From:

Holly Rickard < Holly.Rickard@trilogyhs.com>

Sent:

Monday, November 24, 2014 6:30 PM

To:

Wagner, David B (PDS)

Cc:

jschifano@bbandt.com; jschifano@att.net

Subject:

Concerns of Redwood development, Stapleton Ridge, Case # 14, sub-division 1009

Mr. David Wagner
Planning and zoning Commission
Metro Louisville, Kentucky

RE: Redwood development, Stapleton Ridge, Case # 14, sub-division 1009

Dear Mr. Wagner,

Please accept this email as my formal document of protest in consideration of the project at 15528 Aiken Road Louisville Kentucky 40245 by Stapleton Ridge Development by the respected planning and Zoning Commission of Metro Louisville.

We hereby request that our comments and concerns be included in your staff report.

- Project will violate the Land Development Code
- Destroy the preservation of the surrounding area, trees, vegetation, streams, and the natural beauty
  of the area.
- Apartments are not compatible with adjoining properties.
- Buildings can easily be seen from the adjoining road which is a violation of the Land Development Code.
- Area roads cannot handle the increased volume in traffic creating a dangerous situation.

Thank you for your consideration!

Joseph G. Schifano 1001 Johnson Farm Road Louisville, KY 40245 jschifano@att.net.

This message is confidential, intended only for the named recipient(s) and may contain information that is privileged or exempt from disclosure under applicable law. Any health information must be delivered immediately to the intended recipient(s). If you are not the intended recipient(s), you are notified that the dissemination, distribution or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at either the email address or telephone number above and discard this email. Thank You!

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From:

Jerry Horine <horinejerry@gmail.com> Sunday, November 23, 2014 9:35 AM

Sent: To:

Wagner, David B (PDS)

Subject:

Stapleton Ridge Development

### Dear Mr Wagner

I am opposed to the proposed development "Stapleton Ridge" at 15528 Aiken Rd and I am requesting that my opposition be shared with the Planning Committee.

My concerns are for the safety of the elderly citizens who will be living there. The following are quotes from the summary of the neighborhood meeting held on August 21, 2014 submitted by attorney William B Bardenwerper who represents the developer.

James E Frey of Redwood in referring to the features of the patio home style rental units stated that "These communities are very appealing to empty nesters, usually seniors, as said, who do not want to purchase a unit but many who rather would prefer to rent a unit part of a year and live elsewhere the other part of the year".

I urge you not to allow this developer to create this hazard for the elderly and encouraging them to live is this unsafe environment.

• Mr Bardenwerper explained, as did Mr Mindel (Dave Mindel with Mindel Scott & Associates who represents the developer) that "their parents would prefer living in rental communities rather than in for-sale patio homes communities. Sometimes this is true because the elderly person does not have enough money to purchase a patio home unit. Other times it is because they don't want to purchase a unit that they don't have that much time remaining to occupy."

I understand how this type of community would appeal to the elderly with the exception of the floodplain issue. I don't believe that either Mr Bardenwerper or Mr Mindel meant to indicate that their parents would prefer living in the floodplain or that they would approve of having their parents living in this dangerous community.

I would also believe that any member to the Planning Committee, as myself would not want any family member, friend, neighbor, or anyone living in this in this proposed unsafe neighborhood.

I sincerely hope that the members of the Planning Committee will agree with me and not allow this unsafe development be built.

Kind regards,

Murlene Horine

From:

Michael Kaufling <mjkk1704@yahoo.com>

Sent:

Thursday, November 20, 2014 8:32 PM

To: Subject: Wagner, David B (PDS) Redwood Development

Hi David.

We miss seeing you! Also, we wanted to express our opposition the planned development by Redwood at Aiken Road and Floyds Fork. Having lived above that land for much of our lives, we can attest to regular flooding. Their plans for rain water containment, in our estimation, are entirely inadequate. Furthermore, why would anyone want to develop that beautiful wetland area? In addition, the amount of pollution that would be transferred from this type of housing to the Parklands is so very detrimental to nature and that ecosphere. We truly believe that this development would be in violation of many of the components of Cornerstone 2020.

Thanks for your consideration!

-The Kaufling Family

1704 N. Beckley Station Road

From:

Rick Blanchard < reblanchard@gmail.com>

Sent:

Thursday, November 20, 2014 2:31 PM

To:

Wagner, David B (PDS)

Subject:

Please stop the proposed Stapleton Ridge development project

Nov 20, 2014

Mr. David Wagner

Planning and zoning Commission

Metro Louisville, Kentucky

RE: Redwood development, Stapleton Ridge, Case # 14, sub-division 1009

Dear Sir,

This is my formal letter of protest in consideration of the project at 15528 Aiken Road Louisville Kentucky 40245 by Stapleton Ridge Development by the respected planning and Zoning Commission of Metro Louisville. This project presents a very real threat this unique part of the Floyd Fork watershed and is a reserve flood zone which is supporting a vast variety of plant and animal life and can prove to be very costly to the tax-payers if allowed.

Short term economic interest of the Metro and a small group of out-of state developers should not outweigh the destructive and devastating impact of this project's environmental and economical aspect. This is in direct contrast to presentation of project's Conservation plans. I find it alarming that a good part of the proposed development is right smack in the middle of a protected wetlands! One would think that the very credibility of the Zoning Commission is at stake.

Wetlands like the one at this location are essential to the eco-system supporting a wide variety of plants and animals lives. This is providing sanctuary, and feeding grounds for many rare and Federally protected migratory birds. The Floyd's Fork ecosystem is a big part of what makes Louisville a wonderful place to live.

The roads leading in and out of this proposed development are clearly inadequate now to accommodate the current traffic flow let alone an additional 1000-1500 cars a day added to the traffic flow on Aiken road due to this development.

I love Louisville and choose to raise my family here, but I struggle to understand how a progressive city such as ours, that builds and supports a world-class park system like the Floyd's Fork 20th Century Parks, can approve an ecological disaster like this proposed development. And only a short distance upstream from Beckley Creek Park.

I respectfully ask that you stop this development from being built (and on a protected wetlands mind you) on the banks of what is one of Louisville's treasures.

Respectfully,

Rick & Cheryl Blanchard

From:

Jim Headlee <jamesheadlee@gmail.com> Tuesday, November 18, 2014 10:09 PM

Sent: To:

Wagner, David B (PDS)

Cc:

rccar@bellsouth.net; waynehameloth@bellsouth.net; Gregg Dedrick (greggdedrick@gmail.com); Stpinlou@aol.com; TeenaHal@aol.com;

jerry@maillouisville.com; Scott Jones; Cole Asher; horinejerry@gmail.com; Micki Worley;

charlies350; Jenny Headlee; Jay Mudd; j.chism@twc.com; Joyce Hameloth; Loyce

Markwell; Thomas A Mulhall; Bruce Fraser; Michael Diebold; Dave Nicheols; john brandt;

suz212@att.net; Ciotti, Suzanne; pattilam3@gmail.com; David Adams; John;

radford@twc.com; Billy Kaufman; susan bridges; Angie Adams; scott.jones@twc.com;

fixbax; shab; 'Bill Bardenwerper' (wbb@bardlaw.net); David Mindel (dmindel@mindelscott.com) (dmindel@mindelscott.com); Kathy Linares

(klinares@mindelscott.com); Wethington, Jessica; Harrington, Scott; Payton, Julie; Pat

Barry

Subject:

Re: 14SUBDIV1009 - Stapleton Ridge Conservation Subdivision Proposal

Dear David,

Thank you for providing this information and keeping us informed. This is helpful.

We continue to be very interested in protecting the area from seeing a development like this and from this particular developer.

Kind regards,

Jim Headlee

On Nov 18, 2014, at 8:07 PM, Wagner, David B (PDS) < <u>David.Wagner@louisvilleky.gov</u>> wrote:

To All Interested Parties:

This email is in response to your questions and concerns about this proposed development. The applicant has submitted a plan that is ready to be docketed for which the Planning Commission (or committee thereof) will take action and I will answer your questions as much as possible. If there are any other concerned citizens that were not copied on this email, please forward to them as I have included every email address to my knowledge. I have also attached the most up to date plan for your reference.

1. The subdivision of land in Louisville Metro is a ministerial act that is regulated by the Planning Commission. If a proposed subdivision meets the zoning and subdivision regulations, the Planning Commission should approve the proposal. Conservation Subdivisions allow for more flexibility in the standards than is required for a subdivision in exchange for the conservation of at least 30% of the total land area whereas a standard subdivision requires 0% of the land to be conserved. The Con. Sub. regulations act more as recommendations than requirements. Keep in mind that the term Conservation Subdivision includes one word that suggests preservation of land while the other word suggests development of land. Conservation Subdivisions are not intended to prevent development

but to allow development that will preserve a certain amount of undisturbed land. The Floyds Fork Overlay District regulations act in a similar fashion. They are not mandatory or required standards to be met but are recommendations that are preferred methods of development in an environmentally sensitive area. My staff report will include conclusions as to whether the proposal meets the requirements for a subdivision and also discuss whether or not other recommendations were implemented by the applicant.

- 2... A concern has been brought up about an apartment complex being built on this site. However, this proposal is only single family residential. The 4, 6, 7 and 8 Unit buildings you see at the northeastern corner of the development are attached dwelling units which are townhomes. Each dwelling unit is on its own lot. Though these units have a common wall, there is no more than one unit on each lot and, therefore, this is not multi-family residential. I understand the developer intends to make the townhomes rental units, but that does not mean this development is multi-family residential.
- 3. Required buffers around Floyds Fork, Aiken Road (as a Scenic Corridor), and wetlands have been provided.
- 4. Geotech and Soils Reports and a Traffic Study have been submitted by the applicant which are available in the file for you to review at your convenience.
- 5. The density for this proposal is 3.36 dwellings per acre, less than the maximum permitted density of 4.84 dwellings per acre in the R-4 zoning district.
- 6. Transportation Review (Julie Payton julie.payton@louisvilleky.gov) and MSD (Pat Barry pat.barry@louisvillemsd.org) have given preliminary approval for this proposal. If you have in depth questions about traffic and drainage, I recommend speaking with them as they have reviewed the plan for those specific issues.
- 7. All of your emails have been placed in the file and will be made available to the Planning Commission for their review prior to any public meeting being held.

If you have further comments or questions, please forward them to me and I will help guide you towards getting them answered. Thank you!

# David B. Wagner, Planner II

Develop Louisville – Planning & Design Services 444 S. 5th St., Suite 300 Louisville, KY 40202 Direct: (502) 574 - 6019 Fax: (502) 574 - 8129 david.wagner@louisvilleky.gov

<image001.jpg><image002.gif>Sign up to receive notices of developments in your Metro Council District!
Click Here to take our Customer Satisfaction Survey

<14subdiv1009\_Current Plan As Of November 3 2014.pdf>

From:

fixbax <fixbax@bellsouth.net>

Sent:

Tuesday, November 18, 2014 2:30 PM

To:

Wagner, David B (PDS)

Cc:

shab; horinejerry@gmail.com

Subject:

Stapleton Ridge Development Case # 14 Subdiv 1009

Nov 14, 2014

Mr. David Wagner
Planning and zoning Commission
Metro Louisville, Kentucky

RE: Redwood development, Stapleton Ridge, Case # 14, sub-division 1009

Dear Sir,

This is our formal letter of protest in consideration of the project at 15528 Aiken Road Louisville Kentucky 40245 by Stapleton Ridge Development by the respected planning and Zoning Commission of Metro Louisville. This project shall under mind this unique part of the Floyd Fork GULLY/ land formation as a reserve flood zone which is supporting a vast variety of plant and animal life and can prove to be very costly to the tax-payers if allowed.

Short term economic interest of the Metro should not outweigh the destructive and devastating impact of this project's environmental and economical aspect. This is in contrast to presentation of project's Conservation plans, rendering it BIASED, and not supported by the sound science.

As a Zoologist, and Naturalist with formal studies and experience of over 36 years and thousands of field study hours across the country, I have observed many cataloged plants and animal species which are very unique, only to be found in this part of our country/ OHIO VALLEY/Jefferson county.

Keeping in mind that new species are constantly discovered, as many should be by our future scientists, THE CHILDREN!

I have consulted with forestry service and have planted over 1000 trees and shrubs, promoting this environmental diversity.

"Wet land habitats" as with this location are essential to the eco-system supporting a wide variety of plants and animals lives. This is providing sanctuary, and feeding grounds for many rare migratory birds crossing this region including cranes.

This back yard habitat is environmentally beneficial to the Floyd Fork and devastating to future homeowners at this project, if it should be allowed to be disturbed.

The previous owners have filled many of the flood reserve holes on the Aiken side in with only loose dirt in past years and it is unstable during wet season not when it was measures in dry season.

Under ground, aqueducts and the surface water flow once is distorted shall result in massive flood, costing ALL parties, the city, and residents. No pump or flood pool can off set this natural phenomenon. This in turn will significantly increase the monetary losses with negative economic and emotional hardship and displaced families.

Top soil is more valuable than gold, as it has taken over an average of 400 million years for this bed to have been formed. This Floyd Fork GULLY must not be made into an economical disaster. This can become another waste land with negative impacts on the river life and natural drainage with further choking of our waterways with SILTATION and Soil instability. Once the hundred year old tress are removed to be replace with new saplings, the damage is done! Siltation by loosing the top soil is yet another hampering element to the aquatic, land, plants and animal/ eco-system causing formation of harmful algae further chocking the oxygen in waterways leading to the impurity of OHIO RIVER.

Topography of land has been established with very old trees stabilizing the soil NOT allowing erosion and that any clear cutting/ rearrangement shall be devastating to the land and waterways.

The infrastructure is inadequate to accommodate the current traffic come alone to additional 1000-1500 cars added to the traffic on Aiken road. No official traffic studies have been undertaken by the appropriate governmental agencies. In the past 17 years, we have witnessed five single car accidents/roll over of cars with significant personal and property damage with one fatality within a ½ mile of this location. This is recorded by the LMPD and our 911 calls.

Upon periods of rain, school buses splash over 7-8 feet high water passing this portion of Aiken road, DOCUMENTED BY many VIDEO clips

Henry David Thoreau as a part of our American Heritage in Walden Pond reminds us That "This Earth is the Mother of all creatures" and what we can do on our own in our home community is very important. Without John Muir, there would not have been a YOSEMITE with only 10% of Ancient RED WOODS left and the rest cut for profit!

Metro government need to consider diverting its interest in preservation of this Floyd Fork Gully as wise progressive thinking and planned urban areas as with many Cities across the country, which are promoting their cities as an eco-friendly before it is destroyed (Portland, San Jose, Minneapolis, Denver, Boise.....).

At a fraction of a cost of \$35 million for a botanical garden over a landfill in downtown, a nursery and or sanctuary shall be a benefit to the Metro Louisville for a positive economic growth. As the Floyd Fork Park and recreation is to be expanded.

Thank you,

DR. Mosen R. Khani 16306 Aiken Rd. Louisville, KY 40245

From:

susan bridges <sbridges@twc.com>

Sent:

Sunday, November 16, 2014 10:17 PM

To:

Wagner, David B (PDS)

Cc:

David Adams; Angie Adams; scott.jones@twc.com

Subject:

Proposed Development at 15528 Aiken Rd

Dear Mr. Wagner,

I am writing about the proposed Redwood Inc.'s development at 15528 Aiken Road consisting of apartments and other high density housing. You are probably already aware of this issue but I wanted to be sure. I believe the Parklands of Floyds Fork would be vehemently opposed to such a development based on the environmental stress that the area would sustain.

I cannot imagine how much pollution run off there would be with massive construction and dense living right along the waterway. There would also be a big increase in traffic on roads and on the bridge estimated at 1000 more cars daily. The disturbance by work trucks, ground erosion, many cars, waste of all kinds, landscaping chemicals, noise, lights etc would disrupt wildlife habitat and the rural beauty of the area. This crowded development with no concern for the environment would result in water, ground, air, noise and even light pollution.

Floyds Fork is attempting to be the only healthy water way in the city that still has a diverse population of organisms. My son and I attended a lecture at the park concerning the health of mussels in the Floyds Fork watershed. As you know they are very sensitive creatures to pollution and a good indicator of water quality. Mussels are the living filters of streams and cannot tolerate pollution. Beargrass creek is considered a "dead creek" due to the water contaminants as there are no longer mussels present to "clean" the water. The mussel population in Floyds Fork is considered threatened at this time so we must be vigilant of threats to water quality.

If homes must be built on this property they should be on large lots with conservation and the maintaining of habitat in mind to protect the fragile ecosystem. It should not be a dense overly populated complex.

There is an oppositional meeting at Lake Forest on Tuesday, November 18, at 6:30 pm at Lake Forest Lodge

Thank you for your attention to this matter.

Susan Bridges Hermitage Ridge Subdivision 2625 Flat Rock Road Louisville, KY 40245 502-472-0022 (cell)

From:

Billy Kaufman <billykjr@gmail.com>

Sent:

Sunday, November 16, 2014 3:43 PM

To:

Wagner, David B (PDS)

Subject:

Case#14Subdiv1009

Mr. Wagner,

I'm writing to express my disapproval of the proposed development at 15528 Aiken Road. I am a firm believer in capitalism but I am also a nature lover. I cannot begin to understand why Jefferson county would spend so much time and money developing the Parklands of Floyd's Fork and then turn around and allow a high density development to be built on the upstream border of the very stream the park is centered around.

It is my understanding that there are numerous legal issues that should inhibit the developer's right to use the land as they have proposed. I'm sure many concerned residents will communicate those with you so I won't bother researching and listing those here.

Please note that I am yet another proud Louisville resident that strongly opposes this development. There are hundreds if not thousands of people who visit the creek and it's park system daily and I have to believe if they knew about this proposed development they too would reject it.

Sincerely,

William Kaufman Hermitage Ridge Farms

From:

radford@twc.com

Sent:

Thursday, November 13, 2014 1:03 PM

To:

Wagner, David B (PDS)

Subject:

REDWOOD DEVELOPMENT, STAPLETON RIDGE CASE #14 SUBDIV1009

Dear Mr. Wagner,

I live at 2601 Flat Rock Road and am writing to express concern regarding the above referenced development on Aiken Road.

#### My reasons:

Apartments are not compatible with adjoining properties.

Aiken Road is already dangerous and the additional traffic will make it even more so. I have lived here over 20 years and I have seen the subject property seriously flooded.

Regards,

Betty and Bob Radford



This email is free from viruses and malware because avast! Antivirus protection is active.

From:

Wagner, David B (PDS)

Sent:

Tuesday, November 11, 2014 1:40 PM

To:

Wethington, Jessica

Subject:

RE: letter to Mayor Fischer pertaining to Land Development Code

#### Jessica,

I have received lots of correspondence on the Stapleton Ridge Conservation Subdivision proposal. I did receive the attached typed letter from Mr. Diebold but had not received the hand written note which I will add to the file. I was waiting until I had a final version of the plan before responding to all of the emails at once and copying them each on the email. Now that I believe I have that final version of the plan that will be considered by the Planning Commission, I will be sending that email soon. Let me know if you have any other questions!

## David B. Wagner, Planner II

Direct: (502) 574 - 6019 david.wagner@louisvilleky.gov

From: Wethington, Jessica

Sent: Tuesday, November 11, 2014 12:11 PM

To: Wagner, David B (PDS)

Subject: FW: letter to Mayor Fischer pertaining to Land Development Code

David,

The Mayor's office received the attached citizen letter re: 14SUBDIV1009. Have you already received this letter and if so, have you replied?

I just need to keep the Mayor's office in the loop.

Thanks!

From: Jackson, Althea

Sent: Tuesday, November 11, 2014 10:24 AM

To: Wethington, Jessica

Subject: letter to Mayor Fischer pertaining to Land Development Code

Hi Jessica. Should you handle the attached?

#### Althea Jackson

Office of the Mayor Louisville Metro Government 527 W. Jefferson Street Suite 200 Louisville, KY 40202 Direct Line- 574-1050 Fax number-574-8777

10/24

Mayn Fisher 0 30 2014

This proposal is totally

ant of ling with all the

development 5 n: dz 1, we.

Please Plast

Well stip I.

M. Col Carled

Dear Mr. Wagner,

Re: Redwood Development Stapleton Ridge Case # 14 Subdiv 1009.

I want to express my serious opposition to the above referenced proposed development along Floyd's Fork with the address of 15528 Aiken Road.

I live at 16901 Aiken Road and I am adamantly opposed to this developer being allowed to put apartments onto this property.

-Apartments are not compatible with adjoining properties and after attending their open meeting August 21, 2014 and reviewing their proposed layout, the buildings will be easily seen from the road which is in violation of the Land Development Code. Don't let Redwood get away with this!

Redwood attorney Mr. Bartenwerper estimated that an additional 1000 cars per day will come in and out of the subdivision onto Aiken Road. I am retired and moved out to my family's farm just across the Floyd's Fork Creek from 15528 Aiken Road. This past year 2013 we had three serious accidents on the road approaching the creek. One resulted in a death.1000 more cars on Aiken Road is simply inconceivable. Aiken Road is narrow, winding and already overcrowded. Will Redwood widen Aiken Road to four lanes form the creek to Old Henry Road? I doubt it.

-Redwood was touting this as a "Conservation Subdivision". Their proposal violates Chapter 7 Part 11 which deals with "Conservation Subdivisions" in that it simply does not meet the definition of having houses clustered with conservation areas as opposed to traditional row houses. (See their layout). If you review the current LOJIC map for this property almost all of it is PCA and should not be developed. The lot designs must be compatible with existing developments and preserve existing topography. As mayor Fischer has noted Louisville needs to retain all the mature trees it has. We do not need to allow a new development with more asphalt and concrete.

-This property is also subject to a Karst Review which is Chapter 4 Part 9 of the LDC. This development also needs to be consistent with Cornerstone 2020. I assume you will take these requirements into consideration as you review the legality of their request.

In my opinion Redwood simply wants to put as many units onto this property as they can. This has nothing to do with "conservation" but everything to do with overcrowding and profits. Mr. Wagner, Redwood's project will make my family and neighbors and any residents of their apartments be subject to increased safety hazards driving on Aiken Road, every day.

This project is a bad idea and I hope you will see fit to prohibit it from being developed upon this parcel.

Thank you

Sincerely,

Michael A. Diebold

16901 Aiken Rd.

Louisville, KY 40245

From: John <jnburkett@hotmail.com>

Sent: Tuesday, November 11, 2014 9:27 AM

To: Wagner, David B (PDS)

**Subject:** Redwood Development, Stapleton Ridge Case #14 subdiv1009

To Mr. Wagner and the Members of the Development Review Committee,

The purpose of this letter is to convey my reservations with the proposed Redwood Development of Stapleton Ridge at 15528 Aiken Road.

I am a resident of the immediate area - I live at 1830 Boone Trail. I drive Aiken Road, cross the beautiful Floyd's Fork, and pass the proposed development site every single day. It is inconceivable to me that this subdivision as planned could be built here at all, much less responsibly. To do so would not only ignore the character of the surrounding land and residences, it would violate, as I interpret it, several components of the Land Development Code.

A "conservation subdivision" is a misnomer. It is an egregiously misleading label. It suggests development with the goal of conservation, of preserving the land, the natural beauty, the surrounding habitat. In reality, it is a means by which a builder can get around the standard regulations applied to subdivisions. It is license to do quite the opposite of conservation. This plan will cram as many homes and apartments into as small an area as you will allow - a much higher density than any of the surrounding subdivisions. How can increasing the number of homes per acre possibly be construed as conservation? This development will undoubtedly encroach on the Fork's floodplain, quite possibly creating runoff problems for home owners and businesses downstream. In the process, vital habitat and wetlands along the Fork will be destroyed. What about that is conservationist? The ethical implications aside, those factors are all seemingly in violation of various chapters of the Land Development Code, both in letter and in spirit.

As if those were not reason enough for concern, this project is expected to increase the number of vehicles on Aiken Road by approximately one thousand cars per day. One thousand more cars per day on a two-lane, 35 mile-per-hour road that is already overtaxed? Such an increase in traffic on such a heavily traveled road will be untenable. Eventually, it will undoubtedly necessitate widening of Aiken Road to accommodate the increased volume. (And there is nothing about that that's conservationist.)

Perhaps just as important an issue to consider as the environmental and traffic impact of this is need. What need does this meet? Does the area need more housing? Even now, in November, there are over 100 homes on the market between Lake Forest, Persimmon Ridge, and the Polo Fields, and that does not include the surrounding areas off Aiken Road outside of those subdivisions. In addition, a large apartment complex was just constructed off Bush Farm Road. Is more housing really necessary? In this era of suburban sprawl, should we not be obligated, in the name of preservation and the responsible utilization of land and resources, to prove a need for more development prior to building yet another subdivision?

I wish letters like this were not necessary. I wish developers and planners would respect and defer to the residents of the area surrounding their projects. Unrealistic? With the limitless greed of industry, of course it is. Unreasonable? I don't think so. Should the residents of an area not have say in what is constructed in their midst? Who has to live with this project and its effects? The developer? No. They will collect their profit and move on to some other neighborhood. The Development Review Committee? Do any members of the committee live around here? Would any of you want something like this constructed next door to you? The residents of this area have to live with it. It is the residents who endure the inconvenience of the construction; the residents who lose the local green space; the residents who get mired in the gridlock of worsening traffic.

I choose to live in this area because it is beautiful, because I care about my surroundings, because I know I am among similar-minded individuals who value preserving this. To those of us who reside in the area, there is nothing palatable about this proposal. It's not development to which we are opposed, it is senseless development without regard for need, without regard for the land or the neighbors who cherish it. The abysmal Better Business Bureau rating of this developer aside, there is little merit in the proposal upon which one could fathom it's approval. I hope the Committee will uphold and enforce the letter and spirit of the Land Development Code and prevent this from going any further. I hope you will hear the local residents who are overwhelmingly opposed to this project.

Thank you very much, Mr. Wagner and Members of the Committee, for your consideration. I do appreciate your time immensely.

Sincerely,

John Burkett

From:

David Adams < daadams@twc.com>

Sent:

Monday, November 10, 2014 12:22 PM

To:

Wagner, David B (PDS)

Subject:

Stapelton Ridge proposal - 15528 Aiken Rd, Case# 14 SUBDIV loog

#### Dear Mr Wagner,

I am the president of Hermitage Ridge Homeowners Association (HOA). Hermitage Ridge is located on the North end of Flat Rock Rd and includes 26 homes. We held our annual meeting last night and received a report from 2 of our homeowners that have been following this project closely. The vote was unanimous to oppose this project and spending was approved for legal opposition. All of our residents were also encouraged to share their individual concerns with you. This was one of the most vocal issues I have heard since the Floyds Fork Bridge was closed for rebuilding on Aiken Road.

Here are the primary concerns that were expressed:

- 1) Many of our neighbors and families are cyclists and are very concerned about the increased traffic volume on Aiken Road. Aiken Road was recently repayed but it is still narrow and especially hazardous due to the high volume of commercial traffic. Additional high volume would make this situation even more dangerous.
- 2) Floyds Fork is a beautiful waterway and the encroachment of a large development so close is a visual concern.
- 3) Floyds Fork is also prone to flooding in periods of high rainfall. Changing the flood plain could have wide ranging impacts from road closure to bridge stress and other environmental aspects.
- 4)No one was aware that this type of development was possible in this area. It does not fit into any of the surrounding property and there are no apartments in the area.
- 5) Cosmetic concerns over the addition of high density housing and apartments so close to Aiken, Beckley Station and Johnson Roads. It was noted that this type of development was not supposed to be visible from the roadway per the Land Development Code. Changes to hide this development could create a major eyesore.

No one in our community is opposed to progress but everything we have learned about this development is a concern. It does not fit in our area and common sense has not been utilized. I hope you will take a close look at this development and realize that this is simply not the right location for this project.

Thank you for your help and support. I would be happy to discuss this further if you have any questions or would like any clarification on any of our homeowner concerns.

Best regards, David

David Adams
President, Hermitage Ridge Homeowners Association
2701 Flat Rock Road
Louisville, KY 40245

502-939-1802 cell

From:

Gregg Dedrick < greggdedrick@gmail.com>

Sent:

Sunday, November 09, 2014 10:44 AM

To:

Wagner, David B (PDS)

Subject:

Case #14subdiv1009

> Hello David,

>

> I am writing to you today to express my opposition to the Stapleton Ridge development proposed for 15528 Aiken Road.

>

> I live in the Forest Point subdivision at 2000 Forest Pointe Ln. I also own the land adjacent to a large piece of the property being considered for development (16006 Aiken Road).

>

> I was surprised to learn of the expansive plans that Redwood is proposing for this piece of property for several reasons. My experience in dealing with some of the restrictions that are contained in this area due to the existence of extensive wetlands, Floyd's Fork, floodplains, and the accompanying Floyd's Fork overlay restrictions, seem to be completely incompatible with this proposal. In my experience in developing my own property in the same area, there has been extensive oversight, concern and restriction of engaging in any activity that disturbs soil, interrupts the natural flow of water, encroaches on the floodplain, or changes the rural nature of this area. Will these be the types of regulations that are enforced on individual property owners but are not imposed on large development corporations with the resources to "push" things through the process?

`

> In proposing a "conservation subdivision" it seems to me that it's inconsistent with having 200 homes developed on this property, a doubling of what would normally be there, and anything to do with conservation. Is that really the spirit of what was intended, especially in an area adjacent to Floyd's Fork?

>

> I am sure that you are already aware of the violations to the LDC code as it is clear the buildings will be seen from the road and the inconsistency and incompatibility of having apartments in this area.

`

> Another great concern of mine is the traffic that will be added to an already dangerous situation on Aiken Road. That stretch of road is narrow, with a little shoulder room, and a traffic flow that often exceeds the speed limit. Adding 1000 cars per day to that situation (the number given by the Redwood proposal) is very concerning. I have two points of ingress and egress to Aiken Road: one from my personal property in the Forest Pointe subdivision, and one from my property located at 16006 Aiken Rd. I am already encountering significant traffic concerns without an additional thousand cars per day!

>

- > Thank you for your attention to this matter, I appreciate it. Please let me know if you have any questions or wish to discuss further.
- > Regards
- > Gregg and Shelley Dedrick
- > Sent from my iPad

>

From:

pattilam3@gmail.com

Sent:

Sunday, November 09, 2014 7:34 AM

To:

Wagner, David B (PDS)

Subject:

Case: 14subdiv1009

RE: 15528 Aiken Road

I was very upset to learn that there are plans in the works to build an apartment complex at the above location. This is a terrible idea!! the traffic would be ridiculous not to mention that is not a location for such a project. I demand that a hearing be held so that we may voice our opinion.

Patricia LaMontagne 15109 Abington Ridge Pl Louisville, KY 40245

From:

Ciotti, Suzanne <SCiotti@BBandT.com>

Sent:

Thursday, October 30, 2014 3:25 PM

To:

Wagner, David B (PDS)

Cc:

Ciotti, Suzanne

Subject:

Floyd's Fork/Aiken Road Preservation Association

Mr. Wagner:

Please note my concern for the proposed development at Floyd's Fork/Aiken Road, as this project will violate the Land Development Code, destroy the preservation of the surrounding area, trees, vegetation, streams, and the natural beauty of the area, trees, vegetation, streams, and the natural beauty of the area, including the wildlife that will be greatly displaced. At some point we need to leave this alone and stop this unnecessary development to fatten up pockets!! Apartments are certainly not compatible with the beautiful, sparse homes. Buildings can easily be seen from the adjoining road which is definitely a violation of the Land Development Code. Last, but certainly not least the area road cannot handle the increased volume in traffic, which already creates a dangerous situation. I fear for lives on that road as it is, and an increased volume in traffic will create a very dangerous situation. Sit out there one day between 7:00 am and 8:30 am, as well as 4:30 pm and 6:30 pm and you will see.

I hope you take this into careful consideration.

Thank you,

Suzanne Ciotti

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From:

john brandt <jbthre3@att.net>

Sent:

Tuesday, October 28, 2014 1:58 PM

To:

Wagner, David B (PDS)

Cc:

suz212@att.net

Subject:

The Floyd's Fork/Aiken Road housing construction project

Dear Mr. Wagner,

My wife and I would like to strongly request you deny the proposed new construction project of single and multi-family homes and apartments on Aiken Rd and Floyd's Fork.

#### This project will:

- 1. Greatly increase traffic on Aiken, Johnson, Bush Farm and I-265 as well as entrance and exit ramps which are already at capacity in the morning and evening rush hours. The exits to I-265 and Shelbyville Rd. already back up on to the expressway as well as entrance ramps causing a highly dangerous situation.
- 2. Bush Farm and Aiken Roads are very narrow, rural roads which were never designed to handle the current levels of traffic let alone the proposed levels. Both of these roads are also the favorate routes for bicyclist and they are extremly narrow with no passing zones all the way to the new construction. The current situation is an accident waiting to happen. In addition these roads do not lend themselves to widening.
- 3. Has the committee taken into account the very large new apartment and townhouse construction projects as well as the large strip mall now under construction at Bush Farm and Old Henry, near Christian Academy and English Station and Shelbyville Rd. All of which will further add traffic to an already crowded condition.
- 4. This Project will also destroy the preservation of the surrounding areas, trees, vegetation, streams, ecology and natural beauty.
- 5. The proposed buildings can easily be seen from the adjoining road which is a Violation of the Land Development Code. In fact the entire project is in violation of the Land Development Code.

If you and the committee have not made a recent visit to the effected area I strongly suggest you do. A considerable amount of new construction is currently underway which will effect the traffic patterns of the entire area.

Yours truly,

John and Suzanne Brandt 151 Whispering Pines Circle @ the Villas of Persimmon Ridge Louisville, KY 40245

From:

Dave Nicheols <dnicheols@gmail.com>

Sent: To: Monday, October 27, 2014 12:39 PM

Wagner, David B (PDS)

Subject:

Proposed Land Development on Aiken Road at Floyds Fork

I am a resident of Persimmon Ridge which is a development off of Aiken Road in the eastern Jefferson County area. I am writing to encourage you to not allow an apartment complex to be built on Aiken Road at Floyds Fork. The traffic in this area is already heavily congested, and the addition of apartments will not only violate the land development code, but it will also destroy the preservation of the surrounding area. If you allow this apartment complex to be added, then it will be almost impossible to turn left from Bush Farm Road onto Old Henry Road in the mornings as traffic is already congested with the new apartments that have just been built on the north side of Old Henry Road.

Concerned Resident

Dave Nicheols 502-297-7388

From:

Michael Diebold <madiebold2@gmail.com>

Sent:

Sunday, October 26, 2014 11:41 AM

To:

Wagner, David B (PDS)

Subject:

Case#14

Attachments:

Mr Wagner - Redwood.docx

Mr Wagner

Attached is my letter to you Re: Redwood proposal.

Michael Diebold

Dear Mr. Wagner,

Re: Redwood Development Stapleton Ridge Case # 14 Subdiv 1009.

I want to express my serious opposition to the above referenced proposed development along Floyd's Fork with the address of 15528 Aiken Road.

I live at 16901 Aiken Road and I am adamantly opposed to this developer being allowed to put apartments onto this property.

-Apartments are not compatible with adjoining properties and after attending their open meeting August 21, 2014 and reviewing their proposed layout, the buildings will be easily seen from the road which is in violation of the Land Development Code. Don't let Redwood get away with this!

Redwood attorney Mr. Bartenwerper estimated that an additional 1000 cars per day will come in and out of the subdivision onto Aiken Road. I am retired and moved out to my family's farm just across the Floyd's Fork Creek from 15528 Aiken Road. This past year 2013 we had three serious accidents on the road approaching the creek. One resulted in a death.1000 more cars on Aiken Road is simply inconceivable. Aiken Road is narrow, winding and already overcrowded. Will Redwood widen Aiken Road to four lanes form the creek to Old Henry Road? I doubt it.

-Redwood was touting this as a "Conservation Subdivision". Their proposal violates Chapter 7 Part 11 which deals with "Conservation Subdivisions" in that it simply does not meet the definition of having houses clustered with conservation areas as opposed to traditional row houses. (See their layout). If you review the current LOJIC map for this property almost all of it is PCA and should not be developed. The lot designs must be compatible with existing developments and preserve existing topography. As mayor Fischer has noted Louisville needs to retain all the mature trees it has. We do not need to allow a new development with more asphalt and concrete.

-This property is also subject to a Karst Review which is Chapter 4 Part 9 of the LDC. This development also needs to be consistent with Cornerstone 2020. I assume you will take these requirements into consideration as you review the legality of their request.

In my opinion Redwood simply wants to put as many units onto this property as they can. This has nothing to do with "conservation" but everything to do with overcrowding and profits. Mr. Wagner, Redwood's project will make my family and neighbors and any residents of their apartments be subject to increased safety hazards driving on Aiken Road, every day.

This project is a bad idea and I hope you will see fit to prohibit it from being developed upon this parcel.

Thank you

Sincerely, Michael A. Diebold 16901 Aiken Rd. Louisville, KY 40245

From:

Jerry Horine <horinejerry@gmail.com>

Sent:

Thursday, October 23, 2014 7:25 PM

To:

Wagner, David B (PDS)

Subject:

Stapleton Ridge Development case # 14subdiv1009

Dear Mr. Wagner

I am opposed to the Stapleton Ridge development proposed for 15528 Aiken Rd. (case #14subdiv1009). I am requesting my concerns be communicated to the Planning Commission.

The following statements are from the Floyds Fork Study dated March, 2010.

"After the Ohio River, Floyds Fork Creek could be considered as Louisville Metro's greatest remaining environmental asset".

The planning committee should not approve the proposed development on this site in order to preserve this great environmental asset.

"Acres with slopes of 20% or greater generally should not b disturbed".

There are slopes of 20% or greater on this site that should not be disturbed.

"Where possible, preserve and retain historic elements and distinctive site features such as old buildings, cemeteries, archaeological sites, fence rows, walls and other significant signs of land use, and as otherwise identified by the agency responsible for historic preservation."

This site is an archaeological treasure. Most all bottom lands near fresh water streams such as Floyds Fork Creek were a favorite campsite among the native American Indians.

Indiana artifacts have been found on this property and neighboring property as well. In fact, the neighboring farm is called Indian Fields Farm.

Every effort possible should be made to assure an archaeological dig takes place.

"Acres identified as wetlands in studies approved by government agencies should be preserved in their natural state. Drainage, flooding patterns and any hydrological system needed should not be altered. Existing vegetation and trees should be preserved".

There are countless sites in Jefferson Co. that do not have wetlands that have to be destroyed in order to be developed.

"Lawn fertilizers makes its way into Floyds Fork Creek, pollutes the creek and destroys vital animals like mussels, that fish and amphibians eat".

This site is just a few miles upstream from the newly developed Parklands of Floyds Fork. I am concerned about any development along Floyds Fork Creek due to the increased pollution from fertilizers and other

chemicals. This pollution has a negative impact on the quality of water which is currently enjoyed by many canoeist and fishermen as well as the fish and other amphibians.

The following information is from the Floyds Fork Area Study in the 21 Century Parks Master Plan.

Core Conservation Area Policy Recommendations.

"Protect sensitive resources (Floyds Fork, 100 year floodplain, steep slopes, etc."

Much of this site is in the 100 year floodplain and has steep slopes. This site should not be destroyed.

Conservation Development Area Policy Recommendations:

"Review current LDC environmental standards to ensure that the integrity of natural and agricultural resources are maintained.

The Floyds Fork is the largest watershed in the county, it is also the least compromised watershed in the county, according to MSD, as large-scale development in southeastern portions of Jefferson Co. is still relatively sparse. To preserve its rural character, much of Floyds Fork was zoned rural residential in 1993.

I urge the Planning Commission to say no to the proposed Stapleton Ridge development and all other developments along Floyds Fork in the interest of preserving "Louisville Metro's second greatest remaining environmental asset.

Thank you for considering my opinions.

Jerry Horine

From:

Bruce Fraser < jbfraser2700@yahoo.com>

Sent:

Thursday, October 23, 2014 7:06 PM

To:

Wagner, David B (PDS)

Subject:

Case # 14 SUBDIV 1009

#### Dear Sir,

I am writing in regards to the development of Stapleton Ridge subdivision proposed for 15528 Aiken Road by the Redwood Development Company.

My husband and I are very much opposed to this development as presented for homes and apartments.

We feel it is in direct violation of the Land Development Code and would destroy the preservation of the surrounding area including trees, vegetation, streams and most of all, the natural beauty of this area.

The area along Aiken Road and adjacent areas and subdivisions, like ours at Hermitage Ridge, are all on at least 5 acre tracts and still preserves a lot of the natural habitant and vegetation.

With most homes in this area on 5 or more acres, I do not feel that smaller home lots and /or apartments would be compatible.

It would definitely increase the traffic volume on an already-heavily high flow of traffic on a two-lane road. This would definitely create a very dangerous situation on a crowded and curvy narrow road, sometimes sharing with cyclists. Please have Redwood Development Company to reconsider their plans to include the already "country-like" style of living still inside Metro Louisville limits. We take great pride in taking care of the natural beauty that surrounds our properties.

Thank you for your time and interest to our area and please ask Redwood Development Company to reconsider their present plans. I am convinced that the present plan is a total disaster and a mistake. Sincerely,

Jan Fraser

From:

Thomas A Mulhall <mulhall@earthlink.net>

Sent:

Thursday, October 23, 2014 10:51 AM

To:

Wagner, David B (PDS)

Subject:

Stapleton Ridge Development

Mr. Wagner,

Please accept this as my comment on the Stapleton Ridge development off Aiken Road. In no way will an apartment complex be compatible with the surrounding properties.

Aiken Road continues to be a small, rural road that is not even suited for the current traffic flow. As you may know, there have been numerous accidents near where this project is to be located, including at least one fatal accident. It is heavily traveled not just by motor vehicles, but by bicyclists. The additional traffic that will be the result of adding an apartment complex will turn a bad traffic situation into a disastrous situation. More serious or even fatal accidents are almost sure to result.

We hope that the safety issue will be given the highest priority when considering this situation.

Thomas A. Mulhall 2705 Flat Rock Road Louisville, Kentucky 40245

From:

Loyce Markwell <loycemarkwell@att.net>

Sent:

Wednesday, October 22, 2014 10:59 AM

To:

Wagner, David B (PDS)

Subject:

Redwood Development - Stapleton Ridge - Case #14 Subdv1009

Dear Mr. Wagner,

I am a fairly new resident at 2012 Forest Pointe Lane in Middletown and am concerned about proposed development along Floyd's Fork with the address of 15528 Aiken Road. As presented in a meeting to surrounding neighborhoods by Redwood Development, it is apparent the development

will have a negative impact on the environment and substantially increase the traffic flow on Akin Road - additional 1,000 cars per day.

When building my current residence, construction was closely monitored to ensure all environmental codes and regulations were adhered to. It created some challenges, however I understood the requirements and welcomed the need to ensure the area remained environmentally sound. As presented by this developer, the proposed development of rental apartments and cluster housing does not fall into the keeping of the current environment, thus jeopardizing the well being of Floyds Fork and the Wetlands. This is certainly not what they are calling a "Conservation Subdivision" as defined in Chapter 7, Part 11 of the Land Development Code.

Why would the City approve such a proposal, destroying the magnificent, lush vegetation and wetlands in the Middletown area, polluting the Floyds Fork preservation area, and taking away the home of the beautiful wildlife?

I moved to the Floyd's Fork area to get away from city congestion, but it is quickly making its way to Louisville's outlying areas, destroying natural habitat. We must pull the reins on this type of continued development and protect our environment.

I strongly appose the new development and ask that you deny the permit to Redwood Development or any other company requesting a permit to build this type of development.

Please protect our beautiful land Kentucky is known for!

Regards, Loyce E. Markwell

From:

WAYNE HAMELOTH < waynehameloth@bellsouth.net>

Sent:

Monday, October 20, 2014 8:25 PM

To: Subject: Wagner, David B (PDS) Case #14subdiv1009

Mr. Wagner,

I am writing this email to express my opposition to the subject development of Stapleton Ridge. As you know, most of this property is either Floodplain or Wetlands and all of it lies in the Floyds Fork Special Review District. Developing 125 home sites and 80 patio homes on this property, creating 1000 cars a day on Aiken Road would not be of benefit to this area or to the community. Floyds Fork is a pristine environmental area that was important enough to save for the community that a Special Overlay District was created to prevent development such as this. Louisville is making healthy living, the environment, hiking, biking and the development of environmental sensitive parks a high priority and this project goes against that philosophy.

This property is just a couple of miles upstream from the Parklands, a signature achievement of Louisville that is heavily supported by Governor Bashear and Lt. Governor Abramson. To date, over \$100 million has been spent on this project. Cutting down acres of trees will contribute to the soil erosion and add to the silt pollution of Floyds Fork. Lawn fertilizer, asphalt residue, auto rubber and oil residue from the streets will also contribute to the pollution of Floyds Fork. This in turn will pollute the water system of the Parklands. Why create a world class park system, spending millions of dollars and then allow high density development to pollute the ecosystem and destroy what everyone has worked so hard to achieve?

All of the surrounding properties are 5 or more acres in size. This subject property is comprised of lots from several adjoining neighborhoods that was purchased by an individual and combined into the present 70 acre parcel. The deed restrictions from those properties should still be in force, making the Stapleton Ridge development in violation of those restrictions, which stay with the property and not the individual owner and not compatible with the surrounding neighborhoods.

There are thousands if not millions of gallons of water that flow through this property each year to replenish the water in Floyds Fork. This development will inhibit that flow and has the potential to cause flooding to adjacent properties. MSD stated on 9/17/14 "no runoff from this development will be directed into Pond B". In order to do that, the natural flow of water would have to be stopped, resulting in flooding the adjacent properties. The natural flow of water is from the adjacent properties through Pond B into Pond A and into Floyds Fork. The designated "Blue Line" streams on the LOJIC maps and the topographic LOJIC maps show what I've described to you as the natural flow of water. I also witness this every time it rains as my property is part of the "Blue Line" stream system.

After reviewing the different regulations, codes and maps, Stapleton Ridge has nothing to do with "Conservation" and does not meet the Development Design Standards (7.11.5) or the Technical Standards (7.11.9). Stapleton Ridge also does not meet the MSD Standards (Chapter 4 - Sites with Environmental Constraints).

I'm not opposed to developing this land but I am opposed to this high density plan that destroys the wetlands and disturbs the Floodplain and add unnecessary pollution to Floyds Fork and the Parklands.

I am available for further discussion and comment and would like to be kept informed on issues concerning Stapleton Ridge.

Respectfully, Wayne H. Hameloth 2012 Forest Pointe Ln. 40245 502-384-4587

From:

Joyce Hameloth <joycehameloth@att.net>

Sent:

Monday, October 20, 2014 7:22 PM

To:

Wagner, David B (PDS)

Subject:

Redwood Development - Stapleton Ridge Case #14 Subdiv1009

Mr. Wagner,

I am a resident of 2012 Forest Pointe Lane, off of Aiken Road and I am writing this message in reference to the proposed development of Stapleton Ridge to be located at 15528 Aiken Road.

I attended the neighborhood meeting on August 21, 2014 where the developers and their attorney presented their high density residential proposal. Their layout does not lend itself to the current properties surrounding the area that have been developed in years past. Positioning a large number of rental units and single family homes close to the main road (Aiken) is in direct violation of the Land Development Code. They are also advertising their development as a "conservation subdivision" which by looking at their layout, does not meet the criteria laid out in Chapter 7, Part 11 defining a conservation subdivision.

The Rosewood developers and their attorney also said that this new development will add an additional 1000 cars daily on Aiken Road. The current traffic flow on this two lane rural area road has already outgrown it's capacity and adding that many more cars is going to cause a very dangerous and impossible situation for all residents living in this area.

I trust that the current Land Development Code is being enforced and will protect this area and its residents from developers such as Redwood and their plans for mass development in the floodplains and wetlands of Floyd's Fork. I am not opposed to future development in this area, but feel that ALL residents old and new should abide by the development and conservation rules that is currently in place for this area.

Thank you for your time and consideration.

Respectfully,

Joyce Hameloth

From:

j.chism@twc.com

Sent:

Monday, October 20, 2014 11:05 AM

To:

Wagner, David B (PDS)

Subject:

Proposed Stapleton Ridge development

Mr. Wagner, I would like to express my concern of this proposed development.

I have lived on an adjoining tract of property for over 25 years.

I have significant concerns regarding:

The extra traffic on an already dangerous stretch of roadway.

The fact that apartments are not consistent with the rural setting.

That Floyds Fork creek and the surrounding area will be impacted in a negative manner.

It is also my understanding that this project as it is currently planned violates "Conservation Subdivision" regulations and it is not consistent with Cornerstone 2020.

Thank you for your consideration regarding these concerns.

Best regards,

Jeff Chism 1810 Boone Trail 502-639-3503

From:

Jay Mudd <jaymudd@gmail.com>

Sent:

Thursday, October 16, 2014 12:49 PM

To:

Wagner, David B (PDS)

Cc:

Harrington, Scott; Miller, Jerry T

Subject:

Stapleton Ridge Proposed Subdivision

This proposed project flies in the face of all of the Floyd's Fork corridor promises in the "2020" plan. It will ruin this beautiful place and never will it be the same.

I understand honoring a property owners right to build within the zoning, but to give variances to zoning in this special place is a bad idea.

The "2020" plan was made to deal this type of proposal, to keep property owners from ruining Floyd's Fork Creek as a special place.

Don't change the zoning or give variances to any development on Floyd's Fork.

Jay Mudd

Jim Headlee <jamesheadlee@gmail.com>

Sent:

Sunday, October 12, 2014 2:46 PM

To:

Wagner, David B (PDS)

Subject:

Redwood Development, Stapleton Ridge Case #14 Subdiv1009

Dear Mr. Wagner,

I'm writing to express my serious concern regarding the above referenced proposed development along Floyd's Fork with the address of 15528 Aiken Road.

I live at 2110 Forest Pointe Lane just off Aiken Road and am opposed for several reasons for this developer to be allowed to develop this property.

- -Apartments are not compatible with adjoining properties and after attending their open meeting August 21, 2014 and reviewing their proposed layout, the buildings will be easily seen from the road which is in violation of the Land Development Code.
- Redwood attorney Mr. Bartenwerper estimated that an additional 1000 cars per day will come in and out of the subdivision onto Aiken Road. I am a cyclist and I cannot imagine the pressure this will put on an already dangerous and speedy stretch of this narrow road.
- -Redwood was touting this as a "Conservation Subdivision". Their proposal violates Chapter 7 Part 11 which deals with "Conservation Subdivisions" in that it simply does not meet the definition of having houses clustered with conservation areas as opposed to traditional row houses. (See their layout).
- If you review the current LOJIC map for this property almost all of it is PCA and should not be developed. The lot designs must be compatible with existing developments and preserve existing topography.
- -This property is also subject to a Karst Review which is Chapter 4 Part 9 of the LDC. This development also needs to be consistent with Cornerstone 2020. I assume you will take these requirements into consideration as you review the legality of their request.

In my opinion Mr. Wagner, Redwood's motivation for calling this a "Conservation Subdivision" has nothing to do with conservation. They are simply trying to make it into a profitable venture by calling it that due to much of the property being in a flood plain and I respectfully made this point at our open meeting to Redwood and Mr. Bartenwerper. They are attempting to use the LDC to change the density from four homes per acre to eight homes per acre while ignoring the regulations that are designed to protect the floodplains, wetlands and Floyd's Fork which is a protected waterway.

Thank you for the opportunity to voice my concerns and am available for any further discussion on this important matter.

I am always for progress but in this case it is a bad idea and I hope you will see fit to deny access to this development going through.

Kind regards,

Jim Headlee

From:

Jenny Headlee <br/>
<br/>bjheadlee@gmail.com>

Sent:

Sunday, October 12, 2014 1:37 PM

To:

Wagner, David B (PDS)

Subject:

Case#14subdiv1009

Dear Mr. Wagner:

Recently I attended an open meeting presented by the developer and their legal counsel where they shared detailed plans for Stapleton Ridge to be located at 15528 Aiken Rd.

For many reasons I strongly object and ask that the proposed subdivision be denied.

As a close resident (and runner) on Forest Pointe lane the influx of 1,000 extra cars per day is alarming. There is little or no shoulder for anyone to escape oncoming traffic. Not only is there already lots of traffic, it is speeding traffic. Additionally a development of this scale disrupts and could potentially destroy the Floyds Fork preservation area surrounding the acreage. The tree lined road is dotted with homes that vary widely and aesthetically the frontage of apartment structures are not similar to or compatible with the area. It would certainly disrupt any rural appeal. And I believe the buildings would be easily visible from the road which is not in line with the Land Development Code.

Please consider my comments when you are determining whether or not Stapleton Ridge is approved. I am convinced its approval would be a mistake.

Sincerely, Jenny Headlee Forest Pointe Ln

Sent from my iPhone

From:

charlies350 < charlies350@aol.com>

Sent:

Saturday, October 11, 2014 5:55 PM

To:

Wagner, David B (PDS)

Subject:

Case Bo. 14SUBDIV1009 Stapleton Ridge

My name is Charlie Simpson and I live at 2002 Johnson Road. I am opposed to the Stapleton Ridge subdivision proposed at 15528 Aiken Road for the reasons below and I request that you include my comments in your staff report.

The area involved is a scenic corridor and the proposed development would not be compatible with the surrounding area. The natural beauty of the areas trees, streams and vegetation would be spoiled by the proposed development.

The proposed development also appears clearly to be prohibited by the Land Development Code. Due to the floodplain and existing topography, major construction requiring disturbance to forested areas, wetlands and hillsides would be involved. Views of open areas from the roads in the area would also be greatly disturbed and replaced by structures not compatible with the surrounding area.

In addition, traffic along Aiken Road and adjacent roadways would be greatly increased. The roads in the area are not capable of handling the increased volume that would be generated by such a large development as has been proposed by the developers.

I would be eager to discuss this with you further, if you like.

Thank you for your consideration.

Charlie Simpson

From:

Micki Worley <mickiw496@gmail.com>

Sent:

Saturday, October 11, 2014 9:48 AM

To:

Wagner, David B (PDS)

Subject:

Re: Case #14SUBDIV1009 - Stapleton Ridge

My name is Micki Worley and my address is 2002 Johnson Road. I am writing to oppose the Stapleton Ridge subdivision proposed for 15528 Aiken Road and request that my comments regarding such be included in your staff report. The buildings will be readily visible form Aiken Road and are not compatible with the surrounding properties. The construction will destroy the natural beauty of the Floyd's Creek area by removing trees, vegetation and streams. Also, the area roads cannot handle the increased traffic volume resulting in a hazardous situation.

Thank you for your consideration.

Micki Worley

From:

Cole Asher < CAsher@cmcky.com>

Sent:

Tuesday, October 07, 2014 10:14 AM

To: Cc: Wagner, David B (PDS) horinejerry@gmail.com

Subject:

15528 Stapelton Ridge Proposed Subdivision

I would like to ask you to include the following in your staff report regarding the <u>proposed Stapelton Ridge</u> <u>Development on Aiken Rd in Louisville</u>:

I am strongly opposed to this proposal because it **grossly violates the Land Development Code and its intention**. The proposed buildings will be easily seen from adjoining road and it will **destroy the preservation** of the surrounding area. The apartments are **not compatible** with any of the adjoining properties and the **area roads** (already **fatally dangerous** several times in the last year) cannot handle the dramatically increased traffic volume. It is **important as a city/county to properly develop with practical planning with TRUE regard for the environment and flow of the existing <b>plan and code**. I am and adjoining neighbor and a member of the Floyd's Fork/Aiken Rd Preservation Association.

Thank you for your attention on this matter.

Cole Asher
Construction Machinery Company
2911 S. English Station Rd.
Louisville, Ky. 40299
502.267.4020 office
502.639.1433 mobile
casher@cmcky.com
www.cmcky.com

From:

Scott Jones <wscottjones810@gmail.com>

Sent:

Sunday, October 05, 2014 5:38 PM

To:

Wagner, David B (PDS)

Subject:

Stapleton Ridge Subdivision/ Case No. 14 SUVDIB 1009

#### Mr. Wagner;

Regarding the Stapleton Ridge conservation subdivision proposed by Redwood Development Co. on Aiken Road, I would like to point out that this high density type development with apartments is not compatible with the other type of development that has occurred in this area (examples being Lake Forest, Persimmon Ridge, and The Polo Fields.) Those developments have lot sizes that are much more appropriate for the more rural type that is common in this area..

I also believe that this type of development will be in violation of the Land Development Code for Metro Louisville. The tree planting proposed by Redwood Co. does not comply with the proper clustering of trees in the true conservation type development. The proposed apartments will be in the front of the development and highly visible from Aiken Road which is in violation of the Land Development Code.

Finally, I would like to point out that the Redwood Co. estimate of at a minimum of 900 new vehicle accesses to Aiken Road from this development will be excessive for the two lane road that Aiken Road represents. This alone will make the quality of life in this area seriously deteriorate. With the existing developments previously mentioned (Lake Forest, Persimmon Ridge and Polo Fields) in this area, traffic has already exceeded what Aiken Road can reasonably accommodate.

Thank you for taking the time to review and consider my concerns.

W. Scott Jones

2704 Flat Rock Road

Louisville, KY 40245

From:

Wagner, David B (PDS)

Sent:

Wednesday, October 01, 2014 4:28 PM

To:

Reverman, Joe

Subject:

RE: 14SUBDIV1009 Stapleton Ridge - Night Hearing Petitions.

I know – just keeping you posted on the potential for the request. I just met with the applicant to go over the comments and they did state that they wanted to just go ahead and docket for the full PC instead of LD&T due to potential opposition. I told them I agreed with them.

# David B. Wagner, Planner II

Direct: (502) 574 - 6019 david.wagner@louisvilleky.gov

From: Reverman, Joe

Sent: Wednesday, October 01, 2014 2:41 PM

To: Wagner, David B (PDS)

Subject: RE: 14SUBDIV1009 Stapleton Ridge - Night Hearing Petitions.

We don't generally have night hearings for subdivisions. It doesn't even require a hearing in front of the full Commission. From experience, my guess is that the Commission will not allow a night hearing for this.

From: Wagner, David B (PDS)

Sent: Wednesday, October 01, 2014 11:09 AM

To: Reverman, Joe

Subject: FW: 14SUBDIV1009 Stapleton Ridge - Night Hearing Petitions.

Just a heads up that this case may be headed towards a night hearing request

# David B. Wagner, Planner II

Direct: (502) 574 - 6019 david.wagner@louisvilleky.gov

david.wagner@iouisvilleky.gov

From: Harrington, Scott

Sent: Wednesday, October 01, 2014 10:49 AM

To: jerry@maillouisville.com

Cc: Wagner, David B (PDS); Liu, Emily; Harrington, Scott

Subject: 14SUBDIV1009 Stapleton Ridge - Night Hearing Petitions.

Mr. Horine,

There are two petitions for requesting a night hearing. The first one petitions to have the evening hearing at a government center and the other petition is to have the night hearing downtown. You only need to complete one petition depending on the location of where you want to have the night hearing.

Please click on the links below for more information such as the requirements for obtaining signatures.

A petition to allow for a public hearing to be held at 6:00 p.m. or later at the **East Government Center**, or other preferred location of the petitioner's choosing.

# http://www.louisvilleky.gov/NR/rdonlyres/2BC38AAC-13BC-45F0-8A80-406F8DC649F0/0/Application EveningHearingPetitionConvenient Oct13.pdf

A petition to allow for a public hearing to be held at 5:30 p.m. or later **downtown** (514 West Liberty Street). <a href="http://www.louisvilleky.gov/NR/rdonlyres/CB7EBAA4-9FAA-428B-B75D-81D68C5D44D5/0/Application\_EveningHearingPetitionDowntown\_Oct13.pdf">http://www.louisvilleky.gov/NR/rdonlyres/CB7EBAA4-9FAA-428B-B75D-81D68C5D44D5/0/Application\_EveningHearingPetitionDowntown\_Oct13.pdf</a>

Please let me know if you need further assistance.

Thank you!

Scott



Scott W. Harrington | Legislative Assistant
Office of Councilman Jerry T. Miller
Louisville Metro Council | District 19

phone: 502.574.3464

email: scott.harrington@louisvilleky.gov

City Hall

601 West Jefferson Street Louisville, Kentucky 40202

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From:

Wagner, David B (PDS)

Sent:

Monday, September 29, 2014 10:49 AM

To:

Harrington, Scott

Subject:

RE: Stapleton Ridge

That is correct.

# David B. Wagner, Planner II

Direct: (502) 574 - 6019

david.wagner@louisvilleky.gov

From: Harrington, Scott

Sent: Monday, September 29, 2014 10:45 AM

To: Wagner, David B (PDS) Subject: RE: Stapleton Ridge

Thank you David. I've been contacted by a resident in opposition who informs me that Steve Porter is representing them.



# Scott W. Harrington | Legislative Assistant Office of Councilman Jerry T. Miller Louisville Metro Council | District 19

phone: 502.574.3464

email: scott.harrington@louisvilleky.gov

City Hall

601 West Jefferson Street Louisville, Kentucky 40202



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From: Wagner, David B (PDS)

Sent: Monday, September 29, 2014 10:41 AM

To: Harrington, Scott

Subject: RE: Stapleton Ridge

It is 14subdiv1009. It is in the same holding pattern as Urton Woods - waiting for revised plans to be submitted. No date will be scheduled until plans have been resubmitted.

# David B. Wagner, Planner II

Direct: (502) 574 - 6019 david.wagner@louisvilleky.gov

From: Harrington, Scott

Sent: Monday, September 29, 2014 10:39 AM

**To:** Wagner, David B (PDS) **Subject:** Stapleton Ridge

David – what is the case number for Stapleton Ridge (conservation subdivision)?

I want to look up the agency comments.

Do you have any additional information such as hearing date?

Thank you!

Scott



Scott W. Harrington | Legislative Assistant Office of Councilman Jerry T. Miller Louisville Metro Council | District 19

phone: 502.574.3464

email: scott.harrington@louisvilleky.gov

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From:

Wagner, David B (PDS)

Sent:

Friday, September 26, 2014 2:49 PM

To:

'Bill Bardenwerper' (wbb@bardlaw.net)

Subject:

FW: 14subdiv1009 (Stapleton Ridge - Conservation Subdivision)

Bill,

Just sending this to you from Teena Halbig though you probably already know this.

# David B. Wagner, Planner II

Direct: (502) 574 - 6019 david.wagner@louisvilleky.gov

From: TeenaHal@aol.com [mailto:TeenaHal@aol.com]

Sent: Monday, September 22, 2014 7:04 PM

To: Wagner, David B (PDS)

Subject: Re: 14subdiv1009 (Stapleton Ridge - Conservation Subdivision)

Hi.

Bill knows I'm looking at this case. It is fine to send to him.

Regards, Teena

In a message dated 9/22/2014 6:05:48 P.M. Eastern Daylight Time, <u>David.Wagner@louisvilleky.gov</u> writes:

Teena,

You're very welcome for the information. The completion of the karst site inspection is addressed only by a note being placed on the plan stating that it was done, who did the inspection, and if any karst features were found. I don't have enough information yet to know whether a full geotech report is required. The 5 acre requirement in PB 32 PG 72 was a note placed on the plat recorded in 1977, well before the FFDRO came into effect. I'm not sure how this note affects - or if it even does affect - this proposal. I'm waiting to hear back from our legal counsel on that point. Do you want me to forward your comments below to Bill Bardenwerper?

# David B. Wagner, Planner II

Direct: (502) 574 - 6019

david.wagner@louisvilleky.gov

From: TeenaHal@aol.com [mailto:TeenaHal@aol.com]

Sent: Monday, September 22, 2014 1:33 PM

To: Wagner, David B (PDS)
Cc: TeenaHal@aol.com

Subject: Re: 14subdiv1009 (Stapleton Ridge - Conservation Subdivision)

Hi,

Thanks for the information.

I assume the karst site inspection will be done. I'd like to see a copy of the report when it is available. Do I get that from Bill Bardenwerper or planning? If a copy is kept in PDS file, I can look at it there.

Yes, there should be a 100 foot set back along Floyds Fork Creek and 50 foot from any tributaries.

Thanks for looking at the 60 foot Scenic Corridor Buffer area and set back along Aiken Road.

I'm unsure of the page 3 of 3 reference to PB32 page 72 about 5 acres or larger for I thought "cluster" development is needed in the FF DRO to save openspace/greenspace/environmental features (would include the lake on this property being kept, etc.). The FFDRO was to have cluster development; however, Jefferson County has not had a good cluster development model to date.

This subdivision would retain 50% open space instead of the 30%.

FFEA would like to see mature trees kept if possible as habitat for the federally endangered Indiana Bat, myotis sodalis. We would also like to see some clusters of trees kept when possible - this helps with the microenvironment that is different than with using trees in a row.

I understood there is a pump station that will be built and MSD would need to extend sewer lines.

I attended the public meeting on this plan.

While I understand the concern for more traffic on the road and density, the current R-4 would yield TWICE as many houses and far greater traffic than a conservation subdivision. PDS needs to do more education about conservation subdivisions.

Thank you.

Sincerely,

Teena Halbig

President

Floyds Fork Environmental Association

6505 Echo Trail

Louisville, KY 40299

In a message dated 9/22/2014 10:30:11 A.M. Eastern Daylight Time, <u>David, Wagner@louisvilleky.gov</u> writes:

Teena,

You left me a voicemail asking for the 'site report' for this case. I assume you meant the agency review comments which are attached along with a copy of the site plan. Please let me know if I misunderstood your request. Thanks!

# David B. Wagner, Planner II

Develop Louisville - Planning & Design Services

444 S. 5th St., Suite 300 Louisville, KY 40202

Direct: (502) 574 - 6019 Fax: (502) 574 - 8129

david.wagner@louisvilleky.gov



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From:

Wagner, David B (PDS)

Sent:

Monday, September 22, 2014 5:24 PM

To:

'Bill Bardenwerper'; Stpinlou@aol.com

Cc:

Miller, Jerry T

Subject:

RE: Stapleton Ridge S/D 14Subdiv1009

Attachments:

14subdiv1009\_agencycomments1\_091914.pdf; 14subdiv1009\_site plan\_082514.pdf

Steve,

Attached are the agency comments and the proposed site plan. At this point, we are waiting for the applicant to submit revised plans and/or new documents for this proposal. Thanks!

### David B. Wagner, Planner II

Develop Louisville – Planning & Design Services 444 S. 5th St., Suite 300 Louisville, KY 40202 Direct: (502) 574 - 6019 Fax: (502) 574 - 8129 david.wagner@louisvillekv.gov

S

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From: Bill Bardenwerper [mailto:wbb@bardlaw.net]

Sent: Monday, September 15, 2014 4:59 PM

To: Stpinlou@aol.com

Cc: Wagner, David B (PDS); Miller, Jerry T

Subject: Re: Stapleton Ridge S/D 14Subdiv1009

Steve, we will be in touch. I will let you know what's going on once I figure everything out. We have a lot to deside. Bill

Sent from iPhone by
Bill Bardenwerper
Bardenwerper, Talbott & Roberts PLLC
Building Industry Association of Greater Louisville Bldg, 2d floor
Louisville, KY 40223
502-419-7333m/426-6688w
www.bardlaw.net

On Sep 15, 2014, at 3:57 PM, "Stpinlou@aol.com" < Stpinlou@aol.com> wrote:

Dear Sirs.

This is just to let you know that I am now representing a large group of adjacent landowners and other nearby neighbors to the above proposed conservation subdivision. They have serious concerns and issues with the current proposal which we will communicate later. At this point, I would just ask that I be copied on any e-mails, reports, etc. concerning this application and be included in any discussions. David and/or Bill, can you give me an idea of a timeline for this app? Thanks.

Stephen T. Porter, Attorney 2406 Tucker Station Road Louisville, KY 40299

From:

Liu, Emily

Sent:

Sunday, September 07, 2014 3:23 PM

To:

Wagner, David B (PDS)

Cc:

Reverman, Joe; Mims, James L

Subject:

Fw: Stapleton Ridge Subdivision

Dave, please place the comments from Mr. Hameloth in the case file. Thanks.

**Emily** 

From: Mims, James L

Sent: Sunday, September 07, 2014 03:13 PM

To: Liu, Emily

Subject: FW: Stapleton Ridge Subdivision

From: Miller, Jerry T

Sent: Tuesday, September 02, 2014 4:27 PM

To: WAYNE HAMELOTH

Cc: greggdedrick@gmail.com; jamesheadlee@gmail.com; Harrington, Scott; Mims, James L; Kirchdorfer, Robert; Miller,

Jerry T

Subject: RE: Stapleton Ridge Subdivision

Mr. Hameloth,

Thanks for your detailed e-mail. I will make sure your comments are made a part of the public record, as they effectively communicate the impact to the environment. If you are subscribed to my electronic e-mail (see icon below), you will be made aware of every significant action and meeting affecting this property.

Thanks again for writing me about this development.

Regards,

# Jerry J. Miller

Metro Councilman - District 19

(o) 502-574-1119 (c) 502-802-3094

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www.jerry4you.com

All that is necessary for the triumph of evil is for good men to do nothing. - Edmund Burke 1728-1797

From: WAYNE HAMELOTH [mailto:waynehameloth@bellsouth.net]

Sent: Tuesday, September 02, 2014 4:07 PM

To: Miller, Jerry T

Cc: greggdedrick@gmail.com; jamesheadlee@gmail.com

Subject: Stapleton Ridge Subdivision

Councilman Miller,

An article in Sunday's Courier Journal in the Neighbors Section has prompted me to reiterate my opposition to Redwood's Proposed Plan for Stapleton Ridge. I was in attendance at the meeting on 21 August as well as the Town Hall meeting you hosted on 12 August. At the Town Hall meeting I talked to the Planning and Zoning representatives who suggested that I review and become familiar with the Conservation Subdivision Regulations of the Land Development Code for Louisville which I did. I also reviewed MSD's Floodplain Management Regulations as well as the LOJIC area maps which identify the Wetlands and Floodplains for this property.

As you know, most of this property is either Floodplain or Wetlands and all of it lies in the Floyds Fork Special Review District. Developing 125 home sites and 80 patio homes on this property, creating 1000 cars a day on Aiken Road would not be of benefit to this area or to the community. Floyds Fork is a pristine environmental area that was important enough to save for the community that a Special Overlay District was created to prevent development such as this. Louisville is making healthy living, the environment, hiking, biking and the development of environmental sensitive parks a high priority and this project goes against that philosophy.

After reviewing the different regulations, codes and maps and as I stated at the meeting, Stapleton Ridge has nothing to do with "Conservation" and does not meet the Development Design Standards (7.11.5) or the Technical Standards (7.11.9). Stapleton Ridge also does not meet the MSD Standards (Chapter 4 - Sites with Environmental Constraints). Bill Bardenwerper stated that he disagreed.

I'm not opposed to developing this land but I am opposed to this high density plan that destroys the wetlands and disturbs the Floodplain.

I am available for further discussion and comment and would like to be kept informed on issues concerning Stapleton Ridge.

Respectfully,

Wayne H. Hameloth 2012 Forest Pointe Ln. 40245 (502)-384-4587

From:

Harrington, Scott

Sent:

Wednesday, September 03, 2014 12:42 PM

To:

r carpenter; Wagner, David B (PDS)

Subject:

RE: apartment developementon akien

Mr. Carpenter,

David Wagner is the case manager and his email address is david.wagner@louisvilleky.gov.

Would you please send him an email about your traffic concern and the need for roadway improvements on Aiken Road so he can put it in his staff report. Councilman Miller shares your concerns so he is asking people to write the case manage requesting their comments to be added in the staff report for the commissioners to read.

Thank you!

Scott



Scott W. Harrington | Legislative Assistant Office of Councilman Jerry T. Miller Louisville Metro Council | District 19

phone: 502.574.3464

email: scott.harrington@louisvilleky.gov

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601 West Jefferson Street Louisville, Kentucky 40202



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**From:** r carpenter [mailto:rccar@bellsouth.net] Sent: Tuesday, September 02, 2014 6:33 PM

To: Harrington, Scott

Subject: Re: apartment developementon akien

yes i know he was there and arrived about half way into the meeting i also have the same book and plans as you traffic is a major concern and it was stated that no plans were in the works or even suggested for road work, also was stated about 200 cars making about 4 or 5 trips a day in and out of developement.that amounts to about 1000 more cars per day on akien.it does need major attention.and yes they are apartments

--- Original Message ----

From: Harrington, Scott

To: r carpenter

Sent: Tuesday, September 02, 2014 4:02 PM Subject: RE: apartment developementon akien

Mr. Carpenter,

Councilman Miller did attend the public neighborhood meeting. The proposed development is a combination of multifamily and conventional lots. The biggest surprise for him was that, while the multifamily looks like conventional one-story condo patio homes, they are actually rental apartments, a new-to-Louisville concept. They are aiming at people who want a home in Louisville, but want zero investment. His impression is that this development would appeal to empty nesters who want to put their money in a Florida home, but want to have a place here to come to in the summer and holidays.

It does not require a zoning change since it qualifies for R-4 as a conservation subdivision. His biggest concern with the development is the impact on Aiken Road from Beckley Station to Floyds Fork. This won't come to Metro Council for a vote, but Councilman Miller will participate in the zoning hearings and speak to the need of roadways improvements that are needed.

I've attached a copy of the plans and renderings of how the condos will be built.

When this case is scheduled on a Planning docket, I'll be sure to announce it in District 19's eNews.

Scott



Scott W. Harrington | Legislative Assistant Office of Councilman Jerry T. Miller Louisville Metro Council | District 19

phone: 502,574,3464 ·

email: scott.harrington@louisvilleky.gov

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Thank you for the opportunity to serve!

From: r carpenter [mailto:rccar@bellsouth.net]
Sent: Saturday, August 23, 2014 5:27 PM

To: Harrington, Scott

Subject: apartment developementon akien

what do you know about the apartment complex proposal for akien at floyds fork could you keep the district posted on plans and meeting time for this what is the status as of now. my name is robert carpenter 1800 boone trail 40245 johnson road and boone trail and i am sure lake forest and others were shocked to hear about this and we will be scheduleing meetings concerning this, please forward to mr. miller