

From: [John Talbott](mailto:John.Talbott@bardenwerper.com)
To: finance@copperfieldky.com; [Lockett, Jay P](mailto:Lockett.Jay.P@louisvilleky.gov)
Cc: mts@mpmfirm.com; "Damon Garrett"; "Derek Triplett"
Subject: Re: Case 21-DDP-0110
Date: Tuesday, February 8, 2022 3:01:20 PM
Attachments: [image001.png](#)

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Dear Mr. Rydberg, I was disheartened to read your email. With any development change, it is rare for everyone to agree, and I do understand the emotion often involved. You are fully entitled to your opinion and, believe it or not, I do respect it even with my disagreement with it. I do not expect to change your mind, but I did want to respond to some of your comments.

This process is long, not short, and fully transparent as intended. Obviously I am communicating with you in detail as an example of that transparent process. As I mentioned previously, we continue to be willing to share anything with you about this project. The drawing that you sent with the walk-out was only recently prepared and filed in the public record where you obtained it. Those types of drawings would rarely if ever be available at the time of the neighborhood meeting (before the case is filed), so it was not available at the time of our meeting. As we also explained then, after the neighborhood meeting we would start through the "agency review" process where details are put together. Hopefully you also recall that we expressed multiple times at the neighborhood meeting that the plan would change and develop, as it is, which is part of the normal land planning commission, months long process.

Also please keep in mind that we still have two public hearings at least before us, in addition to a Metro Council meeting, where that newer drawing and everything will be shown, so there really is no way to "bait and switch" anything. The process simply takes shape the further you move along.

Again, my personal cell phone number is below if you wish to discuss anything at all. Irrespective of your opposition, we thank you for your involvement in the process, which is commendable, and hope we have the ability to speak some time.

With kind regards, jt

John C. Talbott
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Office 502-426-6688
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From: "finance@copperfieldky.com" <finance@copperfieldky.com>
Date: Tuesday, February 8, 2022 at 1:25 PM
To: John Talbott <John@bardlaw.net>, "Lockett, Jay P" <Jay.Lockett@louisvilleky.gov>
Cc: "mts@mpmfirm.com" <mts@mpmfirm.com>, 'Damon Garrett' <dgarrett@sunshineindustriesllc.com>, 'Derek Triplett' <triplett@ltd-inc.com>
Subject: RE: Case 21-DDP-0110

Mr. Talbot,

Thank you for the response. The bait and switch I was referring to is the difference between the two attached drawings. The difference may seem subtle to your team, but as I mentioned in my email, this is literally going to be in the front yards of our residents. There are a lot of differences between the two drawings, and I feel like the rendering is a dishonest representation with the intention of tricking our residents into supporting the project, or at least make them feel like it's not so bad. For example, please note the difference in widths of the buildings, while there are not dimensions, the width to height ratio presented was 3:1 and the building submitted to planning is 4.5:1, that's a 50% increase of building size than what was shown to the community.

While we appreciate your efforts to improve traffic, this will only exacerbate the problem for homes on Beckley station. Their front yard's view will change from a 2-lane country road to a multi-lane high traffic intersection and parking lot. This creates a damned if you do and damned if you don't problem for this high-density development, there is no right answer because this space was intended for a density cap of 4.91 units per acre that would not drive the need for increasing the size of surrounding roads.

Copperfield has unanimous support from the surrounding communities of Valencia, Landis Lakes, and the Overlook opposing the removal of Binding Element in docket no. 12573. Doing so would unfairly decrease the values of our homes for the sake of increasing profits for your client and the landowner. I understand your client doesn't believe the development is viable with the density cap in place and that's okay with us. Our community will support the property staying vacant until a developer either figures out a plan that works within the indented use or until the landowner owner prices the land appropriately for a development with a density limit of 4.91 du/a. We are not concerned about your team's threat that without your project this property could be developed into some seedy complex. We don't believe any developer in their right mind would choose this property for a low value development, we also trust that Mr. Lockett's office will make appropriate decisions to protect our community.

Thank you

Jeremy J. Rydberg
VP of Research & Innovation at Atlas Machine & Supply
Research & Innovation Division

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From: John Talbott <John@bardlaw.net>
Sent: Tuesday, February 8, 2022 10:31 AM
To: finance@copperfieldky.com; Luckett, Jay P <Jay.Luckett@louisvilleky.gov>
Cc: mts@mpmfirm.com; Damon Garrett <dgarrett@sunshineindustriesllc.com>; Derek Triplett <triplett@ldd-inc.com>
Subject: Re: Case 21-DDP-0110

Dear Mr. Rydberg, Jay Luckett forwarded me your email. We have been in touch with Thurman Senn who is representing Copper Fields HOA. I was reluctant to follow up with you sooner since I was not sure if he was representing you. However, he assured that you were speaking personally, and not as a representative of the HOA so it was fine for me to respond to you directly.

With that being said, I wanted to express to you that we are considering making significant improvements to South Beckley Station Road. From the Neighborhood Meeting, it was evident that many Copper Fields residents use this road to take left turns onto Shelbyville Road, rather than using the direct access to Shelbyville Road from Wickfield Drive. The congestion this causes is present now and not the result of our proposed development. Regardless of the issue that this causes, we are proposing significant and expensive improvements to this intersection. We are proposing extending the right turn lane on S. Beckley Station Road significantly, effectively doubling its length. This will allow the intersection to work much more efficiently as it will also effectively extend the length of the center lane dedicated to traffic headed north to North Beckley Station and also taking a left onto Shelbyville Road. This would alleviate much if not all of the traffic congestion that currently exists at this intersection, greatly easing the problems Copper Fields residents experience now using South Beckley Station.

Secondly, other road improvements that we are also proposing include widening South Beckley Station Road in front of our property. If you would like to delve into more details, I am happy to set up a call or meeting with you.

If you are not already aware, our traffic study confirms without question two things: (1) that the problem Copper Fields residents complained about with the S Beckley Station intersection already exist, and (2) that our development would not contribute to making it worse in any meaningful or significant way. However, even though we are not the cause of the issue, the improvements we are considering to remedy the current problem would costs around \$250k. As you can likely imagine, it does take a project of some size to absorb an expense like that, particularly to remedy problems that we are not creating. Without this project, these road improvements simply will not occur in either of our lifetimes. Hopefully you will take this into account in coming do a conclusion whether to oppose or support our project.

In response to the allegation of a “bait and switch”, though I do emphatically disagree. The plan you mention was from a decade ago by a completely different developer. Many things have changed since then and indeed that plan is not even approved any longer. My client on this application does not even own the property yet, but simply has it under contract, so he has not switched anything. As you can likely appreciate, markets change, needs change and times changes. No one has been able or willing to develop the former plan in a decade, so that is pretty telling about the financial feasibility of that project, certainly much more than the

allegation of a “bait and switch.”

Regarding the issue of the roofs, there seems to be some simple misunderstanding. The roofs have not changed at all from what we showed at the neighborhood meeting and also from what we sent out afterwards. If you would like to call me so I can cure any confusion, again I am happy to speak with you. Lastly, I am being told that someone in the subdivision is sending out allegations that we are changing the building heights. This also is inaccurate. There are only 3-story buildings. Because of pitch of the ground, though there are three internal buildings that have “walk-outs” making it appear that they are 4-story. These buildings are all internal to the development. The “walk-out” sides will not face the roads, but will all be internally directed towards the clubhouse.

Hopefully this information will help correct some of the misunderstandings. And again, please do not hesitate to call my cell phone at (502) 741-8783 if you want to discuss in more detail or we can set up a meeting if you wish.

Best wishes, and kind regards...John T.

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From: "Lockett, Jay P" <Jay.Lockett@louisvilleky.gov>
Date: Friday, January 21, 2022 at 9:06 AM
To: John Talbott <John@bardlaw.net>
Subject: FW: Case 21-DDP-0110

John,

A neighbor concern on this one.

Regards,

Jay

From: finance@copperfieldky.com <finance@copperfieldky.com>
Sent: Thursday, January 20, 2022 5:06 PM
To: Lockett, Jay P <Jay.Lockett@louisvilleky.gov>
Cc: M. Thurman Senn <mts@mpmfirm.com>; activities@copperfieldky.com;
president@copperfieldky.com
Subject: Case 21-DDP-0110

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Jay,

I am the finance chair and longest serving member of the Copperfield HOA board. Our residents, including myself, are extremely concerned about the Office of Planning and Design Services potentially lifting the Binding Element #6 in #12573. Mr. Garret has put together a plan more than doubling the density limit that was very intentionally put in place.

Furthermore, they have pulled a bait and switch with what they presented to my neighbors during their public meeting vs what they have applied for with your office. Please see the attached presentation and note the opening statement of “8 three story buildings”, also during his presentation Mr. Talbott stressed the flat roof was a decorative feature intended to keep the overall height down and was being done for our benefit at extreme cost to him. In the latest elevations they have returned to the gable roof and are presenting a 4-story building. I think they’ve terribly misrepresented this project to the community, and I ask the Office of Planning and Design to insist they redesign the project to fit within the binding element density limitation of 4.91 du/a, or abandon the project all together.

I’ve attached images of the original and approved plan for this space, the plan presented during the public meeting, and the latest plan presented to your office. This is a big change and its unfair to change the rules after the residents of Copperfield, Valencia, and Landis Lakes have already spent their money and built their homes. This is not NIMBYism, it is literally in the front yards of Copperfield residents and will be their new view for as long as they own their homes.

Please remember the sole purpose of Mr. Garret, and Mr. Triplett is to turn a profit, and they are doing it at the cost of our community.

Thank you,

Jeremy J. Rydberg
VP of Research and Innovation at Atlas Machine & Supply

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