande would be, when they revised their plan to enlarge it, we would have objected.

Residents have invested in this scenic residential area with expectations that those scenic, low impact attributes will not be upended by an office complex. The neighborhood plan was revised in 2012, to specifically exclude office development, using language suggested by PDS staff.

I urge you to reject this development plan.

Barbara Kelly
6009 Mint Spring Branch Road
Prospect, KY 40059

From: Neerja Sahni
To: Dock, Joel
Subject: 5220 Chamberlain Lane
Date: Wednesday, March 24, 2021 11:59:18 PM

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Hi,

I'm writing to express my disapproval of the developer's petition for current Residential zoning specified in our Wolf Pen Branch Neighborhood Plan to be changed to Office/Residential so that these buildings can be built.

Traffic in the Wolf Pen Branch neighborhood is already bad now; adding in commercial zoning will make it worse. The environmental impact on this beautiful and historic area will significantly affect all the residents. Louisville's tree canopy is already being decimated. We cannot continue to develop without regard to the preservation and future of our environment.

Please vote no on this proposed change in zoning.

Best,
Neerja Sahni

From: Joseph Adams
To: Dock, Joel
Subject: Case #20-ZONE-0078
Date: Saturday, April 24, 2021 9:01:08 PM

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Hello Joel, I can't tell you how disappointed I was to read about the recent attempts to change our neighborhood zoning to allow for a huge new office complex! I got physically sick thinking about some developer coming to our beautiful area and totally ignoring the city sanctioned plan and building a monstrosity like this. The typical Louisville family would not want this in their neighborhood. We will fight this as aggressively as we can. These people will have no respect at all for what we've preserved here. Thank you for your time and please help us and not the developers! There are plenty of zoned areas to put those type of projects. They don't need to destroy a neighborhood.

Sincerely,
Joe Adams

7901 Wolf Pen Branch Road
Louisville, KY 40059

From: Betsy Bennett
To: Dock, Joel
Cc: Reed, Scott
Subject: Case No. 20-ZONE-0078
Date: Tuesday, Apr 27, 2021 10:23:01 PM

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Dear Sir,

I am opposed to the rezoning at Wolf Pen Branch Road and Chamberlain Lane for an office complex. The proposal is totally inconsistent with our neighborhood plan which was adopted by Metro Council in 2012. This zone change would have a huge negative impact on both Wolf Pen Branch and Chamberlain, and it would add to the water runoff problems we already face. Please protect our neighborhood's character.
Betsy Rudd Bennett
1 Wolf Pen Lane

Sent from my iPhone

From: markworleyee@gmail.com
To: Dock, Joel
Subject: Chamberlain/71/Wolf Pen proposed development (water road issues)
Date: Sunday, January 3, 2021 12:20:24 PM
Attachments: image009.jpg
image010.jpg
image011.jpg
image012.jpg
image013.jpg

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Joel,

Apparently sending you pictures of water over Wolf Pen Branch prompted MSD to react. They did a few days of work to the stream and roadside for the water that would be coming from the proposed new development. The problem of water over wolf pen was not resolved as Thursday nights storm with water running over the road washed away the road edge material they had just placed. There also appears to be a culvert exit nearer to the corner bend that they did not touch that water has to run up hill to get to the creek. Can you please add this to the record and forward to whomever it was forwarded to before that prompted the first repairs.

📧📧📧📧📧

Mark Worley

Begin forwarded message:

From: markworleyee@gmail.com
Date: September 4, 2020 at 10:13:44 AM EDT
To: "Dock, Joel" <Joel.Dock@louisvilleky.gov>
Subject: Re: Chamberlain/71/Wolf Pen proposed development

Thank you...this is not a trivial amount of water...at least 6 inches.

Mark Worley

On Sep 4, 2020, at 9:07 AM, Dock, Joel
<Joel.Dock@louisvilleky.gov> wrote:

Thanks for sending these. I'll include in the record.

Joel P. Dock, AICP
Planner II
Planning & Design Services
502-574-5860

From: markworleyee@gmail.com <markworleyee@gmail.com>
Sent: Thursday, September 3, 2020 10:07 PM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: Chamberlain/71/Wolf Pen proposed development

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Joel,

In the zoom meeting with the lawyer and engineer I spoke of the flooding that occurs across Wolf Pen at 8617. This water comes from the proposed development area. We don't need more. This is not a trivial amount of water. The development would cause wolf pen to be a cut through from 42. Wolf pen also has a very narrow bridge farther down of which I'm waiting for the day I smack/shatter side mirrors with someone.

<image001.jpg>

<image002.jpg>

<image003.jpg>

Mark Worley

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From: Arnold/Carol Zegart
To: Reed, Scott; Dock, Joel
Subject: Pwd: Case # 20-Zone-0078 I
Date: Friday, Apr 23, 2021 5:02:42 PM

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-----Original Message-----

From: Arnold/Carol Zegart <aczegart@aol.com>
To: joel.dock@louisvilleky.gov <joel.dock@louisvilleky.gov>
Sent: Wed, Mar 24, 2021 3:14 pm
Subject: Case # 20-Zone-0078 I

I am writing to express my opposition to the zoning change, case # 20-Zone-0078 to be discussed on Thursday, May 6, 2021 at the public hearing before the Planning Commission.

I am a long time resident of Wolf Pen Branch Rd since October, 1966. Others have expressed all the right reasons for the opposition, such as increased traffic, potential storm damage run-offs, ruining the scenic & historic view shed, etc etc which you'll have heard many times before and usually ignore. Usually the well financed developer & his excellent well financed zoning attorney prevail as the L D & T Committee always fall in line believing that any major commercial development is always better economically for the overall community. The long term residential opponents of such developments are always discounted. Of course this has been a great boom for Oldham County as many former Louisville/Jefferson County residents flock there to escape commercial encroachment.

We spent many hours working with City Government developing, implementing and updating the Neighborhood Plan. If you approve the zoning change along with the proposed office building complex plan, which quite honestly I

expect you to do, you have confirmed my belief that PUBLIC PARTICIPATION IS A SHAM & just a continuing PR stunt to "give the public a voice". When the chips are down & push comes to shove, LD&T and the Planning Commission always side with the development community. I challenge you to prove me wrong.

Sincerely,

Arnold J. Zegart
7800 Wolf Pen Branch Rd.
Prospect, Ky 40059

From: Marty Spence
To: Arnold Zegart
Subject: Neighborhood Plan
Date: Sunday, April 25, 2021 12:31:40 PM

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Sent from Mail for Windows 10
I oppose Rezoning For Office Complex.
Marty Spence
7829 Wolf Pen Br. RD.

From: Arnold Zegart <azegart@prospectky.com>
Sent: Sunday, April 25, 2021 12:31:40 PM
To: Marty Spence <mspence@louisville.gov>
Subject: Neighborhood Plan

From: Marty Spence <mspence@louisville.gov>
Sent: Sunday, April 25, 2021 12:31:40 PM
To: Arnold Zegart <azegart@prospectky.com>
Subject: Neighborhood Plan

Use this link to view the original email: mspence@louisville.gov



Ingrid Osswald
re: rezoning for office complex case #20-ZONE-0078
April 27, 2021 at 2:21 PM
Sent from my iPhone

Dear Case Manager Joel Dock,

It has come to my attention that there is an impending zoning change for my neighborhood. After reviewing the details, wow! What an immense intrusion! Do you know that this piece of land is part of the Wolf Pen Neighborhood Plan that was just revised and approved by Metro Council in 2012? That's less than 10 years. How is re-zoning possible, let alone with a 280,000 sq ft two to four story multiple building complex?

I urge you to consider that this property already has higher elevation than many of the homes on Wolf Pen Road. With plans to partially remove the hill with its many mature trees that absorb an average of 14,000 gallons of rain water each year, what are the residents down stream supposed to do? And that's without adding our climate change where storms are even more likely and severe. We can't even estimate how much more run off there will be.

There are already three very large multistory office buildings on Springdale road. I am sure many suites stand empty. Maybe we should count these! I can tell you the parking lots around these buildings are sparsely used and the lots absorb no rain water.

Please ask the developers to respect our Neighborhood Plan as approved for single family residential development. The character of our neighborhood will only be irreversibly diminished by this office complex. You will find we are very interested in what happens with this case and Wolf Pen neighbors vote at every opportunity!

I am concerned.

Ingrid Osswald
5050 Spring Farm Road
Prospect, Ky 40059
ing7.os@gmail.com

From: John J. Hafner
To: Dock, Joel
Cc: Reed, Scott
Subject: Wolf Pen Branch Road
Date: Thursday, April 22, 2021 10:37:37 PM

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Mr. Dock:

I moved to 7815 Wolf Pen Branch Road with my parents in 1972 when I was 11. I love the remote area and used to horseback ride and bike and bike ride all over this and other rural roads. When I left home, I missed the area but had not a dream of being able to afford a house here. In 2019 I was lucky enough to find a house that we could swing just two doors down from my parents house at 7843 Wolf Pen Branch Road. We really love the area, but find because of Norton's Commons traffic through to prospect the road is dangerous to ride a bike or walk on. Traffic is fairly heavy and fast on this thin country road that even has a one lane bridge. We believe development sound this area has really started to ruin the rural nature of our area and the proposed medical buildings at chamberlain lane and Wolf Pen will make traffic much worse, it will also add water run off to outlet fully stretched water system with a historic mill. Light pollution is another problem that we would face if this is approved. These buildings do not fit within the neighborhood plan in any way and will ruin the value and beautiful rural feel of the area that we paid so much to live in. I urge you to please consider rejecting this development that does not fit in our wonderful area! We truly appreciate your consideration in this matter!

Sincerely

John J. Hafner, Sherri H. Hafner(7843 Wolf Pen Branch Road)

Joan J. Hafner(7815 Wolf Pen Branch Road)

Sent from my wireless device

From: Kelly Krupp
To: Dock, Joel; Reed, Scott
Subject: # 20-ZONE-0078
Date: Thursday, April 29, 2021 10:54:56 AM

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I support the neighborhood plan. Please oppose rezoning for the office complex bordering wolf pen branch road, chamberlain lane, and I-71.

Thank you,

Kelly Krupp
5412 Merrbrook Lane
Prospect, KY 40059

Sent from Yahoo Mail for iPhone

From: Steven Skaggs
To: Dock, Joel
Subject: # 20-ZONE-0078
Date: Tuesday, May 4, 2021 7:48:04 AM

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Dear Joel,

I want to voice my opposition to the proposed zoning change. What are Neighborhood Plans good for if they are upended so drastically by such zoning changes? The scale of this proposal is way out of line with our setting.

Thanks --

Steven Skaggs
8116 Wolf Pen Branch Road

From: Brenda McMahon
To: Dock, Joel
Subject: Case # 20-ZONE-0078
Date: Monday, May 3, 2021 3:27:52 PM

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Dear Mr. Dock,

I am writing to protest the zoning change of the above property. The area is already severely congested. I live in Norton Commons and my Mom lives in Cobblestone patio homes. It is very difficult to pull out of Cobblestone or turn left into Cobblestone. When I am waiting to turn left - I feel very vulnerable with everyone flying up Chamberlain from 22 to Norton Commons entrance. All it would take is someone glancing at their phone to have a head on collision. I have already seen a number of accidents.

An office complex is not an appropriate setting for a beautiful tree canopied area such as Wolf Pen Branch Road. A more appropriate use of the land would be for housing. The proposal is for office space and the only tenants I see would be medical. These offices would not only create traffic from employees - but also visiting patients. Any other business sector is now reducing office space.

The traffic circle at Norton Commons is a mess. It is too small for the speed of traffic coming from 22 and no one signals. This project would only worsen that condition. The area around 22 and the Gene Snyder was widened a number of years ago and it has already outgrown that revision.

Also why are they pre-leasing for office space that has not even been approved.

https://images1.cdn.cloudflare.com/libraries/errors/502785f6f6391193_1214964943/Document.pdf

I look forward to your comments.

Brenda McMahon
9118 Dayflower Street
Prospect, KY 40059

<mailto:brenda@umciv.com>
US Phone 502-394-0878

This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: Martha Hyatt
To: Reed, Scott; Dock, Joel
Subject: Case # 20-ZONE-0078
Date: Tuesday, May 4, 2021 4:51:34 PM

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Dear Mr. Reed and Mr. Dock,

I am sending this email in reference to case #20-ZONE-0078, a proposed zoning change for the Chamberlain Lane - Wolf Pen Branch Road area. I *strongly* oppose rezoning this area for an office complex. My family moved to the area in 1963, when I was a baby. I grew up on Mint Springs Branch Road and subsequently purchased the home that I grew up in. The Wolf Pen area is uniquely beautiful, a hidden jewel of Louisville, and *needs* to be protected.

The proposed office complex is out of character for the area and a building of 72 feet, which is more than double what is allowed, would be not only an eyesore, but would potentially increase storm runoff, leading to more flooding, and negatively impacting the historic mill on Wolf Pen. Such a development would also increase traffic and congestion on the already strained Chamberlain Lane. Partial removal of the hillside to build the entrance to the proposed office complex would be harmful to the environment, putting at risk the health of the tree canopy along Chamberlain Lane.

I beg you, please honor the Wolf Pen Branch Neighborhood Plan, which was created to protect and enhance the neighborhood character, and oppose this zoning change. I believe that it is vital that Louisvillians preserve those elements that create the very fabric of this beautiful neighborhood, for the long term. We now have the opportunity to stop this development and maintain the unique charm that is the Chamberlain Lane - Wolf Pen Branch Road area. I want my children and grandchildren to be able to visit this gorgeous area that I grew up in and experience its unique beauty first hand, rather than hearing stories of how pretty it 'used to be'.

Please include my comments in the public hearing before the Planning Commission on May 6, 2021. Thank you in advance for your consideration,

Martha Hyatt
6313 Mint Spring Branch Road
Prospect, KY 40059

From: agunnison@aol.com
To: Dock, Joel
Subject: case 20-ZONE-0078
Date: Monday, May 3, 2021 7:32:47 PM

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Joel--as you can see below, I emailed comments to you (with cc to Scott Reed) on April 26, 2021. I have to wonder why my name wasn't listed as having been received by April 30th. And could there be others that got misplaced?

-----Original Message-----

From: agunnison@aol.com
To: joel.dock@louisvilleky.gov <joel.dock@louisvilleky.gov>; scott.reed@louisvilleky.gov <scott.reed@louisvilleky.gov>
Sent: Mon, Apr 26, 2021 10:34 am
Subject: case 20-ZONE-0078

To all Planning Commissioners:

As you know, the Wolf Pen/Chamberlain/Mint Springs corridor is scenic, historic and one of several unique areas in Jefferson County. Indeed, the current Wolf Pen and Chamberlain roadway paths appear on the 1858 Bergmann map. Also remaining are many historic structures and history scattered throughout.

The beauty and character here are irrespective of dollar signs. For over 100 years most properties in the area have been small to medium sized single family residences scattered in among working farms. Then developers swooped in, buying up farms and creating the more affluent subdivisions you see now. But the modest homes and historic structures still remain and cry out for protection.

There are numerous citations in our twice approved Wolf Pen Branch Neighborhood Plan which support preservation and discourage incompatible development. Putting a 72 ft high office building (and two smaller ones) in our neighborhood is like building a Walmart ...in the middle of Waterfront Park.

Likewise, there are many citations in Cornerstone 2040 which state that neighborhoods are "supported and empowered to participate in land use planning and making policies" and we do not want to be ignored. We are certainly amenable to working with the developer to put in some housing choices which could be more "inclusive" and still blend in with the neighborhood. This would be a much better use for the property and the developer should be strongly encouraged to participate in this way. If hundreds of neighbors are expected to be more forward-thinking, so should this developer.

Oppose this totally inappropriate development.

Alice Gunnison
7849 Wolf Pen Branch Rd
Prospect, KY 40059

From: Austin Pryor (Personal)
To: Dock, Joel; Reed, Scott
Subject: Case # 20-ZONE-0078
Date: Wednesday, May 5, 2021 4:19:06 PM

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Mr. Dock - Councilman Reed,

I'm writing to express our strong opposition to this rezoning.

I'm sure you'll hear from my neighbors about their concerns regarding increased traffic along Chamberlain Lane (as well as along Wolf Pen Branch Road by people coming from U.S. 42), preserving the tree canopy, storm water runoff and potential adverse consequences for the Wolf Pen Mill. We share those concerns.

We have an additional concern. It's extremely frustrating to spend the time working with the local officials to help formulate an appropriate development plan for our area only to have developers continually return to overturn it. It's been less than 10 years since the Metro Council affirmed the Wolf Pen Branch Neighborhood Plan (which specifically excluded office zoning) and added it to the Comprehensive Plan.

Now you're again being asked to ignore that and change the zoning to allow a commercial development. Why must we continually fight to preserve the character of our neighborhood? This is so infuriating!

There's no shortage of land in Jefferson County for new office buildings. The developers knew the zoning when they purchased the property. Honor the current plan and tell them to look elsewhere.

Sincerely,

Austin and Susan Pryor
7835 Wolf Pen Branch Road

From: Bob McKeel
To: Dock, Joel
Subject: Case Number: 20-ZONE-0078
Date: Tuesday, March 16, 2021 9:49:57 AM

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We have a concern with the amount of traffic that will be travelling on Chamberlain Lane from this development and the planned development (case #21-CUPPA-0011) on the southside of I-71 and Chamberlain Lane that will affect pedestrians crossing Chamberlain Lane from the Cobblestone Estate neighborhood.

Since these new developments will increase traffic, are there plans to accommodate pedestrians and vehicles (exiting Cobblestone Estates) with installation of a traffic signal with pedestrian crossing lights?

Robert and Grace McKeel
5110 Telford Lane
Louisville, KY 40241

From: Ann Campbell
To: scott.reed@louisville.gov; Dock, Joel
Subject: Reference case # 20-ZONE-0078
Date: Monday, May 3, 2021 1:31:20 PM

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I highly oppose Reference case # 20-ZONE-0078

Best,
Ann Campbell
9226 Featherbell blvd
Prospect, KY 40059

Ann Campbell

From: Eric Cornett
To: scottreed@louisville.gov; Dock, Joel
Subject: Wolf Pen & Chamberlain Lane - Case # 20-ZONE-0078
Date: Monday, May 3, 2021, 12:49:32 PM

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I live at 8415 Wolf Pen Branch Road and I am reaching out to voice my opposition to the proposed rezoning of the property at the intersection of Wolf Pen Branch Road and Chamberlain Lane (Case #20-ZONE-0078).

I think this property is correctly zoned as R-4, which is consistent with the existing Wolf Pen Branch corridor and the Wolf Pen Neighborhood Area Plan. Rezoning the property to a higher intense zoning would not be compatible with the surrounding area and would increase traffic on a narrow two lane, winding road that cannot safely absorb more traffic. The Wolf Pen Branch corridor is a scenic and historic area that needs to be protected and maintained as a single family residential corridor.

Thanks for your time and consideration of my concerns.

R. Eric Cornett
(502) 797-1779 (cell)

corridor to be for single family dwellings. Allowing this zoning change would forever change this corridor and be contrary to the preservation plan already in place.

In closing, the Board of Directors of Wolf Trace Homeowners Association **strongly opposes** the proposed zoning change and desire for the continued support of current zoning status.

Regards,

Janet Marquardt
President of HOA Wolf Trace
9102 Hensley Court
Prospect Ky 40059

From: Marquardt, Janet
To: Dock, Joel
Cc: Reed, Scott; scottreed@louisville.gov; Marquardt, Janet
Subject: Letter of Opposition to Zoning Change Case 20-Zone-0078
Date: Monday, May 24, 2021 11:12:28 AM
Attachments: Chamberlain Ln, 720, 6150.pdf
Importance: High

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Dear Mr. Joel Dock,

I'm writing this letter to you as President of the Board of Directors for Wolf Trace Home Owners Association. I also am a homeowner of 9102 Hensley Ct Prospect, Ky, 40059. Both my home and Wolf Trace, a residential development of 215 homes, are located off of Chamberlain Lane across from Norton Commons. This letter is to document **strong opposition** by the Home Owners Association Board of Directors to the zoning change which would allow an office complex to be built on an already heavily congested road making entry and egress difficult for those already living here.

Representing the Home Owners Association Board of Directors; we are **extremely opposed** to this change in zoning for the following reasons:

1. Increased water run-off will impact an already over saturated nature preserve and continue damaging the back yards of multiple home owners. Multiple families have had extreme erosion of their respective back yards and experienced thousands of dollars of expenses related to mitigating the damage due to increased water runoff. This has been the result of the building of The Grand on Chamberlain Lane and increased apartment complexes in Norton Commons. The small creeks frequently are over run with water shed due to the surface parking in these adjacent developments. Allowing this zoning change will further cause destruction to the nature preserve and homeowners property throughout Wolf Pen Springs development.
2. Increased traffic congestion on Chamberlain Lane and the round about will lead to dangerous traffic conditions. Frequently, water pools across one lane on Chamberlain Lane beneath I71 causing traffic to shift lanes without mitigation. Multiple complaints have been logged to MSD without permanent resolution. Additional traffic will be a formula for disaster to an already congested and dangerous area.
3. Wildlife preservation in the Nature Preserve at the corner of Chamberlain Lane and Wolf Pen Brand Road will be negatively impacted by this zoning change. Many wildlife creatures inhabit this Nature Preserve and building an office complex will create multiple hardships on the residents of this Nature Preserve. One of the reasons home owners have purchased property contiguous with the Nature Preserve is to enjoy the wildlife and the natural surroundings this area presents. Light from the proposed office complex will negatively impact the ambiance of the Nature Preserve and be harmful to the wildlife that reside in this area.
4. Lastly, the Wolf Pen Branch Preservation Plan specifically calls for the preservation of this

From: James Jones
To: Dock, Joel
Cc: scottreed@louisville.gov; jstinson@louisville.gov
Subject: Case Number 20-zone-0078
Date: Saturday, May 22, 2021 7:52:11 PM

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Joel,

The nearly 40 Neighborhood Plans that Metro Council approved should be enforced. The Wolf Pen Neighborhood Plan specifies single family residences only and the property asking for zoning change is currently perfect for its existing R-4 housing option. All neighborhood plans should be honored--regardless of what part of town they are.

Thanks,
James Jones

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From: Tammy Switow
To: Dock Joel
Cc: Bob Scott
Subject: Zoning Case #20-ZONE-0078
Date: Monday, May 10, 2021 11:02:56 AM

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Dear Mr. Dock,

My name is Tammy Switow and I live at 7220 Wolf Pen Branch Road. I wish to make it known that I opposed the rezoning of the land in this case from R-4 to OR-3. This development is completely out of character with this neighborhood and blatantly ignores the existing Neighborhood Plan that is currently in effect.

Respectfully,

Tammy Switow

Dock, Joel

From: agunnison@aol.com
Sent: Wednesday, May 5, 2021 7:03 PM
To: Dock, Joel
Subject: Re: case 20-ZONE-0078

Follow Up Flag: Flag for follow up
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Thanks for the clarification. Makes sense--I do write you a lot.

Alice

-----Original Message-----

From: Dock, Joel <Joel.Dock@louisvilleky.gov>
To: agunnison@aol.com <agunnison@aol.com>
Sent: Wed, May 5, 2021 4:07 pm
Subject: RE: case 20-ZONE-0078

Received. Your comments will be incorporated. This was a simple mistake and omission due to our multiple communications that weren't necessarily public comments but questions about process and LDC, etc. Thank you!

Joel P. Dock, AICP
Planner II
Planning & Design Services
502-574-5860

From: agunnison@aol.com <agunnison@aol.com>
Sent: Monday, May 3, 2021 7:33 PM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: case 20-ZONE-0078

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Joel--as you can see below, I emailed comments to you (with cc to Scott Reed) on April 26, 2021. I have to wonder why my name wasn't listed as having been received by April 30th. And could there be others that got misplaced?

-----Original Message-----

From: agunnison@aol.com
To: joel.dock@louisvilleky.gov <joel.dock@louisvilleky.gov>; scott.reed@louisvilleky.gov <scott.reed@louisvilleky.gov>

Sent: Mon, Apr 26, 2021 10:34 am
Subject: case 20-ZONE-0078

To all Planning Commissioners:

As you know, the Wolf Pen/Chamberlain/Mint Springs corridor is scenic, historic and one of several unique areas in Jefferson County. Indeed, the current Wolf Pen and Chamberlain roadway paths appear on the 1858 Bergmann map. Also remaining are many historic structures and history scattered throughout.

The beauty and character here are irrespective of dollar signs. For over 100 years most properties in the area have been small to medium sized single family residences scattered in among working farms. Then developers swooped in, buying up farms and creating the more affluent subdivisions you see now. But the modest homes and historic structures still remain and cry out for protection.

There are numerous citations in our **twice approved** Wolf Pen Branch Neighborhood Plan which support preservation and discourage incompatible development. Putting a 72 ft high office building (and two smaller ones) in our neighborhood is like building a Walmart ...in the middle of Waterfront Park.

Likewise, there are many citations in Cornerstone 2040 which state that neighborhoods are "supported and empowered to participate in land use planning and making policies" and we do not want to be ignored. We are certainly amenable to working with the developer to put in some housing choices which could be more "inclusive" and still blend in with the neighborhood. This would be a much better use for the property and the developer should be strongly encouraged to participate in this way. If hundreds of neighbors are expected to be more forward-thinking, so should this developer.

Oppose this totally inappropriate development.

Alice Gunnison
7849 Wolf Pen Branch Rd
Prospect, KY 40059

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Dock, Joel

From: Dock, Joel
Sent: Monday, May 3, 2021 2:22 PM
To: stpinlou@aol.com; Alice Gunnison (agunnison@aol.com); Barbara Kelly (elzair@att.net)
Subject: 20-ZONE-0078 cont'd to June 3, 2021 Public Hearing

Steve, Alice, and Barbara,

I'm emailing to inform you that the case will be continued from this coming Thursday's public hearing to the June 3, 2021 public hearing. The applicant has requested this continuance to revisit the proposed height on the building nearest Chamberlain Lane and continue conversations with representatives of the Wolf Pen Mill Farm.

Joel P. Dock, AICP

Planner II

Planning & Design Services

Department of Develop Louisville

LOUISVILLE FORWARD

444 South Fifth Street, Suite 300

Louisville, KY 40202

502-574-5860

<https://louisvilleky.gov/government/planning-design>



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Dock, Joel

From: Dock, Joel
Sent: Thursday, April 22, 2021 9:46 AM
To: 'stpinlou@aol.com'; Liu, Emily
Subject: RE: 20-ZONE-0078

Steve,

The case will be last on the agenda but there is no guarantee that the case won't start before 4 PM. It seems likely to begin between 3-4 PM based on current agenda items.

Joel P. Dock, AICP
Planner II
Planning & Design Services
502-574-5860

From: stpinlou@aol.com <stpinlou@aol.com>
Sent: Tuesday, April 20, 2021 10:54 AM
To: Liu, Emily <emily.liu@louisvilleky.gov>; Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: 20-ZONE-0078

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Emily and Joel,

Instead of a petition requiring a night hearing at a location, could we schedule the hearing on this case to be not before 4:00? The neighbors will be satisfied with that. Thanks.

Steve

Stephen T. Porter
Attorney at Law
2406 Tucker Station Road
Louisville, KY 40299
502-905-9991
stpinlou@aol.com

Dock, Joel

From: Dock, Joel
Sent: Thursday, April 22, 2021 9:45 AM
To: agunnison@aol.com
Cc: elzair@att.net
Subject: RE: Case 20-ZONE-0078

Alice,

1. The parcel of land containing the two homes is not included in the proposal.
2. I will request that the applicant address this as needed since utility coordination and installation is a construction phase matter. There is also gas along Chamberlain Lane that intersects the proposed entrance on Chamberlain.
3. The case will be last on the agenda but there is no guarantee that the case wont start before 4 PM. It seems likely to begin between 3-4 based current agenda items.

Joel P. Dock, AICP
Planner II
Planning & Design Services
502-574-5860

From: agunnison@aol.com <agunnison@aol.com>
Sent: Wednesday, April 21, 2021 6:32 PM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Cc: elzair@att.net
Subject: Case 20-ZONE-0078

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Joel-- I have three questions I'd like to ask:

1) The attachment above shows a public hearing sign for May 6, 1 pm. It is posted on the strip of land along Wolf Pen which includes the existing house at 8720 and there is another sign in front of the 1930s house on Chamberlain by the roundabout (I don't know that house number). The area marked seems to be **only** the parcel that is currently **excluded** from the proposed office complex proposal. There are no other signs on the Chamberlain or Wolf Pen areas indicating the parcel that **is** being heard by the Planning Commission on May 6th. We just want to make sure this parcel is **not included** in the zoning change case referenced above.

2) I'm trying to figure out where the gas lines are going. Looks like they tie in at the roundabout and head west on Wolf Pen on the opposite side from the development. Then, they cross the road at the big curve and head in (near the gaited entrance) toward the buildings. Am I reading this correctly? How close to the Wolf Pen roadway will these lines run? There are dense trees and brush on both sides of Wolf Pen on that stretch so it will be a noticeable loss.

3) I believe Steve Porter has requested that our case be heard at 4 pm. Would you have information about that?

Thanks,
Alice

Dock, Joel

From: Barbara Kelly <elzair@att.net>
Sent: Monday, March 22, 2021 1:52 PM
To: ALICE GUNNISON; Dock, Joel
Subject: Re: Case # 20-ZONE-0078

Follow Up Flag: Follow up
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Is the height of the building measured from grade level? It would not seem that the below grade height would be included in the total height.

We would request that this project use an externally illuminated monument sign at its entrance on Chamberlain Lane. This is the pattern for The Grande Senior Center and the planned U of L Rehab Facility, both nearby on Chamberlain Lane.

To avoid disruptive effects to the neighborhood from illuminated signs, we request that no illuminated signs be attached to the buildings of this development. You may be aware that Norton Old Brownsboro Hospital and the nearby Norton Children's Hospital, as well as the planned U of L Rehab Hospital agreed not to place illuminated signs on these buildings on the side toward I-71 and Chamberlain Lane, so as to be low impact with regard to signage.

Barbara Kelly

On Monday, March 22, 2021, 10:18:59 AM EDT, Dock, Joel <joel.dock@louisvilleky.gov> wrote:

The height appears to be combination of ceiling height, roof design, and grade. The roof is flat at the top so the height is measured to the top instead of mean between eaves and ridge as would be typical for a gable roof seen in residential construction. The back side away from chamberlain contains a below grade level that "walks out". Primarily the height would come from ceiling heights though...

The only road improvements available in this record on shown on the proposed development plan. It is not common to have roadway plans/construction plans during development plan/rezoning phase of the project. The proposal will extend sidewalks from the interstate side of the property on Chamberlain up to Wolf Pen/Norton Commons intersection. No improvements or sidewalks are proposed on Wolf Pen Branch Road.

Joel P. Dock, AICP

Planner II

Planning & Design Services

502-574-5860

From: Barbara Kelly <elzair@att.net>
Sent: Sunday, March 21, 2021 4:08 PM
To: ALICE GUNNISON <agunnison@aol.com>; Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: Re: Case # 20-ZONE-0078

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Joel,

Thank you for sending these renderings. In the 72' building closest to Chamberlain Lane, it appears that of the 4 floors, the ceiling height of the first floor is exceptionally high. Is that what accounts for the additional height over a typical 4-story building?

Also, please send the road plan improvements proposed for Chamberlain Lane and Wolf Pen Branch Road.

Thank you,

Barbara Kelly

On Thursday, March 18, 2021, 10:12:34 AM EDT, Dock, Joel <joel.dock@louisvilleky.gov> wrote:

I've attached a set of renderings. Height proposed is 72'; max permitted in OR-3 is 45' with exceptions to allow additional height based on the increased setback. They have not pursued exceptions and submitted variance instead.

Here's the exception:

Additional height is allowed, if all required setbacks are increased five feet for each additional ten feet of building height, or fraction thereof, over 45 feet. This extra setback does not apply to off-street parking and maneuvering areas. Non-residential uses are subject to building height limits as established in Table 5.3.2

Joel P. Dock, AICP

Planner II

Planning & Design Services

502-574-5860

From: Barbara Kelly <elzair@att.net>

Sent: Thursday, March 18, 2021 9:56 AM

To: ALICE GUNNISON <agunnison@aol.com>; Dock, Joel <Joel.Dock@louisvilleky.gov>

Subject: Re: Case # 20-ZONE-0078

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Joel,

What height is the proposed building needing the variance, and what is the allowed height?

Thank you.

-Barbara Kelly

On Thursday, March 18, 2021, 9:20:15 AM EDT, Dock, Joel <joel.dock@louisvilleky.gov> wrote:

1. A height variance is requested for the building nearest Chamberlain Lane.
2. The public will be able to interact on video and verbally interact with all parties to ask a questions and make statements. The procedure remains the same from in-person meetings – staff presents, applicant/support, neutral parties, opposition rebuttal, committee deliberation.
3. OR-3 allows for high density residential development and is calculated based on the type of units provisioned (studio, 1 bed, 2 or more bedrooms). This type of conversation may require revised plan, however.

Joel P. Dock, AICP

Planner II

Planning & Design Services

502-574-5860

From: ALICE GUNNISON <agunnison@aol.com>
Sent: Thursday, March 18, 2021 9:14 AM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Cc: elzair@att.net
Subject: Case # 20-ZONE-0078

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Hi, Joel--I have a couple of questions I thought you might be able to easily answer for me:

1) Is the applicant asking for a height variance? I'm thinking he must be, given he wants a 4 story building in a SFR neighborhood.

2) Will we be able to see other participants and verbally ask questions on the Web-Ex LD&T meeting on March 25th? Lately, all the Web-Ex meetings I've been on have only allowed written questions and did not permit us to know who else was attending. This is such a user unfriendly approach. Hope LD&T will be different.

3) The applicant is proposing OR-3, asking for office buildings. Let's say he builds offices but later can't find enough tenants, can he then convert some of those offices or buildings to residential?

Thanks,

Alice G

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Dock, Joel

From: Robert Towler <roberttowler@hotmail.com>
Sent: Wednesday, March 24, 2021 2:32 PM
To: Dock, Joel
Cc: Deborah Towler; Ariel Kronenberg; Gene Marshall; Robert Towler; Mark Shacklette; growelaw@bellsouth.net; Ken; Jacqueline Grimley
Subject: Case Number 20-zone-0078

Follow Up Flag: Follow up
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Dear Mr.. Dock,

I am writing to you regarding the proposed development at 5220 Chamberlain Lane. I appreciate your efforts to keeping the public informed of this project and look forward to our on-line call tomorrow at 1:00pm. I live at 9510 Hayden Creek Court and our property backs up to the nature preserve contiguous with both Chamberlain Lane and Wolf Pen Branch Road. The nature preserve provides a great buffer area between Wolf Pen Springs development and the traffic on I-71, especially in the summer time when the trees are in full foliage. When the leaves have fallen from these trees we will have a clear unobstructed view of the office buildings and parking lots proposed at this site.

My request is simple and is meant to be supportive of this project but protective of some level the view of the nature preserve and the wildlife that inhabit this protected area. Below is a summary of my request:

1. Light management – limit the brightness of light emitted at night time to keep the appearance of the woods for human and animal inhabitants.
2. Privacy and preservation of nature preserve view – Plant additional trees and shrubs that are at high enough elevation to preserve the wooded environment.
3. Ensure traffic on Chamberlain Lane is not impacted at the round-a-bout intersection causing delays to traffic on Chamberlain Lane, Norton Commons, and Wolf Pen Branch Road.
4. Ensure run off of water shed from surface parking is not diverted towards the nature preserve. We have experienced significantly increased water run off as Norton Commons and The Grand have developed properties contiguous with the nature preserve.

Thanks for your support and I appreciate your efforts at keeping the adjacent property owners informed of this project.

Sincerely,

Robert D. Towler, MBA, MT(ASCP)
Sent from [Mail](#) for Windows 10

Dock, Joel

From: Barbara Kelly <elzair@att.net>
Sent: Thursday, March 25, 2021 5:23 PM
To: Dock, Joel
Subject: Re: Chamberlain Woods Office Park

Follow Up Flag: Follow up
Flag Status: Flagged

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We are requesting no illuminated signs on any sides of the buildings, and requesting an externally illuminated monument entrance sign.

Barbara

On Thursday, March 25, 2021, 2:43:13 PM EDT, Dock, Joel <joel.dock@louisvilleky.gov> wrote:

To clarify, you're requesting no illumination or externally illuminated only?

Joel P. Dock, AICP

Planner II

Planning & Design Services

502-574-5860

From: Barbara Kelly <elzair@att.net>
Sent: Thursday, March 25, 2021 2:28 PM
To: Dock, Joel <Joel.Dock@louisvilleky.gov>
Subject: Chamberlain Woods Office Park

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Joel,

You were going to add a binding element regarding not placing illuminated signs on the buildings, following the example of Old Brownsboro Crossing buildings adjacent I-71 and Chamberlain Lane. I don't see that in the list. Can you add that?

Barbara Kelly

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From: marshall.genev@gmail.com
To: [Dock, Joel](#)
Cc: "[Robert Towler](#)"; "[Gur Mukh](#)"; kathygbrand@gmail.com
Subject: 20-zone-0078
Date: Wednesday, March 24, 2021 1:23:09 PM

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Dear Mr. Dock,

Thank you for the opportunity to comment on the 5220 Chamberlain Road rezoning project. We live at 5401 Merribrook Lane and look off our rear deck to see deer, turkey, squirrel, many different birds, and a few skunks. It is a wooded view of the Wolf Penn Springs Open Space. If we look to our right off our deck in the winter, we see the house that is shown to remain in the development. Behind that house, we will see the parking lot lighting and the upper floors of the proposed 4 story building. Our request is simple. We would like some kind of light management so that the development is not overwhelmingly noticeable at night and some additional tall bushes and or trees in front of the house. It is unlikely that we can avoid seeing the 4 story building, but given our angle of view up towards the house, a little landscaping in front of it, would hide a good bit. There are times that traffic is backed up at the traffic circle both into and out of Norton Commons, but good traffic management at the entrance to the development could help avoid adding to that problem.

As an FYI, the Gandhi's at 5400 Merribrook Lane sold their house to Preet Shah. I let him know about the development.

All of my neighbors are concerned about what they will have to look at from their rear decks. Light management and adequate bush/tree buffers will go a long way in preserving the wooded environment we were once in.

Thank you for what you are doing to keep adjacent property owners aware of the project.

Best regards,

Gene and Becky Marshall
5401 Merribrook Lane
Prospect, Ky 40059
502-419-6205

From: [Arnold/Carol Zegart](#)
To: [Dock, Joel](#)
Subject: Case # 20-Zone-0078 i
Date: Wednesday, March 24, 2021 3:14:17 PM

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I am writing to express my opposition to the zoning change, case # 20-Zone-0078 to be discussed on Thursday, March 25th, 2021.

I am a long time resident of Wolf Pen Branch Rd since October, 1966. Others have expressed all the right reasons for the opposition, such as increased traffic, potential storm damage run-offs, ruining the scenic & historic view shed, etc etc which you'all have heard many times before and usually ignore. Usually the well financed developer & his excellent well financed zoning attorney prevail as the L D & T Committee always fall in line believing that any major commercial development is always better economically for the overall community. The long term residential opponents of such developments are always discounted. Of course this has been a great boom for Oldham County as many former Louisville/Jefferson County residents flock there to escape commercial encroachment.

We spent many hours working with City Government developing, implementing and updating the Neighborhood Plan. If you approve the zoning change along with the proposed office building complex plan, which quite honestly I expect you to do, you have confirmed my belief that PUBLIC PARTICIPATION IS A SHAM & just a continuing PR stunt to "give the public a voice". When the chips are down & push comes to shove, LD&T always sides with the development community. I dare you to prove me wrong.

Sincerely,

Arnold J. Zegart
7800 Wolf Pen Branch Rd.
Prospect, Ky 40059

From: [Marsha Weinstein](#)
To: [Dock, Joel](#)
Subject: Case # 20-ZONE-0078
Date: Tuesday, March 23, 2021 1:43:30 PM

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Mr Dock,

Please record my comments into the record.

The Wolf Pen Branch Road Corridor has always been an historic rural area in Jefferson County with very low density of residential property, therefore making it totally inappropriate to build office buildings in this neighborhood. Four story buildings do not belong! The utilities for these buildings will result in removal of the natural landscape of trees and bushes which further erodes the character of this Jefferson County treasure!!!

I am proud of the Neighborhood Plan we wrote in 2006 with the input and support of the residents. Everyone who lives here are well aware of the water problems that occur when it rains as water last many days. Increased traffic on Wolf Pen Branch Road has made it extremely dangerous for residents to simply walk to their neighbors homes and children are always at risk when they are playing outside.

Please stop the madness of destroying this historic neighborhood!

Marsha Weinstein
5608 Wolf Pen Trace
Prospect, KY 40059

--

Marsha Weinstein
5608 Wolf Pen Trace
Prospect, KY 40059
502-819-2537

From: [Wolf Pen Estates Community Association](#)
To: [Dock, Joel](#)
Cc: [Ashburner Clifford](#); [Abdul Jabbar](#); [Patricia Ahmed](#)
Subject: Case Number 20-ZONE-0078
Date: Wednesday, March 24, 2021 10:59:06 AM

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Mr. Dock: I am the President of the Wolf Pen Estates Community Association, Inc. We are the legal Homeowners Association for the Wolf Pen Estates Subdivision on Wolf Pen Branch Road in Prospect. A few of our lots have a contiguous property line with the property affected by the Case Number listed above and for which rezoning from R-4 to OR-3 has been requested. I write to advise the Planning Commission that, after several months of negotiations, the WPECA has reached a written agreement with the Developers of the property in question that satisfies our concerns. We support the rezoning provided that the detailed plans, waivers and variances as listed are implemented. The Agreement was approved by a unanimous vote of the members of the HOA at a meeting this week. Should you have further questions, do not hesitate to contact me. Thank you.

Lisa Fleming
President
Wolf Pen Estates Community Association, Inc.
502-439-4081

From: [Seth J. Singleton](#)
To: [Dock, Joel](#)
Subject: Comments re: Case No. 20-ZONE-0078
Date: Wednesday, March 24, 2021 10:38:39 AM

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Mr. Dock:

I am writing to submit my comments regarding Case No. 20-ZONE-0078, which is set to be discussed at the upcoming Land Development & Transportation Committee meeting on Thursday, March 25, 2021 at 1:00 PM. I ask that my comments be entered into the record.

I am a resident of Wolf Pen Branch Road and I oppose this development as currently proposed. There are several reasons for my opposition but the one that stands out is the potential the development has to increase thru-traffic on Wolf Pen Branch Road. This corridor is a scenic and historic route cherished by not only nearby residents, but all Jefferson residents. Approving this development will only increase thru-traffic, ultimately disrupting the scenic and tranquil character of the Wolf Pen Branch corridor.

The secondary proposed entrance on Wolf Pen Branch Road will ensure this increased traffic. Although this secondary entrance is proposed as an "emergency" entrance only, there is no guarantee that this will remain in perpetuity. Many developments have installed gates on emergency entrances only to have those gates remain open for general use. This will only create dangerous conditions near the blind curve on Wolf Pen Branch Road where the secondary entrance is proposed. And widening Wolf Pen Branch Road to accommodate the secondary entrance would further the disruption caused to the corridor.

In addition to the increased thru-traffic on Wolf Pen Branch Road, this proposed development will undoubtedly create problems for water management to the Wolf Pen Branch watershed. Wolf Pen Branch Road experiences significant flooding during any given year, namely due to other nearby development, and the proposed detention basins will not adequately offset the increased stormwater run-off created by this proposed development.

This development will also add to the surrounding light pollution, which will negatively impact the overall ambiance of the area. And, in the same vein, it will add to the surrounding noise pollution. Not only by the initial construction, but also by the increased traffic and activity created by tenants, clients, and visitors to this proposed development.

Next, the development's proposed utilities will require the removal of natural landscape. As a result, it will greatly disrupt the scenic feel to Wolf Pen Branch Road. This will also deplete the much-needed landscape for native wildlife, forcing them into the line of traffic and creating a dangerous environment for drivers and bikers.

It must also be considered that there is a 2-story rehabilitation facility proposed on property adjacent to this development. This further adds to the potential disruptions to the scenic Wolf Pen Branch corridor, including traffic, light pollution, water management, and natural

landscaping. This development does not consider this adjacent development.

And lastly, this development does not fit into the Wolf Pen Branch Road neighbor plan that has been in effect since 2006 and updated in 2012. The neighborhood plan limits development to low- and very low-density residential. The proposed office buildings do not conform with the neighbor plan. They are completely out of character for the scenic and historic Wolf Pen Branch corridor. It will be argued by proponents of the development that they are not required to abide by the neighborhood plan. The Wolf Pen Branch Road neighbor plan was approved by the Louisville Metro Government. Accordingly, our public servants have indicated a desire for the Wolf Pen Branch area to retain its scenic and historic atmosphere.

Thank you, Mr. Dock.

Best,

Seth J. Singleton, Esq.
sethjsingleton@gmail.com



March 24, 2021

Louisville Metro Planning
Commission Members
LDT Committee
444 South 5th Street, Suite 300
Louisville, Kentucky 40202

Joel Dock, AICP, Planner II
Louisville Metro Planning & Design Services
444 South 5th Street, Suite 300
Louisville, Kentucky 40202

Re: Opposition to Change in Zoning-Form District, 20-ZONE-0078
Property Owner: McMahan Holdings, LLC and Roy F. McMahan III
Applicant: McMahan Holdings, LLC
5220 Chamberlain Road

Dear Louisville Metro Planning Commission, LDT Committee Members, and Planning Staff:

Thank you for the opportunity to comment. This firm represents Wolf Pen Mill Farm, LLC ("Wolf Pen Mill"), a historic 412-acre farm protected by conservation easement property in Jefferson County, Kentucky, adjacent to the property proposed for a change in zoning-form district. McMahan Holdings, LLC submitted an application for a zone change for property owned by McMahan Holdings, LLC and Roy F. McMahan III (collectively "McMahan" or "Applicant") located at 5220 Chamberlain Road near Norton Commons. McMahan requests a zone change from the current zoning designation of Single-Family Residential ("R-4") to Office-Residential ("OR-3").

Wolf Pen Mill is opposed to the application because the proposed change violates the Comprehensive Plan 2040 ("Comp. Plan") the Louisville Land Development Code ("LDC"), as well as the Wolf Pen Branch Neighborhood Plan. The requested zone change would exacerbate already problematic stormwater flows and further threaten this historic property and mill which the Comp. Plan, LDC, and Neighborhood Plan seek to prevent. For the following reasons, Wolf Pen Mill opposes the application.

BACKGROUND

A Change in Zoning-Form District Pre-Application, 20-ZONEPA-0054, was filed on June 22, 2020 by McMahan for property located at 5220 Chamberlain Road with a total area to be rezoned listed as 33.79 acres. The requested zoning of Office Residential or OR-3 is to be used for constructing the Chamberlain Woods Office Park – 270,000 square feet of office space, which according to plans, would include three different buildings, one that is four stories high and two buildings both two stories high each, as well as approximately 853 parking spaces. On August 17, 2020, the Change in Zoning-Form District Application was filed as case number 20-ZONE-0078, which contained largely the same information as the pre-application.

The Wolf Pen Branch Neighborhood is a predominately rural area of north east Jefferson County, rich in historic, cultural, and environmental character. The area stretches down a 6.4-mile corridor that includes all of Wolf Pen Branch Road and Mint Spring Branch Road, as well as portions of Chamberlain Lane. The preservation of the scenic Wolf Pen Branch Neighborhood has become increasingly important within the last few decades as developments continue to degrade the watershed and viewshed. There are only a few parcels of commercial land in the area, close to the River Road intersection, although there is substantial commercial growth on Brownsboro Road at I-265. The Neighborhood Plan was enacted to ensure that future development would be compatible with the existing plan, which mainly consists of “low,” “very low,” to “extremely low” density single-family residential developments. This zone change is inconsistent with the Neighborhood’s goals and the properly adopted Wolf Pen Branch Neighborhood Plan.

Wolf Pen Mill Farm is a crown jewel of the Wolf Pen Branch Neighborhood. The Wolf Pen Mill is a stone corn mill constructed in the early 1800s and is one of the oldest functioning mills in the Commonwealth. Its picturesque water wheel and stone foundation are the lynchpin of the 412-acre tract that was permanently protected in 1999 by conservation easements donated to River Fields and the Kentucky Heritage Council. The farm is also home to a rare collection of the region’s native wildflowers as well as the federally endangered plant, the running buffalo clover. The farm is also known as the home to the “largest and most significant plant community” in the region.

The Wolf Pen Branch watershed is approximately 1,440 acres and the name-sake stream is a protected perennial blue-line stream. The area is already inundated with stormwater runoff from sprawling development upstream. Just recently, after the days of heavy rain at the end of February, increased stormwater flows from upstream properties inundated the stream, threatening the stability of the mill. The flooding significantly damaged three bridges on the Wolf Pen Mill Farm. All three bridges were covered with heavy debris and water eroded abutments and undercut the driveway on the downstream side due to the tremendous velocity of water in the stream. The abutments and foundations were heavily damaged and after an engineer’s inspection, it is clear that one bridge requires replacement which is now underway. Cost of these repairs will be significant.

Inadequate stormwater drainage from this massive development will be significant and without proper mitigation measures in place, key features of Wolf Pen Mill Farm could be completely destroyed.

According to the application, the office complex would span across 800 feet of frontage on Wolf Pen Branch Road, and 800 feet of frontage on Chamberlain Lane. The complex is located within the Neighborhood Form District. The Wolf Pen Mill believes the area should remain residential, as intended by the Neighborhood Plan and because of its location within a Neighborhood Form District.

Because the proposed zone change would allow large commercial complexes which will undoubtedly increase stormwater flows which already pose a substantial threat to the historic integrity of the property Wolf Pen Mill must oppose this action. Further, the

Applicant fails to comply with the Comp. Plan, LDC, and Neighborhood Plan, as outlined below. Therefore, the zone change application should be DENIED.

SUMMARY OF OPPOSITION

- 1) The application is incompatible with Louisville's 2040 Cornerstone Plan, specifically violating Sections 4.1, 4.4, and 4.5. The proposed development is incompatible with the Neighborhood Form District and has the potential to exacerbate the already intense flooding suffered by the downstream Wolf Pen Mill and therefore should be denied.
- 2) The proposed zone change is inconsistent with the Land Development Code and is better suited as R-4 versus OR-3.
- 3) The proposed use is inconsistent with the Wolf Pen Branch Neighborhood Plan as it violates the Plan's intended designation of the area as Extremely Low to Very Low Density Residential.
- 4) The proposed zone district change violates KRS 100.213(1) and therefore must be denied.

COMMENTS IN OPPOSITION

1) THE PROPOSED USE DOES NOT COMPLY WITH THE 2040 COMPREHENSIVE PLAN

- A. The application is incompatible with the Comp. Plan and its designated Neighborhood Form District.

Louisville Metro has implemented a layered approach to planning and development review which assigns parcels a traditional zoning designation as well as a Form District. A development must be reviewed for whether it complies with the traditional zoning designation which regulate land use and density, as well as the form-based designs such as height and setbacks.

McMahan's plan seeks to transform and further erode a rural residential area with a 270,000 sq. ft. office complex located at the headwaters of Wolf Pen Branch.

The Neighborhood Form Area is defined as, "A pattern of development characterized by mostly residential areas that are served by neighborhood-scale shops and services at locations that have public spaces such as parks and playgrounds." Comp. Plan at 111, see also Section 4.1, Policy 3.1.3. The proposed development does not comply with the definition for a Neighborhood Form District as any commercial use cannot be described as "neighborhood-scale shops and services." Policy 3.1.3 lays out other similar mixtures of the appropriate civic uses including "offices, shops, restaurants and services" but mandates that these "neighborhood centers should be at a scale that is appropriate for nearby neighborhoods." Comp. Plan at 41. The Comp. Plan does not contemplate locating 270,000 sq. ft. of office complex within its Neighborhood Form District.

The Neighborhood Form is reserved for “predominantly residential uses ... that blend compatibly into the existing landscape and neighborhood areas.” Id. (emphasis added). These large-scale office complexes proposed by McMahan that range from 2-4 stories tall with a total of 853 parking spaces will not blend compatibly into the scenic and historic landscape of Wolf Pen Branch Road. Nor will these complexes blend compatibly into the other single family residential neighborhoods on the property’s north side.

According to the Comp. Plan, “high-density uses,” like the one proposed here, “will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.” Id. This development would be better suited on a major arterial like Brownsboro Road versus on Wolf Pen Branch Road and Chamberlain Lane, on top of a Wolf Pen Branch headstream. While 800 or so feet of the complex has frontage on Wolf Pen Branch Road, approximately 2,000 or so of that remaining side will face residential neighbors of Wolf Pen Estates as well as residents near Deepa Drive. The neighboring assisted living facility, with its mainly permanent residents and limited staff, is not compatible in use with the bustling traffic of hundreds of cars every day at peak rush hour times going to and from work at the office facility.

The Comp. Plan’s Form Districts exist to [e]nsure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District.” Comp. Plan Section 4.1, Policy 4, p. 45. This development does not satisfy this objective. The Comp. Plan also seeks to “[d]iscourage non-residential expansion into existing residential neighborhoods unless applicant can demonstrate that any adverse impact on residential uses will be mitigated.” Id. at Section 6. Vegetative buffers, open spaces, landscaping, site design, building heights, building design, materials, and orientation all assist in transitioning different density categories. The applicant argues that there will be adequate barriers between the proposed office buildings and the adjacent residential properties as well as Wolf Pen Branch Road, claiming this will offset any light, noise, and traffic in and out of the complex. The applicant has not demonstrated that adequate mitigation of adverse impacts will be used to properly form boundaries and/or transition between these 2-4 story office buildings, and the scenic corridor of Wolf Pen Branch Road and its surrounding residential areas. Neighboring residents are concerned about noise and light pollution from the office buildings as well as from the parking lots, while Wolf Pen Mill is concerned with increased traffic during peak rush hour and the lack of stormwater management plan in the current design from this proposed high-density complex.

- B. The application is incompatible with the Comp. Plan’s policies regarding livability, conservation, and economic development.

This application also fails to meet several other goals and policies set forth in the Comp. Plan. Section 4.5 of the Comp. Plan address livability concerns. One of the guiding principles of the Comp. Plan is to provide for appropriate growth and development while also supporting the natural environment as well as air, water and soil quality. See Comp. Plan’s CHASE Principles, p. 32.

Goal 1 within the Livability Section is to “Protect and enhance the natural

environment and integrate it with the built environment as development occurs.” Within the same section, Policy 10 states, “Mitigate negative development impacts to the watershed and its capacity to transport stormwater by discouraging changes to stream channels and drainage features.” Comp. Plan at Section 4.5, Goal 1, Policy 10. This zone change would allow negative impacts to the Wolf Pen Branch watershed, including overwhelming its already strained capacity to transport stormwater as 270,000 square feet of office space and 853 parking spaces will only eliminate access to stream channels and natural drainage features, exacerbating flooding of downstream properties like Wolf Pen Mill.

Section 4.5, Goal 1, Policy 12 seeks to “[m]inimize impervious surface area and take advantage of soil saturation capacities.” Id. at 89. Policy 17 prioritizes adequate site selection in order to mitigate disturbance to “groundwater resources, flow patterns, and existing and proposed surface drainage.” Id. Policy 26 states, “Ensure that drainage systems are designed to be capable of accommodating the runoff from development upstream, assuming a fully-developed watershed and an increased frequency of intense storm events.” Id. at 90. Policy 28 would mandate onsite management and treatment of stormwater, because this development will increase runoff. This plan violates all of these policies. As previously mentioned, Wolf Pen Mill is already being threatened by intense storm events like the flooding in late February that continue to cause erosion issues. The increased frequency, volume, and velocity of flows is also threatening the historic mill’s operation and underlying structure. There have been no assurances from the Applicant regarding mitigation of increased runoff from a large, upstream development. This in violation of multiple policies within Section 4.5, Goal 1.

The McMahan application is also inconsistent with Section 4.4 of the Comp. Plan regarding economic development. Goal 1, Policy 3 states to “[l]ocate commercial uses generating high volumes of traffic on a major arterial street, at the intersection of two minor arterials, or at a location with adequate access to a major arterial and at locations where nuisances and activities of the proposed use will not adversely affect adjacent areas.” Comp. Plan at 83. As noted above, noise and light pollution from the office buildings and parking lots will create nuisances for nearby residential properties. The development will generate high volumes of traffic on minor arterials, which are inadequately designed for peak rush hour traffic to and from the office complex.

The application is inconsistent with Louisville Metro’s Comp. Plan. It is better suited being zoned R-4 and is inconsistent with the Neighborhood Form District, as well as Comp. Plan Sections 4.1, 4.4, and 4.5. The zone change should be DENIED.

2) THE PROPOSED USE IS INCONSISTENT WITH THE LAND DEVELOPMENT CODE

The property is better suited for R-4 Zoning versus OR-3.

McMahan’s proposal would alter the current zoning designation of Single-Family Residential (“R-4”) to Office-Residential (“OR-3”). The permitted land uses within R-4 are the same as the permitted uses in the R-1 Residential Single Family District. See LDC 2.2.6(A). Uses include accessory buildings, agricultural uses, community residences, country clubs, single-family dwellings, family care home, home occupations, as well as residential care facilities. Commercial and office complexes are not permitted in R-4.

It is worth noting that the assisted living facility, on the other side of Chamberlain Lane, adjacent to the proposed development, is on a property that is also zoned R-4. To the extent McMahan argues that this use is consistent with that of its neighbors, Wolf Pen Mill argues that the assisted living facility is a permitted use in R-4 and is an appropriate transition for locating near single-family residences, while a large-scale office complex is not.

On the other hand, Office/ Residential District zoning, OR-3, is designated for dwellings with multiple families such as apartment hotels, assisted living residences, community residences, boarding and lodging houses, office buildings, barbers and hairdressers, medical laboratories, physical fitness instruction, fraternities and sororities and other clubs and lodges, as well as portrait studios. See LDC 2.3.4. The proposed development is not suited for a primarily R-4 designated area despite the Staff Report's finding that an office district is appropriate at this location because it is adjacent to the interstate, mixed-use development, and assisted living community. The Staff Report's finding ignores the fact that all of the development cited is on the east side of Chamberlain Lane. The entire west side of Chamberlain Lane is exclusively residential so this development would encroach in these residential areas and is wholly inconsistent with the current pattern of development. The only area near the proposed site that is designated as OR-3 is the Lowe's and Costco area – which is not at all consistent with the scenic neighborhood feel of Wolf Pen Branch – and is located on the other side of I-71 where development is more appropriate.

If the Commission were to ultimately allow this zone change, it would result in the unnecessary expansion of OR-3 permitted uses in an exclusive R-4 area. This encroachment only further erodes and threatens the historic Wolf Pen Branch area. OR-3 uses should remain on the other side of I-71 between the Brownsboro Road exit from the Gene Snyder, where other OR-3 development already exists and should not permeate that I-71 barrier, nor the west side of Chamberlain Lane. The proposed site is better suited for all residents and travelers along Wolf Pen Branch Road and Chamberlain Lane remaining R-4.

3. THE PROPOSED USE DOES NOT COMPLY WITH THE NEIGHBORHOOD PLAN

The property is currently zoned R-4. This zoning is consistent with the Wolf Pen Branch Neighborhood Plan's intended designation of the area as Extremely Low to Very Low Density Residential. McMahan is requesting a zone change to Office-Residential (OR-3) – a designation which would be wholly inconsistent with the Neighborhood Plan. The Neighborhood Plan specifically emphasizes – “New development within the neighborhood should conform to the existing scenic roadway alignments, be compatible with the existing rural residential development pattern and safeguard the scenic, environmental, historic and cultural resources of the Wolf Pen Branch Neighborhood.” See Neighborhood Plan at 20. This proposed zone change violates the stated objective.

Likewise, the Staff Report notes several goals that are emphasized in the Neighborhood Plan including an emphasis on restricting future development to single family residential, promoting the voluntary use of conservation easements as open space

buffers to protect existing homesteads, implementing site-specific landscape buffers and building setbacks to maintain historic setbacks, require tree canopy preservation, reduce light pollution, as well as limiting roadway improvements which could endanger joggers, bicyclists, and horse back riders.

The applicant is not in compliance with numerous provisions of the Wolf Pen Branch Neighborhood Plan. The development would ignore the neighborhood's plan to restrict future development to single family residential use and also would threaten existing tree canopy and historic setbacks. The applicant continuously notes that its plan would "preserve the vast majority of the tree canopy on the subject property," but admittedly the development would require removal of some of the existing canopy. The development would also ignore the neighborhood's goal of reducing light pollution as street lighting would need to be installed for the 853 parking spaces, and light pollution from the three building complexes would permeate the surrounding neighborhood at all hours of the day and likely throughout the night. Neighborhood Plan at 12.

Recommendation 6 from the Wolf Pen Branch Neighborhood Plan reiterates the neighborhood's desire to "preserve existing open space, minimize impacts to adjoining neighbors, enhance scenic corridor view sheds and protect historic, cultural, archaeological and natural resources, including scenic view sheds, farmlands, water bodies, wetlands and wildlife habitat." Id. This zone change would violate each of these provisions. The proposal would eliminate existing open space, would create additional noise and light nuisances for neighbors, would degrade the scenic corridors, and threaten existing historic and cultural resources – namely the Wolf Pen Farm Mill.

Regarding mobility in the Wolf Pen Branch Neighborhood, the plan notes that "through traffic is the exception and not the norm." This development would increase through traffic on the narrow, two-lane Wolf Pen Branch Road, jeopardizing the safety of residents and general aesthetic of the scenic route. Many of Wolf Pen Branch's residents travel on Wolf Pen and Chamberlain Lane toward Mint Spring Branch Road, both of which will now be inundated with rush hour traffic entering and exiting the 270,000 square foot office complex. Again, this higher volume of traffic from the proposed development will threaten the safety of walkers, runners, bikers, and horse riders who often enjoy Wolf Pen Branch Road, which violates the Neighborhood Plan's policy to encourage the multi-modal use of all roadways within the neighborhood. The Plan continuously emphasizes its desire to ensure that Wolf Pen Branch Road is maintained as a scenic roadway and does not become a connector route. This zone change would undermine this objective.

As directed in the Pre-application Staff Report, the "applicant/ developer [must] strive to ensure compliance with the Wolf Pen Branch Neighborhood Plan and demonstrate such compliance clearly on the development plan and/ or renderings to address landscape buffers and tree canopy, architectural design elements, historic context, and roadway improvements." So far, the applicant has been noncompliant with the goals and objectives outlined in the Neighborhood Plan.

4. THE PROPOSED ZONE DISTRICT CHANGE VIOLATES KRS 100.213(1)

The proposed zone change violates KRS 100.213(1) which states in pertinent part:

Before any map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:

- (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
- (b) That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

The proposal does not meet the requirements of KRS 100.213 for a zone change is not in agreement with the Comp. Plan. The Applicant also has not proven that either exception applies and that the existing zoning classification is inappropriate or that there have been major economic, physical, or social changes in the area which were not anticipated when the Comp. Plan was adopted. As such, the proposed zone change is contrary to statute and cannot be granted under any circumstance.

5. WOLF PEN MILL FARM IS SEEKING ADDITIONAL PROTECTIONS TO WOLF PEN BRANCH.

The Comp. Plan requires the Commission to take into consideration water quality. Wolf Pen Mill Farm is currently in discussions with the Kentucky Division of Water to add further protections to Wolf Pen Branch, especially as Wolf Pen Mill is dependent on a healthy, unaltered stream. As stated above, Wolf Pen Mill Farm is protected from development with a conservation easement and has been so protected since 1999. The integrity of Wolf Pen Branch is critical to the preservation and operation of Wolf Pen Mill, one of the oldest operating mills in the country. The Planning Commission should refrain from approving any new development until the Outstanding State Resource Water process is completed, and the developer can assure that any changes in the water quality do not negatively affect the mill, which is part of a multimillion dollar effort to preserve Wolf Pen Mill Farm and the mill itself.

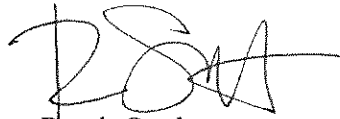
CONCLUSION

The proposed land use is wholly incompatible with the Comprehensive Plan, LDC, and Neighborhood Plan as it violates numerous provisions in each. The proposed complex will be a nuisance to the surrounding neighbors and to the scenic corridor of Wolf Pen Branch, will substantially increase traffic on minor arterials, and will result in irreparable damage to downstream properties, such as Wolf Pen Mill, from increased stormwater flows which threaten the mill's existence. Granting this zone map amendment would fundamentally and permanently alter the residential nature of the area to the detriment of

Wolf Pen Mill and its surrounding neighbors.

Wolf Pen Mill respectfully requests the LDT Committee and Planning Commission refrain from scheduling a full Planning Commission hearing on the application until the developer can show compliance with the Comp. Plan, Neighborhood Plan, and the LDC, and assure that changes to water quality will not threaten Wolf Pen Mill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Randy Strobo', with a stylized flourish extending to the right.

Randy Strobo
Clay Barkley
Strobo Barkley PLLC

From: [Barbara Kelly](#)
To: [Dock, Joel](#)
Subject: Proposed Development 20-ZONE-0075
Date: Wednesday, March 24, 2021 4:44:33 PM

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Members of the LD&T Committee,

Please address how this proposed development and rezoning to OR-3 comports with the Wolf Pen Branch Neighborhood Plan. Area residents and development community representatives collaborated with PDS staff and Sabak, Wilson and Lingo consultants for one year to carefully craft a plan appropriate for the area, insuring that its appeal would endure for the long term.

This development plan is wholly incongruous with the neighborhood and the neighborhood plan area, due to its rezoning for office use, and the mass, height and scale of the buildings. The height of the building closest to Chamberlain Lane, coupled with the elevated grade of the site, would dominate the area. That alone is hardly low impact.

The Grande Senior Center is located directly across Chamberlain Lane from this site. Had area residents realized how massive The Grande would be, when they revised their plan to enlarge it, we would have objected.

Residents have invested in this scenic residential area with expectations that those scenic, low impact attributes will not be upended by an office complex. The neighborhood plan was revised in 2012, to specifically exclude office development, using language suggested by PDS staff.

I urge you to reject this development plan.

Barbara Kelly
6009 Mint Spring Branch Road
Prospect, KY 40059

From: [Neerja Sahni](#)
To: [Dock, Joel](#)
Subject: 5220 Chamberlain Lane
Date: Wednesday, March 24, 2021 11:59:18 PM

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Hi,

I'm writing to express my disapproval of the developer's petition for current Residential zoning specified in our Wolf Pen Branch Neighborhood Plan to be changed to Office/Residential so that these buildings can be built.

Traffic in the Wolf Pen Branch neighborhood is already bad now; adding in commercial zoning will make it worse. The environmental impact on this beautiful and historic area will significantly affect all the residents. Louisville's tree canopy is already being decimated. We cannot continue to develop without regard to the preservation and future of our environment.

Please vote no on this proposed change in zoning.

Best,
Neerja Sahni

Joel,

In the zoom meeting with the lawyer and engineer I spoke of the flooding that occurs across Wolf Pen at 8617. This water comes from the proposed development area. We don't need more. This is not a trivial amount of water. The development would cause wolf pen to be a cut through from 42. Wolf pen also has a very narrow bridge farther down of which I'm waiting for the day I smack/shatter side mirrors with someone.







Mark Worley

Apparently sending you pictures of water over Wolf Pen Branch prompted MSD to react. They did a few days of work to the stream and roadside for the water that would be coming from the proposed new development. The problem of water over wolf pen was not resolved as Thursday nights storm with water running over the road washed away the road edge material they had just placed.

There also appears to be a culvert exit nearer to the corner bend that they did not touch that water has to run up hill to get to the creek.

Can you please add this to the record and forward to whomever it was forwarded to before that prompted the first repairs.













Mark Worley