

June 30, 2021

Mr. Engel

We are residents of Tuscan Ridge Subdivision, 9914 Tuscan Ridge Dr.

We just received a notice that our home and the home next door (which are the last two in the first section) are to have sidewalks poured per requirement of Metro Louisville. I have tried to find the requirements on sidewalks but the only reference I was able to find were that sidewalks were to be installed within 90 days from time of construction. We are now at three years.

Our concern is that we told them that we were OK without sidewalks and they were fine with that now suddenly we are being told this is a requirement of the City of Louisville.

We are more concerned about how the developer has come and destroyed the back of our property while trying to create an easement behind the new homes that flows nicely. They have done a wonderful job for the new homes but have created a mess behind our home.

Their first statement was that our fence (which they approved) was the cause and we had to remove that section and they changed the grading of that area. We removed section of the fence and they regraded, and the issue persisted. They then came in after I called them that water was standing and regraded the area which has made the situation even worse. After a year of trial and error on their part it appears they have the neighbor's yard draining correctly, added a French style drain and stopped it right at our property line. I have made several attempts to have them come and fix our mess and for the most part we are told that we are not part of their homes., we were built by dogwood (prior

builder) whom they purchased. My last attempt I was told they would have their boss come out and look at it again and more than two months later I have yet to hear from them.

Now their stance is that our other neighbors on the other side (who are also part of the original dogwood homes) easement is the problem.

We are concerned now that with the finishing of this subdivision we will never get the drainage issues cleared up, these should be a concern to the City of Louisville as this creates an environment that is a breeding ground for Mosquitos and other unwanted bugs and creatures.

Now they will be developing the Horse Farm behind our house into more homes, and we are concerned that the drainage issues will raise exponentially with each home developed.

It is frustrating to say the least that what we built as our retirement home now has an eyesore to the rear of it. Not to mention the health concerns.

What we need from you is some guidance and help on how to get these issues resolved without having to resort to an expensive legal battle. We have talked to someone who can run the French drain and fix the back of our property for a cost of approximately \$2900.00 but this is also frustrating that we would even have to think about paying for something that the developer/builder should have taken care of, especially since they created the mess to begin with.

Our Other neighbors who have same sidewalk issue and the drainage issue are:

Ryan & Maria Noland
9916 Tuscany Ridge Dr

502-475-7444 (Ryan)
502-381-1177 (Maria)

Our Neighbors on the other side (whom had French drain added by builder) who can verify how much the builder messed up our back portion of the yard as she lived it for a year getting them to fix her yard:

Kate O'Bryan
9912 Tuscany Ridge Dr
502-296-2205

Your response is greatly appreciated and expected.

Terry W Spears
502-802-7394

Jeane M Noland
502-817-1518
Jeane.Noland@bankatfirst.com

St. Germain, Dante

From: Engel, Robin
Sent: Thursday, May 6, 2021 4:47 PM
To: yateselect
Cc: St. Germain, Dante; Robin J. Engel; Townes, Jared M.
Subject: RE: Land development on Old Bardstown Rd

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mark,

Thank you for reaching out to me regarding your concerns about the new proposed zoning change and development on Old Bardstown Road. I understand your frustration with such a beautiful property changing hands. I understand those same concerns because I am facing similar development behind my house. However, I cannot control who sells their property, or who purchases property. That is the right of the private property owner. Additionally, I cannot stop development, but I do fight for good development. All proposed developments must legally meet the Land Development Code regulations and passes the various levels of approval process. However, I do fight for good development in District 22. This proposed development is a change in zoning from R-4 residential to PRD residential. Therefore, if this development is approved by the Planning Commission and comes before the Planning & Zoning Committee, I will have a vote on this project which will be based on the Planning Commission's finding and recommendations. As far as your concern about the sale of the property being done behind the backs of residents, that is never the case. In fact, both the Metro Council and the Planning & Zoning Dept. are legally required to give ample public notice of public meetings that are held prior to the development beginning. There are several opportunities for the public to attend and voice their support of or opposition to any and all proposed developments. There has already been a public neighborhood meeting conducted on April 20, 2021 at which my office attended. We have been sending concerns from neighboring residents about this property to the Case Manager, Dante St. Germain, so that they can become part of the official record and can be addressed as it works its way through the Planning Process. During the Planning process, the public will be invited to attend the TRC (the Technical Review Committee) meeting, DRC (Development Review Committee) meetings, the LD&T (Land, Development & Transportation Committee) meetings. I also promote and inform the public of forthcoming proposed developments in my weekly electronic E-Newsletter to give neighbors ample notice to attend and participate in these public meetings.

I encourage you and neighbors to voice your concerns or opposition to this proposed development by calling or submitting something in writing to the Case Manager, Dante St. Germain. She will make your comments part of the official Planning record before the case comes before the Metro Council for a vote.

I hope this helps to offer some explanation of the planning/development process. You may contact Dante St. German by phone at (502) 574-4388 or via email at dante.st.germain@louisvilleky.gov

Regards,



Robin J. Engel
Councilman
District 22

Louisville Metro Council
City Hall – 2nd Floor
601 W. Jefferson St.
Louisville, KY 40202
Phone: (502) 574-1122
Email: Robin.Engel@louisvilleky.gov

From: yateselect <yateselect@gmail.com>
Sent: Monday, April 12, 2021 4:28 PM
To: Engel, Robin <Robin.Engel@louisvilleky.gov>
Subject: Land development on Old Bardstown Rd

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Robin,

I want to voice my strong opposition to the new proposed zoning change and development on Old Bardstown Rd, where silver linings stables was previously located. This development is bad for property values, traffic, the environment and safety. I feel the sale was done behind the backs of the residence in the area, and much more consideration should be given before such a development of that density. This project should not be located there.

I am not opposed to development in the area but we need to stick to single family homes on mid sized lots to be consistent with other developments.

I need you make a strong Stand with the existing residence in the area in opposition to this development.

Mark Yates
Old Bardstown Rd

Sent from my Sprint Samsung Galaxy S20 5G.

St. Germain, Dante

From: Sissy Gaes <sisygaes@yahoo.com>
Sent: Friday, April 16, 2021 8:04 PM
To: St. Germain, Dante
Subject: 9300 Old Bardstown Rd

Follow Up Flag: Follow up
Flag Status: Flagged

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Please consider this email notice of our opposition to the proposed subdivision at 9300 Old Bardstown Rd. Further development should be denied until steps have been taken to address the volume of traffic and the frequency of accidents on Bardstown Road. It recently took us 70 minutes to come 4.5 miles because of another car accident on Bardstown.

Craig and GERALYN GAES
8618 Sanctuary Lane
Louisville, KY. 40291

St. Germain, Dante

From: Christy Justice <christyjustice@live.com>
Sent: Thursday, April 15, 2021 3:13 PM
To: St. Germain, Dante
Subject: Case #21-ZONEPA-0022

Follow Up Flag: Follow up
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Hi,

I am writing to oppose the change of zoning at 9300 Old Bardstown Rd. The following are reasons for denial of this request:

- **Traffic:** While I understand that increased traffic is a result of urban living, prior to this proposed development it was already an issue. The traffic going from Old Bardstown Rd. is already heavily congested due to the home and apartments located on road, as well as the drivers who use it as a short cut to avoid the heavy traffic of Bardstown Rd, coming from or going to Mt. Washington. I have observed at least four incidents of near wrecks due to people trying to go around others waiting at lights.
- **Water issues:** We live in the newly developed neighborhood of Tuscany Ridge and have several issues with standing water and water pressure. While the standing water could be likely to grading issues, the water pressure is a significant problem and its a problem through the entire neighborhood. We've had everything checked by the water company and everything checks out. Does this mean a new water tower will need to be built to supply us and an entirely new neighborhood?
- The request to change zone was not from a long standing neighbor. This was an unfortunate circumstance that led to a neighbor losing their land and a developer, not related to the neighborhood, coming in to purchase it.

St. Germain, Dante

From: Marianne Bryant <mbdb56@yahoo.com>
Sent: Friday, April 16, 2021 2:42 PM
To: St. Germain, Dante
Subject: 9300 old bardstown rd proposed housing

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I am opposed to this project of more housing adjacent to Bardstown rd. Traffic on bardstown rd is a nightmare. Until the infrastructure is changed to accommodate more traffic, zoning and planning needs to put the brakes on any new construction. There are already a couple of apartment complexes going up that need to be accounted in any traffic studies

Marianne Bryant , property owner
10335 Venado Dr
Louisville Ky 40291

[Sent from Yahoo Mail for iPhone](#)

St. Germain, Dante

From: Larry Wright <larrywright151@gmail.com>
Sent: Friday, April 16, 2021 1:33 PM
To: St. Germain, Dante
Cc: Cathey Wright; larrywright151@gmail.com
Subject: Proposed Subdivision at 9300 Old Bardstown Road, Louisville Ky

Follow Up Flag: Follow up
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Dear Planning Coordinator:

My Wife (Cathey) and I live two tenths of a mile south of 9300 Old Bardstown Road at 9407 Old Bardstown Road. We are totally against the proposed new subdivision at 9300 Old Bardstown Road, Louisville Ky.

The reason is the heavy volume of vehicle traffic on Old Bardstown Road now. Citizens use Old Bardstown Road as a cut through going to Fairmount Road and other places. This has resulted in three traffic accidents recently thereby causing a serious safety problem and concern.

Best regards,
Larry G. Wright
Property Owner
9407 Old Bardstown Road
Louisville, Ky 40291
502-645-5482

St. Germain, Dante

From: Nora McNear <noramcnear@icloud.com>
Sent: Tuesday, April 13, 2021 6:31 PM
To: St. Germain, Dante
Subject: 9300 Old Bardstown Rd

Follow Up Flag: Follow up
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Dante, I received your email, and my husband and I really oppose this development on the property right beside us, the old Bardstown road traffic is horrible right now as it is, with all these new development going on Old Bardstown Rd, that is going to drop our property values along with all the other problems it will cause. We bought this house because it was like living out in the country a little to us no close neighbors and beside a horse farm, which by the way has been pretty quiet and peaceful which was what we were looking for! These new homes and duplexes will cause more traffic, afraid of more problems because it seems that as many as being build they will not be very expensive homes! Please do what you can to stop this coming to Old Bardstown Rd.

Thank you John and Nora McNear
Sent from my iPhone

St. Germain, Dante

From: Cheryl Stout <cherylstout@bellsouth.net>
Sent: Tuesday, April 13, 2021 2:51 PM
To: St. Germain, Dante
Subject: Zoning on Ok'd Bardstown Road - Fern Creek

Follow Up Flag: Follow up
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I live off Old Bardstown Road in Bardstown Woods. I strongly oppose the rezoning of the property that was previously a horse farm. My understanding is the purpose of the rezoning is to build homes / apartments/ townhouses. While I support the need / desire to provide additional housing in the area, the simple fact is this area CANNOT support additional traffic. Pulling out on Old Bardstown is frequently difficult. Then getting from Old Bardstown Road to Bardstown Road can be extremely dangerous. The traffic has long delays during the rush hours. I challenge you to drive through this area in the early morning (7am-9am) and in the late afternoon (4pm-6:30pm). If you do this for several days; you, too, would oppose it.

Thank you for your consideration,

Cheryl Stout
9600 Marceitta Way
Louisville, Kentucky 40291
502-552-1458

Sent from my iPhone

St. Germain, Dante

From: Ted Dillman <teddyz47@me.com>
Sent: Tuesday, April 13, 2021 10:15 AM
To: St. Germain, Dante
Subject: Zone change

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Hello

My name is Frank Dillman, I live in Little spring Farms. Please , please do not allow this change of zone to happen. We are already seeing an explosion of apartment/ condo development in this area !!! Just drive down Bardstown rd and old bardstown rd. You'll see all the existing, and new development going up !!!!! The traffic in this area is HORRENDOUS!!!!!!! Early morning and especially afternoons. Keep our property value from going down .

Thank you

Sent from my iPhone

St. Germain, Dante

From: Mark Yates <yateselect@gmail.com>
Sent: Monday, April 12, 2021 9:12 PM
To: St. Germain, Dante
Subject: Zone change case 9300 Old Bardstown Rd, 40291 case #21-ZONEPA-0022

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Dante

I want to voice my strong opposition to the new proposed zoning change and development at 9300 Old Bardstown Rd, where silver linings stables was previously located. This development is bad for property values, traffic, the environment and safety. I feel the sale was done behind the backs of the residence in the area, and much more consideration should be given before such a development of that density. This project should not be located there.

I am not opposed to development in the area but we need to stick to single family homes on mid sized lots to be consistent with other developments.

I will be at the meeting on April 20th to voice the same opposition.

Mark Yates
9404 Old Bardstown Rd

Sent from my Sprint Samsung Galaxy S20 5G.