

## Davis, Brian

---

**From:** St. Germain, Dante  
**Sent:** Tuesday, July 14, 2020 4:46 PM  
**To:** Davis, Brian  
**Subject:** Fw: 19-zone-0095. Hearing scheduled for 6-11-20

Brian,

And another one.

**Dante St. Germain, AICP**  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
*LOUISVILLE FORWARD*  
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Louisville, KY 40202  
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**From:** JerryT Miller <jerrytmiller95@gmail.com>  
**Sent:** Tuesday, July 14, 2020 4:38 PM  
**To:** Gary Stephan <garywstephan@gmail.com>; St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Subject:** Re: 19-zone-0095. Hearing scheduled for 6-11-20

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I'd like this entered into the official record that I received in response to my inquiry on the status of the Old Henry/Ash Avenue Extension:

**Bullock, Matt A (KYTC-D05)** <[Matt.Bullock@ky.gov](mailto:Matt.Bullock@ky.gov)>

Tue, Jun 16, 2020 at 4:03 PM

To: "Jerry Miller ([jerrytmiller95@gmail.com](mailto:jerrytmiller95@gmail.com))" <[jerrytmiller95@gmail.com](mailto:jerrytmiller95@gmail.com)>

Rep. Miller,

In 2019, during the preparation for the 2020 recommended plan, all districts were asked to look at high dollar state funded projects that could be eligible for federal funds. We decided that the Old Henry project was a good candidate for conversion as it had always been designated as state (SPP). With a \$12 million price tag, we knew that it was one that we had to try and get qualified for federal funds. If it were still sitting in the plan with state funds, we could not even begin to guess at a letting date.

Once we saw that it was officially designated with federal funds in the 2020 Enacted Plan, we submitted paperwork to FHWA for eligibility review. The majority of the environmental work done previously has to be re-evaluated. Noise analysis will also be a part of that review even though it was already looked at and did not warrant any mitigation. We are being told to expect 12-18 months to clear all environmental hurdles with the largest item being what is called phase III archaeology in coordination with the State Historic Preservation Office.

There are a few utilities that still have to move. LG&E gas is left to do and we cannot allow them to go ahead since the archeology investigation occurs on parcels that it goes through. Charter, ATT, and Verizon can go on the newly relocated LG&E poles. We expect 9-12 months to complete utility relocations. Some of this might be able to be completed before the environmental documents are buttoned up. Best case scenario is probably 18 months before we could let it since the archeological work is not yet started.

Sorry for the long email. All of this is so we can actually build it with reliable federal funds.

Thanks,

Matt Bullock, PE  
Chief District Engineer  
Department of Highways - District 5  
[8310 Westport Rd.](#)  
[Louisville, KY 40242](#)  
(502) 210-5400

Thank you,

Jerry T Miller  
State Representative  
District 36

On Mon, Jul 13, 2020 at 6:08 PM Gary Stephan <[garywstephan@gmail.com](mailto:garywstephan@gmail.com)> wrote:

See attached memo from the case manager, Dante st. Germain for info to speak and join the meeting. You can call her at 574-6230. It's tricky getting into the meeting and getting info on how....as well as deadlines to be able to speak at the meetings.

I can tell you the meeting is this Thursday at 1:00 PM. Event # 160 645 0865  
Password is PC 071620  
Video address is [1606450865@louisville.kywebex.com](https://louisville.kywebex.com).

If you go to [louisvilleky.gov/government/upcoming-public-meetings](https://louisvilleky.gov/government/upcoming-public-meetings) you can find a link mo join the meeting.....but you have to sign up in advance with Dante to be allowed to speak . Easy !!!  
Jerry, when the COVID-19 is over, I'm buying you a cold beer ! Thanks.

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

From: **St. Germain, Dante** <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
Date: Mon, Jul 6, 2020 at 7:42 AM  
Subject: RE: 19-zone-0095. Hearing scheduled for 6-11-20  
To: Gary Stephan <[garywstephan@gmail.com](mailto:garywstephan@gmail.com)>

Mr. Stephan,

I will provide your comments to the Commissioners. Please sign up to speak at the public hearing at the following link:

<https://louisvillemetropds.wufoo.com/forms/z17ai2y40pc8ro4/>

**Dante St. Germain, AICP**

Planner II

Planning & Design Services

Department of Develop Louisville

*LOUISVILLE FORWARD*

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**From:** Gary Stephan <[garywstephan@gmail.com](mailto:garywstephan@gmail.com)>

**Sent:** Thursday, July 2, 2020 4:57 PM

**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>

**Subject:** Re: 19-zone-0095. Hearing scheduled for 6-11-20

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On Tue, Jun 16, 2020 at 7:38 AM St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)> wrote:

Dante, can you please send me an e-bite to speak at the upcoming event # 160 645 0865 on July 16th at 1:00 PM? I was not able to connect at the last meeting.

If I can not connect, I am asking you to please pass on my request to not allow occupancy permit until the Old Henry road widening project is completed.

Thank you,

Gary Stephan  
HOA board president of the Falls at Old Henry.

( across from the proposed commercial zoning change requested.)

Mr. Stephen,

I will provide your comments to the Commissioners but you should be able to make them yourself at the Planning Commission hearing if you sign up as a speaker ahead of time.

**Dante St. Germain, AICP**  
Planner II  
Planning & Design Services  
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**From:** Gary Stephan <[garywstephan@gmail.com](mailto:garywstephan@gmail.com)>  
**Sent:** Monday, June 15, 2020 4:10 PM

To: St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>

Subject: Re: 19-zone-0095. Hearing scheduled for 6-11-20

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Dante, I wasn't able to connect by Webex to the last meeting, but was able to listen by phone.

Two commissioners mentioned they may want to require that the Old Henry road widening/and turning lane project be completed prior to allowing occupancy to the new commercial building.

I am writing to request that this motion be approved in the upcoming meeting scheduled for July 16th.

Could you please either bring this up for me, or allow me to speak to this?

Thank you,  
Gary stephan

On Mon, Jun 8, 2020 at 1:11 PM Gary Stephan <[garywstephan@gmail.com](mailto:garywstephan@gmail.com)> wrote:

As president of the Sycamore Falls HOA, I am writing to voice our community's opposition to the commercial zoning request of [14015 Old Henry Trail](#). Our development is almost directly across for this lot.

We feel that placing a commercial property deep into the center of all residential properties will hurt the character of the area. We feel it is inconsistent with the Louisville Metro approved plan for the Old Henry Road sub area plan.

Traffic on Old Henry Road is already extremely congested. Before Covid 19, traffic backed up for at least one mile in mornings and evenings, and stayed extremely heavy all day. With all the current new residential development in the area, it will only get worse.

There is plenty of commercial land west of Bush Farm Road available. We strongly feel there should be no commercial development east of Bush Farm Road.

If the application for commercial is approved against opposition, we have the following questions:

1. When will Old Henry Road be widened.....and the dangerous intersection at Old Henry and Factory lane be corrected?
2. Will there be a traffic light at Old Henry Road and Old Henry Trail?
3. Will there be adequate berms and landscaping in front of the commercial property?

Gary Stephan

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**Davis, Brian**

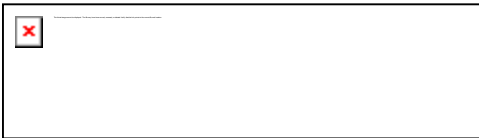
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**From:** St. Germain, Dante  
**Sent:** Tuesday, July 14, 2020 2:05 PM  
**To:** Davis, Brian  
**Subject:** Fw: Lake Forest Community Board of Directors letter regarding 14015 Old Henry Trail (19-ZONE-0095)  
**Attachments:** Board of Directors, LFCA, opposition letter to rezoning proposal, 14015 Old Henry Trail, sent 7-14-2020.pdf

Brian,

Here is another for Old Henry Road.

**Dante St. Germain, AICP**  
Planner II  
Planning & Design Services  
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**From:** kim@lakeforestky.com <kim@lakeforestky.com>  
**Sent:** Tuesday, July 14, 2020 12:34 PM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Cc:** Piagentini, Anthony B. <Anthony.Piagentini@louisvilleky.gov>; Smith, Chanelle Emily <Chanelle.Smith@louisvilleky.gov>; Duncan Murley, Board member <duncan.murley@lakeforestky.com>  
**Subject:** Lake Forest Community Board of Directors letter regarding 14015 Old Henry Trail (19-ZONE-0095)

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Dear Ms. St. Germain,

Please find attached a letter from the Lake Forest Community Association Board of Directors opposing the proposed change in zoning for the property located at 14015 Old Henry Trail.

Sincerely,

Kim Brice  
General Manager  
**Lake Forest<sup>®</sup> Community Association**  
*A Deed Restricted Community*  
511 Woodlake Drive  
Louisville, KY 40245  
(502) 245-5253 x1

## Davis, Brian

---

**From:** St. Germain, Dante  
**Sent:** Tuesday, July 14, 2020 12:03 PM  
**To:** Davis, Brian  
**Subject:** FW: 19-zone-0095 for C-1rezoning at 14015 Old Henry Trail

Brian,

Here's another.

Dante St. Germain, AICP  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
LOUISVILLE FORWARD  
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Louisville, KY 40202  
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-----Original Message-----

From: Michael Cahill <dmcahill1952@icloud.com>  
Sent: Tuesday, July 14, 2020 11:45 AM  
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
Cc: donna cahill <dmcahill@bellsouth.net>  
Subject: 19-zone-0095 for C-1rezoning at 14015 Old Henry Trail

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Ms. Dante St. Germain, Case Manager

This email expresses my opposition to the Commerical rezoning request at 14015 Old Henry Trail. The proposed rezoning is not compatible with the surrounding residential subdivision. The rezoning would be a burden on local infrastructure. The new Ball Homes subdivision under way and the Ivy apartments have not impacted Old Henry yet, due to being under construction. There is already 2 retail strip malls on Old Henry and High Wickham Road.



Schulte Hospitality plans to put a 3rd retail strip mall on Old Henry and Hamilton Springs Drive. Even this retail that is planned has variances. Case No 16zone1042 The area does not need a 4th retail strip mall within a mile of all four. Should you approve, I would hope variances would be put in place, especially if a drive through is approved, hours of operation, lighting, only one story etc.

C-N zoning is a better community neighbor rather than C-1 When people purchased their homes, they expected to live in and near other neighborhoods—not next to commercial property.

We do not need another retail in this area. It needs to be kept residential.

Please confirm your receipt of this email. Thanks for your consideration and assistance.

Sincerely,

Donna Cahill

502 262-0381

Sent from my iPhone

## Davis, Brian

---

**From:** St. Germain, Dante  
**Sent:** Tuesday, July 14, 2020 7:56 AM  
**To:** Davis, Brian  
**Subject:** FW: Opposition comments. 19-ZONE-0095, 14015 Old Henry Trail

Brian,

And here is another one.

**Dante St. Germain, AICP**  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
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**From:** Mary Dries <mpwdries@gmail.com>  
**Sent:** Monday, July 13, 2020 7:34 PM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Cc:** Smith, Chanelle Emily <Chanelle.Smith@louisvilleky.gov>; Kim Brice <kim@lakeforestky.com>; anthony.piagentini@louisville.gov; bill.diehl@lakeforestky.com; robert.a.hughes@twc.com  
**Subject:** Opposition comments. 19-ZONE-0095, 14015 Old Henry Trail

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I wish to add to my opposition comments from 11-17-2019 related to the 19-ZONE-0095 rezoning request at 14015 Old Henry Trail. My November 2019 opposition comments were:

- **No** commercial east of Bush Farm Rd (consistent with the Old Henry Road Sub Area Plan).
- Plenty of Commercial land **already exists** along Old Henry Road east of I-265 and west of Bush Farm Rd.
- **All** development along Old Henry Road should include berms of similar height and landscape character as existing berms along Old Henry Road between I-265 and this site.

My additional new opposition comments follow:

- **Plan 2040 and Mixed Use Activity Centers.** Mention is made that Plan 2040 encourages Mixed Use development, which makes sense. However, my reading of Plan 2040 indicates that Mixed Use combining Residential and Commercial generally relates to **Activity Centers**:
  - The Plan 2040 Glossary defines an Activity Center as: "An area of concentrated, mixed-use activity that often has a residential component."
  - In my mind, Old Henry Road's **existing** Activity Center in this area is the 5-lane section of Old Henry Road between I-265 and Bush Farm Rd (with an existing traffic signal) including a portion of Terra Crossing Blvd (with a proposed future traffic signal at Old Henry Road). Adding a new small Activity Center on Old Henry Road for a 2.8-acre site at the 20-foot wide Old Henry Trail intersection seems **contrary** to the Old Henry Road Sub Area Plan and **contrary** to common sense land planning. The **existing** Activity Center along Old Henry Road east of I-265 and west of Bush Farm Rd (as planned for in the Old Henry Road Subarea Plan) is **very large (approximately 270 acres)** and continues to have a multitude of undeveloped Commercial and Mixed Use **development opportunities**.
  - Further, Community Form Goal 2 from Plan 2040 states: "Encourage sustainable growth and density around centers and corridors." **The logical Activity Center for this area is Old Henry Road between I-265 and Bush Farm Rd . . . which is consistent with the 5-lane Old Henry roadway, the existing traffic signal at Bush Farm Rd, the future traffic signal at Terra Crossing Blvd, and the Old Henry Road Sub Area Plan.** Adding C-1 east of Bush Farm Rd will set an **unnecessary precedent** for strip retail or spot retail in a planned Residential area with a significant Mixed-Use Activity Center located within a stone's throw.
- **Old Henry Road Sub Area Plan.** The Applicant's Justification statement may correctly state that "the subject property is not located within a "residential collar" as described . . ." by the Old Henry Road Sub Area Plan. While this statement

may be technically accurate, it appears to be a **misleading** representation of the Old Henry Road Sub Area Plan where:

- **Commercial** development is encouraged **west** of Bush Farm Rd.
  - **Residential** development is encouraged **east** of Bush Farm Rd, and **commercial development is discouraged.**
  - A "residential collar" is defined on the western edge of the Residential development area, between the proposed Commercial area west of Bush Farm Rd, and the proposed Residential area east of Bush Farm Rd. A Guiding Principle on page 21 of the Old Henry Road Sub Area Plan is: "Preserve a 'residential collar' of neighborhoods within the Old Henry Road Subarea. Permit **medium density residential only** in designated locations with adequate buffers."
  - An implementation strategy on page 21 of the Old Henry Road Sub Area Plan is: "**Do not permit rezonings** within the designated residential collar to a classification that would permit high-density residential or **non-residential developments.**"
  - In other words, if the Old Henry Road Subarea Plan specifically does not allow Commercial in the Residential Collar area transitioning between the Commercial area west of Bush Farm Rd, and the Residential area east of Bush Farm Rd, by logical inference Commercial **should not be allowed** east of the Residential Collar along Old Henry Road at Old Henry Trail.
- **Inadequacy of Old Henry Trail as an Activity Center cross street.** If somehow this small 2.8-acre development is mistakenly considered a Mixed Use Activity Center, then Old Henry Trail is a **terrible** location for an Activity Center. **Old Henry Trail is only 20 feet wide** north of Old Henry Road, and Old Henry Trail does not cross Old Henry Road. The Land Development Code shows the minimum standard width for a Local Road without curbs is **24 feet**, and the minimum standard width for a Collector Road is **38 feet** (compared to the existing 20-foot width of Old Henry Trail). A mixed-use Activity Center should not be located at a sub-standard cross street like Old Henry Trail, especially when a major Activity Center already exists nearby west of Bush Farm Rd.

Thanks for your consideration.

Mary Pat Dries  
[15510 Champion Lakes Pl, 40245](mailto:15510.Champion.Lakes.PI.40245@comcast.net)  
[502.819.9993](tel:502.819.9993)

**Davis, Brian**

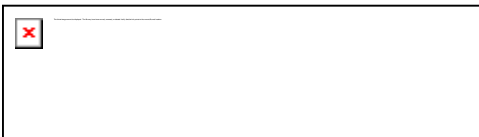
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**From:** St. Germain, Dante  
**Sent:** Monday, July 13, 2020 4:05 PM  
**To:** Davis, Brian  
**Subject:** Fw: Absolute Opposition to Proposed Change in Zoning at 14015 Old Henry Trail (19-ZONE-0095)

Brian,

Here is another.

**Dante St. Germain, AICP**  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
*LOUISVILLE FORWARD*  
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**From:** John Fenton <jrf809@aol.com>  
**Sent:** Monday, July 13, 2020 4:03 PM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Cc:** Piagentini, Anthony B. <Anthony.Piagentini@louisvilleky.gov>; ecall2507@aol.com <ecall2507@aol.com>; bholt@mulloyproperties.com <bholt@mulloyproperties.com>; cyclesac2@bellsouth.net <cyclesac2@bellsouth.net>  
**Subject:** Absolute Opposition to Proposed Change in Zoning at 14015 Old Henry Trail (19-ZONE-0095)

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Dear Ms. Dante St. Germain, Case Manager;

Lake Forest Legacy absolutely opposes the proposed zoning change to 14015 Old Henry Trail (19-ZONE-0095).

Lake Forest Legacy Section 4 is directly impacted by the proposed zone change. Section 4 contains 32 individual patio homes. We have a private entrance from Old Henry Road within 50 feet of the proposed commercial site. We are part of the Lake Forest Subdivision which, as you know, has over 1,500 tax paying homes. Without writing numerous paragraphs, I will present our concerns in an abbreviated format:

This proposed zone change violates:

- Safety of our citizens
- Safe traffic flow
- Quality of residential standards
- Promises made in the Plan 2040 Comprehensive Plan
- The Old Henry Road Subarea Plan

This section of Old Henry Road has a number of visual obstructions:

- 90 degree bend within 100 yards of the strip mall
- Hill just after the 90 degree turn, within 100 yards of the strip mall where drivers accelerate
- Hill while transiting from I-265 towards the strip mall where drivers naturally accelerate
- The hills and the 90 degree turn do not allow adequate visual distance for drivers exiting (and entering) the proposed commercial project to safely avoid oncoming traffic.
- The project is within 50 feet of two private driveways and one private entrance to Lake Forest Legacy

Safety Concerns:

- Posted speed limit is 35 MPH; Actual Speed appears to be 50 MPH
- Residential driveways within 50 feet
- Lake Forest Legacy entrance within 50 feet
- No road lighting
- No acceleration lanes or deceleration lanes for turning traffic
- Old Henry Road is a major "non-major" transportation artery, why was there no traffic study?

Other Concerns:

- Have any commissioners from the Planning Commission actually visited the site during hours of high traffic volume?
- Why allow the normal safe traffic flow to be disrupted by an obscure isolated commercial strip mall?
- I-265 is less than one mile from this commercial strip mall. That area is designed to handle strip mall/restaurant/coffee shop traffic
- We do not need any more traffic disruption in the residential areas of Old Henry Road, we need less disruption

In closing, if the Planning Commission allows the project to go forward, you are intentionally endangering the lives and families of Kentucky citizens; you are intentionally saying that disruptive traffic flow, for the sake of a strip mall in the middle of a residential area, is safe and sanctioned by the Louisville Government. The message you will send by allowing this project to go forward is, "We don't care about the citizens of Louisville, or better yet, the citizens of East Louisville."

Please take a step back and ask yourselves; "Would I want this to happen within 50 feet of my home?"

Our opposition to this project is adamant and absolute.

Sincerely,

John Fenton

**Davis, Brian**

---

**From:** St. Germain, Dante  
**Sent:** Monday, July 13, 2020 2:25 PM  
**To:** Davis, Brian  
**Subject:** Fw: Case No. 19-ZONE-0095 Zoning Change, Opposition to

Brian,

Here is another for you to hold onto.

**Dante St. Germain, AICP**  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
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**From:** John Blumenstock <bingkp72@gmail.com>  
**Sent:** Monday, July 13, 2020 2:22 PM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Subject:** Case No. 19-ZONE-0095 Zoning Change, Opposition to

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Dear Ms. St. Germain:  
As a homeowner in the Hamilton Springs development and whose property backs up to Old Henry Trail I wish to submit my strong opposition to the rezoning of 14015 Old Henry Trail.

I concur with the points raised in the letter of opposition from the Lake Forest Homeowners Association of June 10, 2020 so will not repeat my opposition based on those significant and valid points.

My opposition is based on four elements that are practical in nature: Character/Aesthetics, Safety, Environmental and Business/Commercial.

1) Character/Aesthetics: The site needs to remain residential not commercial. There had to be some reason that the area was originally zoned R-4. Having a commercial island in the middle of a residential area will detract from the character and aesthetics of the area. Especially as Old Henry Trail is designated as a "Parkway" running through a Tree Canopy area. As Staff have identified "The proposal would constitute a non-residential expansion into an existing residential area".

2) Safety: The intersection of Old Henry and Old Henry Trail is a blind intersection that does not need any additional traffic. Other respondents opposing the change have described adequately the impact on the flow of traffic on Old Henry Road. But I want to add that turning from Old Henry Road onto Old Henry Trail is a risky undertaking. Additionally based on the staff analysis #25 Mobility: Goal 2 it does not appear that staff has addressed the increased flow of traffic that will take place from the Claiborne Crossing apartments to the proposed Coffee Shop. The bike riders that frequent Old Henry Trail will certainly be challenged.

3) Environmental: Old Henry Trail is a "Parkway" with a Tree Canopy on both sides. It does not appear that the trees will be replaced nor is there a berm identified on the plans for the Old Henry Trail side. I support the Lake Forest HOA comments regarding the need for placement of adequate berms.

There are a number of deer and other wild life who cross Old Henry Trail to drink from the adjacent stream. With the proposed plan they will be cut off from this as well there will be an increased safety issue for both deer and drivers with the increased traffic on Old Henry Trail.

The lighting that normally comes with commercial C-1 designation would certainly impact the "Dark Sky" effect that currently exists. Sitting on my deck looking at the stars will probably be lost.

4) Business/Commercial: As other opponents have described, there is plenty of available commercial space nearby to do a similar project. In fact, the zoning change that was made for the Persimmon Daycare (Case Number 16ZONE1042) addressed this and made space available for commercial use. Louisville does not need another strip mall with vacant retail space.

If the Planning Commission is inclined to approve this proposal might I suggest that instead of a C-1 designation it might be best as a C-N designation. Additionally I believe that the Binding Elements be expanded to include:

- 1) Low Height with downward facing lights
- 2) Dumpster emptying must be between 7am and 9pm
- 3) Retail and restaurants must close by 10pm; no 24 hour operations
- 4) Same Binding Elements as specified in the Primrose Daycare Zoning Change

Respectfully Submitted,  
John Blumenstock  
2802 Hamilton Springs Drive  
Louisville KY 40245



## Davis, Brian

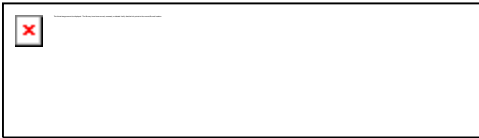
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**From:** St. Germain, Dante  
**Sent:** Monday, July 13, 2020 10:31 AM  
**To:** Davis, Brian  
**Subject:** Fw: 19-ZONE-0095

Brian,

Here is another one.

**Dante St. Germain, AICP**  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
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**From:** James Cahoe <j.cahoe@gmail.com>  
**Sent:** Monday, July 13, 2020 10:28 AM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Cc:** LF Legacy Board of Administration <board@lflegacy.com>; Bob Hughes <robert.a.hughes@twc.com>; Miller, Jerry (State Rep.) (LRC) <jerry.miller@lrc.ky.gov>; Piagentini, Anthony B. <Anthony.Piagentini@louisvilleky.gov>  
**Subject:** 19-ZONE-0095

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Below are my comments regarding this case. I would like to submit my name to speak also, but cannot find the link online.

I am a resident of Lake Forest Legacy, and until October of last year, lived in Lake Forest for over 20 years. I was an active member of Lake Forest's Board and served 2 years as President. Lake Forest and Legacy have encouraged "responsible" commercial development of Old Henry Rd. They have not opposed development, nor do I.

There have been several more detailed and eloquent comments made regarding the Old Henry Subarea Development Plan. What is surprising is your only casual acknowledgement of this plan, which restricts development of property for commercial use to West of Bush Farm Road.

In the Staff Findings, you state that the proposal general meets the guidelines of the Comprehensive Plan. The Comprehensive Plan should include the Old Henry Subarea plan, but you basically ignore it. In the 2nd paragraph, you do state that the Subarea Plan "discourages" commercial development. I believe you have taken liberties with the recommendations.

What is baffling is the desire to even locate a commercial structure at this location, considering the ample commercial space available West of Bush Farm. In fact, there is one 3.75 acre site, and another 4.4 acre site that are already zoned C-2 near the Thorton headquarters that have been on the market for over a year. That is only 2 of many in this area.

My only supposition is that this is an attempt to divide a conquer. If you can get a commercial zoning in the middle or a residentially zoned area, then the Planning Commission will look more favorably at zoning changes west of this site, including the 3.25 acre R5 land in front of the retirement home at Old Henry and Arnold Palmer. This was presented to the Planning Commission as a proposed memory care unit. However, after they met all of the Planning Commission conditions for approval, immediately sold it to a developer with plans to rezone as C1. Another case of developer bait and switch.

The case has totally ignored the proposed expansion of Old Henry Road, which has been around almost as long as the Bridge project. Land acquisition and utility relocation, has already begun, however. This could dramatically affect any plans for this acreage.

The Planning Commission should either follow the Subarea plan, or tear it up. Thus far, I have seen little interest in following it.

--

Jim Cahoe

j. [cahoe@gmail.com](mailto:cahoe@gmail.com), or [s.cahoe@gmail.com](mailto:s.cahoe@gmail.com)

## Davis, Brian

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**From:** St. Germain, Dante  
**Sent:** Monday, July 13, 2020 8:43 AM  
**To:** Davis, Brian  
**Subject:** Fw: Opposition to the Proposed Change in Zoning at 14015 Old Henry Trail (19-ZONE-0095)  
**Attachments:** Legacy opp to prop change in zoning old henry.pdf

Brian,

Here is another extensive letter that I would like forwarded to the Commissioners in advance of this Thursday's PC. Sorry for the trouble, and thank you!

### Dante St. Germain, AICP

Planner II  
Planning & Design Services  
Department of Develop Louisville  
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**From:** LF Legacy Board of Administration <board@lflegacy.com>  
**Sent:** Saturday, July 11, 2020 3:23 PM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Cc:** Piagentini, Anthony B. <Anthony.Piagentini@louisvilleky.gov>; Smith, Chanelle Emily <Chanelle.Smith@louisvilleky.gov>; jrf809@aol.com <jrf809@aol.com>  
**Subject:** Opposition to the Proposed Change in Zoning at 14015 Old Henry Trail (19-ZONE-0095)

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Dear Ms. St. Germain:

Lake Forest Legacy is a community of currently 88 homes that backs up against Old Henry Road and Arnold Palmer Boulevard. It is comprised of two HOA's: Lake Forest Legacy Villa's (section 4), 29 Homes, and Lake Forest Legacy (original section), 59 Homes. I am the president of the HOA for the original section of the community and Steve Cox and John Fenton are the president/board members of section 4 of the community. I know that John Fenton has share his concerns related to the above-mentioned project and mine are included in the attached letter.

If you would like to discuss the attached or our concerns please feel free to contact me.

Sincerely,

Eugene J Callahan, President

Lake Forest Legacy Condo Association