

AVISH REALTY, LLC
4201 SPRINGHURST BOULEVARD, SUITE 202
LOUISVILLE, KENTUCKY 40241

August 25, 2016

Mr. Bill Bardenwerper
Bardenwerper Talbott & Roberts
BIA of Greater Louisville Bldg, 2nd Floor
1000 North Hurstbourne Parkway
Louisville, Kentucky 40223

Dear Bill:

I am writing as a follow-up to the Planning Commission public hearing on May 24th concerning the City Scapes -Simcoe Lane case. I want to reiterate several points that express the way I feel about this project and it's impact on Avish Gardens. I believe I made most of these points at the public hearing.

(1) Currently, there is "cut-through" traffic going through Avish Gardens. The most common route is residents of Springhurst wishing to go east on Highway 22. This has been true since the center was built, but increased dramatically when the traffic signals were installed at the intersection of Springhurst Blvd and Hurstbourne Parkway and between Avish Gardens and The Summit. There is no way to really control this cut-through traffic. At the hearing, there were some complaints about the 3-way intersection in Avish Gardens by Speedway. Frankly, during most of the day, I think our 3-way intersection is less problematic than the 3-way across the street at the Paddock Shops. The people it frustrates the most are those who want to speed through the parking lot. Slowing them down for safety is partly our goal.

(2) During the go-to-work morning hours, I am not overly concerned about the impact the incremental "cut-through" traffic that the City Scapes project will have on Avish Gardens. In the morning, when City Scape residents are going to work, most of the tenants at the east end of Avish Gardens are still closed and the parking lot and roadways are pretty empty. Most of the City Scape residents will probably turn right out of Simcoe Lane to get on the Gene Snyder. During that time of day it is pretty easy to turn left. If a few people want to turn left by going through the Avish Gardens parking lot to reach the traffic signal, it would cause little or no problems. My only concern is that the curb cut behind BB & T may be a little narrow. Many times people leaving the center are blocking the ability of cars to turn into this roadway. It would be safer if this were wider to support an increased traffic load.

(3) In the evening, I have even less concern about City Scape residents cutting through the center to go home. Unless they are going to visit one of the Avish Garden stores (a good thing) there would be little reason for them to cut through the center. Turning right onto Simcoe Lane is obviously very easy. If they are coming from the Gene Snyder, it is usually not to difficult to turn left onto Simcoe. I do this every day at least once or twice myself. Again there is no reason to go wait at the traffic light and then take all the time to wiggle through the shopping center. Although I am sure it has happened, I cannot remember the last time I saw a wreck or debris from a wreck at the Simcoe Lane intersection with Highway 22.

(4) When Kroger renovated and expanded their store, we deliberately re-routed the

traffic within the center so that the roadway in front of the small shops would no longer be the primary thru-way. Now people can walk from their cars to Feeders Supply, GNC, UPS Store with much less traffic traveling across the front of the stores. It has made a huge improvement to the pedestrian friendly aspect of the center.

(5) As I said to you at the public hearing, even though I am not worried about the cut-through traffic, I can't grant City Scapes, or anyone else who does not already own recorded easement rights, new easement rights of access. Because it would violate my leases and loans, I would be required to obtain the formal written approvals of all 32 of my tenant in Avish Gardens, Bailey Office Park as well as my lenders. That would not only require a Herculean effort on my part, but I would probably fail to get 100% approval. It would also be detrimental to seeking a "clean" mortgage when it comes time to refinance the center or sell it. Recorded easements across a property almost always has a negative impact on the value of a property.

(6) There is no question that City Scape's residents will bring more business to the stores of Avish Gardens. Outback Steakhouse, Kroger, Feeders Supply, Nu Yale, Graeters Ice Cream, GNC, Nu Yale, and the UPS Store will all benefit on a very regular bases.

(7) There is a lot of traffic that visits and leaves my center by way of my entrances/exits on Simcoe Lane. I have no intention to ever close them. Again, there are restrictions in my leases which prohibit any material negative change to the access of the center. I would be foolish to risk being in default of my Avish Gardens leases. I also believe that closing these curb cuts would be detrimental to my tenant's businesses and flow of traffic. It would also put more traffic pressure on the traffic signal at the main entrance.

(8) I strongly suspect that some of the "after work" and holiday traffic congestion on Springhurst Blvd. and on Hurstbourne Parkway can be reduced by improving the timing of the area traffic signals. Until a complete timing study is done we won't really know, but regardless of the City Scapes project, the Republic Bank projects or the Fenley project, there is a need to do this now. I am very surprised that no effort has been made by the city to do this.

(9) Last, I think it would be a huge improvement if a "back door" access or exit could be created behind the tennis center onto Springhurst Blvd. I have not looked at how that could be specifically done or whether it is possible. Obviously you would not want to create a heavily traveled pass-through, but just an exit out of the back of the City Scape project, the Republic Bank project and the Tennis Center from the back of their parking lots to bleed off some traffic from Highway 22.

Bill, I think City Scape is proposing a quality project. Some day something will be built on these three residential lots other than three houses. I think this apartment project will be a nice fit for the area and provide another life style choice in the area. It is a much better alternative than mini-storage, dog kennels, car-wash or many other uses. If not this, what would people want to see there. I hope you have success with your zoning and I look forward to hopefully having City Scapes as a neighbor.

Sincerely,



Dan Huneke