

**From:** [Nick Pregliasco](#)  
**To:** [EVC Eastwood](#)  
**Cc:** [Chris Brown](#); [George Harb](#); [Jack Coupland](#); [Chuck Melander](#); [Paul Deines](#); [Sherra Kapfhammer](#); [Water Stone](#)  
**Subject:** RE: Binding Elements upcoming Meeting 22-ZONE-0170  
**Date:** Wednesday, March 22, 2023 4:49:38 PM  
**Attachments:** [image001.png](#)  
[Mini Storage Binding Elements 22-zone-0170 - Eastwood Village Councilv2.docx](#)

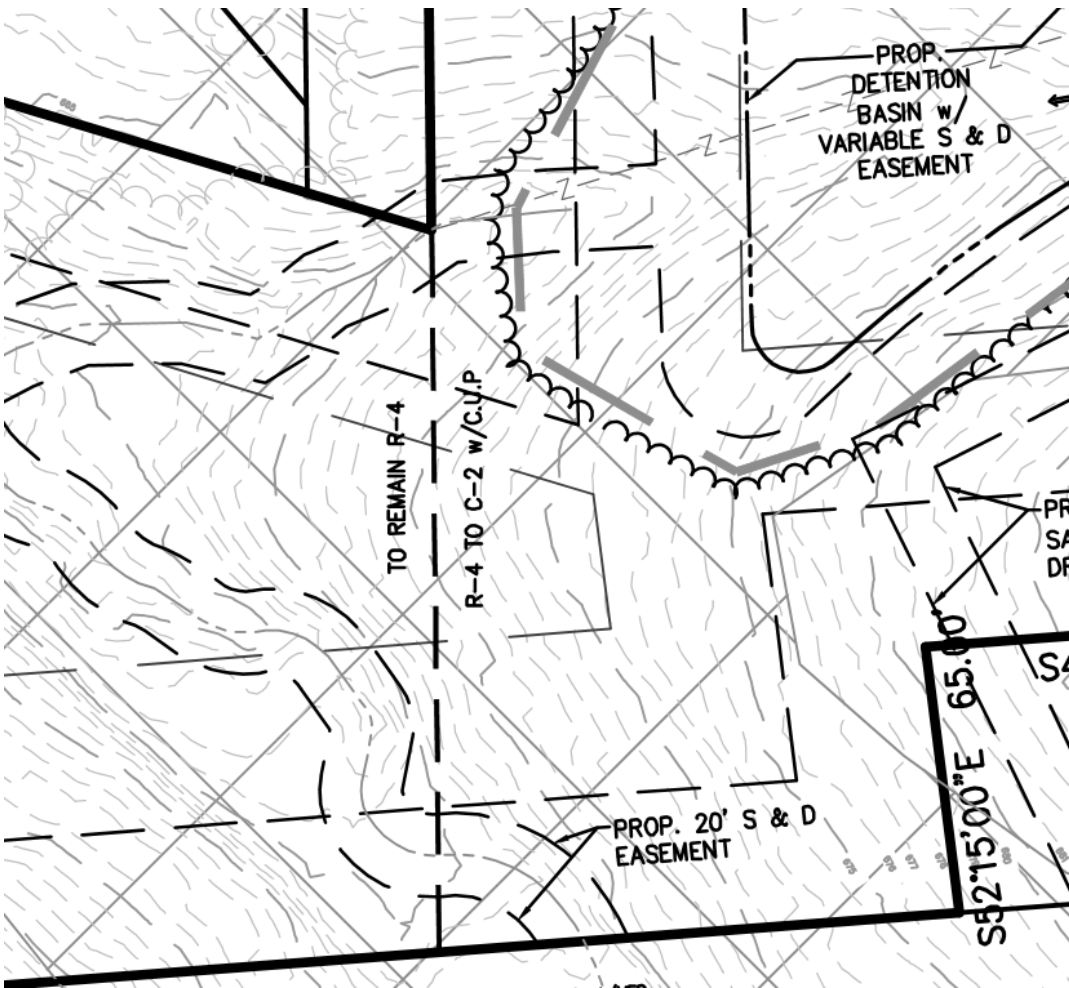
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Bob: The applicant has agreed to the two proposed binding elements from your letter, with some changes to the wording to work with the current proposed binding elements from the case manager. In particular, proposed binding element number 7 already had the restrictions on the use of the rear portion of the property. Therefore, we added the language about placing a permanent deed restriction, conservation easement, etc. to that binding element #7 as shown on the attached revised binding element language for your review.

Also, because the current proposed binding element #7 from the staff report references the remaining R-4 portion of the property, I have pasted below a snapshot of where that line is located on the plan (ie., everything beyond the pinchpoint would be restricted).



Tomorrow's LD&T meeting is to set the public hearing, not to hear the case, so we can continue to work with you for the next couple weeks to the extent there are still questions, etc. about the language. However, it appears we are in agreement on substance of the binding elements. We can also make tweaks as needed before tomorrow.

Please let us know if you have any questions, etc. Nick



Land Law

**BARDENWERPER TALBOTT & ROBERTS, PLLC**

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*(Firm Celebration of 35 Years in 2022)*

502-426-6688 ext. 139 (W)

502-777-8831 (M)

**From:** EVC Eastwood <eastwoodevc@yahoo.com>

**Sent:** Wednesday, March 22, 2023 11:14 AM

**To:** Nick Pregliasco <npr@bardlaw.net>

**Cc:** Chris Brown <cbrown@bowman.com>; George Harb <gharb@adamspropgroup.com>; Jack Coupland <jcoupland@adamspropgroup.com>; Chuck Melander <chuck@traffickmedia.com>; Paul Deines <pandndeines@outlook.com>; Sherra Kapfhammer <slkapfhammer@gmail.com>; Water Stone <waterstonekyhoa@gmail.com>

**Subject:** Re: Binding Elements upcoming Meeting 22-ZONE-0170

Hello Nick,

Just following up on this. We had an EVC meeting last night and the residents of Waterstone attended and were asking about the status of the BE's relative to this project. All the residents as well as everyone else in attendance clearly understood that the developer discussed turning the woodlands behind the Mini Storage into a Conservation Easement in perpetuity and that was enough for everyone to not oppose the project.

As of now, we have seen no mention of that for tomorrow's discussion, including the BEs provided by Scott Harrington. The only mention of it was in the EVC document I sent yesterday.

Please update us as soon as possible so the Waterstone HOA, residents and the EVC can prepare accordingly for tomorrow, again knowing this requires a Zone change to C-2, a CUP and variances.

It appears that this could be a mutually agreeable and beneficial project if the latest discussions at the last Neighborhood meeting were in earnest. This could include a transfer of that property to the Future Funds defined and approved prior to Planning Commissions discussion.

Sincerely  
Bob Federico, Chairman Eastwood Village Council

On Tuesday, March 21, 2023 at 02:55:26 PM EDT, Nick Pregliasco <[nrp@bardlaw.net](mailto:nrp@bardlaw.net)> wrote:

Bob: Thanks for reaching out and sending this over. I have copied Chris Brown, as well and we will review the attachment and get back to you. Nick



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**From:** EVC Eastwood <[eastwoodevc@yahoo.com](mailto:eastwoodevc@yahoo.com)>  
**Sent:** Tuesday, March 21, 2023 2:44 PM  
**To:** Nick Pregliasco <[nrp@bardlaw.net](mailto:nrp@bardlaw.net)>  
**Subject:** Binding Elements upcoming Meeting 22-ZONE-0170

Good afternoon Nick,

Hope you are doing well.

I understand you are working with Scott Harrington as well but the EVC wanted to submit these to you as well. See attached.

Hopefully these are consistent with what was discussed with Developer of said project and as understood by the residents in attendance at the Neighborhood meeting. If agreed upon, the EVC would appear "In Support" of the project.

Sincerely,

Bob Federico, Chairman Eastwood Village Council