

## Mattingly, Laura L

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**From:** Peggy W. Swain <pswain1804@aol.com>  
**Sent:** Tuesday, October 31, 2017 1:41 PM  
**To:** John@bardlaw.net; kycousin@bellsouth.net; khilbrecht@crossgateky.org;  
nsd@bardlaw.net; tsjawahoo@yahoo.com; nrp@barslaw.net; wbb@bardlaw.net;  
Mattingly, Laura L  
**Subject:** Artis proposal 17zone1025  
**Attachments:** MyletterKinman.docx

All: I am attaching my comments. Talked to Kirk and he is sending out a survey today. There will be 2 votes from Bill (husband) and me in favor of the proposal as outlined in John's email. That is approval of the nursing home, the bank, the gated ingress/egress to Warrington Way and the restriction of the area at KY22 and Crossgate Lane to be open space/park with dead trees out and new ones planted. Further agree to annex both lots so that the two businesses may have the benefits of being in the greatest little City in Metro Louisville.

If you have comments, whatever, please advise.

Peggy

I am speaking as a resident of the City of Crossgate since 1971, former Mayor (1998 - 2006), and recently appointed an advocate for said City.

I spoke with the father and mother owners of the property (currently called the Kinman Compound) after being elected Mayor about his property and the property of the five children being annexed into our City. I sited that the City had hired an engineer to help us acquire sewers which were functional around 1985ish at our cost for the installation and the connection to each of our homes. As I remember our personal cost was in the range of \$12,000 to \$15,000. Soon after that Mr. Kinman built five homes for his children on the property. These homes connected to our sewer system at only the cost of the connection. No consideration was made to the City for our investment. So they enjoyed seemingly being a part of our City receiving road maintenance and snow removal at no cost. The only point he would agree was that they would use and pay for their use of our garbage vendor. My point being that I did not want multi-heavy trucks traversing our streets. So, one could very well believe he won again.

Now the children are asking us to support the development of their parent's property for a tidy return for them.

Now it seems to me it is pay up time for them. Our tax rate is 0.225 per \$100 assessment. My home was billed a gross tax of \$476.28 as assessed on January 1, 2017. We paid early so the net was \$452.47.

Fair is fair.

Peggy W. Swain  
1804 Crossgate Lane  
Louisville, KY 40222

## Mattingly, Laura L

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**From:** John Hicks <johnhicks@outlook.com>  
**Sent:** Wednesday, October 11, 2017 2:25 PM  
**To:** Mattingly, Laura L  
**Cc:** commisioners@crossgateky.org  
**Subject:** Kinman property rezoning case 7zone1025

I would like to express my opposition to the planned rezoning of the Kinman property on KY 22 near Holiday Manor shopping center and the city of Crossgate.

I understand the current property owners wanting to optimize the value of their property, but feel that for several reasons the proposal is overdevelopment. The plan for an assisted living type facility is consistent with area, but additional retail locations are not.

The surrounding properties on the same side of KY22 are primarily residential. Immediately around the residential are an office building, a single high end store and a church, all of which are low impact in terms of noise and lighting.

Traffic on KY22 is already at a very high level. Morning traffic regularly backs up from the light at the slip ramp from I264 all the way to the light at Lime Kiln Lane as parents drop their children off at Ballard High School and several other schools along Lime Kiln Lane. Morning traffic in the other direction also backs up consistently. Afternoon traffic is similar as people exit the slip ramp to proceed out KY22 to their homes at rush hour. This makes turning left out of any of the many businesses and streets along this stretch difficult and dangerous as drivers often use the center turn lane as a third lane in order to bypass traffic. With 9 entries and exits on the north side of KY22 and an additional 8 on the south side in this short stretch there is often chaos with multiple drivers trying to go various directions at once.

I believe that the assisted living facility is consistent with the character of the area and would have a relatively low impact on existing traffic. However, I strongly believe that the rezoning for retail would be detrimental to businesses and residents of the area and should not be approved.

As a side note, it is my understanding that the reason for the retail portion of the development is to keep the assisted living project profitable. I would respectfully suggest the possibility that the property is overpriced.

Thank you.  
John Hicks

## Mattingly, Laura L

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**From:** Alex Croft <alex.croft@cbandt.com>  
**Sent:** Monday, October 23, 2017 8:55 AM  
**To:** Mattingly, Laura L  
**Cc:** 'commissioners@crossgateky.org'; 'Chuck Pence'; 'Cullen Pence'; 'William B. Bardenwerper (wbb@bardlaw.net)'  
**Subject:** 4922 Brownsboro Rd.

Ms. Mattingly,

I am writing you to voice my concerns about the proposed zoning change from residential to commercial for the property located at 4922 Brownsboro Rd. **My family and I live on the adjacent property at 1923 Crossgate Ln and are likely to be the property most impacted by the proposed zoning change.** Simply put, a change to commercial zoning would be devastating, not only for my property value, but also for the use and enjoyment of my property as a homeowner. If this passes, the view out my front door would become a concrete parking lot. I have seen nothing in the proposed design plans to create a buffer between the commercial lots and the residential houses running adjacent to it. There is no proposal for a separation wall or thick landscaping to limit the noise and lighting pollution from impacting my house.

Commercial lots are simply not compatible with our neighborhood. Turning out of the neighborhood is already a nightmare and this development would only make things worse, especially with the recent announcement of the VA Hospital. Additionally, the amount of surface lots requested would cause considerable drainage issues. There is already insufficient drainage from the Rodes Building affecting the homes on Crossgate. Also, with the increased density and proposed commercial use there will be increases in crime and unwanted through traffic into our neighborhood.

Simply put, passing this zoning change would result in a MAJOR interference with my rights as a property owner. **As an attorney, I am prepared to fight this proposed zoning change through litigation if necessary.** I am hopeful, however, that the Zoning Board will do the right thing and deny the proposed zoning change. There are plenty of development opportunities available to the property owners that would fall under Residential Zoning Code. Those options would be more compatible with the neighborhood and would result in a safer more beautiful community for everyone.

Thanks you for your consideration,

Alex D. Croft, Esq.  
Trust Counsel  
Commonwealth Bank & Trust Company

4350 Brownsboro Road, Ste. 210  
Louisville KY 40207  
Phone: 502-259-2510  
Email: Alex.Croft@cbandt.com



## Mattingly, Laura L

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**From:** Hinson, Erin  
**Sent:** Thursday, October 12, 2017 1:46 PM  
**To:** autoxr@hotmail.com; Leet, Angela  
**Cc:** Mattingly, Laura L  
**Subject:** RE: Contact Councilwoman Angela Leet [#539]

*On behalf of Councilwoman Angela Leet...*

Mr. Hicks:

Thank you for your message, and for writing Councilwoman Leet with your concerns regarding the rezoning of the Kinman property. Unfortunately because this is an application for rezoning Councilwoman Leet will ultimately have to render a vote on this case and Councilwoman Leet can only consider the evidence in the official public record made by the planning commission.

I see that you have already sent in a copy of your written comments to Laura Mattingly, who is the project manager for this case. However, Councilwoman Leet has asked that I also forward your concerns to Laura with the request that these comments become part of the Planning Commission's official legal record for case number 17ZONE1025 regarding the property at 4922 Brownsboro Road.

Again, we appreciate you sharing your concerns with us, if ever Councilwoman Leet can be of assistance to you regarding any other Louisville Metro related issue please don't hesitate to let us know.

Thanks,  
Erin




**Erin R. Hinson** | Legislative Assistant  
Office of Councilwoman Angela Leet  
601 W. Jefferson Street | Louisville, KY 40202  
p. (502) 574-1107 f. (502) 574-4501  
[vCard](#) | [Website](#) | [Facebook](#) | [Twitter](#)

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**From:** Councilwoman Angela Leet [<mailto:no-reply@wufoo.com>]  
**Sent:** Thursday, October 12, 2017 7:04 AM  
**To:** Leet, Angela; Hinson, Erin  
**Subject:** Contact Councilwoman Angela Leet [#539]

Name John Hicks

Address 

4924 Grantham Place  
Louisville, KY 40222  
United States

**Email** [autoxr@hotmail.com](mailto:autoxr@hotmail.com)

**Comments**

Comments regarding rezoning request case 17ZONE1025.

From: John Hicks

Sent: Wednesday, October 11, 2017 2:25 PM

To: 'Laura.Mattingly@louisvilleky.gov' <[Laura.Mattingly@louisvilleky.gov](mailto:Laura.Mattingly@louisvilleky.gov)>

Cc: 'commissioners@crossgateky.org' <[commissioners@crossgateky.org](mailto:commissioners@crossgateky.org)>

Subject: Kinman property rezoning case 7zone1025

I would like to express my opposition to the planned rezoning of the Kinman property on KY 22 near Holiday Manor shopping center and the city of Crossgate.

I understand the current property owners wanting to optimize the value of their property, but feel that for several reasons the proposal is overdevelopment. The plan for an assisted living type facility is consistent with area, but additional retail locations are not.

The surrounding properties on the same side of KY22 are primarily residential. Immediately around the residential are an office building, a single high end store and a church, all of which are low impact in terms of noise and lighting.

Traffic on KY22 is already at a very high level. Morning traffic regularly backs up from the light at the slip ramp from I264 all the way to the light at Lime Kiln Lane as parents drop their children off at Ballard High School and several other schools along Lime Kiln Lane. Morning traffic in the other direction also backs up consistently. Afternoon traffic is similar as people exit the slip ramp to proceed out KY22 to their homes at rush hour. This makes turning left out of any of the many businesses and streets along this stretch difficult and dangerous as drivers often use the center turn lane as a third lane in order to bypass traffic. With 9 entries and exits on the north side of KY22 and an additional 8 on the south side in this short stretch there is often chaos with multiple drivers trying to go various directions at once.

I believe that the assisted living facility is consistent with the character of the area and would have a relatively low impact on existing traffic. However, I strongly believe that the rezoning for retail would be detrimental to businesses and residents of the area and should not be approved.

As a side note, it is my understanding that the reason for the retail portion of the development is to keep the assisted living project profitable. I would respectfully suggest the possibility that the property is overpriced.

Thank you.

John Hicks

## Mattingly, Laura L

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**From:** Hinson, Erin  
**Sent:** Thursday, October 12, 2017 1:44 PM  
**To:** mthicks@twc.com; Leet, Angela  
**Cc:** Mattingly, Laura L  
**Subject:** RE: Contact Councilwoman Angela Leet [#540]

*On behalf of Councilwoman Angela Leet...*

Ms. Hicks,

Thank you for your message, and for writing Councilwoman Leet with your concerns regarding the rezoning of the Kinman property. Unfortunately because this is an application for rezoning Councilwoman Leet will ultimately have to render a vote on this case and Councilwoman Leet can only consider the evidence in the official public record made by the planning commission.

Councilwoman Leet has asked that I forward your concerns to Laura Mattingly, who is the case manager for this project, with the request that these comments become part of the Planning Commission's official legal record for case number 17ZONE1025 regarding the property at 4922 Brownsboro Road.

Again, we appreciate you sharing your concerns with us, if ever Councilwoman Leet can be of assistance to you regarding any other Louisville Metro related concern please don't hesitate to let us know.

Thanks,  
Erin




**Erin R. Hinson** | Legislative Assistant  
Office of Councilwoman Angela Leet  
601 W. Jefferson Street | Louisville, KY 40202  
p: (502) 574-1107 f: (502) 574-4501  
[vCard](#) | [Website](#) | [Facebook](#) | [Twitter](#)

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**From:** Councilwoman Angela Leet [mailto:no-reply@wufoo.com]  
**Sent:** Thursday, October 12, 2017 7:12 AM  
**To:** Leet, Angela; Hinson, Erin  
**Subject:** Contact Councilwoman Angela Leet [#540]

**Name** Marsha Hicks

**Address**   
4924 Grantham Place  
Louisville, KY 40222  
United States

**Email** [mthicks@twc.com](mailto:mthicks@twc.com)

## Comments

I am unable to attend the Land Development & Transportation Committee Public Meeting today due to my work schedule so I respectfully request that you consider my written comments.

I live at 4924 Grantham Place, off Crossgate Lane in the City of Crossgate. I am writing to express my concerns and objections to the proposed zoning change to the Subject Property located at 4922 Brownsboro Road (the "Property").

I think the proposed changes in zoning and proposed uses of the Property are not warranted for this property that is in the center of a subdivision. The proposed uses of the Property will create serious traffic and safety problems for an already congested area. The proposed development may also exacerbate storm water drainage problems in this area and add noise and lights in the midst of a residential subdivision.

The proposed use is for a senior living facility at the back part of the property and commercial use at the front. This will add to the traffic problems along Brownsboro Road. To explain further, Crossgate is a subdivision of approximately 90 homes, many of which are more than 50 years old. Crossgate has one main U-shaped road and both ends of the "U" access onto Brownsboro Road. These are Crossgate Lane and Warrington Road. There is no other way in or out of the subdivision. The traffic is already bad. Some days we can hardly get in or out of our subdivision. From US 42 to Lime Kiln Lane/Herr Lane, Brownsboro Road is 3 lanes. The middle lane is used for merging and for left hand turns. At some times of the day, it is very dangerous to try to get out onto Brownsboro Road with traffic lined up in the outer lanes and people going opposite directions in the middle lane.

The proposed uses will add additional vehicles entering and exiting Brownsboro Road. In addition, the location for ingress and egress is between Crossgate Lane and Warrington Road and will be so close that it seems to be a traffic safety hazard if vehicles are trying to get out of the Property at the same time as vehicles are trying to exit Crossgate Lane or Warrington Road. The developers have offered nothing to alleviate that issue. It will make it harder for the users of Crossgate Lane and Warrington Road to get in and out of our subdivision. It does not seem fair to the home owners and residents to allow this.

Ingress and egress is one of the things I consider very important when looking at buying a home and it would lower the value of property if this zoning change and proposed use are allowed. It does not seem fair to the owners of existing homes to allow one property owner to obtain a great profit if it will impair the use and lower property values of the surrounding properties.

While a senior living facility such as the one proposed seems to be a lesser evil than some other uses, I strongly object to the proposal to change the zoning on the property to allow the commercial and retail uses at the front. This will allow development that, in addition to the traffic problems, will directly impact the properties across Crossgate Lane because of lights, noise, pollution from the additional cars there, and they will be looking out at retail uses.

During the meeting that the developers held with us in June, they said that they are ordinarily looking to sell off the two front properties. It was explained that it does not make financial sense to buy the real estate for the limited use of a senior living facility. Again, it does not seem fair to rezone the property so the sellers and developers can make a profit at the detriment of the surrounding residential property owners.

I strongly urge you to deny this proposed zoning change.

Respectfully submitted,

Marsha Theiss Hicks  
4924 Grantham Place



Louisville, KY 40222-6414

[mthicks@twc.com](mailto:mthicks@twc.com)

502-494-7836

## Mattingly, Laura L

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**From:** slsmaill <slsmaill@bellsouth.net>  
**Sent:** Tuesday, October 10, 2017 8:10 PM  
**To:** Mattingly, Laura L  
**Subject:** Case #7Zone1025 - 4922 Brownsboro Road

Ms. Mattingly

I am a resident of the City of Crossgate and am writing to express my opposition to the rezoning proposed for 4922 Brownsboro Road. Unfortunately I am unable to attend Thursday's meeting of the Development and Transportation Committee when this matter will be discussed. In light of the proposed VA Hospital planned for land next to Crossgate, this proposed zoning change should be denied. All of the negative impacts referenced in the VA report (traffic, noise, lighting, safety, pollution, etc.) would only be exacerbated by additional developments. There are no funds to mitigate the negative impacts, especially traffic. This intersection near the proposed developments was recently named one of the most congested in the city. Further developments in and around this area should not be allowed until the VA Hospital is built and the full scope of its negative impacts are assessed. Someone should be looking out for the best interests of the residents who own homes in this area in lieu of property developers wanting to make a profit. At some point, enough is enough, and I believe this proposed development should be this point. There is land within the general area (further from this congested part) that could be used to build a new nursing home and/or additional retail space, if this development is necessary. The property located at 4922 Brownsboro Road should be zoned only for family residential homes only - to mirror its neighbors.

Thank you for your assistance and I hope you express my concerns to the Board.

Stephanie Stidham, Crossgate KY

## **Mattingly, Laura L**

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**From:** Gerrish, Jamie <jgerrish@ecolab.com>  
**Sent:** Tuesday, October 10, 2017 9:38 PM  
**To:** Mattingly, Laura L  
**Cc:** commissioners@crossgateky.org; 'kirk@kirkhillbrecht.com'  
**Subject:** Case Number: 7ZONE1025

Laura,

Subject Property: 4922 Brownsboro Rd  
Case Number: 7ZONE1025  
Case Manager: Laura Mattingly

As an 18-year resident of Crossgate, I wanted the **Development & Transportation Committee** to be aware that the Brownsboro Road traffic at the subject property location has become very dangerous over time as a result of increased traffic. The section of roadway in front of the property in question gets backed up with east bound traffic from the spur ramp off Watterson Expressway all the way to Herr Lane. Drivers who are impatient in this line of traffic, get their vehicles out of the traffic and traverse in the middle "turn lane" and travel a full quarter mile illegally, then turn into Holiday Manor. These drivers cannot see vehicles on the southside turning west bound because their line of sight is blocked by the line of traffic. Therefore, any traffic coming out of businesses on the south side of Brownsboro Road in this section of roadway and turning west bound, turn into this illegal traffic coming up the center turn lane. These drivers cannot see this center lane vehicular traffic because their line of sight is blocked by the waiting line of traffic. It has already resulted in vehicular accidents resulting in property damage. The next event will undoubtedly result in more damage and possible loss of life.

This section of road should not have further development.  
Most, if not all, Crossgate residents do not recommend this property be zoned for any other use other than R-4 residential.

Thank you for your consideration.

**Jamie Gerrish**

CROSSGATE CITY COMMISSIONER  
PHONE 502-439-5936

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## Mattingly, Laura L

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**From:** Kirk Hilbrecht <khilbrecht@crossgateky.org>  
**Sent:** Wednesday, October 11, 2017 5:36 AM  
**To:** Gerrish, Jamie  
**Cc:** Mattingly, Laura L; commissioners@crossgateky.org; kirk@kirkhilbrecht.com  
**Subject:** Re: Case Number: 7ZONE1025

Case is: 17ZONE1025.

On Tue, Oct 10, 2017 at 9:37 PM, Gerrish, Jamie <jgerrish@ecolab.com> wrote:

Laura,

Subject Property: 4922 Brownsboro Rd  
Case Number: 7ZONE1025  
Case Manager: Laura Mattingly

As an 18-year resident of Crossgate, I wanted the **Development & Transportation Committee** to be aware that the Brownsboro Road traffic at the subject property location has become very dangerous over time as a result of increased traffic. The section of roadway in front of the property in question gets backed up with east bound traffic from the spur ramp off Watterson Expressway all the way to Herr Lane. Drivers who are impatient in this line of traffic, get their vehicles out of the traffic and traverse in the middle "turn lane" and travel a full quarter mile illegally, then turn into Holiday Manor. These drivers cannot see vehicles on the southside turning west bound because their line of sight is blocked by the line of traffic. Therefore, any traffic coming out of businesses on the south side of Brownsboro Road in this section of roadway and turning west bound, turn into this illegal traffic coming up the center turn lane. These drivers cannot see this center lane vehicular traffic because their line of sight is blocked by the waiting line of traffic. It has already resulted in vehicular accidents resulting in property damage. The next event will undoubtedly result in more damage and possible loss of life.

This section of road should not have further development.

Most, if not all, Crossgate residents do not recommend this property be zoned for any other use other than R-4 residential.

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Thank you for your consideration.

Jamie Gerrish

CROSSGATE CITY COMMISSIONER

PHONE 502-439-5936

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Kirk Hilbrecht  
Mayor of Crossgate  
[khilbrecht@crossgateky.org](mailto:khilbrecht@crossgateky.org)  
Voice-to-text number: 502-265-6864

*Check out our website at: <http://www.crossgateky.org>*

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## Mattingly, Laura L

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**From:** Kirk Hilbrecht <khilbrecht@crossgateky.org>  
**Sent:** Wednesday, October 11, 2017 5:41 AM  
**To:** Mattingly, Laura L  
**Cc:** commissioners@crossgateky.org  
**Subject:** CASE: 17ZONE1025 - Crossgate Citizen Concerns

Ms. Mattingly,

This is a follow up to the Crossgate City Commission meeting of August 14, 2017.

[http://crossgateky.org/wp-content/uploads/2017/10/2017\\_08\\_CrossgateAugustMinutes-1.pdf](http://crossgateky.org/wp-content/uploads/2017/10/2017_08_CrossgateAugustMinutes-1.pdf)

This is the summary of the same regarding the proposed build

Meeting Summary 8/14/17 re: Kinman Property Build  
Subject Property: 4922 Brownsboro Rd  
Case Number: 17ZONE1025

Overall tenor:

The Citizens of Crossgate have deep concerns of the Kinman property being developed for commercial use, even as a low-density senior living facility. The citizens are looking at measures to contest this build overall.

Major concerns voiced by residents:

Traffic, light pollution, noise pollution, greenhouse effect, plummeting property values, ability to sell homes now, commercial developments within a residential area, aesthetics and environmental degradation.

Many residents were extremely upset that Crossgate would be losing the old trees on the easement of and directly on the Kinman property..

Some residents believe that the property is over priced and that if it were priced appropriately, Artis would not have to consider selling the front parcels to pay for the back lots for their proposed care facility.

Bill had agreed to discuss the following with buyers/sellers and report back to the Crossgate Commission/Mayor:

- + A binding deed restriction with the Kinman's agreeing NOT to sell their residential homes to Artis or anyone for commercial development. No one trusts that the Kinman's would continue to live adjacent to the commercial builds and not 'sell out' if offered to do so.
- + Find a comparable recent bank development that would demonstrate the low light impact due to recent light restrictions/regulations. Bill B. stated that new regulations require developments (to include this proposed bank) to use low-impact lighting. Residents want proof and Bill B. stated he would find it.
- + Consider 'flipping' the proposed bank and retail positions on the parcels so that the bank is adjacent to the Warrington Way side (no houses across the street), versus Crossgate side.
- + Ensure that Artis would be constructing this build with quality building materials (brick, etc) versus cheap materials (vinyl siding, etc) and make this a premier facility as shown regarding their previous builds. It appears that this build has sub-standard materials listed for the build itself.
- + Ann Richard/Architect to work closely with residents/Crossgate commission to 'wall off' this build with landscaping so that residents don't have to see this eyesore from their properties. It was also agreed to by Bill B. that there would be a discussion regarding enclosing the entire property area with either fence or fauna or both.
- + Bill B. to work with architect to 'justify' all the parking spaces outlined on the plan. Many residents questioned the number of parking spaces allocated for one small bank. Residents believe there will be a 'bait and switch' of what is listed on the plan and what actually gets built.

+ Bill B. / Artis (+) to work with Crossgate Commission regarding hours of operation/construction, etc. Residents believe that construction vehicles, future delivery vehicles, etc. will interfere with the posterity of this beautiful neighborhood with noise, traffic and pollution.

+ The plan is lacking utilities, proposed pick up routes of service vehicles, etc.

[NOTE: One resident questioned whether this was actually a concept plan or an actual plan, as so many details were missing from the plan. That, too, is a question as to whether this 'plan' is notional or actionable as a plan.] There is nothing on the current/presented plans that show how service vehicles can access the back of the proposed Artis facility.

At the end of the meeting, a Crossgate resident suggested to all in attendance that the residents of Crossgate form a privately-led coalition and hire an attorney to fight this build in general.

These are concerns we wanted submitted for public record.

Kirk

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Kirk Hilbrecht  
Mayor of Crossgate  
[khilbrecht@crossgateky.org](mailto:khilbrecht@crossgateky.org)  
Voice-to-text number: 502-265-6864

*Check out our website at: <http://www.crossgateky.org>*

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## Mattingly, Laura L

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**From:** mthicks@twc.com  
**Sent:** Thursday, October 12, 2017 6:53 AM  
**To:** Mattingly, Laura L  
**Cc:** commisioners@crossgateky.org  
**Subject:** Subject Property: 4922 Brownsboro Road, Case Number 17ZONE1025

I am unable to attend the Land Development & Transportation Committee Public Meeting today due to my work schedule so I respectfully request that you consider my written comments.

I live at 4924 Grantham Place, off Crossgate Lane in the City of Crossgate. I am writing to express my concerns and objections to the proposed zoning change to the Subject Property located at 4922 Brownsboro Road (the "Property").

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Ingress and egress is one of the things I consider very important when looking at buying a home and it would lower the value of property if this zoning change and proposed use are allowed. It does not seem fair to the owners of existing homes to allow one property owner to obtain a great profit if it will impair the use and lower property values of the surrounding properties.

While a senior living facility such as the one proposed seems to be a lesser evil than some other uses, I strongly object to the proposal to change the zoning on the property to allow the commercial and retail uses at the front. This will allow development that, in addition to the traffic problems, will directly impact the properties across Crossgate Lane because of lights, noise, pollution from the additional cars there, and they will be looking out at retail uses.

During the meeting that the developers held with us in June, they said that they are ordinarily looking to sell off the two front properties. It was explained that it does not make financial sense to buy the real estate for the limited use of a senior living facility. Again, it does not seem fair to rezone the property so the sellers and developers can make a profit at the detriment of the surrounding residential property owners.



I strongly urge you to deny this proposed zoning change.

Respectfully submitted,

Marsha Theiss Hicks  
4924 Grantham Place  
Louisville, KY 40222-6414  
[mthicks@twc.com](mailto:mthicks@twc.com)  
502-494-7836

## Mattingly, Laura L

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**From:** PSwain1804@aol.com  
**Sent:** Wednesday, October 11, 2017 9:30 PM  
**To:** Mattingly, Laura L  
**Cc:** khilbrecht@crossgateky.org; wbb@bardlaw.net  
**Subject:** Fwd: Artis/Brownsboro Road; complete TIS

Ms. Mattingly, Please read down for the jist of this email. I am trying to get this comment to you before tomorrows meeting. (AOL and I are not getting along. Grrrr) I think that this issue is a technical one that should be addressed by the police. And the fact that there is no vehiclar (fire trucks) access to the rear of the building. I have recommended to my City that we have at least two contracts. One is to restrict the rest of the property to future development without our approval. The existing homes will not be sold for a higher use, the fire gate if approved on the proposed Warrington access, that any breach of its use has a fine of \$10,000 per 15 minutes or portion thereof. This is easy to document by our police and the iphones we all have. Now if the fire people say it was necessary no fine would be applied. We expect the applicant to prepare these documents for our review, revision, and consideration. Thanks, I have heard that you are a very professional knowledge person. I really enjoyed my years at the PC.  
Peggy

---

From: PSwain1804@aol.com  
To: laura.mattington@louisvilleky.gov  
Sent: 10/11/2017 8:24:50 P.M. Eastern Daylight Time  
Subj: Fwd: Artis/Brownsboro Road; complete TIS

something went wrong, sorry

Peggy

---

From: PSwain1804@aol.com  
To: wbb@bardlaw.net, John@bardlaw.net, khilbrecht@crossgateky.org  
CC: dianebzim@att.net, tsjwahoo@yahoo.com, young@idd-inc.com, laura.Mattington@louisvilleky.gov  
Sent: 10/11/2017 8:19:15 P.M. Eastern Daylight Time  
Subj: Re: Artis/Brownsboro Road; complete TIS

It has been mentioned to me, and it makes me wonder also. The fact that living facilities for the aged who are mostly not very mobile while folks with dementia can be very mobile. Can someone explain to me how security is provided maybe differently? I will pass on whatever you tell me.

Peggy

In a message dated 10/11/2017 2:24:38 P.M. Eastern Daylight Time, wbb@bardlaw.net writes:

John/Peggy/Mayor: See **bold type answer** below to your just sent question, John. I am sending this also to Peggy and the Mayor in case the answer didn't come through in the email to them either. Bill

On Oct 11, 2017, at 2:07 PM, John Talbott wrote: Bill, I am having trouble finding the response to Peggy's question....Where is it? And can we talk for a few minutes about his and other case? —JT

---

**From:** Bill Bardenwerper  
**Date:** Wednesday, October 11, 2017 at 1:52 PM  
**To:** Peggy Swain <khilbrecht@crossgateky.org>

**Cc:** "Diane B. Zimmerman" "[tsjwahoo@yahoo.com](mailto:tsjwahoo@yahoo.com)" Kevin Young, John Talbott  
**Subject:** Artis/Brownsboro Road; complete TIS

Peggy, below is the answer to your question about the TIS. Bill B:

**From:** "Diane Zimmerman" <[dianezim@att.net](mailto:dianezim@att.net)>  
**Date:** October 11, 2017 at 12:27:40 PM EDT  
**To:** "Bill Bardenwerper" <[wbb@bardlaw.net](mailto:wbb@bardlaw.net)>  
**Cc:** <[tsjwahoo@yahoo.com](mailto:tsjwahoo@yahoo.com)>  
**Subject:** Artis/Brownsboro Road; complete TIS

**The analysis year for the study is 2020, so the VA hospital, which is to be open in 2022 was not included. Our site traffic is included in the VA study as background traffic – or traffic growth that was not specifically identified.**

**Diane B. Zimmerman, P.E.**  
502.648.1858

**From:** Bill Bardenwerper  
**Sent:** Wednesday, October 11, 2017 12:18 PM  
**To:** Diane B. Zimmerman <[dianezim@att.net](mailto:dianezim@att.net)>  
**Cc:** [tsjwahoo@yahoo.com](mailto:tsjwahoo@yahoo.com)  
**Subject:** Artis/Brownsboro Road; complete TIS

Diane: per Peggy's question below, did your TIS include the Veterans Hosp? B

---

**From:** [PSwain1804@aol.com](mailto:PSwain1804@aol.com)  
**Date:** October 11, 2017 at 1:49:55 PM EDT  
**To:** [wbb@bardlaw.net](mailto:wbb@bardlaw.net)  
**Cc:** <[khilbrecht@crossgateky.org](mailto:khilbrecht@crossgateky.org)>, <[dianezim@att.net](mailto:dianezim@att.net)>, <[young@ldd-inc.com](mailto:young@ldd-inc.com)>, <[John@bardlaw.net](mailto:John@bardlaw.net)>, <[amc@bardlaw.net](mailto:amc@bardlaw.net)>, <[nsd@bardlaw.net](mailto:nsd@bardlaw.net)>  
**Subject: Re: Artis/Brownsboro Road; complete TIS**

I leave the selection to the Mayor. Peggy

In a message dated 10/11/2017 11:23:55 A.M. Eastern Daylight Time, [wbb@bardlaw.net](mailto:wbb@bardlaw.net) writes: Mayor and Peggy: You all name a few days and times to meet next week, and we will find one that accommodates you all. Many thanks. Bill

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reviewed the TIS and the slide presentation. I have little knowledge about traffic studies, **but did note that the impact of the VA was not figured in.** So many numbers I may have missed it. Also, I got interrupted just as I had the original plan on the screen. When I did get back I saw the revised plan that we had sort of agreed. So for a while I thought we were back to square one, At this time I will not be at the Thursday meeting, Peggy

In a message dated 10/11/2017 5:35:24 A.M.  
Eastern Daylight Time, [khilbrecht@crossgateky.org](mailto:khilbrecht@crossgateky.org)  
writes:

All, I'm back and playing catch up. I won't be able to be at the public meeting on Thursday, nor meet prior to this meeting. I will most-likely be available next week. What does next week look like for everyone?  
Kirk

On Tue, Oct 10, 2017 at 10:14 AM, Bill Bardenwerper wrote: Mayor and Peggy: as a follow-up to the just sent PowerPoint presentation that we will show at this Thursday's LD&T meeting, here is the complete TIS. Once again, if you have returned from hurricane Duty, Mr. Mayor, we still would like to meet with you, Peggy and whoever else you want from your council/neighborhood. Many thanks. Bill  
Begin forwarded message:

**From:**  
"Diane Zimmermann"  
<[dianezimmermann@att.net](mailto:dianezimmermann@att.net)>  
**To:** "Bill Bardenwerper"  
<[wbb@bardlaw.net](mailto:wbb@bardlaw.net)>, "tsiwahoo@yahoo.com" <[tsiwahoo@yahoo.com](mailto:tsiwahoo@yahoo.com)>, "young@ldd-inc.com" <[young@ldd-inc.com](mailto:young@ldd-inc.com)>, "Nanci

Dively"  
<[nsd@bardlaw.net](mailto:nsd@bardlaw.net)>,  
"Anna  
Curley"  
<[amc@bardlaw.net](mailto:amc@bardlaw.net)>  
**Cc:** "John  
Talbot"  
<[John@bardlaw.net](mailto:John@bardlaw.net)>,  
"Nick  
Pregliasco"  
<[nrp@bardlaw.net](mailto:nrp@bardlaw.net)>  
**Subject:**  
**RE:**  
**Artis/Brown  
nsboro  
Road**

**Diane B.  
Zimmerman, P.E.**

502.648.1858

--

Kirk Hilbrecht  
Mayor of Crossgate  
[khilbrecht@crossgateky.org](mailto:khilbrecht@crossgateky.org)  
Voice-to-text number: 502-  
265-6864

*Check out our website  
at: <http://www.crossgateky.org>*

**EMAIL DISCLOSURE:**  
Email is intended solely for  
the correct addressee(s). If  
an email was sent to you in

## Mattingly, Laura L

---

**From:** Kirk Hilbrecht <khilbrecht@crossgateky.org>  
**Sent:** Thursday, October 12, 2017 7:24 AM  
**To:** pswain1804@aol.com  
**Cc:** Mattingly, Laura L; Bill Bardenwerper  
**Subject:** 17Zone1025: Artis/Brownsboro Road; complete TIS

Ms. Mattingly, et al,

Regarding 17Zone1025, the Crossgate City Commission has neither voted on nor approved access onto the city's roadways from the proposed build/property.

This includes the breakaway emergency gate onto Warrington Way, as the plans indicate.

The City will be polling the citizens of Crossgate as well as voting on an agreement/plan offered by the representatives of Artis. This offer may include annexation, taxation, penalties for non-emergency gate use, etc.

The City of Crossgate representatives intend to meet with Artis reps before the end of this month.

Again, for the purposes of this public meeting, the City of Crossgate has not yet voted on nor agreed to access from the property onto the city streets, to include the proposed emergency gate onto Warrington Way.

Regards,

Kirk

On Wed, Oct 11, 2017 at 9:30 PM, <PSwain1804@aol.com> wrote:

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CC: dianebzim@att.net, tsjwahoo@yahoo.com, young@ltd-inc.com, laura.Mattington@louisvilleky.gov  
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502.648.1858

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**To:** Diane B. Zimmerman <dianebzim@att.net>  
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**From:** PSwain1804@aol.com  
**Date:** October 11, 2017 at 1:49:55 PM EDT  
**To:** wbb@bardlaw.net  
**Cc:** <khilbrecht@crossgateky.org>, <dianeblz@att.net>, <young@ldd-inc.com>, <John@bardlaw.net>, <amc@bardlaw.net>, <nsd@bardlaw.net>  
**Subject: Re: Artis/Brownsboro Road; complete TIS**

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your council/neighborhood.  
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**From:**  
"Diane  
Zimmerman"  
<dianezimmerman@att.net>  
**To:** "Bill  
Bardenwerper"  
<wbb@bardlaw.net>,  
"tsjwahoo@  
yahoo.com"  
<tsjwahoo@  
yahoo.com>,  
"young@ld  
d-inc.com"  
<young@ld  
d-inc.com>,  
"Nanci  
Dively"  
<nsd@bard  
law.net>,  
"Anna  
Curley"  
<amc@bar  
dlaw.net>  
**Cc:** "John  
Talbot"  
<John@bar  
dlaw.net>,  
"Nick  
Pregliasco"  
<npr@bardl  
aw.net>  
**Subject:**  
**RE:**  
**Artis/Brown  
nsboro  
Road**

**Diane B.  
Zimmerman, P.E.**

502.648.1858

**Mattingly, Laura L**

---

**From:** Kirk Hilbrecht <kirk@kirkhilbrecht.com>  
**Sent:** Thursday, October 12, 2017 7:29 AM  
**To:** Mattingly, Laura L  
**Cc:** Lt. Col. Kirk Hilbrecht; commissioners@crossgateky.org  
**Subject:** Fwd: 17Zone1025: Kinman property

Ms. Mattingly,

Not sure if you saw this email from another Crossgate resident.

Forwarding to your attention....

KH

--

Kirk Hilbrecht  
Mayor

----- Forwarded message -----

**From:** <wre@twc.com>  
**Date:** Wed, Oct 11, 2017 at 11:55 AM  
**Subject:** Kinman property  
**To:** [commissioners@crossgateky.org](mailto:commissioners@crossgateky.org)

On Monday of this week I got in my car and drove to the Dairy Queen and reset my trip odometer in the car to zero. I drove to the intersection of Lynn Kiln Lane and Route 22. The trip display showed that I had driven 0.4 tenths of a mile. I counted 14 places for access and egress in that small distance the interface with Route 22. Some of these are very close to one another. If this rezoning is permitted that will increase the number to 15. That is simply too many places for such a short distance. If and when the VA hospital is built here that will further compound traffic problems. Bob Elliott 1810 Warrington Way 40222

--

Kirk Hilbrecht  
Mayor

## Mattingly, Laura L

---

**From:** Sharron Hilbrecht <shilbrecht@yahoo.com>  
**Sent:** Wednesday, September 13, 2017 9:42 AM  
**To:** Mattingly, Laura L  
**Cc:** commissioners@crossgateky.org; Leet, Angela  
**Subject:** Artis Proposal/Kinman Property

Dear Ms. Mattingly,

My name is Sharron Hilbrecht, and I am a 15 year resident of the City of Crossgate. I am writing to express my concerns about the proposal by Artis for the property currently owned by the Kinman family, located at the front of the City of Crossgate.

You may know that Crossgate is a very small neighborhood with about 100 single-family houses. It is built in the shape of a horseshoe, with only two entrances, both of which are on Highway 22. Crossgate is bordered on one side by the land currently owned by the Veterans Administration where a proposed VA hospital is in the works, adding about 12,000 additional vehicles onto the already very crowded Highway 22. On the other side of Crossgate is another vacant property. The past proposal for the development of this land included 380,000 square feet of condos/apartments, and 80,000 square feet of retail. Even without the development of the other properties, we are already at a disadvantage because we are so landlocked.

Artis is proposing to build an assisted living facility for people with dementia, using the R-4 zoning with a conditional use permit for the back part of the property and then selling off the front part in two parcels, which will have to be rezoned, one of which may become a bank and the other a retail shop. Their justification for doing this is that they can't afford to build the assisted living facility without selling the front parcels. If that's the case, then maybe they shouldn't buy the land in the first place.

If you look at the property from the air, it is obvious that whatever goes on it needs to be compatible with a NEIGHBORHOOD. Yes, Highway 22 is commercial, but the City of Crossgate is so small that anything commercial that is put on the property will be a detriment to our community. The houses on Crossgate Lane would be faced with a bank or a retail store as their across-the-street neighbor. Lights would be on all night long. Cars would be coming and going, adding additional traffic onto Highway 22. It is already nearly impossible to get into or out of our neighborhood at peak hours. Adding additional businesses will only make it worse. Light pollution, air pollution, and noise pollution will also be a problem. **I DO NOT SUPPORT PUTTING BUSINESSES ON THE FRONT OF THE PROPERTY.**

The plan also calls for the entire 6 acres to be clear cut and new trees planted. Currently, there are multiple old trees that add to the much-needed tree canopy that the City of Louisville is struggling to maintain. Artis claims that they will plant more trees than they remove, but it will take 50+ years for the new trees to reach the maturity that the current trees already have. Taking down these beautiful old trees will only add to our heat-island and air pollution problems.

Artis's rendering of their facility does not have them using top of the line construction materials. Instead, the building is finished with vinyl siding. Almost 100% of the homes in Crossgate are all or partial brick facade. The proposed facility should be built in accordance with the existing homes.

## Mattingly, Laura L

---

**From:** Ford, Will F  
**Sent:** Friday, July 21, 2017 11:49 AM  
**To:** Mattingly, Laura L  
**Subject:** FW: Planning & Design: 4922 Brownsboro Rd

Re: 17ZONE1025

Will Ford  
Communications Specialist  
Develop Louisville/Codes & Regulations  
LOUISVILLE FORWARD  
444 South Fifth Street  
Louisville, KY 40202  
502-574-5170/502-322-5642  
<https://louisvilleky.gov/government/develop-louisville>  
<https://louisvilleky.gov/government/codes-regulations>

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

**From:** [mtsappteam@louisvilleky.gov](mailto:mtsappteam@louisvilleky.gov) [mailto:[mtsappteam@louisvilleky.gov](mailto:mtsappteam@louisvilleky.gov)] On Behalf Of [chuckhpence@gmail.com](mailto:chuckhpence@gmail.com)  
**Sent:** Friday, July 21, 2017 8:39 AM  
**To:** Ford, Will F  
**Subject:** Planning & Design: 4922 Brownsboro Rd

Submission:

Submitted by Anonymous (not verified) on July 21, 2017 - 8:38am

Your Email Address:  
[chuckhpence@gmail.com](mailto:chuckhpence@gmail.com)

Your Subject:  
4922 Brownsboro Rd

Your Comment:

I am very concerned regarding the proposed development on Brownsboro Rd for the assisted living and commercial out lots. This suggested use is NOT compatible with the current zoning and we were also only given a few select details of the proposal. The developers intended use to bring C1 zoning into a residential neighborhood is unprecedented. The many incompatible uses include:

- 1.They are attempting to allow egress onto private streets from the site
- 2.Traffic patterns that are insufficient for the current infrastructure.

## Mattingly, Laura L

---

**From:** Chuck Pence <cpence@lsir.com>  
**Sent:** Friday, July 21, 2017 8:23 AM  
**To:** Mattingly, Laura L  
**Subject:** 4922 Brownsboro Rd

I am very concerned regarding the proposed development on Brownsboro Rd for the assisted living and commercial out lots. This suggested use is NOT compatible with the current zoning and we were also only given a few select details of the proposal. The developers intended use to bring C1 zoning into a residential neighborhood is unprecedented. The many incompatible uses include:

- 1.They are attempting to allow egress onto private streets from the site
- 2.Traffic patterns that are insufficient for the current infrastructure.
- 3.Allowing a paid consultant by the developer to submit the report on traffic impact for the area. I hardly believe this will be unbiased.
- 4.The suggested use of C1 zoning when there has NOT been any other consideration of R4 designation for the remaining site. There are similar compatible uses for similar developments.. **1705 Herr Lane for example** is within yards of this proposed site and allows for the nursing facility while providing the necessary green space to make it compatible for a Neighborhood.
5. The amount of surface lot requested would cause considerable drainage issues. There is already insufficient drainage from the Rodes Building affecting the homes on Crossgate and no improvements have been made.
6. There is No acceptable way to buffer the lighting for a commercial property within the neighborhood.
7. With the increased density and proposed commercial use there will increases in crime, and unwanted thru traffic into a neighborhood (in your district) that is NOT an acceptable use of the property.
8. It will have a NEGATIVE impact on the property values of homes in your District.

The "information" provided by the developer seemed not entirely correct when questioned about the impact to the neighborhood.

- 1.Artis Nursing representative indicated only 37 employees for a 70+ bed facility.
- 2.The quality of construction of the proposed site is inferior to the surrounding homes. The construction proposed for Nursing facility is slab foundation, with vinyl construction which is similar to manufactured housing.
- 3.The listing for the property on Commercial real estate sites shows the site over 7 acres which was different than the proposal we were given last

## Mattingly, Laura L

---

**From:** Anne Hoffman <annestanleyhoff@att.net>  
**Sent:** Monday, July 10, 2017 9:52 PM  
**To:** Mattingly, Laura L  
**Cc:** Irene & Mike Yeager  
**Subject:** Kinman Property

As a resident of Crossgate, I am strongly opposed to the proposed re zoning of the Kinnman property, located on Brownsboro Rd. next to the site of the land purchased by the V.A. If the VA goes ahead with its plans, the traffic on Brownsboro corridor will be greatly increased, along with pollution, gridlock,etc. we do not need any more structures to. E constructed on Brownsboro Rd.

If this zoning is approved, a nursing home would be the only acceptable structure. I highly object to anything else constructed on this property. And, if a nursing home is approved, the entrance/exit should be on Brownsboro, not on either Crossgate Lane or Warrington Way. It appears that Planning and Design are generous with their approvals of many rezoning requests. It is my hope that this time they will consider the impact that additional structures will have on a corridor which currently has heavy traffic and congestion.

Please use whatever influence you have to let the objections of those residing in or near this property be communicated to decision makers.

Thank you.

Anne Stanley Hoffman  
1809 Warrington Way  
Louisville, KY 40222

Sent from my iPhone

## Mattingly, Laura L

---

**From:** Chas Krish <chaskrish@gmail.com>  
**Sent:** Monday, July 10, 2017 4:08 PM  
**To:** Mattingly, Laura L  
**Subject:** 4922 Brownsboro Road

Laura,

My name is Chas Krish and I am a Commissioner for the City of Crossgate and I am inquiring about any new details regarding the potential rezoning of the property located at 4922 Brownsboro Road.

We are very concerned with the initial plans that were produced, as a parking lot is meant to access both Crossgate Lane and Warrington Way. We are very against outside traffic using our streets and the inevitable depreciating property values in our neighborhood that would follow. We aren't against the rezoning per se, just the accessing of our streets.

So, firstly, has there been any additional plans submitted for this property, and if they still include accessing our neighborhood streets (which we own), how can we go about fighting this?

We are having a Commission meeting this evening, and any info I can take there tonight would be greatly appreciate. Sorry for the late response time.

Thanks,

Chas Krish

## Mattingly, Laura L

---

**From:** Patti Brown <slimchance55@gmail.com>  
**Sent:** Thursday, July 6, 2017 4:12 PM  
**To:** Mattingly, Laura L  
**Cc:** khilbrecht@crossgateky.org; Leet, Angela  
**Subject:** Re Case 17 Zone 1025

Dear Laura-

We are residents of the City of Crossgate and we are vehemently opposed to the above proposed Re-Zoning to turn the front of our beautiful R-4 subdivision into a C-1 strip mall. There is absolutely no logical reason for the Division of Planning and Design Services to approve this change.

Brownsboro Road is already a highly industrialized area with a high degree of traffic congestion and noise. As you are aware, this proposed project is 100 yards from the site of the proposed VA Hospital facility. Traffic is already stretched to breaking even before ground has been broken for the VA's absurd addition to the neighborhood. A result we also vehemently oppose! This project adds insult to injury.

The above project entails clear-cutting 25 to 30 one hundred year-old trees in order to change six plus acres of an R-4 residential zone into a C-1 industrial zone. This will further contribute to Louisville's already burgeoning greenhouse effect.

This is a project based upon sheer greed and avarice. The owners of this property cannot claim that they purchased the property to develop, since it was clearly Zoned R-4 when they purchased it. In order to realize their soulless goal of millions of dollars in profit, they propose to devastate the property values of everyone who owns a house in Crossgate and basically destroy what has for decades been a peaceful and tranquil subdivision setting.

If this change is approved, the view from our front door will go from a tranquil park-like setting to dumpsters, delivery trucks and all night security vapor lights. Imagine our joy.

Please advise what we can do to prevent the many from becoming victim to the few in this ill conceived and thinly disguised money grab.

Thank you,

William & Patti Brown  
1921 Crossgate Lane



## Mattingly, Laura L

---

**From:** Hinson, Erin  
**Sent:** Thursday, July 6, 2017 10:57 AM  
**To:** Mattingly, Laura L  
**Subject:** FW: Contact Councilwoman Angela Leet [#472]

Laura –

Please see the comments below regarding case number: 17ZONE1025.

Thanks,  
Erin




**Erin R. Hinson** · Legislative Assistant  
Office of Councilwoman Angela Leet  
601 W. Jefferson Street | Louisville, KY 40202  
p: (502) 574-1107 | (502) 574-4501  
[vCard](#) | [Website](#) | [Facebook](#) | [Twitter](#)

---

**From:** Councilwoman Angela Leet [<mailto:no-reply@wufoo.com>]  
**Sent:** Thursday, June 15, 2017 10:44 PM  
**To:** Leet, Angela; Hinson, Erin  
**Subject:** Contact Councilwoman Angela Leet [#472]

**Name** Patti Brown

**Address**   
1921 Crossgate Lane  
Louisville, KY 40222  
United States

**Phone Number** (502) 551-6421

**Email** [slimchance55@gmail.com](mailto:slimchance55@gmail.com)

### Comments

We wonder if you are aware of the latest relating to proposed re-zoning of 6 acres in the middle of the Crossgate subdivision to put in a 72 bed memory care facility and a strip mall. As if there weren't enough traffic, congestion, over developed businesses, and general chaos in progress with the asinine proposed VA facility, the heirs of the Crossgate developers are now trying to cash-in by selling-out the Crossgate residents.

Common sense would say that there's no way the Planning and Zoning Board would consider such an idiotic zoning change from residential use to strip mall in such a congested area. But that's before the infamous VA debacle. We now know favorable rulings from Planning and Zoning can be bought.

If nothing else hasn't Louisville lost enough tree cover? They propose to clear cut twenty or thirty 100 year-old trees. Our house is right across the street from this proposed mess. Our view will go from a tranquil park-like setting to dumpsters, delivery trucks and all night security vapor lights. Imagine our joy.

There's probably nothing we can do as money always trumps common sense and the will of the people.

We thought you should know just in case a miracle was in the offing and you could possibly do something to derail this travesty.....

William & Patti Brown  
1921 Crossgate Lane

## Mattingly, Laura L

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**From:** Alex Croft <alex.croft@cbandt.com>  
**Sent:** Friday, July 7, 2017 8:33 AM  
**To:** Mattingly, Laura L  
**Subject:** Opposition to proposed zoning change for 4922 Brownsboro Rd.

Ms. Mattingly,

I am writing you to express my concerns regarding the proposed zoning change of 4922 Brownsboro Rd to C1 commercial zoning. This zoning change would be a disaster for our residential neighborhood. As a resident of Crossgate with a young family, I have many concerns about the proposed development, including:

- 1.They are attempting to allow egress onto private streets from the site
- 2.Traffic patterns that are insufficient for the current infrastructure.
- 3.Allowing a paid consultant by the developer to submit the report on traffic impact for the area. I hardly believe this will be unbiased.
- 4.The suggested use of C1 zoning when there has NOT been any other consideration of R4 designation for the remaining site. There are similar compatible uses for similar developments.. 1705 Herr Lane for example is within yards of this proposed site and allows for the nursing facility while providing the necessary green space to make it compatible for a Neighborhood.
5. The amount of surface lot requested would cause considerable drainage issues. There is already insufficient drainage from the Rodes Building affecting the homes on Crossgate and no improvements have been made.
6. There is No acceptable way to buffer the lighting for a commercial property within the neighborhood.
7. With the increased density and proposed commercial use there will increases in crime, and unwanted thru traffic into a neighborhood that is NOT an acceptable use of the property.
8. It will have a NEGATIVE impact on the property values of homes in the Crossgate community.

The "information" provided by the developer seemed not entirely correct when questioned about the impact to the neighborhood.

- 1.Artis Nursing representative indicated only 37 employees for a 70+ bed facility.
- 2.The quality of construction of the proposed site is inferior to the surrounding homes. The construction proposed for Nursing facility is slab foundation, with vinyl construction which is similar to manufactured housing.
- 3.The listing for the property on Commercial real estate sites shows the site over 7 acres which was different than the proposal we were given last night. I believe the 5 additional single family residences owned by the Sellers family may also be involved only to be revealed at a later date.

This is NOT the best use for the property and would be detrimental to the families living within Crossgate. Our children and grandchildren play in this neighborhood and there is already massive potential development pending on Herr Lane

and the VA site which the city cannot meet the needs. I implore you to represent your constituents and not the special interests wanting to come into the neighborhood.

Best,

Alex D. Croft, Esq.  
Trust Counsel  
Commonwealth Bank & Trust Company

4350 Brownsboro Road, Ste. 210  
Louisville KY 40207  
Phone: 502-259-2510  
Email: Alex.Croft@cbandt.com

