St Germain, Dante

From: Stan Sims <stan@stansimslaw.com>
Sent: Wednesday, November 2, 2022 11:35 AM
To: St Germain, Dante
Cc: john@bardlaw.com
Subject: RE: 22-0057 and Stan Sims

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Dante,

I still have some big concerns on this development.
What looks like a stub to my property close to the Hurstbourne entrance has a strange geometry.
I just don't see this as working and I'm concerned about not having the same entrance the mini-storage people had when they got c2 zoning—which I had no objection to because of that connection to my property.

Also, there needs to be some access to my property closer the Bardstown Road portion.

If possible can you send me the meeting notice on this set for the 14th.

I want to be able to support this project, but it does not seem to be helpful to me. Help me understand this if possible.

Stan Sims

From: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Sent: Wednesday, August 17, 2022 10:43 AM
To: Stan Sims <stan@stansimslaw.com>
Cc: john@bardlaw.com
Subject: RE: 22-0057 and Stan Sims

I've attached the most current plan we have received.

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502) 574-4388

https://louisvilleky.gov/government/planning-design

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From: Stan Sims <stan@stansimslaw.com>
Sent: Wednesday, August 17, 2022 10:41 AM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Cc: john@bardlaw.com
Subject: RE: 22-0057 and Stan Sims

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Dante,
I just wanted to follow up again with you.
I'm concerned with loosing the stub road leading to my property which was on the first approved plan for this site.
Can you give me any update on this case?
Many thanks.

Stan Sims

From: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Sent: Monday, May 2, 2022 2:37 PM
To: Stan Sims <stan@stansimslaw.com>
Cc: john@bardlaw.com
Subject: RE: 22-0057 and Stan Sims

Mr. Sims,

Thank you for your comments on this case. John Talbott may have additional comments for you in response.

Attached is the previously approved site plan for 16ZONE1089.

Please let me know if you have any questions or additional comments.

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502) 574-4388
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From: Stan Sims <stan@stansimslaw.com>
Sent: Monday, May 2, 2022 10:45 AM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Cc: john@bardlaw.com
Subject: 22-0057 and Stan Sims

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Dante,

Good speaking with you and I am copying John on this email.
Can you send me a copy of the old development plan previously approved for 4900 S Hurstbourne.

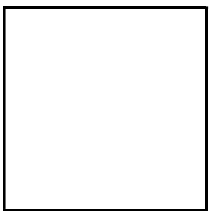
I possibly have a concern related to my adjoining property with the address of 5215 Bardstown Rd.
The old plan for 4900 showed a “stub street” connection to my property and the current plan does not.

This is a little distressing, but I have not seen the whole plan which likely includes 4700 S Hurstbourne, and additional parcels.
Has there been any discussion of a road from Laurel Springs, through the apartments to the S. Hurstbourne intersection shown on 22-0057?

Thank you and please call if you need anything from me.

Stan Sims

Stan Sims Law
5226 Bardstown Road
Louisville, KY 40291
Tel: 502-491-0600
Fax: 502-491-0800



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Stan Sims Law

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St. Germain, Dante

From: brfurlong@twc.com
Sent: Friday, September 16, 2022 12:11 PM
To: St. Germain, Dante
Subject: 22-ZONE-0012 Letter of Opposition
Attachments: Lettter of Opposition 22-ZONE-0012 - Furlong.pdf

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Dante,

Please see the attached letter of opposition for 22-ZONE-0012.

Thank you

Letter of Opposition: 22-ZONE-0012 & 22-ZONE-0076

To Whom It May Concern,

My name is Rob Furlong and I live at 4819 Walnut Hills Drive. I am writing to express my objection of rezoning 4700 S Hurstbourne Pkwy and 4900 S Hurstbourne Pkwy. If approved by the Planning Commission and/or by our City Council, this will violate KRS 100, the Land Development Code, and Plan 2040.

The Kentucky Revised Statute (100.201) states that development is to "*promote public health, safety, morals, and general welfare*," and to "*regulate density of population and intensity of land use in order to provide for adequate light and air.*" The plans submitted for this development violate this statute.

Public Health

- I live in the valley below the proposed development which is encircled by Hurstbourne Pkwy, Bardstown Road, and Watterson Trail.
- The Traffic Impact Study documents approximately 55,000 gas and diesel vehicles currently commute these three roads daily.
- The development adds 1,200 vehicles to the three roads, increases noise and air pollution, and particulates which intensify the island effect in the small valley I live in.
- Research indicates these pollutants can compound health risks for the elderly, small children, expectant mothers, and can cause cancer.

Safety

- The traffic study indicates the roads that access my neighborhood will be downgraded to an F, increasing everyone's risk of accidents, loss of time, additional pollution from idling, and will jeopardize the ability of any first-responder to respond to my neighborhood.
- My neighbors and I are over 65 and vulnerable to a failing traffic network that we will have to enter and navigate, we are vulnerable to extended first responder times and to health effects of polluted air that will settle in our small valley.
- The apartment complex will negatively impact my neighbors and my connectivity to events and facilities the city of Louisville offers.

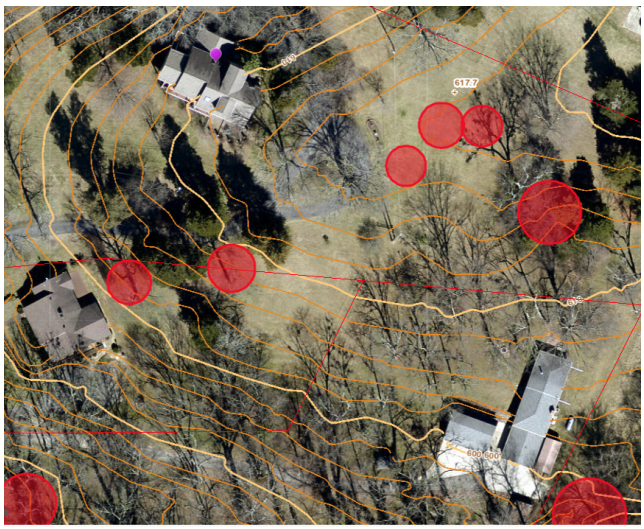
Transitioning of Neighborhoods

- The Walnut Hills neighborhood is 0.64 dwelling units per acre. The proposed development is 19.49.
- Sending hundreds of cars and traffic to our small neighborhood with narrow roadways is immoral and unsafe and violates #8 the Plan 2040 Staff Checklist.
- The building adjoining my property will be approximately 50 ft tall. It will be large in comparison to my single family residence.
- The 50 ft building behind my home will be at the minimum set back distance and offers no appropriate transitioning. This will create a stark contrast between all adjoining properties.
- I understand there will be at least 8 ft of fill placed behind my house to make the hillside slope to the North. In addition the 50 ft tall building will adjoin my backyard with the windows facing me.

Natural Resources

- The property contains a lot of natural resources such as the perennial pond and the streams that supply water to the falls on the font of my property. Both drain directly into the blue line creek.

- The karst and geological studies both record that sinkholes, caves, and underground caverns exist. In fact, the sinkholes appear just adjacent to my property and reasonably establish groundwater streams and underground streams.
- The Geotechnical Report did not take into account my property, however, the sinkholes continue from 4700 S Hurstbourne onto my property and my neighbor's property. I have included a screenshot with the approximate location of the sinkholes on and near my property.





- The geological survey indicates further risks by directing water under the powerlines between my home and the proposed development.
- I've included a photo (above) of a stream in front of my home that drains to the creek when it rains. The water begins on 4700 S Hurstbourne Pkwy travels through the karst terrain to Fern Creek.

Morals

- It is unethical and immoral to subject a small neighborhood such as Walnut Hills and Laurel Springs with a density of 0.64 to the negative impacts noted in this letter.
- Many if not all of the sinkholes should be designated as protected waters of the U.S. as they are directly connected and flow directly into a blue line creek.

General Welfare

- This development will negatively impact the welfare of the residents in the valley below, the air we breath, the waters we all drink from, and the ground.
- Smog, emissions and particulates will float to the valley we live in and will settle.
- The ~1,200 additional vehicles and additional loss of service time will compromise our health.
- The 120 vehicle parking lot targets my home and the homes of my neighbors. My understanding is that it will be built up 8-15 feet higher than the natural topography to change the slope of the hills towards the north. The parking lot will be very close to the power lines between it and my property. The headlights and exhaust of the vehicles in this large parking lot towards my home and property.

Please do not approve 22-ZONE-0012 and 22-ZONE-0076. The karst report and the geological report support the development will alter the terrain, the water, and cause new sinkholes / caverns. The property in question is not suited for development and will cause undue harm and risk to my home, my family, and my neighbors.

Rob & Barb Furlong
4819 Walnut Hills Dr

St. Germain, Dante

From: Kim Osborne <kim@kyanaind.com>
Sent: Friday, September 16, 2022 11:45 AM
To: St. Germain, Dante
Subject: Letter of Opposition 22-ZONE-0012 - Osborne
Attachments: Letter of Oppostion 22-ZONE-0012 - Osborne.pdf

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Dante,

Please see our attached letter of opposition to 22-ZONE-0012.

Please also make sure that I am on the emailing/mailing list for 22-ZONE-0012.

Thank you,

Kimberly Osborne
8100 Laurel Spring Drive
Louisville, KY 40299
kim@kyanaind.com

22-ZONE-0012: Letter of Opposition

My name is Kimberly Osborne. My husband, Keith, & I live at 8100 Laurel Spring Drive.

The proposed massive development at 4700 S Hurstbourne Pkwy violates several Plan 2040 Plan Elements and staff checklist. I am deeply concerned about what this means for my home, my family, and my community.

The developer has proposed 3-story and 4-story buildings towering over our neighborhood. I live across the creek from the development but will still be impacted by the proposed height of these buildings. Since these buildings are uphill, they will tower over our low-density neighborhood.

The proposed development violates requirement #2 of the Plan 2040 Staff Checklist:
"Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements."

The proposed development has a density of nearly 19.49 dwelling units per acre. The abutting properties on Laurel Springs Drive and Walnut Hills Dr have a density 0.5 dwelling units per acre. Our entire neighborhood has a density of 0.64 dwelling units per acre. That is a drastic change and violates the above requirement.

We have asked the developer to consider the following items to provide proper transition:

- Less density
- Shorter buildings
- Larger setback
- Vegetative berms

I ask that the planning committee and Metro Council require proper transitioning and a lesser density development more appropriate for our neighborhood.

Traffic Impact Study Concerns:
Traffic on Watterson Trail is already extremely heavy and there is a new very large multi-use development just starting right across the road from Laurel Springs Drive with the primary access point being at Watterson Trail and Laurel Springs Drive.

There will already be so much more traffic added to Watterson Trail and the intersection of Watterson Trail and Hurstbourne Lane. The additional massive development at 4700 S. Hurstbourne will make for a hazardous situation.

The impact will not only increase traffic but has the potential to increase fatal accidents. Here are some important takeaways from the Traffic Impact Study:

1. Watterson Trail Eastbound approaching the Hurstbourne Pkwy/Watterson Trail intersection will be downgraded from a D (50) to an F (80)
2. Hurstbourne Pkwy at Bardstown Rd will go from an E (64.2) to an F (91.1)
3. Hurstbourne Pkwy Southbound approaching Bardstown Rd becomes a F
4. Hurstbourne Pkwy Southbound approaching Hurstbourne Pkwy/Bardstown Rd will go from a D to an F and LOS will change from 95 to a 129.
5. Bardstown Rd Eastbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road will be an F almost doubling LOS
6. Watterson Trail Southbound approaching Bardstown Rd and Watterson Trail intersection becomes a F

The proposed development also violates requirement #4 of the Plan 2040 Staff Checklist: *"Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation."*

According to Lojic online and the developer's Geotechnical Report, the proposed development is sitting on top of a steep slope, karst terrain, and clays with shrink/swell potential.

Additionally, the Geotechnical Report states that as much as 8 feet of additional elevation/dirt may be added to this area, increasing the already existing slopes.

This development poses too much of a risk to the homes located in the valley below and surrounding neighborhood. A smaller low-density development with proper transitioning and buildings placed away from the edge of the hill would be more appropriate for this land and reduce the potential traffic accidents caused by adding such a dense development to the area.

Thank you

Kimberly & Keith Osborne
8100 Laurel Spring Drive
Louisville, KY 40299

St. Germain, Dante

From: Madison Hicks <madisonhicksrealtor@gmail.com>
Sent: Thursday, September 22, 2022 9:32 AM
To: St. Germain, Dante
Subject: 22-ZONE-0012 and 22-ZONE-0076
Attachments: LD&T Meeting - 22-ZONE-0012 and 22-ZONE-0076.pdf

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Dante,

Please see attached additional neighborhood comments for 22-ZONE-0012 and 22-ZONE-0076.

Thank you

Madison Hicks
REALTOR®
Tonini Realty
2336 Frankfort Ave
Louisville, KY 40206
502-759-1728
toninirealty.com

LD&T Meeting
22-ZONE-0012 & 22-ZONE-0076

The Laurel Springs Dr and Walnut Hills neighborhood has asked the developer for the following items on numerous occassions, to which we have received no response or revised plans:

1. Less density with one-story buildings placed perpendicular to abutting properties
2. No car or pedestrian access via Laurel Springs Dr
3. A larger buffer zone with a berm, fence, and tree combo around the perimeter, a larger setback, and to leave natural buffer zone on Laurel Springs Dr alone
4. Building style that is more appropriate for this area
5. Geotechnical / impact study for abutting properties

The following pages will outline why the developer's proposal violates Plan 2040, and how the changes listed above can make this development comply with Plan 2040, better the environment, preserve our privacy, ensure car and pedestrian safety, and enhance the existing beautiful landscape.

1. LESS DENSITY WITH ONE-STORY BUILDINGS PLACED PERPENDICULAR TO ABUTTING PROPERTIES

- The proposed development is 19.49 dwelling units per acres
- The abutting Laurel Springs / Walnut Hills neighborhood is 0.63 dwelling units per acre. *See Table B for complete list of addresses and acreage.*
- The proposed development is 30x the size of the abutting neighborhood.
- The proposed uphill development has 4-story buildings towering over rural single-family homes on Walnut Hills Dr. *See figures 1.1 - 1.2.*
- The proposed uphill development has a 3-story building looking directly at single-family homes on Laurel Springs Dr. *See figure 1.3.*
- The proposed uphill development is directing car lights and pollution directly toward single family homes in the Southwest corner. *See figure 1.4.*
- Our neighborhood is rural with homes on septic tanks, propane heat, and well water.
- A large development of this size will negatively impact the welfare of the residents in the valley below, the air we breath, the waters we all drink from, and the ground.
- Smog, emissions and particulates will float to the valley we live in and will settle.
- The ~1,200 additional vehicles and additional loss of service time (per traffic study) will compromise our health.
- *See Table A for complete list of Plan 2040 violations.*

To be in compliance with Plan 2040 and the Land Development Code, as well as preserve our privacy, and the beautiful landscape of the area, we ask:

- The property be rezoned for R-5A
- Limit building height to 1-story
- Place buildings perpendicular to abutting properties on Laurel Springs and Walnut Hills



Figure 1.1 *- Projected view from backyard of 4707 Walnut Hills Dr vs current view.*



Figure 1.2 *- Projected view from backyard of 4805 Walnut Hills Dr vs current view.*



Figure 1.3 *- Projected view from homes on Laurel Springs Dr vs current view.*



Figure 1.4 *- Projected view from backyard of 4905 Walnut Hills Dr vs current view.*

2. NO CAR OR PEDESTRIAN ACCESS VIA LAUREL SPRINGS DR

- Laurel Springs Dr is a narrow roadway with no sidewalks, no street lights, no bike lanes, and no public transportation access. *See figure 2.1.*
- Laurel Springs Dr is not taken care of by the city: no snow removal, no grass cutting
- Two cars cannot safely pass each other on Laurel Springs Dr. *See figure 2.2.*
- Walnut Hills Dr is a one-lane road with no sidewalks, no street lights, and no bike lanes. *See figure 2.3.*
- Allowing car and pedestrian access to Laurel Springs Dr poses a significant safety risk for pedestrians and cars, and could even cost lives.
- Moreover, there are three other entrances to the development, two from Hurstbourne and one from Bardstown Rd.
- According to the traffic impact study:
    - Watterson Trail Eastbound approaching the Hurstbourne Pkwy/Watterson Trail intersection will go from a D to an F
    - Watterson Trail Southbound approaching Bardstown Rd and Watterson Trail intersection will also become an F
- In addition to the existing safety issues of the proposed Laurel Springs Dr entrance, the F rated traffic on Watterson Trail will only make this access more dangerous.
- *See Table A for complete list of Plan 2040 violations.*

To be in compliance with Plan 2040 and the Land Development Code, as well as ensure the community's safety we ask:

- The car and pedestrian entrance from Laurel Springs Dr be removed



Figure 2.1 *- Narrow Laurel Springs Dr bridge marked by hazard signs.*





Figure 2.2 *- Two vehicles cannot safely pass each other on Laurel Springs Dr without maneuvering slowly to the side or backing up to make room.*





Figure 2.3 *- Walnut Hills Dr is a one-lane road with no street lights, no bike lanes, and no sidewalks.*

3. BUFFER ZONE WITH BERM, FENCE, AND TREE COMBO, AND LARGER SET BACK

- As noted in section 1, the proposed development is of significant larger density
- The proposed development is 30x the size of our neighborhood and uphill from us.
- According to section renderings, these massive 55-foot buildings are on land that is already 10 to 15-feet higher than adjacent properties. There may also be an additional 8-feet of backfill required (per geotechnical study and neighborhood meeting). Thus, these buildings will appear 78 feet to us who live below. *See figure 3.1.*
- Not only will a berm, fence, and tree combo around the perimeter preserve our existing privacy, it will also mitigate the extra runoff, pollution, and lights shining into our homes.
- A larger buffer zone with more trees will also help start the restoration of the mature trees that will be destroyed by the developer.
- According to Plan 2040, this area is at high risk for carbon monoxide. By adding more tree coverage along the perimeter, we can help improve the air quality and reduce health problems from carbon monoxide exposure. *See figure 3.2.*
- *See figure 3.3* for examples of a berm, tree, and fence combo we are referencing.
- *See Table A for complete list of Plan 2040 violations.*

To be in compliance with Plan 2040 and the Land Development Code, as well as preserve our privacy, health, safety, and environment we ask:

- For an *additional* 100-feet to be added to the setback along the North (Laurel Springs) and West (Walnut Hills Dr) sides of the property.
- Include a 6-foot berm with a 6-foot privacy fence and trees around the entire perimeter of the development at 4700 S Hurstbourne Pkwy and 4900 S Hurstbourne Pkwy.
- Leave the natural buffer along Laurel Spring Dr alone. *See figure 3.4.*

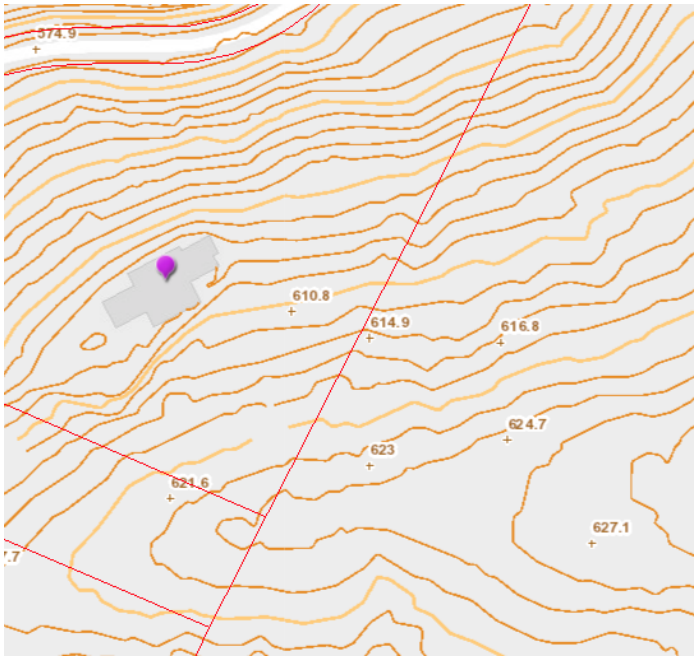


Figure 3.1. *- According to Lojic Online, 4805 Walnut Hills Dr is at approximately 610-feet. The proposed 4-story building behind it will be at approximately 623-feet. According to the Geotechnical and Karst Reports, an additional 8-feet of backfill may also be added, making the massive 55-foot building appear to be 76-feet tall from those who live below.*



Figure 3.2 *- Potential areas of concern for Carbon Monoxide, Plan 2040 Core Graphics (https://louisvilleky.gov/planning-design/document/updatedcoregraphics2018pdf#page=18)*





Figure 3.3 *- Examples of berm, fence, and tree combined buffer zone.*



Figure 3.4 *- Existing natural buffer between Laurel Springs Dr / 4700 S Hurstbourne Pkwy*

4. STYLE THAT IS MORE APPROPRIATE FOR THIS AREA

- The design of the proposed development does not blend with the rural landscape it will be sitting on or adjacent to.
- The proposed buildings would be more appropriate for downtown or near a college campus.
- *See figure 4.1* for examples of building styles we think will help preserve the distinctive features of the landscape and natural elements.
- *See Table A for complete list of Plan 2040 violations.*

To be in compliance with Plan 2040 and the Land Development Code, as well as our desire to preserve the beautiful landscape of this area we ask:

- For the building design to resemble the rural area and preserve the beautiful landscape. We have included photos of nearby developments we think would be appropriate looks for this area.



Figure 4.1 *- Willows of Plainview (left) and Fenwick Apartments (right)*

5. GEOTECHNICAL & IMPACT STUDY FOR WALNUT HILLS & LAUREL SPRINGS NEIGHBORHOOD

- According to Lojic online and the developer's Geotechnical Report, the proposed development is sitting on karst terrain, including clays with shrink/swell potential.
- The proposed development is built on top of several sinkholes. This will modify the natural flow of water.
- In reviewing the karst study, section 4.2.1.2 states that: *"Engineering works and site development can result in acceleration of incipient sinkhole development or encourage new sinkhole formation. These features may appear dormant in their existing state, but subsidence can be activated by changes in the natural drainage pattern due to construction works."*
- There are sinkholes on abutting properties that are very close to the property line that the engineers failed to identify. In fact, we have reason to believe that one of these may be an underground cave or stream that flows from the 4700 S Hurstbourne Pkwy property, beneath a residents house, and ends up in the protected creek below. *See figure 5.1*
- According to Lojic Online, 4700 S Hurstbourne Pkwy is nearly surrounded by steep slopes, unlike any other development on Hurstbourne. *See figure 5.2*
- Due to our waterway being a FEMA Regulatory Floodway, surrounding properties are to be further regulated (according to FEMA). While the developer's property does not directly abutt to the creek, every single-family home surrounding it does. *See figure 5.3*
- Due to all of our homes being located at a downhill elevation compared to 4700 S Hurstbourne Pkwy, the new and increased runoff and pollution we will take on is exponential.
- Moreover, the health of the creek is severely impaired and MSD has already overloaded this waterway. *See figure 5.4.*
- *See Table A for complete list of Plan 2040 violations.*

To be in compliance with Plan 2040 and the Land Development Code, as well as ensure the safety of existing residents and new residents, we ask:

- For an unaffiliated third-party to conduct a geotechnical / impact study on the adjacent Walnut Hills and Laurel Springs properties.



Figure 5.1 *- 4700 S Hurstbourne Pkwy underground stream exiting at cliff 4819 Walnut Hills Dr (left), approximate location of sinkholes according to developer's plans, and the approximate location of sinkholes on abutting properties (right).*



Figure 5.2 *- Lojic Online's identification of steep slopes around proposed development.*

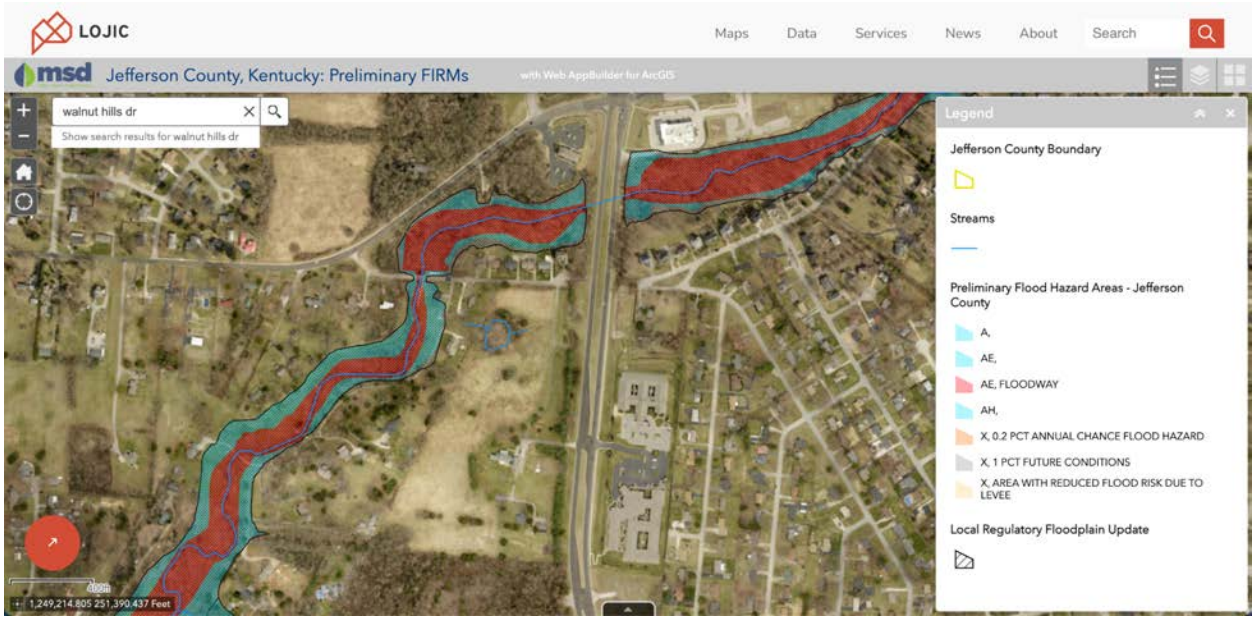


Figure 5.3 *- Fern Creek is a FEMA Regulatory Floodway*



Figure 5.4 *- Fern Creek flooding*

Table A - Plan 2040 Violations

Plan 2040 Plan Element Violations	Land Use & Development Policy Violations	Analysis
Community Form: Goal 1 *Guide the form and design of development to respond to distinctive physical, historic and cultural qualities.*	*2.1. Evaluate the appropriateness of a land development proposal in the context of:* *2.1.2. the intensity and density of the proposed land use or mixture of land uses;*	The intensity and density of the planned development requires the destruction of natural resources, poses risk to adjoining homes and threatens the Walnut Hills / Laurel Springs neighborhood's natural resources and safety. Wider setbacks and buffers will protect the waters, the creek, the homes and trees on at the property lines adjoining properties.
	2.1.3. the effect of the proposed development on the movement of people and goods; and	The density proposed will slow down the movement of people and goods and deter commute in the congested and accident prone areas studied. The community will be adversely impacted. Wider buffers, berms, fences and setbacks will reduce the density, and positively impact the movement of goods and the adjoining neighborhoods.
	2.1.4. the compatibility of the proposed use or uses with surrounding uses including the relationship of the use, mass, scale, height, materials, building footprint, orientation, setback and design of the proposed building or buildings with that of surrounding buildings.	Not compatible. The 3-4 story story apartment buildings adjoining the yards per the developers minimal setback will be approximately 55 ft tall, facing single-family homes. The parking lot and building 10 will be filled and an additional 10 feet higher. A larger setback, a large buffer, and shorter buildings will retain the adjoining properties and the buildings will not tower over the neighborhoods of Walnut Hills and Laurel Springs.
	2.2. Evaluate the appropriateness of a Form District amendment in the context of:	Not compatible. The 3-4 story multi-family apartment footprints are at the minimum setback, stand upwards of 55 ft tall, and face single-family homes.

	2.2.4. the compatibility of the proposal with the existing buildings and uses on any contiguous land	A lower-density and larger buffer and set back with natural landscape will assist in making it more compatible.
	2.7. Develop neighborhood, subarea, corridor plans and strategies consistent with the goals and objectives of this Comprehensive Plan…	The goals and objectives include safe roadways to commuters and pedestrians. This proposal adversely impacts that goal.
	4. Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	Not compatible. The proposed development is 19.49 dwelling units per acre. The adjacent neighborhood is 0.64 dwelling units per acre. The quality design and building materials would be better for a downtown or college campus area. The karst terrain, sinkholes, aquifers, and fractures that provide risk to the lower lying Walnut Hills neighborhood can be positively mitigated with the use of shorter buildings and larger buffers and setbacks.
	5. Allow a mixture of densities as long as their designs are compatible. Adjacent residential areas in different density categories may require actions to provide an appropriate transition between the areas. Examples include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.	Not compatible. A development with 19.49 dwelling units per acre and 55-foot tall buildings facing single-family homes in a 0.64 density neighborhood is not appropriate. Berms, trees, larger setbacks, privacy fences, and shorter buildings will assist in transitioning Walnut Hills and Laurel Springs.

	7. Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity for Louisville/Jefferson County centers and other areas where demand and adequate infrastructure exists or is planned.	Does not meet guidelines. The Traffic Impact Study results show adequate infrastructure does not exist. The development will downgrade Watterson Trail Eastbound approaching the Hurstbourne Pkwy / Watterson Trail Intersection to an F, Hurstbourne Pkwy at Bardstown Rd will be downgraded to an F, Hurstbourne Pkwy Southbound approaching Bardstown Rd to an F, Bardstown Rd Eastbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road will be downgraded to an F and almost double its score. Watterson Trail Northbound towards the intersection at Bardstown will be downgraded to an F. Watterson Trail Southbound approaching Bardstown Rd and the Watterson Trail intersection will be downgraded to an F.
	9. Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.	Not appropriate. The proposed development is 19.49 dwelling units per acre. The adjacent neighborhood is 0.64 dwelling units per acre and is located at a downhill elevation. An appropriate transition can be achieved with a berm, tree, and privacy fence combo around the perimeter of the development. In addition to a larger setback and shorter buildings.
Community Form: Goal 3 *Enhance neighborhoods by protecting and integrating open space, watersheds and other natural resources.*	*7. Encourage natural features to be integrated within the prescribed pattern of development.*	The proposed high-density development discorages the natural features of the terrain, the pond, the waterfalls, and the adjoining Walnut Hills / Laurel Springs neighborhood. Larger buffers, vegetative setbacks, and shorter buildings will help encourage natural feature integration.

	8. Conserve, restore and protect vital natural resource systems such as mature trees, steep slopes, streams and wetlands. Open spaces should be integrated with other design decisions to shape the pattern of development. Encourage the use of greenways as a way to connect neighborhoods. Encourage use of conservation subdivisions, conservation easements, transfer of development rights and other innovative methods to permanently protect open space.	The dense development requires the destruction of the pond, wetlands, and the waterfall, and adversely impacts the stream at the West corner by relocating the natural drainage beginning at Hurstbourne Pkwy, and adversely impacts the single-family homes located on steep slopes surrounding the development. Larger buffers, vegitative setbacks, and overall less density will assist to protect the pond/stream, wetlands, waterfalls, mature trees, protected waters of the U.S., and the single-family homes susceptible to pollution and erosion below.
	9. Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	The development encourages destruction of the natural features and requires substantial change to the topography such as changing the slope on the West side to drain over a hill to the North side. Larger buffers, larger setbacks, and shorter buildings that protect the pond, the wetlands by the pond, the waterfalls, and the streams encourage a development that responses it natural features.
	10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.	The development will destroy wet and permeable soils, severe, steep and unstable slopes, and heighten concerns for erosion and property damage. Larger setbacks, buffers, and overall lesser density development will encourage the avoidance of wet soils, steep or unstable slopes and decrease the potential for property damage to the adjoining single-family homes.
	12. When reviewing proposed developments consider changes	This high-density development requires building over existing sinkholes. A less dense

	to flood prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development.	development will allow for a safer development and protection from natural disasters. Larger setbacks and buffers will reduce risk to flooding of the creek and the adjoining properties on Walnut Hills and Laurel Springs.
Community Form: Goal 4 *Promote and preserve the historic and archaeological resources that contribute to our authenticity.*	*2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.*	This development destroys the ephenial pond and the waterfall that drains directly into a protected waterway. A less dense development will allow preservation of these natural elements. Wider buffers and setbacks with vegetation will encourage preservation of distinctive features including the pond, wetlands, streams, and waterfalls.
Mobility: Goal 1 *Implement an accessible, system of alternative transportation modes.*	*1. To promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate…*	The entrance to Laurel Springs does not implement an accessible system due to the residential homes, the width of Laurel Springs and because it will exit onto an unacceptable road of Walnut Hills.
	4. Encourage higher densities and intensities within or near existing marketplace corridors and existing and future activity and employment centers to support transit-oriented development and an efficient public transportation system.	The density proposed has a direct impact on the road network and downgrades multiple roads to Fs, including Watterson Trail. The proposed entrance/exit on Laurel Springs will incur accidents to pedestrians and commuters on the narrow road of Laurel Springs.
Mobility: Goal 2 *Plan, build and maintain a safe, accessible and efficient transportation system.*	*1. Provide transportation facilities and systems that accommodate all users and allow for context-sensitive solutions that recognize the distinguishing characteristics of each of the Form Districts.*	The transportation system provided to Laurel Springs and Walnut Hills neighborhoods will adversely impact the transportation systems forcing direct entries onto the newly failed road network. Higher loss of service time and risk of accidents.

	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	The adjacent neighborhood has a density of 0.64. The proposed development is 19.49. Laurel Springs Dr is a narrow roadway with no sidewalks, no street lights, no bike lanes, and no public transportation access. Laurel Springs Dr is not taken care of by the city; there is no snow removal or grass cutting. Two cars cannot safely pass each other on Laurel Springs Dr. Walnut Hills Dr is a one-lane road with no sidewalks, no street lights, and no bike lanes. Allowing car and pedestrian access to Laurel Springs Dr poses a significant safety risk for pedestrians and cars, and could even cost lives.
	7. The design of all new and improved transportation facilities should be accessible and: *7.2. Be context sensitive by ensuring that proposals are compatible with the surrounding development and provide an aesthetically pleasing visual experience to the user and to adjacent areas;*	The 45-65 foot buildings adjoining and facing the single family homes are not comparable to surroundings and not aesthetically pleasing to the single-family homes, natural waterways, or creek bank.
	7.4. Ensure that adequate measures will be taken to reduce glare, vibration, air pollution, odor, and visual intrusion.	Will add to existing 55,000 gas and diesel vehicles traveling Hurstbourne Pkwy, Bardstown Rd and Watterson trail increasing glare, vibration, air pollution, odor and visual intrusion. These will circle the Laurel Springs and Walnut Hills neighborhood.
	8. Protect and/or enhance environmentally sensitive areas through responsible and sustainable best practices in the	The roads of the planned development are not impervious, focus glares on the Walnut Hills and Laurel Springs and will direct diesel and gas vehicle pollution to homes in the adjacent low-density

	planning and design of transportation network projects.	neighborhood.
	9. Develop, preserve, and maintain an interconnected system of scenic corridors and parkways. Encourage the preservation of important cultural resources, landscapes and scenic vistas in the design, maintenance and development of major thoroughfares and parkways.	The TIS projects the proposed development will deteriorate the West End of the Scenic Hurstbourne Corridor and will destroy streams, and waterways of the US.
	10. Increase funding to maintain the existing infrastructure and build a multi-modal transportation network that supports the needs of the entire community.	TIS indicates utility station and right of ways have the roads constrained and cannot be cost effectively maintained.
	14. Expand the traffic signal coordination program to limit idling and protect public health while increasing the safety and capacity of the current road network.	TIS projects accidents will rise out of the random range. The capacity of this area cannot be increased by this development.
	16. Develop a Complete Streets Design Manual for consideration during the development and redevelopment of roads in accordance with roadway classification and street character that provide for safe, healthy and accessible streets. Such a manual should include: *16.4. safe, efficient movement of freight;*	TIS projects unsafe, non efficient movement of freight in the study area.
	16.11. traffic calming techniques including the implementation of reconfigurations, where	The TIS projects the traffic volumes do not support this development and will adversely impact safety and mobility for all users.

	existing and future traffic volumes support them, to improve safety and mobility for all users.	
Mobility: Goal 3 *Encourage land use and transportation patterns that connect Louisville Metro and support future growth.*	*1. Provide transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management. Provide walking and bicycling opportunities to enable activity centers to minimize single-occupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling.*	The TIS projects transportation services and facilities will not promote and accommodate growth and change. Traffic adversely impacts bicycling opportunities and supports single occupancy vehicle travel.
	2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	The proposed development adversely impacts mobility and will increase congestion while adding to vehicle miles traveled. People with disabilities will be at risk through longer commutes, longer traffic lights, more accidents, more smog, and more pollution. Proximity to employment centers will be impacted by congestion and accidents.
	3. Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.	The planned development will degrade the transportation network, including the street, pedestrian, transit, freight movement and bike facilities. The approximate 55,000 gasoline and diesel vehicles circling Hurstbourne, Bardstown Rd, and Watterson Trail daily will negatively impact the air quality (see Hurstbourne Corridor Study).

	4. Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following: *4.1. nodal connections identified by Move Louisville;*	Bicycling and motorcycling will be adversely impacted by the rise in rear impacts due to the congestion and traffic.
	4.2. impact on freight routes;	Will be significantly slower with the lower graded F road network of the study area.
	4.3. time of operation of facilities;	Slower with more accidents, perhaps more than can be accounted for as random.
	4.4. safety;	Unsafe
	4.5. appropriate linkages between neighborhoods and employment; and	Not appropriate due to the unacceptable impact of the proposed development and downgrades of the road network to an F.
	4.6. the potential for reducing travel times and vehicle miles traveled.	No potential as time will go up per the TIS.
	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	TIS will change the Hurstbourne Pkwy, Watterson Trail, and Bardstown Rd to unacceptable grades and loss of service time. Street, pedestrian, transit, freight movement, bike, and air will be negatively impacted.
	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	The Traffic Impact Study documents the utilities station and costs prohibit additional vehicles. Moving the access road to Bardstown Rd will not change the unacceptable downgrade of the study.
	9. When existing transportation facilities and services are	The developer cannot move the utilities staton or impact the state road. The access road does not

	inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	reduce the density, the congestion, loss of service time, accident rates, slow commerce and so forth. The right of ways and utilities station prohibit reasonable and results driven improvements.
	11. Provide street improvements and/ or transit solutions to mitigate the impacts of development and redevelopment. Improvements may include, but not be limited to, the following:	TIS indicates improvements will not mitigate the impacts or downgrading of the road network to an F with longer loss of service times.
	21. Prevent safety hazards caused by direct residential access to high speed roadways.	The additional traffic will contribute to accidents to all the residents having to access the F graded roads and F graded intersections of the study. This includes multiple neighborhoods.

Table B - Walnut Hills and Laurel Springs Neighborhood Density

Address		Acreage
1.	4700 Walnut Hills Dr	1.18
2.	4707 Walnut Hills Dr	0.66
3.	4805 Walnut Hills Dr	4.66
4.	4811 Walnut Hills Dr	1.08
5.	4812 Walnut Hills Dr	1.6
6.	4816 Walnut Hills Dr	3.65
7.	4819 Walnut Hills Dr	3.07
8.	4903 Walnut Hills Dr	1.12
9.	4905 Walnut Hills Dr	1.64
10.	4909 Walnut Hills Dr	1.44
11.	4915 Walnut Hills Dr	1.76
12.	4921 Walnut Hills Dr	2.09
13.	8100 Laurel Springs Dr	1.73
14.	8102 Laurel Springs Dr	2.17
15.	8200 Laurel Springs Dr	0.97
16.	8201 Laurel Springs Dr	0.68
17.	8203 Laurel Springs Dr	0.67
18.	8205 Laurel Springs Dr	0.65
19.	8207 Laurel Springs Dr	0.63
20.	8209 Laurel Springs Dr	0.64
21.	8211 Laurel Springs Dr	1.12
	TOTAL ACREAGE	**33.21**
	DENSITY	**0.63**

St. Germain, Dante

From: Karen Habenstein <klgh0806@gmail.com>
Sent: Friday, September 16, 2022 5:56 AM
To: St. Germain, Dante
Subject: Opposition to 22-ZONE-0012

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Dante,

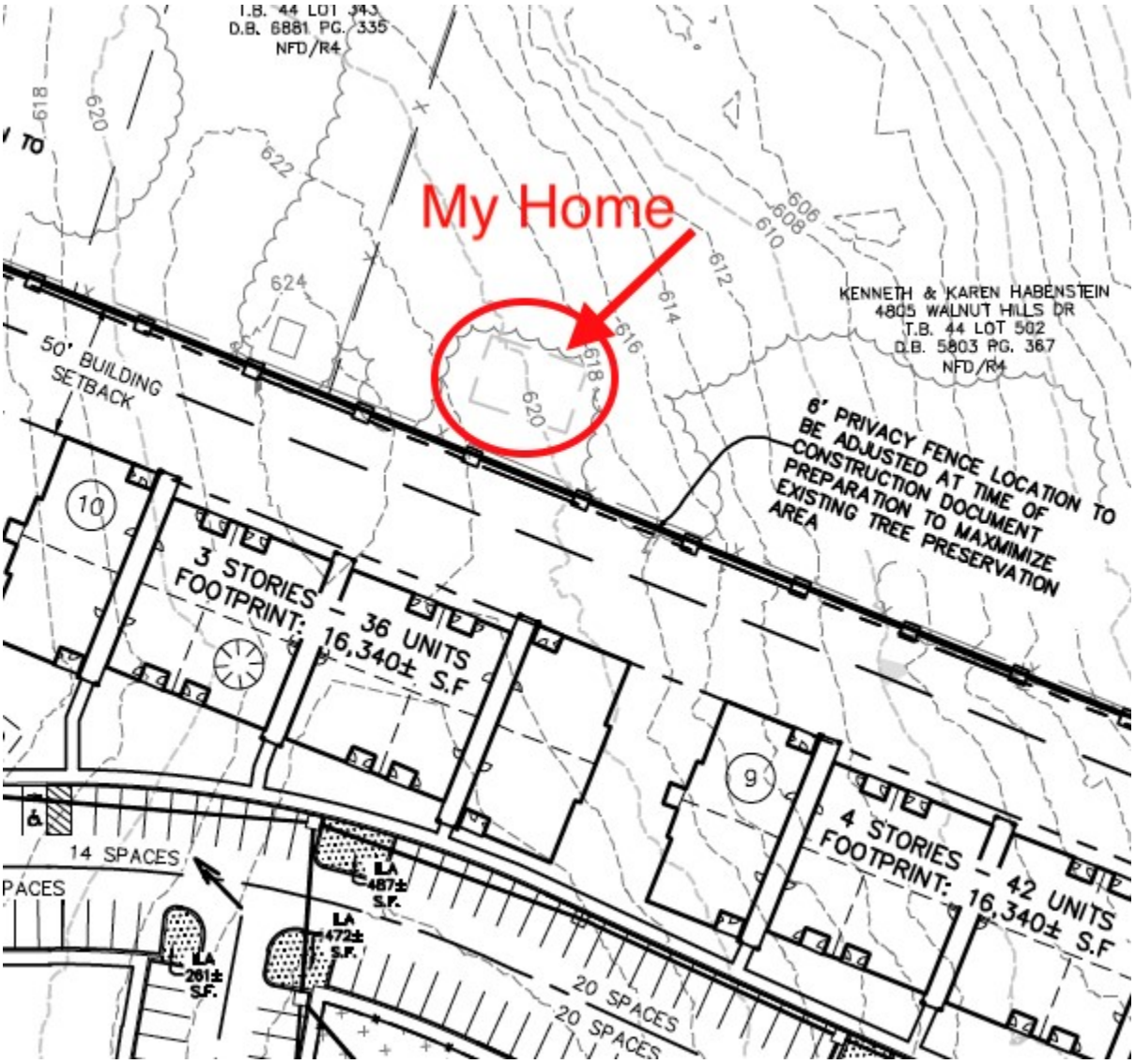
My name is Karen Habenstein, I live at 4805 Walnut Hills Dr.

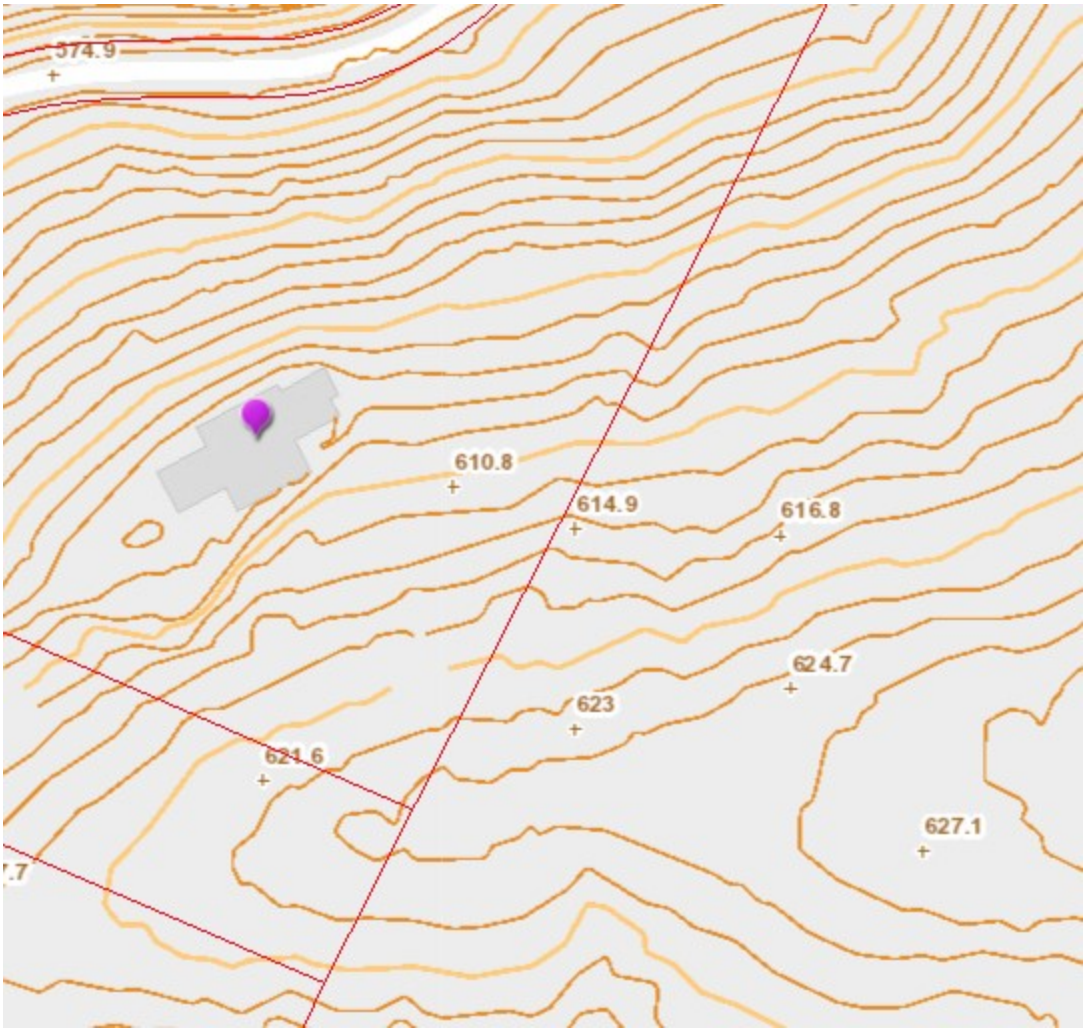
The proposed massive development at 4700 S Hurstbourne Pkwy violates several Plan 2040 Plan Elements and staff checklist. I am deeply concerned about what this means for my home, my family, and my community.

First and foremost, the developer has proposed 3-story and 4-story buildings towering over my home, with only a 6-foot fence to set us apart. These buildings are literally right on top of my home and the balconies will be looking directly into all my bedrooms, living room, and kitchen, in addition to my outdoor patio area, which is very important to us.

Because my home is downhill from these buildings, they will appear even larger from my view as my home is sloped downhill from this development.

These photos will put this into perspective, but we invite you to come look at it in-person to really understand what this will look like for us.


My Home
T.B. 44 LOT 343
D.B. 6881 PG. 335
NFD/R4
KENNETH & KAREN HABENSTEIN
4805 WALNUT HILLS DR
T.B. 44 LOT 502
D.B. 5803 PG. 367
NFD/R4
50' BUILDING SETBACK
6' PRIVACY FENCE LOCATION TO BE ADJUSTED AT TIME OF CONSTRUCTION DOCUMENT PREPARATION TO MAXIMIZE EXISTING TREE PRESERVATION AREA
3 STORIES - 36 UNITS
FOOTPRINT: 16,340± S.F
4 STORIES - 42 UNITS
FOOTPRINT: 16,340± S.F
14 SPACES
20 SPACES
20 SPACES
LA 487± S.F.
LA 472± S.F.
LA 261± S.F.
10
9
6
618
620
622
624
606
608
610
612
614
616
618
620


374.9
610.8
614.9
616.8
624.7
623
624.6
627.1





The proposed development violates requirement #2 of the Plan 2040 Staff Checklist:

"Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements."

The proposed development has a density of nearly 19.49 dwelling units per acre. The abutting properties on Walnut Hills Dr have a density 0.5 dwelling units per acre. That is a drastic change and violates the above requirement.

We have asked the developer to consider the following items to provide proper transition:

- ● Less density
- ● Shorter buildings
- ● Larger setback
- ● Vegetative berms

Unfortunately, the developer does not seem to want to work with our reasonable requests for proper transitioning.

The proposed development also violates requirement #4 of the Plan 2040 Staff Checklist:

"Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation."

According to Lojic online and the developer's Geotechnical Report, the proposed development is sitting on top of a steep slope, karst terrain, and clays with shrink/swell potential. Additionally, the Geotechnical Report states that as much as 8 feet of additional elevation/dirt may be added to this area, increasing the already existing slopes.

This development poses too much of a risk to the homes located in the valley below. A smaller low-density development with proper transitioning and buildings placed away from the edge of the hill would be more appropriate for this land.

Thank you,

Karen & Ken Habenstein

4805 Walnut Hills Dr

Louisville, KY 40299

St. Germain, Dante

From: Bob Gunter (via Google Docs) <bobwgunter@gmail.com>
Sent: Thursday, September 15, 2022 10:03 PM
To: St. Germain, Dante
Subject: Planning and Transportation Committee
Attachments: Planning and Transportation Committee .pdf

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

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Bob Gunter attached a document

Bob Gunter (bobwgunter@gmail.com) has attached the following document:

Hi Ms. Germain, i thought i had sent this already but do not see it in my sent box. I did buy a cheap computer and hoping this one shows emails from me instead of my wife.

Anyway, i wanted to provide my objections to the planning and transportation committee meetings i was told about at the neighborhood meeting with the developers last night.

thanks and i can print and sign if you need me to.

Planning and Transportation Committee

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because bobwgunter@gmail.com shared a document with you from Google Docs.



Planning and Transportation Committee

Please deny the request to change the zone of the property at 4700 and 4900 S. Hurstbourne Parkway Corridor. The development violates KRS 100.201(2) by adversely impacting public health, safety, morals, general welfare, orderly and harmonious development, the visual character, regulate the density, population and intensity in order to provide adequate light and air. And for the following reasons:

The Traffic Impact Study indicates the addition of the access road to Bardstown Rd does not mitigate the unacceptable impacts upon the road network studied. The downgrades will unjustly risk commuters, pedestrians and adjoining neighborhoods to accidents, noise/air/particulate pollutants, loss of service times, time with families etc. The TIS indicates:

1. Watterson Trail Eastbound approaching the Hurstbourne Pkwy/Watterson Trail Intersection which will be downgraded from a D to a F.with a score going from 50-80.
2. Hurstbourne Pkwy at Bardstown Rd will go from a E (64.2) to a F (91.1).
3. Hurstbourne Pkwy Southbound approaching Bardstown Rd becomes a F.
4. Hurstbourne Parkway Southbound approaching Hurstbourne Pkwy/Bardstown Rd will go from a D to a F and LOS will change from 95 to a 129.
5. Bardstown Rd Eastbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road to a F. almost doubling LOS..
6. Watterson Trail Southbound approaching Bardstown Rd and the Watterson Trail intersection becomes a F.
7. Hurstbourne Parkway Northbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road will remain a F but it's score but LOS will go from 64 to 91.
8. The development will be adding traffic onto the graded F road of the Watterson Trail Northbound towards the intersection with Bardstown.

The development violates Plan 2040 as seen in the attached checklist. The location in the center of Hurstbourne Pkwy, Bardstown Road and Watterson Trail, with the Utility Stations and the density make this too risky to all. The projected density and number of vehicles added to the current 55,000 vehicles circling the development is not fair to the residents or community.

Plan 2040 also looks for transitioning between developments and the adjoining single family neighborhood, however, this development ignores that. The development places 45-55 ft tall (24 and 36 unit) Apartment Bldg right on the adjoining neighbors yard, They don't transition or seek to blend the neighborhoods. A balance of density and transition can be made.

Plan 2040 also looks to protect our environment and natural resources, however the plan intends to destroy the perennial pond and the perennial spring that feeds the waterfalls in the photo below. Section 3.2.2.24 of the Geological Survey says “the suspected wetlands area in the Northwest corner is a pond.” On page 18 of the Geological Study, the pond is described as “The pond (or perennial stream as identified on LOGIC) was mostly dry at the time of our

evaluation, although the ground surface appeared to be soft. This area is most likely a wetlands or ephemeral pond, which periodically holds water for some time during or following precipitation events. The pond area is relatively shallow, which suggests the area may have been infilled either by natural causes (e.g., erosion or siltation) or man-placed fill. Ponds typically form in low points in karst areas via plugging of the near surface voids or fracture zones via siltation. However, impounding of water can over time initiate sinkhole activity, which may also explain the lack of water within the pond (and in photographs from recent years)." The pond and the waterfall flow directly into the US waters of Fern Creek.

Please deny the rezoning of 4700 and 4900 S Hurstbourne Pkwy

Thank you

Bob Gunter
4903 Walnut Hills Drive
40299

Plan 2040 Checklist

Plan 2040 Plan Element	Land Use & Development Policy VIOLATIONS	Finding	Analysis
Community Form Goal 1	2.1.1. the description, character and function of the Form District designated for the area in which the subject site is located;	Does Not Meet Guideline	The form district is a major corridor for traffic. The development will negatively impact this function and cause more accidents.
Community Form: Goal 1	2.1.2. the intensity and density of the proposed land use or mixture of land uses;	Does Not Meet Guideline	The intensity and density planned will cause the road network to be downgraded to f and will increase accidents above random events. (Hurstbourne Corridor Study)
Community Form: Goal 1	2.1.3. the effect of the proposed development on the movement of people and goods;	Does Not Meet Guideline	Will show down the movement of people and goods and deter commute in the congested and accident prone areas studied. The community will be adversely impacted.
Community Form: Goal 1	2.1.4. The compatibility of the proposed use or uses with surrounding uses including the relationship of the use, mass, scale, height, materials, building footprint, orientation, setback and design of the proposed building or buildings with that of surrounding buildings.	Does Not Meet Guideline	Not compatible with the generous setbacks of connecting single family homes and yards. The 3-4 story apartment buildings adjoining the yards per the developers minimal setback will be approximately 55 ft tall, facing single family homes. The parking lot and building 10 will be filled and an additional 10 feet higher.
Community Form: Goal 1	2.2.4. the compatibility of the proposal with the existing buildings and uses on any contiguous land.	Does Not Meet Guideline	Not compatible, the 3-4 story multi family apartments footprints are at the minimal setback, stand upwards of 55 ft tall, and face the single family homes.
Community Form: Goal 1	2.7. Develop neighborhood, subarea, corridor plans and strategies consistent with the goals and objectives of this Comp	Does Not Meet Guideline	The goals and objectives include safe roadways to commuters and pedestrians. This proposal adversely impacts that goal
Community Form: Goal 1	4. Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	Does Not Meet Guideline	The 3-4 Story approx 55 ft tall multi family apartments are not compatible with single family homes.
Community Form: Goal 1	. Allow a mixture of densities as long as their designs are compatible. Adjacent residential areas in different density categories may require actions to provide an appropriate transition between the areas. Examples include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences	Does Not Meet Guideline	Not compatible, 50-60 ft tall bldg adjoining properties and facing properties of single family homes is not appropriate.
Community Form: Goa.l 1	7. Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where	Does Not Meet Guideline	Does not meet Guidelines. The Traffic Impact results show adequate infrastructure does not exist. the development will downgrade Watterson Trail Eastbound approaching the Hurstbourne Pkwy/Watterson Trail Intersection to a F, Hurstbourne

	demand and adequate infrastructure exists or is planned.		Pkwy at Bardstown Rd will to a F, Hurstbourne Pkwy Southbound approaching Bardstown Rd to a F, Bardstown Rd Eastbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road will be downgraded to a F and almost double its score. Watterson Trail Northbound towards the intersection with Bardstown will be downgraded to a F. Watterson Trail Southbound approaching Bardstown Rd and the Watterson Trail intersection will be downgraded to a F.
Community Form: Goal 1	9. Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.	Does Not Meet Guideline	Does not meet guidelines. The single family neighbors have provided generous setbacks enhancing 4700 Hurstbourne Lane. The plans only include a minimum setback with 3 story (24 unit apartments approx 45 ft tall) and 4 story (36 unit apartments approx 55 ft talle) in each, with elevations. The southwest section will also receive approximately 15 ft of fill on the property lines of 2-3 houses. This will not be an appropriate transition.
Community Form: Goal 2	2.1 proposed uses, density and design are compatible with adjacent uses and meets Form District guidelines;	Does Not Meet Guideline	Adjacent Hurstbourne PKWY, Bardstown Rd and Watterson Trail Traffic is not compatible with the proposed rezone to accommodate additional vehicles
Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	**N/A**	New and Appropriate development is encouraged.
Community Form: Goal 2	16. Encourage activity centers to be easily accessible by bicycle, car, transit, and for pedestrians and people with disabilities. Large activity centers should be considered for designation as transit nodes.	Does Not Meet Guideline	F graded road network, congestion, accidents, smog, noise, and intersections prohibit easy access for bicycle, car, transi, pedestrians and particularly people with disabilities.
Community Form: Goal 2	17. Design and locate utility easements to provide access for maintenance and repair. Encourage adjacent development sites to share site and building features such as utility hookups and service entrances. Place, to the extent possible, utility lines in common easements. Minimize the aesthetic and physical impacts of utilities, e.g., by placing utilities underground and screening utility equipment.	Does Not Meet Guideline	The plan will negatively impact the access to the current Utility lines below the development at the Southwest corner
Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	**N/A**	New and Appropriate development is encouraged.
Community Form: Goal 3	7. Encourage natural features to be integrated within the prescribed pattern of development.	Does Not Meet Guideline	Destroying US Waterways, Pond and Waterfall
Community Form: Goal 3	8. Conserve, restore and protect vital natural resource systems such as mature trees, steep slopes, streams and wetlands .	Does Not Meet Guideline	Destroying Pond and Waterfall , both appear to be protected waterways.
Community Form: Goal 3	10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental	Does Not Meet Guideline	Does not meet the Guidelines. The Karst terrain is highly permeable soil. The Crider Series soil is the KY State Soil. The Karst Terrain provides steep and unstable slopes underground and on top. Each of the Dolines and Sinkholes identified in the Geological report have high potential for severe erosion damage to 4700 S. Hurstbourne and the lower lying and adjoining properties on the bank of the Protected Waterway. The Pond and building ((((were cited as

	degradation.		being unstable by a Geotechnical Engineer.
Community Form: Goal 3	9. Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	Does Not Meet Guideline	Will destroy karst terrain, sinkholes, waterways, perennial ponds, waterfalls, and infill low parts of west side of development
Community Form: Goal 3	12. When reviewing proposed developments consider changes to flood prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development.	Does Not Meet Guideline	Great risk of drying up fern creek and then flooding
Community Form: Goal 4	2. Encourage preservation of dis-tinctive cultural features including landscapes, natural elements and built features.	Does Not Meet Guideline	Pond and Waterfall that drain directly into protected waterway
Mobility Goal 1	To promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate	Does Not Meet Guideline	Does not promote health and actually raises chances of injury or death from unacceptable roads, pollution from 55000 vehicles.
Mobility: Goal 1	4. Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.	Does Not Meet Guideline	The planned developments location will hurt transit and public transportation for the residents, commuters and those living on the downgraded road network.
Mobility: Goal 2	1. Provide transportation facilities and systems that accommodate all users and allow for context-sensitive solutions that recognize the distinguishing characteristics of each of the Form Districts.	Does Not Meet Guideline	To accommodate a use is to provide reasonable commute times, the TIS projects substantial loss of service times. In addition, accidents will rise to more than random incidents.
Mobility Goal 2	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	Does Not Meet Guideline	Access through Laurel Springs will create significant nuisances
Mobility: Goal 2	7.2. Be context sensitive by ensuring that proposals are compatible with the surrounding development and provide an aesthetically pleasing visual experience to the user and to adjacent areas;	Does Not Meet Guideline	The 45-60 ft buildings adjoining the single family homes are not comparable to surroundings and not aesthetically pleasing to the single family homes and neighborhoods.
Mobility Goal 2	7.4. Ensure that adequate measures will be taken to reduce glare, vibration, air pollution, odor, and visual intrusion.	Does Not Meet Guideline	Will add to existing 55,000 gas and diesel vehicles traveling Hurstbourne Pkwy, Bardstown Rd and Watterson trail increasing glare, vibration, air pollution, odor and visual intrusion.
Mobility Goal 2	8. Protect and/or enhance environmentally sensitive areas through responsible and sustainable best practices in the planning and design of transportation network projects.	Does Not Meet Guideline	Due to the right of ways and Utilities Station, the City can't design the road network of the study are to accept the additional vehicles

Mobility Goal: 2	9. Develop, preserve, and maintain an interconnected system of scenic corridors and parkways. Encourage the preservation of important cultural resources, landscapes and scenic vistas in the design, maintenance and development of major thoroughfares and parkways.	Does Not Meet Guideline	The TIS projects the proposed development will deteriorate the West End of the Scenic Hurstbourne Corridor and will destroy streams, and waterways of the US.
Mobility Goal 2	10. Increase funding to maintain the existing infrastructure and build a multi-modal transportation network that supports the needs of the entire community.	Not Applicable	TIS indicates utility station and right of ways have the roads constrained and cannot be cost effectively maintained.
Mobility Goal 2	14. Expand the traffic signal coordination program to limit idling and protect public health while increasing the safety and capacity of the current road network.	Not applicable	TIS projects accidents will rise out of the random range. The capacity of this area cannot be increased by this development.
Mobility Goal 2	16.4. safe, efficient movement of freight;	Does Not Meet Guideline	TIS projects unsafe, non efficient movement of freight in the study area
Mobility Goal 2	16.11. traffic calming techniques including the implementation of reconfigurations, where existing and future traffic volumes support them, to improve safety and mobility for all users.	Does Not Meet Guideline	The TIS projects the Traffic volumes do not support this development and will adversely impact safety and mobility for all users
Mobility: Goal 3	1. Provide transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management. Provide walking and bicycling opportunities to enable activity centers to minimize single-occupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling	Does Not Meet Guideline	The TIS projects transportation services and facilities will not promote and accommodate growth and change. Traffic adversely impacts bicycling opportunities and supports single occupancy vehicle travel.
Mobility: Goal 3	2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	Does Not Meet Guideline	The proposed development adversely impacts mobility and will increase congestion while adding to vehicle miles traveled. People with disabilities will be at risk through longer commutes, longer traffic lights, more accidents, more smog and pollution. Proximity to employment centers will be impacted by congestion and accidents. .
Mobility: Goal 3	3. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	Does Not Meet Guideline	Planned development will degrade the transportation network, including the street, pedestrian, transit, freight movement and bike facilities. The approximate 55,000 gasoline and diesel vehicles circling Hurstbourne, Broadway and Watterson Trail daily will negatively impact the air quality (see Hurstbourne Corridor Study)
Mobility: Goal 3	4. Encourage development of walkable		Bicycling, motorcycling will be adversely

	centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following:	Does Not Meet Guideline	impacted by the rise ini rear impacts due to the congestion and traffic.
Mobility: Goal 3	4.1. nodal connections identified by Move Louisville;;		
Mobility Goal 3	4.2. impact on freight routes	Does Not Meet Guideline	Will be significantly slower with the lower graded F road network of the Study area
Mobility Goal 3	4.3. time of operation of facilities;	Does Not Meet Guideline	Slower with more accidents, perhaps more than can be accounted for as random.
Mobility Goal 3	4.4. safety;.		
Mobility Goal 3	4.5. appropriate linkages between neighborhoods and employment; and	Does Not Meet Guideline	Not appropriate due to unacceptable impact of the proposed development and downgrades of road network to a F
Mobility Goal 3	4.6. the potential for reducing travel times and vehicle miles traveled	Does Not Meet Guideline	No potential as time will go up per the TIS
	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	Does Not Meet Guideline	TIS will change the Hurstbourne Pkwy, Watterson Trail and Bardstown Rd to unacceptable grades and loss of service time. Street, pedestrian, transit, freight movement, bike and air will be negatively impacted.
MobiMobility Goal 3	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	Does Not Meet Guideline	The Traffic Impact Study documents the Utilities Station and costs prohibit additional vehicles. Moving the access road to Bardstown Rd will not change the unacceptable downgrade of the study are.
Mobility: Goal 3	9. When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	Does Not Meet Guideline	The developer cannot move the Utilities Staton or impact the State Road. The access road does not reduce the density, the congestion, Loss of service time, accident rates, slow commerce and so forth. The right of ways and Utilities Station prohibit reasonable and results driven improvements.
Mobility: Goal 3	10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	Does Not Meet Guideline	Traffic study reported cost prohibited and Utility Station
Mobility: Goal 3	11. Provide street improvements and/ or transit solutions to mitigate the impacts of development and redevelopment. Improvements may include, but not be limited to, the following:	Does Not Meet Guideline	TIS indicates improvements will not mitigate the impacts or downgrading of road network to F with longer loss of service times.
Mobility: Goal 3	21. Prevent safety hazards caused by direct residential access to high speed roadways.	Does Not Meet Guideline	The additional traffic will contribute to accidents to all the residents having to access the f graded roads, f graded intersections of the study. Includes multiple neighborhoods.

Community Facilities: Goal 1	**Goal**. Ensure community facilities are accessible	NA	Not a bicycle Friendly Corridor,
Community Facilities: Goal 2	**Goal: plan for community facilities to improve quality of life** and meet anticipated growth.	N/A	
Community Facilities: Goal 3	**Goal: design community facilities to be resilient and compatible with the surrounding neighborhood**.	N/A	
Economic Development:Goal 1	**Goal:** Provide an economic climate that improves growth, innovation, investment and opportunity for all.	Does Not Meet Guideline	Slows down commerce, increased commute time and ore accidents and injury
Economic Development Goal 1	1. Ensure direct, safe, accessible and convenient multi-modal access between designated employment and population centers	Does Not Meet Guideline	Whether it be general eclectic or the tea company, employees will suffer more accidents, loss of service, family time due to the unacceptable road network and multiples f grades. Many will have to pull out of drives and roads onto roads that will be graded f.
Economic Development: Goal 1	3. Encourage design elements that address the urban heat island effect and energy efficiency, such as the planting and preservation of trees, cool roofs and green infrastructure, for new development.	Does Not Meet Guideline	The 5-60 foot tall 24 and 36 unit apartment buildings will increase urban heat for the valley of Walnut hills, the adjoining residential home and the residents of the apartments. Particulate pollution will increase and inversion will assure the walnut hills are choked from smog.
Economic Development: Goal 1	8. Designate preferred freight routes and enhance infrastructure of distribution corridors to allow efficient transportation of people, goods and services.	Does not meet Guidelines	Not efficient, will slow commerce.
Economic Development: Goal 1	11. Promote the redevelopment of surface parking lots, where appropriate, to be responsive to current and changing trends.	Does not meet Guidelines	Not aware of any, but 120 spaces pointed right at my home.
Economic Development" Goal 2	1. Ensure direct, safe, accessible and convenient multi-modal access between designated employment and population centers.	Does not meet Guidelines	Not direct as have to go through slow intersections, congestion and graded f road networks.
Economic Development: Goal 2	.3 Encourage design elements that address the urban heat island effect and energy efficiency, such as the planting and preservation of trees, cool roofs and green infrastructure, for new development.	Does not meet Guidelines	Will not help with the urban island effect. Encroaching on the valley and adding pollution will make it worse.
Livability: Goal 1	1. Encourage use of conservation subdivisions and other practices that conserve open space and natural features.	Does Not Meet Guideline	If there was open space the development would build an apartment on it. However, the development can reduce density, meet the neighbors concerns and build a lower density development
Livability: Goal 1	2. To encourage preservation of certain natural features, develop indices to aid in determining value of environmental features and identify appropriate measures to offset impacts of development.	Does Not Meet Guideline	The perennial pond and stream that feeds the waterfall on Walnut hills. Photo attached.
Livability: Goal 1	3. Investigate the use of conservation easements to protect critical forest areas, wildlife habitat, water quality, agricultural	Does Not Meet Guideline	The waters of Fern Creek are already polluted, 1200 residents will only add to the pollution including PFAs that will sink into the

	land, scenic views, historic sites, and recreational land.		ground and infiltrate the water, including the residents that use well water.
Livability: Goal 1	8. Enhance the quality of both water and streambanks to protect and preserve drinking water	Does Not Meet Guideline	1200 residents on the bank of Fern Creek will not enhance the quality or stream bancks and pd preserve drinking water
Livability: Goal 1	10. Mitigate negative development impacts to the watershed and its capacity to transport stormwater by discouraging changes to stream channels and natural drainage features. Use, where available, the Metropolitan Sewer District's watershed plans as a guideline for development suitability. Consider special districts to assist in efforts to enhance watersheds.	Does Not Meet Guideline	No mitigation, development will be destroying the natural drainage into the spring and creek on the 4900 land and will be destroying sinkholes, dolines, perennial ponds that are natural drainage features. Geo Report identifies sinkholes that are interconnected and with land subsidence, The South property line is a stream of the US extending from Hurstbourne to the South West Corner. These are waters of the US and should be evaluated by the Corps of Engineers.
Livability: Goal 1	11. Protect solid blueline streams, defined by the current floodplain management ordinance, from channelization, stripping, relocation or other alterations. Ensure a vegetative buffer on the banks of blueline streams to protect the functional integrity of the channel.	Does Not Meet Guideline	No protection to solid blueline stream of Fern Creek as multiple perennial springs are to be filled in and the perennial pond. All drain directly into blueline creek of Fern Creek
Livability: Goal 1	12. Minimize impervious surface area and take advantage of soil saturation capacities.	Does Not Meet Guideline	Not minimizing impervious surface.
Livability: Goal 1	13. Protect the surface and subsurface areas within and surrounding new and existing developments that have the potential to be used as sources for community water supply systems.	Does Not Meet Guideline	Development to destroy surface and subsurface areas within and surrounding the new development and used as a source for community water supply. All drain into Fern Creek
	14. Include greenways as integral components of a comprehensive water quality program (consistent with the Multi-Objective Stream Corridor/Greenways Plan).	Does Not Meet Guideline	Non observed
	15. Ensure that standards for evaluating development proposals meet the water quality goals for the affected watershed. Encourage the use of green infrastructure to protect and enhance water quality.	Does Not Meet Guideline	Perennial Streams and Ponds not reviewed by the Corps of engineers. Waters of the us.
	16. Protect carbonate areas through standards that control the type, location, design and operation of activities posing potential threats to groundwater quality and karst features in carbonate areas.	Does Not Meet Guideline	How is this protecting the carbonate area? Poses significant threat to groundwater
Livability: Goal 1	7. Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow	Does Not Meet Guideline	Not aware of a determination on erosion, no determination on existing groundwater use and impacts on groundwater resources. Flow pattes, Mitigation is to plug and fill and redirect water to adjoining neighbors property below on the creek banks.

	patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.		
Livability: Goal 1	9. Establish buffer areas around lakes and streams to protect the riparian zone as a critical wildlife habitat and/or as a filter to catch waterborne pollutants from site construction activities, on-lot sewage disposal and stormwater runoff.	Does Not Meet Guideline	Not aware of buffers around the pond or sinkholes.
Livability: Goal 1	20. Establish riparian zones and enact regulations such as setback and vegetation conservation requirements..	Does Not Meet Guideline	No riparian zones established that i am aware of.
Livability: Goal 1	21. Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events	Does Not Meet Guideline	Enclosing the banks of Fern Creek by the width of this development will dry the floodplain up when dry and then flood it during rains. Just like we are seeing in other areas. More frequent floodings for sue
Livability: Goal 1	25. Ensure that sufficient emergency vehicle access is provided for developments proposed in or through the floodplain. Access should be provided above flood levels or through other means to minimize potential hazards for any development that is proposed in or through the regulatory floodplain	Does Not Meet Guideline	Walnut Hills is directly below the development on the banks of Fern Creek. Watterson Trail will become a F graded road and it is the only way to Walnut Hills. Response time to any hazard of flood or other emergency action will be impaired by the roads and the flooding
Livability: Goal 1	26. Ensure that drainage systems are designed to be capable of accommodating the runoff from development upstream, assuming a fully-developed watershed and an increased frequency of intense storm events.	Does Not Meet Guideline	This fully developed watershed of Hurstbourne Pkwy and Bardstown Road will not be able to carry the water away after the development encroaches on the valley and raises the valley walls by 50-60 ft with the buildings.
Livability: Goal 1	.29 Utilize Best Management Practices (BMPs) to preserve or restore stream banks/corridors.	Does Not Meet Guideline	The development crosses the corridor to get to bardstown road and negatively impacts the corridor.
Livability: Goal 1	31. Consider the impact of traffic from proposed development on air quality.	Does Not Meet Guideline	Smog and particulate matter will rise just like the Hurstbourne Corridor Study recorded. The 55,000 gas and diesel vehicles circling the development and Walnut Hills daily will be larger when the development is completed. Along with destruction of the road network will be the valley and residents of the development.
Livability: Goal 1	32. Mitigate sources of pollution through measures that reduce traffic congestion, promote the use of multi-modal transportation options, and implement land use strategies and policies that encourage transit-oriented development to achieve compliance with air quality standards.	Does Not Meet Guideline	The road to Bardstown will not reduce it. Deleting some buildings will help. Not approving the rezoning request will help.
Livability: Goal 1	33. Continue to modify existing roads, particularly at intersections, to alleviate traffic	Does Not Meet Guideline	Traffic Impact Study offered no suggestions and noted that right or ways and the utility

	congestion and enhance mobility for all users. When making road-widening decisions ensure that road projects are sensitive to impacts on air quality and surrounding land uses as well as factor in the impact of such projects on induced travel demand.		station made it cost prohibitive to modify existing road network.
Livability: Goal 1	34. Create incentives and modify regulations in order to improve air quality	Does Not Meet Guideline	The development will hurt the air in and around the study area. Particular matter will rise, smog will rise and inversion is keep it in the valley.
Livability: Goal 1	35. Ensure critical connections are built and maintained in the pedestrian and bicycle networks including the development of sidewalks, bike lanes, shared use paths and walkways to promote the use of multimodal transportation options.	Does Not Meet Guideline	Multimodal transportation is negatively impacted due to the amount of traffic and corridor usage. Motorcyclists should be discouraged due to the rear end collisions this will cause.
Livability: Goal 1	41. Require tree preservation Best Management Practices during land development and construction activities. Increase the Metro-wide tree canopy coverage toward 45% that is equitably distributed either by planting new trees or preserving existing trees.	Does Not Meet Guideline	I don't think the development will have a 45% tree canopy
Livability: Goal 2	1.Strengthen and expand programs that reduce the risk from environmental hazards in residential neighborhoods including lead removal and abatement.	Does Not Meet Guideline	The traffic and development will pollute the small neighborhood of Walnut Hills residing below the development on the banks of Fern Creek.
	4. Establish baseline criteria for critical health and infrastructure (Infrastructure to include access to food, health care, air quality, schools, and other social determinants of health). Provide visual impact assessments and equity reports for land use and community development planning to evaluate Louisville Metro programs and policies	Does Not Meet Guideline	Per the Traffic Impact Study, the residents will just have to drive longer, risk more injury than anyone else to go to school, work or to the store or receive health care.
	6. Enhance access to parks and open spaces to promote positive health outcomes throughout Louisville Metro.	Does Not Meet Guideline	Residents and neighborhood will have to drive longer and risk higer levels of injury than the rest of louisville.
	8. Encourage site design standards that incorporate elements intended to promote safe, healthy and accessible places.	Does Not Meet Guideline	The location is not designed for dense populations and promotes health safety concerns and makes places inaccessible
Livability: Goal 3	4. Improve civic engagement processes that ensure that new developments and policies are brought into a neighborhood, so that residents have an opportunity to understand how these changes will impact their health and safety.	Does Not Meet Guideline	No information has been provided regarding impact on health. Hurstbourne Corridor Study offers some. The Traffic Impact Study was found on the louisville access site.

Livability: Goal 4	7. Develop a plan to reduce carbon emissions and address potential threats due to changing weather patterns and climate change.	Does Not Meet Guideline	Plan increases carbon emissions and adds potential threats to the creek and floodplain due to the amount of pavement and roof tops.
Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	Does Not Meet Guideline	Congestion, loss of service time and accidents will deter older adults and people with disabilities from residing in the development. Longer commute time, higher rates of accidents, congestion and air will deter
Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	Does Not Meet Guideline	Older adults or those with disabilities don't want to age in place in congested, failing road networks with longer loss of service times. The time to get medical help or emergency help will increase. Smog will affect this population the most.
Housing: Goal 1	7. Encourage inclusive communities, overcome disparities in access to Louisville Metro assets, and enhance housing choice for all residents throughout Louisville Metro by coordinating plans and investments to affirmatively further fair and affordable housing.	Does Not Meet Guideline	Planned development will advocate disparities in access to louisville assets to anyone living in the planned apartment complex or the neighborhoods circled by the Traffic Impact Study area.
Housing: Goal 2	2. Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.	Does Not Meet Guideline	Will not be safe or convenient access due to results of Traffic Study.
Housing: Goal 2	.6 Ensure adequate access between employment centers and population centers.	Does Not Meet Guideline	Unsafe access. Residents will have to exit apartments onto graded F Hurstbourne Pkwy, go through graded F intersection, sit in congestion and be exposed to dangerous accident levels. (see Hurstbourne Corridor Study)
Housing: Goal 2	9 Discourage new residential development near or within heavy industrial areas or near incompatible community facilities. Explore programs that recondition existing housing in such areas in order to mitigate adverse impacts.	Does Not Meet Guideline	The roadwork Network is incompatible as a result of the planned development.
Housing: Goal 3	2. As neighborhoods evolve, dis-courage displacement of existing residents from their community.	Does Not Meet Guideline	Two neighbors from existing Neighborhood have put their homes up for sale, with the almost 69 ft 3-4 story apartment buildings planned on building on property line



St. Germain, Dante

From: Brian Gunter <gunterb34@gmail.com>
Sent: Thursday, September 15, 2022 9:27 PM
To: St. Germain, Dante
Subject: Concerns With 4700 S Hurstbourne PKWY
Attachments: Fern Creek Development Concerns.docx

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Good Evening Dante,

I have attached the major concerns my wife and I have regarding the proposed development at 4700 S Hurstbourne Pkwy. Please let me know if you have any questions.

Thank you,

Brian Gunter
502-889-7668

September 15, 2022

To Whom It May Concern,

As residents of the Walnut Hills community, we will be directly affected by the proposed development at 4700 S Hurstbourne Pkwy. We have a multitude of concerns that we would like documented which include: traffic/road safety, flooding, and development heights near surrounding properties.

First, there is a major concern that access for the development will include access to Laurel Springs Drive, which raises major safety concerns. The current condition of Laurel Springs Drive includes a very tight, 18 ft wide road, which hardly allows for two cars to pass at once. If one of these vehicles is a truck or large SUV, one must stop in order for the other to pass. Adding additional vehicles to this road would be a major mistake, and would only cause future issues with stoppage and traffic backups on Laurel Springs Drive. Watterson Trail/Laurel Springs Drive is also a bus stop for the children of the neighborhood. By adding additional traffic, especially those that are not used to the current condition of Laurel Springs, I fear for the safety of my two children who could be at the bus stop. Furthermore, whether Laurel Springs is used as an additional entrance or not, the concern for additional traffic on Watterson Trail is still relevant. There are approved plans for a development across from Laurel Springs, off of Watterson Trail, that will cause more traffic and congestion. If your development is approved you can imagine the additional traffic that will route to Watterson Trail which will cause all Laurel Springs and Walnut Hills Drive residents a harder time turning in and out of our community. Traffic without these developments is already tough to navigate and we would not want to add to this situation with even more residents packed into this small area.

As indicated on the proposal, the runoff from this huge development will go directly into a FEMA Regulatory Floodway, also known as Fern Creek and the Pond Creek Watershed.

1. FEMA - According to FEMA, "a 'Regulatory Floodway' means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations."
2. Plan 2040 - Louisville Metro's Plan 2040 states that, "when development proposals increase runoff, provide onsite management and treatment of stormwater. Ensure the peak stormwater runoff rates or volumes after development are consistent with regional watershed plans. If not, they are to be mitigated onsite."

The new runoff these massive buildings will add to the FEMA Regulatory Floodway is exponential. This will create an increased risk of flooding and erosion for all homeowners in the area and endanger the safety of our families and our homes. This property is better suited for a smaller density development, such as an R4 subdivision, with smaller buildings, less concrete, and more green space to mitigate runoff. I understand the development will be suited to contain the runoff, but what if the estimates are incorrect, and in a few years my house floods, or is added to the floodplain because the changes this development caused on Fern Creek? Who is responsible for those costs?

Privacy is a huge concern. With three story apartment buildings right next to Laurel Springs and Walnut Hills Drive homes you are allowing for multiple people to look into our neighborhood and directly into some homes. You can imagine the concern for privacy being present. When a building is 50+ feet tall looking into one story homes, even a berm or fence do not assist in providing privacy. We understand there will be tall buildings on the development, but there is no reason the surrounding neighbors need to have 3 to 4 story buildings on the property line. The privacy of our neighbors on Laurel Springs and Walnut Hills will greatly be diminished. Why can the heights of the buildings running along these two streets no be two stories high, with the taller buildings in the middle of the development or on Hurstbourne Pkwy? This development has no concern for the families living on bordering properties.

We appreciate the documentation of these concerns and hope that we can come to an agreement that helps all parties involved.

Concerned Walnut Hills Drive Residents,

Kayla & Brian Gunter

4816 Walnut Hills Drive

Louisville, KY 40299

St. Germain, Dante

From: Betty Wallen (via Google Docs) <bettyjwallen@gmail.com>
Sent: Thursday, September 15, 2022 8:26 PM
To: St. Germain, Dante
Subject: Letter of Opposition 22-ZONE-0012 - Wallen
Attachments: Letter of Opposition 22-ZONE-0012 - Wallen.pdf

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Betty Wallen attached a document

Betty Wallen (bettyjwallen@gmail.com) has attached the following document:

Letter of Opposition 22-ZONE-0012 - Wallen

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because bettyjwallen@gmail.com shared a document with you from Google Docs.



22-ZONE-0012: Letter of Opposition

My name is Betty Wallen. I live at 8201 Laurel Springs Dr. I am writing this letter in opposition of the rezoning of 4700 S Hurstbourne Pkwy.

According to the Traffic Impact Study, traffic will be significantly impacted in this area.

1. Watterson Trail Eastbound approaching the Hurstbourne Pkwy/Watterson Trail intersection will be downgraded from a D (50) to an F (80)
2. Hurstbourne Pkwy at Bardstown Rd will go from an E (64.2) to an F (91.1)
3. Hurstbourne Pkwy Southbound approaching Bardstown Rd becomes a F
4. Hurstbourne Pkwy Southbound approaching Hurstbourne Pkwy/Bardstown Rd will go from a D to an F and LOS will change from 95 to a 129.
5. Bardstown Rd Eastbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road will be an F almost doubling LOS
6. Watterson Trail Southbound approaching Bardstown Rd and Watterson Trail intersection becomes a F

Moreover, the proposed entrance on Laurel Springs Dr will only become more dangerous with cars cutting through from Watterson Trail and not being given enough time to slow down on our street, potentially causing fatal accidents.

Due to our neighborhood being a significant lower density (0.64) than the development (19.49), the entrance on Laurel Springs violates #8 of the Plan 2040 Staff Checklist:

“Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.”

The increased traffic, narrow roadway, lack of street lights, and no sidewalks make the entrance unsafe.

According to Louisville Metro’s Plan 2040, this area has been labeled an area of concern for carbon monoxide.



The additional carbon monoxide produced by adding 652+ cars may negatively impact the health of nearby residents and wildlife.

By reducing the density of the development we can mitigate the increase of carbon monoxide to protect our elderly neighbors, and neighbors with heart disease and/or chronic lung breathing problems that are most susceptible to carbon monoxide poisoning.

Thank you

Betty Wallen

8201 Laurel Springs Dr
Louisville, KY 40299

St. Germain, Dante

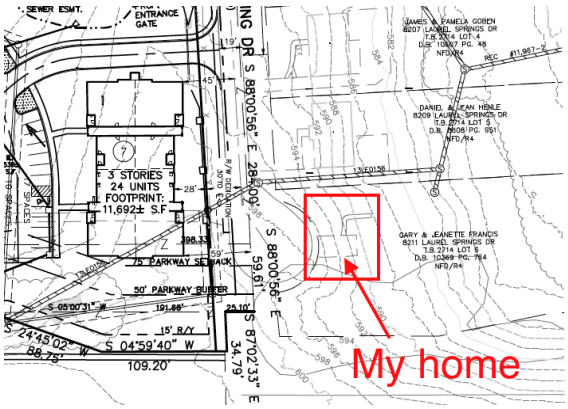
From: Jeanette Francis <jeanettefrancis2@gmail.com>
Sent: Thursday, September 15, 2022 7:02 PM
To: St. Germain, Dante
Subject: Letter of opposition/rezoning of 4700 S. Hurstbourne Pkwy
Attachments: Letter of Opposition 22-ZONE-0012 - Francis.pdf

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Sent from my iPhone

22-ZONE-0012: Letter of Opposition

My name is Jeanette Francis. I live at 8211 Laurel Springs Dr. I am writing this letter in opposition of the rezoning of 4700 S Hurstbourne Pkwy.



My neighborhood has a density of approximately 0.64 dwelling units per acre. The proposed development has a density of 19.49 dwelling units per acre.

This significant density difference violates two requirements from the Plan 2040 staff checklist:

#2 – *"Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements."*

#8 – *"Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances."*

There are several reasons this development violates the requirements above:

- Significant density differences with very little transition
- Narrow roadway for entrance
- No street lights, side walks, or bike lanes for entrance
- Safety concerns due to narrow roadway and lack of sidewalks
- Traffic issues due to narrow roadway (two cars cannot safely pass each other at once)
- Car lights shining directly into my windows
- Development lights shining directly toward my home
- A 3-story building facing directly at my home

We have asked the developer to do the following in order to make this development more appropriate for the area:

- Remove Laurel Springs vehicle entrance
- Remove Laurel Springs pedestrian entrance
- Lower the density of the development with 2-story buildings
- Provide an appropriate buffer combined with a berm, fence, and trees
- Increase building and parking lot setback

See the photo of the narrow road Laurel Springs Dr on the following page. The narrow bridge is marked by hazards signs on each side. Two cars cannot safely pass each other on the bridge at once.



Unfortunately, the developer does not seem interested in our concerns, the Plan 2040 Staff Checklist, or making this development safer and better blended with the surrounding area.

I am also very concerned about runoff, flooding, and the health of our creek. Due to our waterway being a FEMA Regulatory Floodway, surrounding properties are to be further regulated. While the developer's property does not directly abutt to the creek, every single-family home surrounding it does.

According to FEMA, *"a 'Regulatory Floodway' means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations."*

Due to all of our homes being located at a downhill elevation compared to 4700 S Hurstbourne Pkwy, the new and increased runoff we will take on is exponential. Moreover, the health of the creek is severely impaired and MSD has already overloaded this waterway.





This property is better suited for a smaller density development with smaller buildings, less concrete, more green space to mitigate runoff, a green infrastructure development design, no entrances to Laurel Springs, and better blending and transitioning.

Thank you

Jeanette & Gary Francis
8211 Laurel Springs Dr
Louisville, KY 40299

St. Germain, Dante

From: Bob Gunter (via Google Docs) <bobwgunter@gmail.com>
Sent: Thursday, September 15, 2022 4:12 PM
To: St. Germain, Dante
Subject: Planning and Transportation Committee
Attachments: Planning and Transportation Committee .pdf

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

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Bob Gunter attached a document

Bob Gunter (bobwgunter@gmail.com) has attached the following document:

Hi Ms. Germain, hope all is well, per the neighborhood meeting we were told a planning and transportaion meeting was taking place next week. Also that written objections needed to be to you by COB tomorrow (friday)

Anyway, i have went over a checklist of violations from Plan 2040, and the Kentucy Revised Statue. I can send those in another emal but suspect those are readily available to anyone that wanted them. Let me know and i do hope to submit a letter tommorrow about pollution. thanks alot
Bob Gunter

got me a laptop so hoping this shows my name? I can print and sign if needed.

Planning and Transportation Committee

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because bobwgunter@gmail.com shared a document with you from Google Docs.



Planning and Transportation Committee

Please deny the request to change the zone of the property at 4700 and 4900 S. Hurstbourne Parkway Corridor. The development violates KRS 100.201(2) by adversely impacting public health, safety, morals, general welfare, orderly and harmonious development, the visual character, regulate the density, population and intensity in order to provide adequate light and air. And for the following reasons:

The Traffic Impact Study indicates the addition of the access road to Bardstown Rd does not mitigate the unacceptable impacts upon the road network studied. The downgrades will unjustly risk commuters, pedestrians and adjoining neighborhoods to accidents, noise/air/particulate pollutants, loss of service times, time with families etc. The TIS indicates:

1. Watterson Trail Eastbound approaching the Hurstbourne Pkwy/Watterson Trail Intersection which will be downgraded from a D to a F.with a score going from 50-80.
2. Hurstbourne Pkwy at Bardstown Rd will go from a E (64.2) to a F (91.1).
3. Hurstbourne Pkwy Southbound approaching Bardstown Rd becomes a F.
4. Hurstbourne Parkway Southbound approaching Hurstbourne Pkwy/Bardstown Rd will go from a D to a F and LOS will change from 95 to a 129.
5. Bardstown Rd Eastbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road to a F. almost doubling LOS..
6. Watterson Trail Southbound approaching Bardstown Rd and the Watterson Trail intersection becomes a F.
7. Hurstbourne Parkway Northbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road will remain a F but it's score but LOS will go from 64 to 91.
8. The development will be adding traffic onto the graded F road of the Watterson Trail Northbound towards the intersection with Bardstown.

The development violates Plan 2040 as seen in the attached checklist. The location in the center of Hurstbourne Pkwy, Bardstown Road and Watterson Trail, with the Utility Stations and the density make this too risky to all. The projected density and number of vehicles added to the current 55,000 vehicles circling the development is not fair to the residents or community.

Plan 2040 also looks for transitioning between developments and the adjoining single family neighborhood, however, this development ignores that. The development places 45-55 ft tall (24 and 36 unit) Apartment Bldg right on the adjoining neighbors yard, They don't transition or seek to blend the neighborhoods. A balance of density and transition can be made.

Plan 2040 also looks to protect our environment and natural resources, however the plan intends to destroy the perennial pond and the perennial spring that feeds the waterfalls in the photo below. Section 3.2.2.24 of the Geological Survey says “the suspected wetlands area in the Northwest corner is a pond.” On page 18 of the Geological Study, the pond is described as “The pond (or perennial stream as identified on LOGIC) was mostly dry at the time of our

evaluation, although the ground surface appeared to be soft. This area is most likely a wetlands or ephemeral pond, which periodically holds water for some time during or following precipitation events. The pond area is relatively shallow, which suggests the area may have been infilled either by natural causes (e.g., erosion or siltation) or man-placed fill. Ponds typically form in low points in karst areas via plugging of the near surface voids or fracture zones via siltation. However, impounding of water can over time initiate sinkhole activity, which may also explain the lack of water within the pond (and in photographs from recent years)." The pond and the waterfall flow directly into the US waters of Fern Creek.

Please deny the rezoning of 4700 and 4900 S Hurstbourne Pkwy

Thank you

Bob Gunter
4903 Walnut Hills Drive
40299

Plan 2040 Checklist

Plan 2040 Plan Element	Land Use & Development Policy VIOLATIONS	Finding	Analysis
Community Form Goal 1	2.1.1. the description, character and function of the Form District designated for the area in which the subject site is located;	Does Not Meet Guideline	The form district is a major corridor for traffic. The development will negatively impact this function and cause more accidents.
Community Form: Goal 1	2.1.2. the intensity and density of the proposed land use or mixture of land uses;	Does Not Meet Guideline	The intensity and density planned will cause the road network to be downgraded to f and will increase accidents above random events. (Hurstbourne Corridor Study)
Community Form: Goal 1	2.1.3. the effect of the proposed development on the movement of people and goods;	Does Not Meet Guideline	Will show down the movement of people and goods and deter commute in the congested and accident prone areas studied. The community will be adversely impacted.
Community Form: Goal 1	2.1.4. The compatibility of the proposed use or uses with surrounding uses including the relationship of the use, mass, scale, height, materials, building footprint, orientation, setback and design of the proposed building or buildings with that of surrounding buildings.	Does Not Meet Guideline	Not compatible with the generous setbacks of connecting single family homes and yards. The 3-4 story apartment buildings adjoining the yards per the developers minimal setback will be approximately 55 ft tall, facing single family homes. The parking lot and building 10 will be filled and an additional 10 feet higher.
Community Form: Goal 1	2.2.4. the compatibility of the proposal with the existing buildings and uses on any contiguous land.	Does Not Meet Guideline	Not compatible, the 3-4 story multi family apartments footprints are at the minimal setback, stand upwards of 55 ft tall, and face the single family homes.
Community Form: Goal 1	2.7. Develop neighborhood, subarea, corridor plans and strategies consistent with the goals and objectives of this Comp	Does Not Meet Guideline	The goals and objectives include safe roadways to commuters and pedestrians. This proposal adversely impacts that goal
Community Form: Goal 1	4. Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	Does Not Meet Guideline	The 3-4 Story approx 55 ft tall multi family apartments are not compatible with single family homes.
Community Form: Goal 1	. Allow a mixture of densities as long as their designs are compatible. Adjacent residential areas in different density categories may require actions to provide an appropriate transition between the areas. Examples include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences	Does Not Meet Guideline	Not compatible, 50-60 ft tall bldg adjoining properties and facing properties of single family homes is not appropriate.
Community Form: Goa.l 1	7. Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where	Does Not Meet Guideline	Does not meet Guidelines. The Traffic Impact results show adequate infrastructure does not exist. the development will downgrade Watterson Trail Eastbound approaching the Hurstbourne Pkwy/Watterson Trail Intersection to a F, Hurstbourne

	demand and adequate infrastructure exists or is planned.		Pkwy at Bardstown Rd will to a F, Hurstbourne Pkwy Southbound approaching Bardstown Rd to a F, Bardstown Rd Eastbound approaching the intersection of Hurstbourne Pkwy and Bardstown Road will be downgraded to a F and almost double its score. Watterson Trail Northbound towards the intersection with Bardstown will be downgraded to a F. Watterson Trail Southbound approaching Bardstown Rd and the Watterson Trail intersection will be downgraded to a F.
Community Form: Goal 1	9. Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.	Does Not Meet Guideline	Does not meet guidelines. The single family neighbors have provided generous setbacks enhancing 4700 Hurstbourne Lane. The plans only include a minimum setback with 3 story (24 unit apartments approx 45 ft tall) and 4 story (36 unit apartments approx 55 ft talle) in each, with elevations. The southwest section will also receive approximately 15 ft of fill on the property lines of 2-3 houses. This will not be an appropriate transition.
Community Form: Goal 2	2.1 proposed uses, density and design are compatible with adjacent uses and meets Form District guidelines;	Does Not Meet Guideline	Adjacent Hurstbourne PKWY, Bardstown Rd and Watterson Trail Traffic is not compatible with the proposed rezone to accommodate additional vehicles
Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	**N/A**	New and Appropriate development is encouraged.
Community Form: Goal 2	16. Encourage activity centers to be easily accessible by bicycle, car, transit, and for pedestrians and people with disabilities. Large activity centers should be considered for designation as transit nodes.	Does Not Meet Guideline	F graded road network, congestion, accidents, smog, noise, and intersections prohibit easy access for bicycle, car, transi, pedestrians and particularly people with disabilities.
Community Form: Goal 2	17. Design and locate utility easements to provide access for maintenance and repair. Encourage adjacent development sites to share site and building features such as utility hookups and service entrances. Place, to the extent possible, utility lines in common easements. Minimize the aesthetic and physical impacts of utilities, e.g., by placing utilities underground and screening utility equipment.	Does Not Meet Guideline	The plan will negatively impact the access to the current Utility lines below the development at the Southwest corner
Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	**N/A**	New and Appropriate development is encouraged.
Community Form: Goal 3	7. Encourage natural features to be integrated within the prescribed pattern of development.	Does Not Meet Guideline	Destroying US Waterways, Pond and Waterfall
Community Form: Goal 3	8. Conserve, restore and protect vital natural resource systems such as mature trees, steep slopes, streams and wetlands .	Does Not Meet Guideline	Destroying Pond and Waterfall , both appear to be protected waterways.
Community Form: Goal 3	10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental	Does Not Meet Guideline	Does not meet the Guidelines. The Karst terrain is highly permeable soil. The Crider Series soil is the KY State Soil. The Karst Terrain provides steep and unstable slopes underground and on top. Each of the Dolines and Sinkholes identified in the Geological report have high potential for severe erosion damage to 4700 S. Hurstbourne and the lower lying and adjoining properties on the bank of the Protected Waterway. The Pond and building ((((were cited as

	degradation.		being unstable by a Geotechnical Engineer.
Community Form: Goal 3	9. Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	Does Not Meet Guideline	Will destroy karst terrain, sinkholes, waterways, perennial ponds, waterfalls, and infill low parts of west side of development
Community Form: Goal 3	12. When reviewing proposed developments consider changes to flood prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development.	Does Not Meet Guideline	Great risk of drying up fern creek and then flooding
Community Form: Goal 4	2. Encourage preservation of dis-tinctive cultural features including landscapes, natural elements and built features.	Does Not Meet Guideline	Pond and Waterfall that drain directly into protected waterway
Mobility Goal 1	To promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate	Does Not Meet Guideline	Does not promote health and actually raises chances of injury or death from unacceptable roads, pollution from 55000 vehicles.
Mobility: Goal 1	4. Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.	Does Not Meet Guideline	The planned developments location will hurt transit and public transportation for the residents, commuters and those living on the downgraded road network.
Mobility: Goal 2	1. Provide transportation facilities and systems that accommodate all users and allow for context-sensitive solutions that recognize the distinguishing characteristics of each of the Form Districts.	Does Not Meet Guideline	To accommodate a use is to provide reasonable commute times, the TIS projects substantial loss of service times. In addition, accidents will rise to more than random incidents.
Mobility Goal 2	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	Does Not Meet Guideline	Access through Laurel Springs will create significant nuisances
Mobility: Goal 2	7.2. Be context sensitive by ensuring that proposals are compatible with the surrounding development and provide an aesthetically pleasing visual experience to the user and to adjacent areas;	Does Not Meet Guideline	The 45-60 ft buildings adjoining the single family homes are not comparable to surroundings and not aesthetically pleasing to the single family homes and neighborhoods.
Mobility Goal 2	7.4. Ensure that adequate measures will be taken to reduce glare, vibration, air pollution, odor, and visual intrusion.	Does Not Meet Guideline	Will add to existing 55,000 gas and diesel vehicles traveling Hurstbourne Pkwy, Bardstown Rd and Watterson trail increasing glare, vibration, air pollution, odor and visual intrusion.
Mobility Goal 2	8. Protect and/or enhance environmentally sensitive areas through responsible and sustainable best practices in the planning and design of transportation network projects.	Does Not Meet Guideline	Due to the right of ways and Utilities Station, the City can't design the road network of the study are to accept the additional vehicles

Mobility Goal: 2	9. Develop, preserve, and maintain an interconnected system of scenic corridors and parkways. Encourage the preservation of important cultural resources, landscapes and scenic vistas in the design, maintenance and development of major thoroughfares and parkways.	Does Not Meet Guideline	The TIS projects the proposed development will deteriorate the West End of the Scenic Hurstbourne Corridor and will destroy streams, and waterways of the US.
Mobility Goal 2	10. Increase funding to maintain the existing infrastructure and build a multi-modal transportation network that supports the needs of the entire community.	Not Applicable	TIS indicates utility station and right of ways have the roads constrained and cannot be cost effectively maintained.
Mobility Goal 2	14. Expand the traffic signal coordination program to limit idling and protect public health while increasing the safety and capacity of the current road network.	Not applicable	TIS projects accidents will rise out of the random range. The capacity of this area cannot be increased by this development.
Mobility Goal 2	16.4. safe, efficient movement of freight;	Does Not Meet Guideline	TIS projects unsafe, non efficient movement of freight in the study area
Mobility Goal 2	16.11. traffic calming techniques including the implementation of reconfigurations, where existing and future traffic volumes support them, to improve safety and mobility for all users.	Does Not Meet Guideline	The TIS projects the Traffic volumes do not support this development and will adversely impact safety and mobility for all users
Mobility: Goal 3	1. Provide transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management. Provide walking and bicycling opportunities to enable activity centers to minimize single-occupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling	Does Not Meet Guideline	The TIS projects transportation services and facilities will not promote and accommodate growth and change. Traffic adversely impacts bicycling opportunities and supports single occupancy vehicle travel.
Mobility: Goal 3	2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	Does Not Meet Guideline	The proposed development adversely impacts mobility and will increase congestion while adding to vehicle miles traveled. People with disabilities will be at risk through longer commutes, longer traffic lights, more accidents, more smog and pollution. Proximity to employment centers will be impacted by congestion and accidents. .
Mobility: Goal 3	3. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	Does Not Meet Guideline	Planned development will degrade the transportation network, including the street, pedestrian, transit, freight movement and bike facilities. The approximate 55,000 gasoline and diesel vehicles circling Hurstbourne, Broadway and Watterson Trail daily will negatively impact the air quality (see Hurstbourne Corridor Study)
Mobility: Goal 3	4. Encourage development of walkable		Bicycling, motorcycling will be adversely

	centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following:	Does Not Meet Guideline	impacted by the rise ini rear impacts due to the congestion and traffic.
Mobility: Goal 3	4.1. nodal connections identified by Move Louisville;;		
Mobility Goal 3	4.2. impact on freight routes	Does Not Meet Guideline	Will be significantly slower with the lower graded F road network of the Study area
Mobility Goal 3	4.3. time of operation of facilities;	Does Not Meet Guideline	Slower with more accidents, perhaps more than can be accounted for as random.
Mobility Goal 3	4.4. safety;.		
Mobility Goal 3	4.5. appropriate linkages between neighborhoods and employment; and	Does Not Meet Guideline	Not appropriate due to unacceptable impact of the proposed development and downgrades of road network to a F
Mobility Goal 3	4.6. the potential for reducing travel times and vehicle miles traveled	Does Not Meet Guideline	No potential as time will go up per the TIS
	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	Does Not Meet Guideline	TIS will change the Hurstbourne Pkwy, Watterson Trail and Bardstown Rd to unacceptable grades and loss of service time. Street, pedestrian, transit, freight movement, bike and air will be negatively impacted.
MobiMobility Goal 3	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	Does Not Meet Guideline	The Traffic Impact Study documents the Utilities Station and costs prohibit additional vehicles. Moving the access road to Bardstown Rd will not change the unacceptable downgrade of the study are.
Mobility: Goal 3	9. When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	Does Not Meet Guideline	The developer cannot move the Utilities Staton or impact the State Road. The access road does not reduce the density, the congestion, Loss of service time, accident rates, slow commerce and so forth. The right of ways and Utilities Station prohibit reasonable and results driven improvements.
Mobility: Goal 3	10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	Does Not Meet Guideline	Traffic study reported cost prohibited and Utility Station
Mobility: Goal 3	11. Provide street improvements and/ or transit solutions to mitigate the impacts of development and redevelopment. Improvements may include, but not be limited to, the following:	Does Not Meet Guideline	TIS indicates improvements will not mitigate the impacts or downgrading of road network to F with longer loss of service times.
Mobility: Goal 3	21. Prevent safety hazards caused by direct residential access to high speed roadways.	Does Not Meet Guideline	The additional traffic will contribute to accidents to all the residents having to access the f graded roads, f graded intersections of the study. Includes multiple neighborhoods.

Community Facilities: Goal 1	**Goal**. Ensure community facilities are accessible	NA	Not a bicycle Friendly Corridor,
Community Facilities: Goal 2	**Goal: plan for community facilities to improve quality of life** and meet anticipated growth.	N/A	
Community Facilities: Goal 3	**Goal: design community facilities to be resilient and compatible with the surrounding neighborhood**.	N/A	
Economic Development:Goal 1	**Goal:** Provide an economic climate that improves growth, innovation, investment and opportunity for all.	Does Not Meet Guideline	Slows down commerce, increased commute time and ore accidents and injury
Economic Development Goal 1	1. Ensure direct, safe, accessible and convenient multi-modal access between designated employment and population centers	Does Not Meet Guideline	Whether it be general eclectic or the tea company, employees will suffer more accidents, loss of service, family time due to the unacceptable road network and multiples f grades. Many will have to pull out of drives and roads onto roads that will be graded f.
Economic Development: Goal 1	3. Encourage design elements that address the urban heat island effect and energy efficiency, such as the planting and preservation of trees, cool roofs and green infrastructure, for new development.	Does Not Meet Guideline	The 5-60 foot tall 24 and 36 unit apartment buildings will increase urban heat for the valley of Walnut hills, the adjoining residential home and the residents of the apartments. Particulate pollution will increase and inversion will assure the walnut hills are choked from smog.
Economic Development: Goal 1	8. Designate preferred freight routes and enhance infrastructure of distribution corridors to allow efficient transportation of people, goods and services.	Does not meet Guidelines	Not efficient, will slow commerce.
Economic Development: Goal 1	11. Promote the redevelopment of surface parking lots, where appropriate, to be responsive to current and changing trends.	Does not meet Guidelines	Not aware of any, but 120 spaces pointed right at my home.
Economic Development" Goal 2	1. Ensure direct, safe, accessible and convenient multi-modal access between designated employment and population centers.	Does not meet Guidelines	Not direct as have to go through slow intersections, congestion and graded f road networks.
Economic Development: Goal 2	.3 Encourage design elements that address the urban heat island effect and energy efficiency, such as the planting and preservation of trees, cool roofs and green infrastructure, for new development.	Does not meet Guidelines	Will not help with the urban island effect. Encroaching on the valley and adding pollution will make it worse.
Livability: Goal 1	1. Encourage use of conservation subdivisions and other practices that conserve open space and natural features.	Does Not Meet Guideline	If there was open space the development would build an apartment on it. However, the development can reduce density, meet the neighbors concerns and build a lower density development
Livability: Goal 1	2. To encourage preservation of certain natural features, develop indices to aid in determining value of environmental features and identify appropriate measures to offset impacts of development.	Does Not Meet Guideline	The perennial pond and stream that feeds the waterfall on Walnut hills. Photo attached.
Livability: Goal 1	3. Investigate the use of conservation easements to protect critical forest areas, wildlife habitat, water quality, agricultural	Does Not Meet Guideline	The waters of Fern Creek are already polluted, 1200 residents will only add to the pollution including PFAs that will sink into the

	land, scenic views, historic sites, and recreational land.		ground and infiltrate the water, including the residents that use well water.
Livability: Goal 1	8. Enhance the quality of both water and streambanks to protect and preserve drinking water	Does Not Meet Guideline	1200 residents on the bank of Fern Creek will not enhance the quality or stream bancks and pd preserve drinking water
Livability: Goal 1	10. Mitigate negative development impacts to the watershed and its capacity to transport stormwater by discouraging changes to stream channels and natural drainage features. Use, where available, the Metropolitan Sewer District's watershed plans as a guideline for development suitability. Consider special districts to assist in efforts to enhance watersheds.	Does Not Meet Guideline	No mitigation, development will be destroying the natural drainage into the spring and creek on the 4900 land and will be destroying sinkholes, dolines, perennial ponds that are natural drainage features. Geo Report identifies sinkholes that are interconnected and with land subsidence, The South property line is a stream of the US extending from Hurstbourne to the South West Corner. These are waters of the US and should be evaluated by the Corps of Engineers.
Livability: Goal 1	11. Protect solid blueline streams, defined by the current floodplain management ordinance, from channelization, stripping, relocation or other alterations. Ensure a vegetative buffer on the banks of blueline streams to protect the functional integrity of the channel.	Does Not Meet Guideline	No protection to solid blueline stream of Fern Creek as multiple perennial springs are to be filled in and the perennial pond. All drain directly into blueline creek of Fern Creek
Livability: Goal 1	12. Minimize impervious surface area and take advantage of soil saturation capacities.	Does Not Meet Guideline	Not minimizing impervious surface.
Livability: Goal 1	13. Protect the surface and subsurface areas within and surrounding new and existing developments that have the potential to be used as sources for community water supply systems.	Does Not Meet Guideline	Development to destroy surface and subsurface areas within and surrounding the new development and used as a source for community water supply. All drain into Fern Creek
	14. Include greenways as integral components of a comprehensive water quality program (consistent with the Multi-Objective Stream Corridor/Greenways Plan).	Does Not Meet Guideline	Non observed
	15. Ensure that standards for evaluating development proposals meet the water quality goals for the affected watershed. Encourage the use of green infrastructure to protect and enhance water quality.	Does Not Meet Guideline	Perennial Streams and Ponds not reviewed by the Corps of engineers. Waters of the us.
	16. Protect carbonate areas through standards that control the type, location, design and operation of activities posing potential threats to groundwater quality and karst features in carbonate areas.	Does Not Meet Guideline	How is this protecting the carbonate area? Poses significant threat to groundwater
Livability: Goal 1	7. Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow	Does Not Meet Guideline	Not aware of a determination on erosion, no determination on existing groundwater use and impacts on groundwater resources. Flow pattes, Mitigation is to plug and fill and redirect water to adjoining neighbors property below on the creek banks.

	patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.		
Livability: Goal 1	9. Establish buffer areas around lakes and streams to protect the riparian zone as a critical wildlife habitat and/or as a filter to catch waterborne pollutants from site construction activities, on-lot sewage disposal and stormwater runoff.	Does Not Meet Guideline	Not aware of buffers around the pond or sinkholes.
Livability: Goal 1	20. Establish riparian zones and enact regulations such as setback and vegetation conservation requirements..	Does Not Meet Guideline	No riparian zones established that i am aware of.
Livability: Goal 1	21. Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events	Does Not Meet Guideline	Enclosing the banks of Fern Creek by the width of this development will dry the floodplain up when dry and then flood it during rains. Just like we are seeing in other areas. More frequent floodings for sue
Livability: Goal 1	25. Ensure that sufficient emergency vehicle access is provided for developments proposed in or through the floodplain. Access should be provided above flood levels or through other means to minimize potential hazards for any development that is proposed in or through the regulatory floodplain	Does Not Meet Guideline	Walnut Hills is directly below the development on the banks of Fern Creek. Watterson Trail will become a F graded road and it is the only way to Walnut Hills. Response time to any hazard of flood or other emergency action will be impaired by the roads and the flooding
Livability: Goal 1	26. Ensure that drainage systems are designed to be capable of accommodating the runoff from development upstream, assuming a fully-developed watershed and an increased frequency of intense storm events.	Does Not Meet Guideline	This fully developed watershed of Hurstbourne Pkwy and Bardstown Road will not be able to carry the water away after the development encroaches on the valley and raises the valley walls by 50-60 ft with the buildings.
Livability: Goal 1	.29 Utilize Best Management Practices (BMPs) to preserve or restore stream banks/corridors.	Does Not Meet Guideline	The development crosses the corridor to get to bardstown road and negatively impacts the corridor.
Livability: Goal 1	31. Consider the impact of traffic from proposed development on air quality.	Does Not Meet Guideline	Smog and particulate matter will rise just like the Hurstbourne Corridor Study recorded. The 55,000 gas and diesel vehicles circling the development and Walnut Hills daily will be larger when the development is completed. Along with destruction of the road network will be the valley and residents of the development.
Livability: Goal 1	32. Mitigate sources of pollution through measures that reduce traffic congestion, promote the use of multi-modal transportation options, and implement land use strategies and policies that encourage transit-oriented development to achieve compliance with air quality standards.	Does Not Meet Guideline	The road to Bardstown will not reduce it. Deleting some buildings will help. Not approving the rezoning request will help.
Livability: Goal 1	33. Continue to modify existing roads, particularly at intersections, to alleviate traffic	Does Not Meet Guideline	Traffic Impact Study offered no suggestions and noted that right or ways and the utility

	congestion and enhance mobility for all users. When making road-widening decisions ensure that road projects are sensitive to impacts on air quality and surrounding land uses as well as factor in the impact of such projects on induced travel demand.		station made it cost prohibitive to modify existing road network.
Livability: Goal 1	34. Create incentives and modify regulations in order to improve air quality	Does Not Meet Guideline	The development will hurt the air in and around the study area. Particular matter will rise, smog will rise and inversion is keep it in the valley.
Livability: Goal 1	35. Ensure critical connections are built and maintained in the pedestrian and bicycle networks including the development of sidewalks, bike lanes, shared use paths and walkways to promote the use of multimodal transportation options.	Does Not Meet Guideline	Multimodal transportation is negatively impacted due to the amount of traffic and corridor usage. Motorcyclists should be discouraged due to the rear end collisions this will cause.
Livability: Goal 1	41. Require tree preservation Best Management Practices during land development and construction activities. Increase the Metro-wide tree canopy coverage toward 45% that is equitably distributed either by planting new trees or preserving existing trees.	Does Not Meet Guideline	I don't think the development will have a 45% tree canopy
Livability: Goal 2	1.Strengthen and expand programs that reduce the risk from environmental hazards in residential neighborhoods including lead removal and abatement.	Does Not Meet Guideline	The traffic and development will pollute the small neighborhood of Walnut Hills residing below the development on the banks of Fern Creek.
	4. Establish baseline criteria for critical health and infrastructure (Infrastructure to include access to food, health care, air quality, schools, and other social determinants of health). Provide visual impact assessments and equity reports for land use and community development planning to evaluate Louisville Metro programs and policies	Does Not Meet Guideline	Per the Traffic Impact Study, the residents will just have to drive longer, risk more injury than anyone else to go to school, work or to the store or receive health care.
	6. Enhance access to parks and open spaces to promote positive health outcomes throughout Louisville Metro.	Does Not Meet Guideline	Residents and neighborhood will have to drive longer and risk higer levels of injury than the rest of louisville.
	8. Encourage site design standards that incorporate elements intended to promote safe, healthy and accessible places.	Does Not Meet Guideline	The location is not designed for dense populations and promotes health safety concerns and makes places inaccessible
Livability: Goal 3	4. Improve civic engagement processes that ensure that new developments and policies are brought into a neighborhood, so that residents have an opportunity to understand how these changes will impact their health and safety.	Does Not Meet Guideline	No information has been provided regarding impact on health. Hurstbourne Corridor Study offers some. The Traffic Impact Study was found on the louisville access site.

Livability: Goal 4	7. Develop a plan to reduce carbon emissions and address potential threats due to changing weather patterns and climate change.	Does Not Meet Guideline	Plan increases carbon emissions and adds potential threats to the creek and floodplain due to the amount of pavement and roof tops.
Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	Does Not Meet Guideline	Congestion, loss of service time and accidents will deter older adults and people with disabilities from residing in the development. Longer commute time, higher rates of accidents, congestion and air will deter
Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	Does Not Meet Guideline	Older adults or those with disabilities don't want to age in place in congested, failing road networks with longer loss of service times. The time to get medical help or emergency help will increase. Smog will affect this population the most.
Housing: Goal 1	7. Encourage inclusive communities, overcome disparities in access to Louisville Metro assets, and enhance housing choice for all residents throughout Louisville Metro by coordinating plans and investments to affirmatively further fair and affordable housing.	Does Not Meet Guideline	Planned development will advocate disparities in access to louisville assets to anyone living in the planned apartment complex or the neighborhoods circled by the Traffic Impact Study area.
Housing: Goal 2	2. Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.	Does Not Meet Guideline	Will not be safe or convenient access due to results of Traffic Study.
Housing: Goal 2	.6 Ensure adequate access between employment centers and population centers.	Does Not Meet Guideline	Unsafe access. Residents will have to exit apartments onto graded F Hurstbourne Pkwy, go through graded F intersection, sit in congestion and be exposed to dangerous accident levels. (see Hurstbourne Corridor Study)
Housing: Goal 2	9 Discourage new residential development near or within heavy industrial areas or near incompatible community facilities. Explore programs that recondition existing housing in such areas in order to mitigate adverse impacts.	Does Not Meet Guideline	The roadwork Network is incompatible as a result of the planned development.
Housing: Goal 3	2. As neighborhoods evolve, dis-courage displacement of existing residents from their community.	Does Not Meet Guideline	Two neighbors from existing Neighborhood have put their homes up for sale, with the almost 69 ft 3-4 story apartment buildings planned on building on property line



St. Germain, Dante

From: Elliott Hicks <elliotthickstsa@gmail.com>
Sent: Thursday, September 15, 2022 11:38 AM
To: St. Germain, Dante
Subject: Opposition Letter for 22-ZONE-0012
Attachments: Letter of Opposition 22-ZONE-0012 - Elliott Hicks.pdf

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Dante,

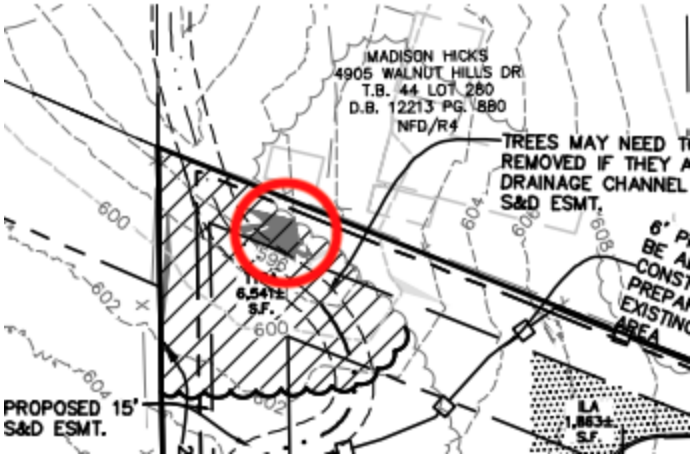
Please see my attached Letter of Opposition for 22-ZONE-0012.

Thank you

22-ZONE-0012: Letter of Opposition

My name is Elliott Hicks. I live at 4905 Walnut Hills Dr, Louisville, KY 40299. The following information is in regards to the proposed rezoning of 4700 S Hurstbourne Pkwy from R4 to R7. The proposed massive development and the negative impact it will bring to the environment, our community, and our homes is unconscionable.

My house is located downhill from this development and backs up directly to the property. There is a sinkhole in the Southwest corner of the proposed development, which is very close to my house.



It appears as though the developer has proposed to send water toward my house and the existing sinkhole. I am extremely concerned about how this will affect my home. It is known that modifying the natural flow of water on karst terrain can damage nearby structures.

If the developer were to build a berm in this area, it could theoretically help mitigate damage done to my home (and preserve our existing privacy). We've asked the developers to do this several times but they unfortunately have ignored our request.

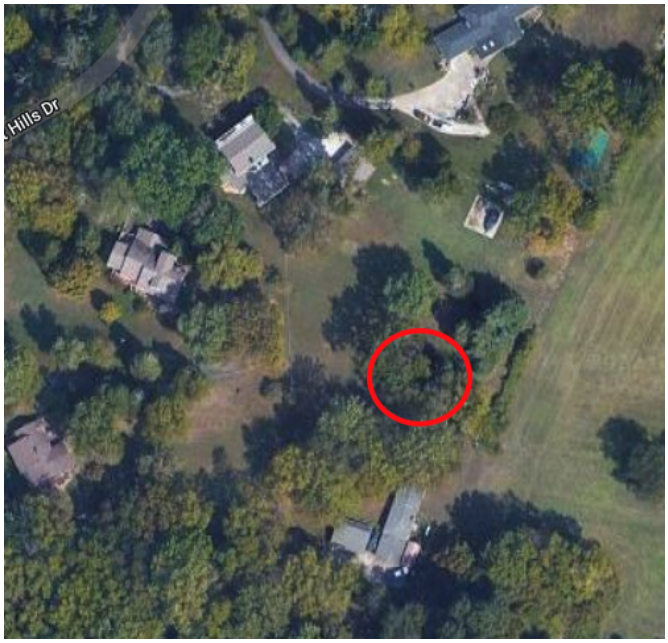
I am also concerned that the karst study did not investigate the Southwest corner of the property thoroughly. See page 17 of the karst study report:

> Two of the sinkhole features, which were located within a small grove/tree cluster south of the garage and near the southeast site corner, appeared to be interconnected (and located directly adjacent to an elongated area of subsidence). An additional sinkhole feature was observed directly east of the referenced feature and adjacent to the eastern fence line. The fourth feature (Feature 7 in the table above) was located in the extreme southwest corner of the site within a tree grove. Multiple throats were observed within this feature in addition various debris. The presence of debris made it impractical to ascertain the feature dimensions, particularly the depth.

How can the city and the developer guarantee that my home and my land will go undamaged when "guessing" on the size and severity of sinkholes?

It's also worth noting that the engineers conducting the karst study relied heavily on old databases and maps which may be not up-to-date.

For example, there is a sinkhole on my neighbor’s property (screenshot of approximate location below) at 4819 Walnut Hills Dr. This sinkhole is just steps away from the 4700 S Hurstbourne Pkwy property line. However, the engineers failed to identify this in their report because it has not been reported to online databases and is hidden by trees.



The consequences of this massive development will be exponential. The developer and the city have a responsibility to determine what is best for the ecology of this area and the health and safety of existing residents first and foremost.

The size of this development is extremely unreasonable and not only will damage our homes, and impair the creek below, but will aslo remove the homes of many wildlife and destroy many mature trees.





PLAN 2040 STAFF CHECKLIST VIOLATIONS

This development violates requirement #2 for the Plan 2040 Staff Checklist which states:

> *"Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements."*

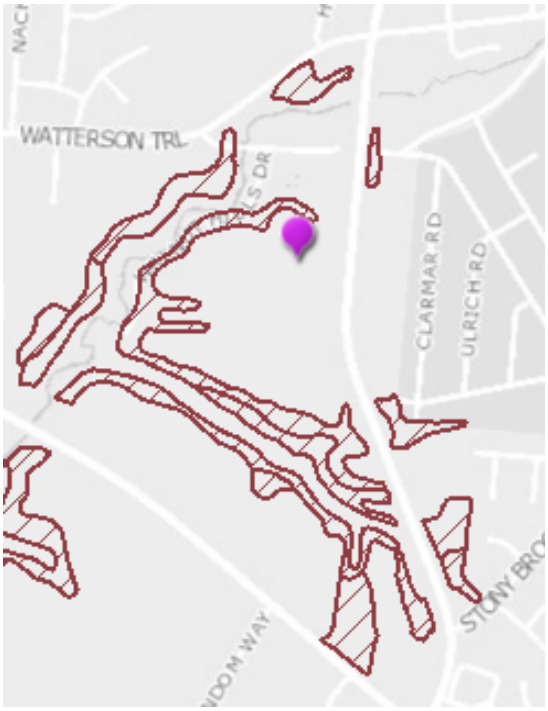
The proposed development is nearly 20 dwelling units per acre. The Walnut Hills and Laurel Springs neighbor hood is 0.64 dwelling units per acre. The abutting properties are 0.74 dwelling units per acre. Our neighborhood is extremely low density in comparison and the developer has provided almost no transition. All of the homes located on the West side of the development are downhill. Thus, the proposed privacy fence does very little. A lower-density development with adequate transitioning, such as a combined berm + fence + tree buffer would be an appropriate transition for this area.

This development violates requirement #4 for the Plan 2040 Staff Checklist which states:

> *"Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation."*

The geotechnical study reports an unusually high number of sinkholes on the property. This land is not safe for a development this large. According to Lojic Online, it is almost surrounded by steep slopes. Most of these steep slopes have homes on them. This development will increase the risk of erosion and sink hole collapse for the homes located on the slopes and the homes located downhill in the valley below.

This piece of land is delicate. There is no other parcel like it on Hurstbourne Pkwy. You will find there are no other 3 or 4-story apartment buildings that back up to homes on steep slopes. It is simply unsafe.



This development violates requirement #8 for the Plan 2040 Staff Checklist which states:

> *"Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances."*

This development proposes an entrance to an area that has less than one dwelling unit per acre. So it would be going from nearly 20 dwelling units per acre, to less than one. The street the exit is proposed on does not have street lights or sidewalks. The street is not even wide enough for two cars to safely pass at once. Adding access for 400+ cars to this street is extremely unsafe and negligent.

This development violates requirement #9 for the Plan 2040 Staff Checklist which states:

> *"To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers. "*

This area on Hurstbourne Pkwy doesn't have street lights, sidewalks, bike lanes, or public transportation access. The lack of these necessary items make this location a dangerous choice for a large development of this nature.

A smaller development that doesn't place buildings on top of sinkholes, that doesn't direct water toward neighbors homes, that preserves our privacy, that is safe with proper street lighting and sidewalks, provides proper transitioning, and that focuses on green infrastructure design would be more suitable for this area.

Elliott Hicks
4905 Walnut Hills Dr
Louisville, KY 40299

St. Germain, Dante

From: Evan G <gunterer@gmail.com>
Sent: Thursday, September 15, 2022 10:28 AM
To: St. Germain, Dante
Cc: Madison Hicks; Bob Gunter; Brian Gunter
Subject: Karst Concerns - 4700 & 4900 Hurstbourne
Attachments: lojic elevations.png

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Hey Dante,

I just wanted to highlight a couple of MAJOR concerns that I have with the development and the landscape of the area. In reviewing the karst study, section 4.2.1.2 states that;

Engineering works and site development can result in acceleration of incipient sinkhole development or encourage new sinkhole formation. These features may appear dormant in their existing state, but subsidence can be activated by changes in the natural drainage pattern due to construction works.

Just so there is no confusion, the natural drainage from this development flows down the hillside, into the valley, and into the creek. In which many homes are built on the hillside - directly in the natural drainage pathway.

According to LOJIC, the peak elevation of the development is about 630ft above sea level. The bottom of the valley is about 560ft above sea level. That's a 70ft difference. Moreover, if I take some quick measurements, it appears to me there is a 60ft drop over a ~300ft length. That is ~20% slope off the hillside and should be considered steep. This slope will increase as they build the development up as mentioned in the build plans.

I have major concerns that the homes in the valley will suffer because of the changes of the natural drainage pattern. Moreover, I have more concerns about how this will change the creek. **Mr. Kent Gootee suggested on 9/14/22 at the neighborhood meeting, that the development would likely cause some springs to dry up and change how water comes off the hillside (or doesn't) into the valley.** This suggests to me that he knows the development will affect the natural drainage in the area and section 4.2.1.2 is a major concern. We have a natural creek and other natural water features that have been there long before any of us - features that highlight the natural area and why any of us live in the area. In addition to these features going away, it seems that this could potentially dry up the creek, and induce flooding in heavy rains. We have some homes that live very close to the creek. **Will they be forced to purchase flood insurance now?** Is that at the home owners expense?

I'd also like to point out that in section 4.6 of the same karst study, it states;

Collection of surface water in karst areas can further encourage development of incipient sinkhole activity.

Again, I want to reiterate the fact that this development has offered no assurances that it won't directly impact the homes on the hillside, in fact, according to the karst study, it states the exact opposite. If this development encourages sinkhole activity, causes homes to fall in, structural damage, who is held responsible? I can't imagine a scenario like what happened at the Corvette museum, but who is assuring me that lives are not at stake? The city? The developer? The builder? Again, I don't mean to exaggerate anything, I just want some clarification and assurances.

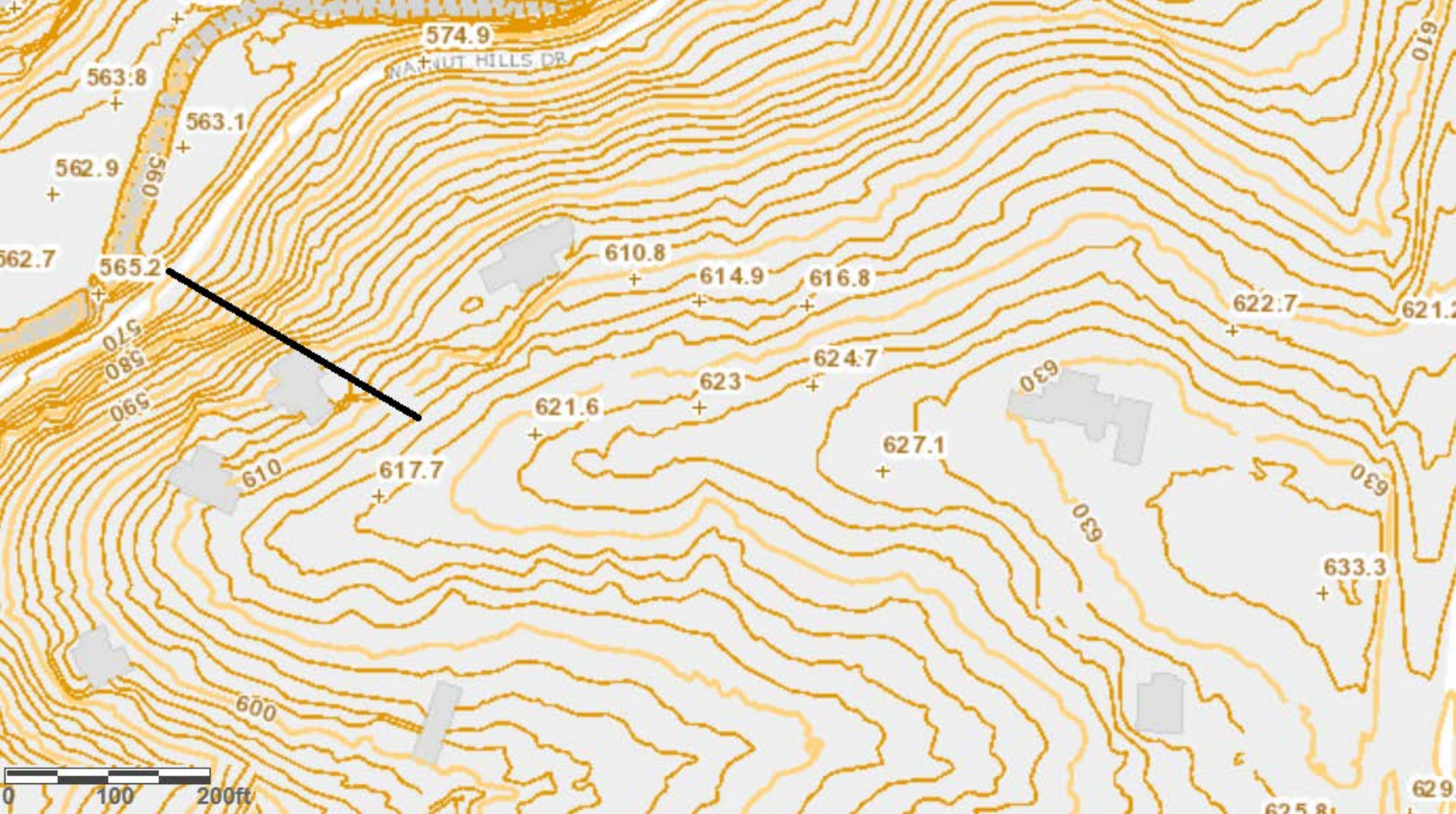
I believe this is one of the most unique landscapes in the immediate area. The homes in the valley are going to be directly impacted by what is built on top of the hill, and I feel the karst study has made that clear. Are all the homeowners aware of this? For their safety, should they be made aware?

I would love a direct statement/comment from the city and/or developer. I am against the landscape of the area changing. This will not only affect the natural water features and landscape of the area, but could impact the structural integrity of the homes among other things.

Thanks,

Evan Gunter
4505 Mallick Ln
Louisville KY 40299

--
* *
Evan Gunter
GivFlow.com
PCOMVP.com
(502) 751-1997
GunterER@gmail.com
Evan@heywillow.com
* *


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St. Germain, Dante

From: Madison Hicks <madisonhicksrealtor@gmail.com>
Sent: Wednesday, September 14, 2022 10:18 PM
To: Reverman, Joe; St. Germain, Dante; beth.stuber@louisvilleky.gov
Subject: Density: 22-ZONE-0012

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Beth / Joe,

Thanks again for stopping by last week. We really appreciate your time and the opportunity to show you our neighborhood in person.

It was brought to my attention this evening while speaking with Kent Gotee, that the density of my neighborhood may not have been shared with you all.

I wanted to pass this information along as it should have an impact on the Laurel Springs entrance.

The abutting properties of the development on Laurel Springs and Walnut Hills Dr are a density of approximately 0.74. The entire neighborhood is even less than that.

The proposed development is a density of nearly 20 dwelling units per acre.

Our low-density neighborhood along with lack of street lights, lack of sidewalks, lack of public transportation, lack of bike lanes, and narrow roads make this entrance dangerous, even if just for emergencies.

Wouldn't this entrance violate #8 of the Plan 2040 Staff Checklist?

"Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances."

Appreciate your input and help! Thank you!

Madison Hicks
REALTOR®
Tonini Realty
2336 Frankfort Ave
Louisville, KY 40206
502-759-1728
toninirealty.com

St. Germain, Dante

From: Madison Hicks <madisonhicksrealtor@gmail.com>
Sent: Monday, September 12, 2022 8:06 PM
To: St. Germain, Dante
Subject: Letter of Opposition 22-ZONE-0012
Attachments: Letter of Opposition 22-ZONE-0012 - Madison Hicks.pdf

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Dante,

I have attached my letter of opposition for this case.

Thank you

Madison Hicks
REALTOR®
Tonini Realty
2336 Frankfort Ave
Louisville, KY 40206
502-759-1728
toninirealty.com

22-ZONE-0012: Letter of Opposition

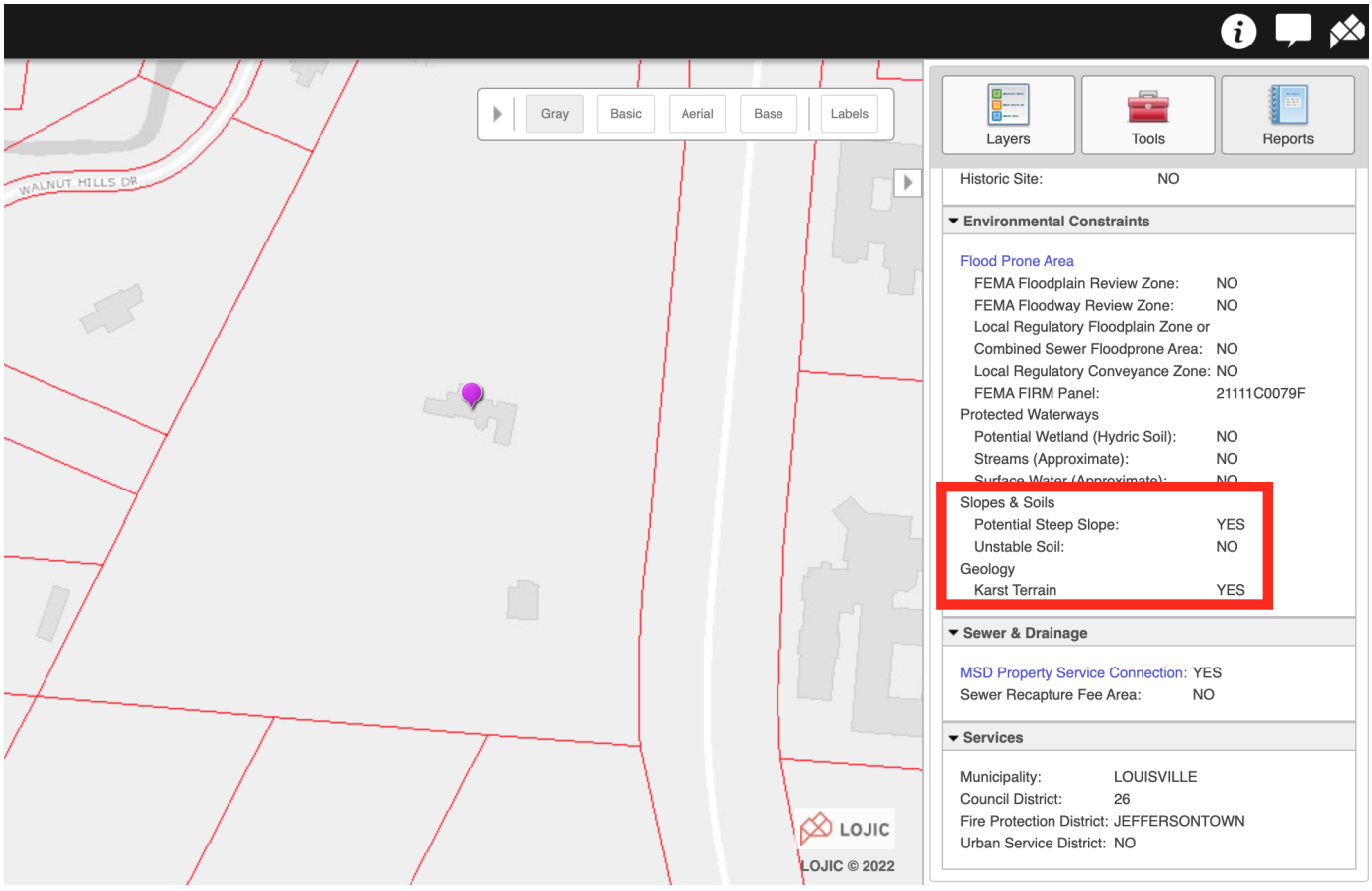
My name is Madison Hicks. I live at 4905 Walnut Hills Dr, Louisville, KY 40299. The following information is in regards to the proposed rezoning of 4700 S Hurstbourne Pkwy from R4 to R7.

There are many reasons a development of this size should be denied. A smaller development would be more appropriate for this property.

1. SINKHOLES & KARST TERRAIN

According to Lojic Online and the developer's geotechnical study, this property is crawling with karst terrain, steep slopes, sinkholes, and erosion. This land does not meet requirement #4 for the Plan 2040 staff checklist which states:

"Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation."





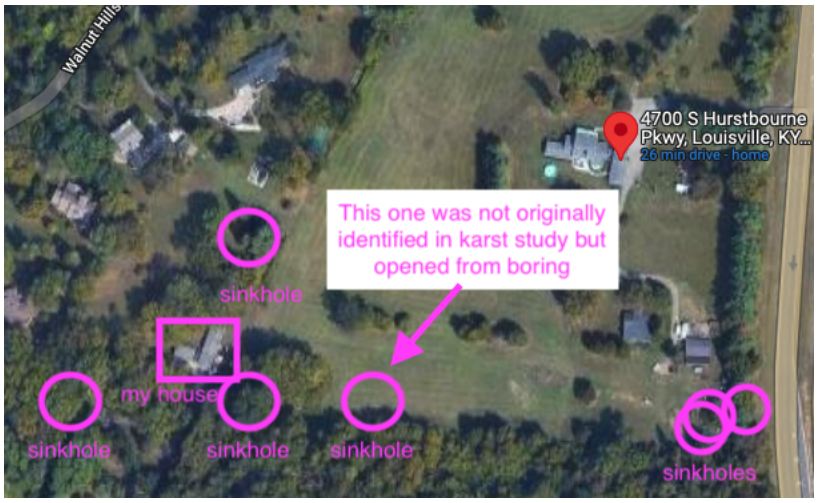
There are many collapsed sinkholes in the abutting neighborhood and on the proposed property itself.

In fact, we have reason to believe there may be an underground cave or stream that flows from the 4700 S Hurstbourne Pkwy property, beneath a residents house (pictured left), and ends up in the protected creek below.

The map below shows the approximate location of collapsed / open sinkholes (magenta circles) at 4700 S Hurstbourne Pkwy and near my home (magenta square).

This does not include the other 7 identified depressions at 4700 S Hurstbourne Pkwy.

I am certain if the developer had conducted a karst/environmental and geotechnical study prior to purchasing this land, he would have never purchased it at all. This land is no place for a development of this size and nature, and it is frightening to think of the negative impact this might have on surrounding structures.



More studies need to be done to ensure the safety of our community and construction workers.

As you will see on page 2 in the geotechnical report (and screenshotted below for your convenience), while they were boring, a sinkhole opened and they were unable to backfill it. This is a prime example of the severity of the issue.

We are terrified that the vibrations from blasting and construction may cause these sinkholes to collapse further or, even worse, swallow one of our homes.

During backfilling of borings B12 and B12A (which was drilled due to auger deflecting away from plumb in B12 prior to reaching refusal), we were unable to effectively backfill the boreholes with the auger cuttings generated from drilling activities. An additional 15 bags (0.5 cubic foot each) of pea gravel were placed in the holes without backfilling the borings. A portable camera was lowered into the boreholes which allowed for us to observe a void space where backfill material was raveling laterally into. Traffic cones were placed at the surface at this location, and John Auble with ARCO Senior Living Multi-Family was notified by email and attempted phone call on March 18, 2022 to discuss filling the void space and advise those using the property avoid this area.

2. PRIVACY

The proposed high-density development is a drastic transition from the adjacent low-density neighborhood.

There are six abutting properties on the West side of the development that span approximately 12 acres. *This is approximately 0.5 dwelling units per acre in density.*

On the North side of the property, there are six adjoining properties that span approximately 4.42 acres. *This equates to approximately 0.74 dwelling units per acre in density.*

The proposed development is 19.49 dwelling units per acre in density.

To reiterate, the developer has proposed putting a density of 19.49 dwelling units per acre directly next to a downhill neighborhood with a density of less than one dwelling unit per acre with minimal transition.

According to Louisville Metro's Plan 2040, "adjacent residential areas in different density categories may require actions to provide an appropriate transition between areas. Examples include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences."

You might say, "well they've proposed a fence", however if you look closely, and specifically near my house, the fence sits at an elevation LOWER than the parking lot and buildings. There is no berm and there are no trees proposed along the West side of the property. Our existing privacy is gone. Lights will shine and people will have a view directly into my bedroom and bathroom.



Not only would more trees along the West property line help preserve our existing privacy, it would also help make up for the many mature trees that will be destroyed during construction.

We brought this up at the neighborhood meeting and asked that there be a berm, fence, and trees combined to protect privacy and provide transition like many other developments along Hurstbourne have (see example photo left), however the request to preserve our privacy has been ignored.

The below photos are the view from my house. As you can see, the proposed development is on much higher land than my house.

A development with a lower density and two-story buildings, such as in R6 will be better suited for this property and will be able to provide a proper transition with fences, trees, berms, and open spaces.





My neighbors and I are saddened by the developer's lack of concern for us, the environment, and the surrounding community. While we hope it's not the case, it seems as though he just wants to squeeze in as many apartments as he can, rather than providing something more suitable and safe for the property and preserving the privacy of the abutting low-density neighborhood.

I oppose the rezoning of this property from R-4 to R-7.

However, with proper transition methods, green infrastructure, environmental, and safety measures taken, I could be in favor of a smaller development.

Thank you,

Madison Hicks
4905 Walnut Hills Dr
Louisville, KY 40299
502-759-1728

St. Germain, Dante

From: Bob Gunter <bobwgunter@gmail.com>
Sent: Tuesday, August 30, 2022 2:49 PM
To: St. Germain, Dante
Cc: Stuber, Elizabeth W.
Subject: Re: Variance and Waivers

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Thanks, according to the prior 4 plans posted and per the neighborhood meeting, the developer plans to put around 20 feet of fill at the locations of the sinkholes the apartments were going over. So I concern about the fill still going over them. Not sure about the parking lot one as it is up the hill somewhat. But if I plot the sinkholes out they all seem to be connected to the ones Lower slopping towards the creek and intermittent streams.

Would love to walk them with you.

Sent from my iPhone

> On Aug 30, 2022, at 2:22 PM, St. Germain, Dante <Dante.St.Germain@louisvilleky.gov> wrote:
>
> I do not have a geotechnical background, so I cannot say how a sinkhole is mitigated so parking can be built on top of it. I have copied Beth Stuber who does have the appropriate background. She may be able to explain to you in more detail.
>
> **Dante St. Germain, AICP**
> Planner II
> Planning & Design Services
> Department of Develop Louisville
> *LOUISVILLE FORWARD*
> 444 South Fifth Street, Suite 300
> Louisville, KY 40202
> (502) 574-4388
> https://louisvilleky.gov/government/planning-design
>
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https://public.govdelivery.com/accounts/KYLOUISVILLE/subscriber/new

From: Bob Gunter <bobwgunter@gmail.com>
Sent: Tuesday, August 30, 2022 1:53 PM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Subject: Re: Variance and Waivers

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Thanks Ms Germain. Sorry to bother you. This is important to me to know because the developer could just build parking lot on them or fill them in, either way directing more water and possible sinkhole to me and my neighbors?

I already have a large sinkhole just a few yards from my backdoor and my neighbors do to. I read about the risk of filing them. My house is below the development en route to the creek.

Plugging and blasting will ruin me for sure, scary stuff.

Any idea when I can find out?

Thanks
Bob

Sent from my iPhone

> On Aug 30, 2022, at 12:08 PM, St. Germain, Dante <Dante.St.Germain@louisvilleky.gov> wrote:
>
> The sinkholes that are under pavement will need to be mitigated by a qualified geotechnical engineer. I am not sure about the others.

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502) 574-4388
https://louisvilleky.gov/government/planning-design

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From: Bob Gunter <bobwgunter@gmail.com>
Sent: Tuesday, August 30, 2022 11:19 AM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Subject: Re: Variance and Waivers

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Hi again Ms Germain. A follow up question to the sinkholes identified. Will the developer be able to grade or fill these sinkholes? Seems unlikely but just checking. They all appear to me to be part of the streams that connect to the blue line creek of Fern Creek.

Thanks
Bob Gunter

Sent from my iPhone

> On Aug 29, 2022, at 3:48 PM, Gail Gunter <bobwgunter@gmail.com> wrote:

Thank you again Ms. Germain. I understand better.

Bob

Sent from Mail for Windows

From: St. Germain, Dante
Sent: Monday, August 29, 2022 2:54 PM
To: Bob Gunter
Subject: RE: Variance and Waivers

There is no buffer per se required around a sinkhole collapse feature, but it is not allowed under a principal residential building, not under the building itself or the footers at the base.

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
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(502) 574-4388
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From: Bob Gunter <bobwgunter@gmail.com>
Sent: Monday, August 29, 2022 2:52 PM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Subject: Re: Variance and Waivers

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I am sorry Ms Germaine, you did answer my question with your last email, but one more now. Will buffer around sinkhole apply? Thinking I read they are required.

Sent from my iPhone

> On Aug 29, 2022, at 10:57 AM, St. Germain, Dante <Dante.St.Germain@louisvilleky.gov> wrote:
>
> Yes, I am available now.
>
> **Dante St. Germain, AICP**
> Planner II
> Planning & Design Services
> Department of Develop Louisville
> *LOUISVILLE FORWARD*
> 444 South Fifth Street, Suite 300
> Louisville, KY 40202
> (502) 574-4388
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From: Bob Gunter <bobwgunter@gmail.com>
Sent: Monday, August 29, 2022 10:56 AM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Subject: Re: Variance and Waivers

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---

Can I give you a call?

Sent from my iPhone

> On Aug 29, 2022, at 10:52 AM, Bob Gunter <bobwgunter@gmail.com> wrote:
>
> I think that's good news? Meaning no building or parking lot over sinkhole?
>
> If correct, I expect new plans?
>
> Thank you
>
> Sent from my iPhone
>
> > On Aug 29, 2022, at 7:49 AM, St. Germain, Dante <Dante.St.Germain@louisvilleky.gov> wrote:

The waiver request was withdrawn by staff because there is no waiver available to build principal residential structures over sinkhole collapse features.

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502) 574-4388
https://louisvilleky.gov/government/planning-design

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From: Gail Gunter <bobwgunter@gmail.com>
Sent: Sunday, August 28, 2022 8:22 PM
To: St. Germain, Dante

<Dante.St.Germain@louisvilleky.gov>
Subject: RE: Variance and Waivers

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---

Good Morning Ms. Germain, I am hoping you can help me to understand what is going on with the Waiver Request the developer had submitted requesting to build over the sinkholes at 4700 S Hurstbourne Parkway. Was it withdrawn? Does this mean the sinkholes will not be build over? I assume a new one can be submitted, but not sure what this means for the current plans? I have attached the documents that I think relevant, but I am a novice at this and probably don't understand.

Thanks

Bob Gunter

Sent from Mail for Windows

From: Gail Gunter
Sent: Tuesday, August 23, 2022 8:50 AM
To: St. Germain, Dante
Subject: RE: Variance and Waivers

thanks

Sent from Mail for Windows

From: St. Germain, Dante
Sent: Tuesday, August 23, 2022 8:49 AM
To: Gail Gunter
Subject: RE: Variance and Waivers

There is no meeting scheduled yet for these cases. The 4700 and 4900 S Hurstbourne cases will be heard together but they are separate cases.

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
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---

From: Gail Gunter <bobwgunter@gmail.com>
Sent: Tuesday, August 23, 2022 8:45 AM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Subject: RE: Variance and Waivers

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Thank you, btw, this is Bob Gunter, Gail is my better half. I use her computer as I only have a I phone. When I use her computer, it appears as though she is sending the email

Can you tell me if there is a timeline for this?

Is it all heard at the same time? Is this more time sensitive?

My first time.

Thanks
Bob Gunter.

Sent from Mail for Windows

From: St. Germain, Dante
Sent: Tuesday, August 23, 2022 8:30 AM
To: Gail Gunter
Subject: RE: Variance and Waivers

Anything you want the Commission to see can be submitted to me. It is best if you submit by email.

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502) 574-4388
https://louisvilleky.gov/government/planning-design

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From: Gail Gunter <bobwgunter@gmail.com>
Sent: Monday, August 22, 2022 9:18 PM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Subject: RE: Variance and Waivers

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Hi Ms. Germain, I am new at this so please forgive but I don't need the application on this, the document uploaded has all the information needed. I do plan on submitting a objection

to both variances uploaded and hope that I can email these to you for proper submission.

Thanks

Bob Gunter

Sent from Mail for Windows

From: Gail Gunter
Sent: Monday, August 22, 2022 8:02 PM
To: Dante.St.Germain@louisvilleky.gov
Subject: Variance and Waivers

Hi Ms. Germain, I see on the efile for 4700 Hurstbourne the developer has requested variances and or waivers so he can build closer to Hurstbourne Lane and over sinkholes. I found what appear to be the required form on the city web and it has a few more pages than appear on the electronic file? I was curious if I could get those complete request packets? I will certainly object to building over the sinkholes as they extend from Hurstbourne to the creek and by my yard and through the yard of my neighbors. I was hoping to see the entire packet if possible.

The database only has one page with abcd on it.

Thanks

Bob Gunter

Sent from Mail for Windows

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St. Germain, Dante

From: Reverman, Joe
Sent: Friday, August 26, 2022 8:55 AM
To: stpinlou@aol.com; St. Germain, Dante; Brown, Jeffrey E
Subject: RE: 22-ZONE-0012 and 22_-ZONE-0076

I agree they have a right to meet with us. But keep in mind we didn't meet with the applicant on site. We are definitely not opposed to meeting with them. I feel need to continue to emphasize that we are aware of the conditions Laurel Springs Dr. I offered two times, Wednesday the 31st, or Tuesday the 6th.

Joe Reverman
Planning & Design Services

From: stpinlou@aol.com <stpinlou@aol.com>
Sent: Thursday, August 25, 2022 5:13 PM
To: Reverman, Joe <Joe.Reverman@louisvilleky.gov>; St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>; Brown, Jeffrey E <Jeffrey.Brown@louisvilleky.gov>
Subject: Re: 22-ZONE-0012 and 22_-ZONE-0076

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---

Joe,
First of all, I believe my clients have an absolute right to discuss this proposal with staff just as the applicant has had meetings with staff. Without some contact with staff, waiting until a public hearing before the Planning Commission, or even before LD&T, is too late. Once things get that far, an applicant is very unlikely to make any changes to a plan just because the neighbors have protested. My clients do not need a primer on the process and the regulations. They want to be heard by staff now on issues with the proposal that they believe will be detrimental to the neighborhood.
The issue of separate applications is important because of the requirement for two access points. If you are requiring access to Laurel Spring to achieve two access points for the 4700 application, then the separation issue is big. If joined, 4700 would have two access points without Laurel Spring. Either way, any access to Laurel Spring is a major issue of incompatibility and danger to the neighborhood.
My clients want staff to see the layout before a staff report is done. Once that report is done, it seldom changes later. They want to be sure staff has seen on-site the problems of the tall buildings. They want to know what the staff analysis is on that subject and want to discuss it in person.
My clients' expectation is that staff has a full view of the potential problems and has had neighbor (public) input long before any formal hearings. Please let us know when you, Dante and a rep from TE can join us on site. Thanks.
Steve

Stephen T. Porter
Attorney at Law
2406 Tucker Station Road
Louisville, KY 40299
502-905-9991
stpinlou@aol.com

In a message dated 8/25/2022 4:17:33 PM Eastern Standard Time, Joe.Reverman@louisvilleky.gov writes:

Steve, as I said on the email of August 17th, whether these applications are combined or separated is not really relative. Each site will have to demonstrate compliance with the Comp Plan and LDC. There is no reason for us to discuss that further.

We are well aware of existing conditions of Laurel Springs Dr. That is only one small part of the transportation discussion with this project.

We are also aware of concerns regarding the height of the apartment buildings. And we have considered the height of buildings in our analysis of this development. The neighbors concern needs to be addressed to the Planning Commission.

With all of that said, I would be willing to meet you all out there. But I hope you can temper expectations. I would not have much to offer beyond the statements made in these emails, and the meeting would mainly serve as an educational opportunity to help them understand the process, regulations, and general positions of staff. I think Wednesday the 31st, or Tuesday the 6th would work best for me, but I need to verify this with my personal schedule before we set an exact time.

Joe Reverman

Planning & Design Services

From: stpinlou@aol.com <stpinlou@aol.com>
Sent: Thursday, August 25, 2022 12:47 PM
To: Reverman, Joe <Joe.Reverman@louisvilleky.gov>; St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>; Brown, Jeffrey E <Jeffrey.Brown@louisvilleky.gov>
Subject: 22-ZONE-0012 and 22_-ZONE-0076

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Joe, Dante and Jeff,

As you know, I represent the homeowners on Laurel Spring Drive and Walnut Hills Drive. There are a number of issues and questions pending that my clients believe an in-person meeting on-site could clarify. We would like to ask you (Jeff: a representative of Traffic Engineering would be fine if you think this meeting would compromise your position on the PC) to meet with a very small group of four neighbor representatives and myself.. We would begin at 8209 Laurel Spring Drive. We would prefer a meeting starting anytime after 3:00 PM on any of the following dates:

Tuesday, August 30

Wednesday, August 31

Tuesday, September 6 or

Wednesday, September 7

The subjects of the meeting would include:

1. Access to Laurel Spring Drive from the apartment complex,

2. A large, 3-story building backing up to Laurel Spring Drive opposite much smaller, single-family homes,

3. Large, 4-story buildings backing up to single-family homes on Walnut Hills Drive,

4. Numerous drainage and soil concerns, and

5. Processing these two applications as separate rather than combined.

Please let us know the best date for you. Thanks.

Steve Porter

Stephen T. Porter

Attorney at Law

2406 Tucker Station Road

Louisville, KY 40299

502-905-9991

stpinlou@aol.com

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St. Germain, Dante

From: Gail Gunter <bobwgunter@gmail.com>
Sent: Thursday, August 4, 2022 9:31 AM
To: St. Germain, Dante
Subject: 22-Zone-0012 4700 S Hurstbourne Lane Objection
Attachments: snipit highlighted.pdf

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Hi Ms. Germain, after reading the Geotechnical Study and Karst study, I am objecting to any ground disturbance on the South Side/South West side of the proposed development of the proposed development and the building of multiple story apartments in those areas. The Karst terrain and sinkholes pose a significant threat to the waters of this city, the apartment tenants, many of my neighbors and to me and my family. The karst study and the geological study both support that this proposal should not be approved, that the tenants of the apartments will be at risk of injury and lung cancer. The Karst Renaissance Study associated with this proposed development states in section 1.1, that **"actual sinkhole dropout can occur in a relatively short period of time due to washing/raveling of the overburdened soil through the fisshered bedrock. This raveling may occur due to fluctuations in surface/and or subsurface drainage patterns, or changes in groundwater elevations. Engineering works and site development can result in acceleration of incipient sinkhole development or encourage new sinkhole formation."** The proposed development plans on Engineering works and site development, grading, filling, adding 20 feet of fill at the Southwest corner and using dynamite to get to the rock below. In addition, the Geological survey indicates that continual monitoring is not dependable for this type of topography.

In particular the area at the highest risk can be identified on the attached developmental proposal with the highlighted sink holes on West side of the proposed development and adjacent to my home and the home of others. These sinkholes are on intensely Karst terrain and a clear indication of underground streams, caverns and other landforms associated with this karst terrain. The water is clearly making its way to the Creek of Fern creek which is currently contaminated with EColi. My home is adjacent, to the proposed development on the banks of the waters of the creek of Fern Creek.

The sinkhole of the Corvette museum was substantial and the I suspect the Corvette Museum tried to prevent that event. The sinkhole that swollowed Jeff Bush was also unanticipated. Building on sinkholes poses risk to those that live over the sinkhole and those near the sinkhole. The water will not stop but will find other means to travel to the creek. My home has been spares so far, however, the development intends to redirect the water to other areas which will certainly jeopardize my home, my safety and that of others lying on the slope to the banks of the creek between the development and the creek.

I have highlighted in yellow the identified sinkholes for easier reference and can identify additional sinkholes, swallows and depressions in the adjacent properties. I encourage the commission to take a guided tour of this karst terrain and I can show them the Karst terrain in the Walnut Hills neighborhood below the proposed development on the banks of the waters of Fern Creek. The sinkholes on the proposed development begin at or around the 626 ft level at Hurstbourne and on the west side peak of the property, and flow to the Southwest corner of the proposed development down to the 600 ft level. (I highlighted the identified sinkholes and can show you other sinkholes on the adjacent properties). The proposed development proposes to build multiple story apartments over this line of sinkholes. The sinkholes appear to me and I believe a reasonable person, to

travel towards the stream at the SouthWest corner which flows to the creek of Fern Creek and also contains sinkholes, swallows and other karst identifies. The stream has multiple throats that assist in directing groundwater to the stream. It is reasonable to ascertain that sinkholes follow the stream and geography to the creek of fern creek. I did not see any reports of Geologist that included the surrounding areas or the properties and life most at risk.

Below is a snip of the plan with the sinkholes highlighted. If it doesn't open I have also attached as a attachment.



The proposed development proposes to build 3 story apartments over the sinkhole riddled on the south end of the development extending to the Southwest corner. Per the verbal discussions, the builder plans to grade, dynamite and fill the terrain under the Southside and at the Southwest side of the development with approximately 20 feet of fill dirt so 3-4 story apartments can be built and a gravity water fed drainage can be used. That method appears to conflict with the advice of the Geo study which indicates any gravity fed drain will end up under the power lines that lie to the west and also flow underground to the neighbors on the banks of the creek below the proposed development. This proposal is so dangerous to the tenants of buildings 1,2 and 3 as they are proposed to be build on a network of sinkholes residing on intensely karst terrain. The risk to the residents of these apartments will include landslide, cave ins and more sink holes. In addition, the sinkholes will provide direct paths for radon gas to expose the tenants to future medical conditions, including lung cancer.

This proposed development also exposes the neighboring residents to additional sinkholes, cave ins, depressions and radon. I understand the sinkholes and karst terrain will provide radon gas and direct conduits to the apartments. If these conduits are filled in, they will move to my neighborhood and I do not have the funds to correct the problems they will cause.

This story line is similar for the West side of the proposed development as sinkholes also exist on the west side. The empty pond indicates underground tunnels and conduits exist. The west side of the land appears to peaks at 628 ft at Hurstbourne lane and flows downhill to multiple throats of the stream leading to the creek of Fern Creek600 ft. The west side of the proposed development connected to the Walnut Hills Drive neighborhood appears to peak at 624 ft level and flows downhill to the 600 ft level.

My search of the Web records indicate the only sure fire method of not creating a catastrophe on karst terrain and sinkholes is by not building on it and certainly by not altering the water flows, dymamiting and other engineering works. The smart thing to do is to restrict building along the South and west sides of this land showing a network of sinkholes and on Karst terrain. The residents of the apartments will be at a unacceptable

The developer told us he would be dymamiting the rock assuming to allow the apartments to rest on the limestone below. The use of dynamite will surely damage the underground waterways and fragile rock system under the homes of the homes residing between the development and the creek. The Geo report characterizes this as perhaps reducing the risk of sinkhole activity but raising the risk of diverting water directly into subgrade below soil or below utilities. Utility poles lie at the west of the proposed development, indicating water will be sent towards my home and the homes of others on the bank of the creek. Even if the developer encases the electric lines/utility lines on the west, the water will still be directed at my home and the home of others that lie below the proposed development.

After reviewing the Geo report, the karst study I am clearly against engineering work, dymamiting or otherwise altering the flow of water, above or below the surface of the South or West side of the proposed development as the risk are to high. There is a lot of vacant land around this area that may be suitable for the developer to pursuer. However this land and imparticulary the areas, line of sinkholes is to dangerous to the renters of the apartments and the homes, people lying between the proposed development the creek.

The commission should vote NO on this development to protect the renters of the apartments from cave ins, landslides and Radon Gas. The commission should vote NO on this proposed development to protect its citizens from sinkholes, cave ins and radon gas. The commission should vote NO on this proposed development to protect the community from destruction of the wetlands and pollution of the waters of the creek of Fern Creek.

I spent a career in the Rubbertown area and have suffered the consequences of unwise development. I hope this will not be repeated with the apartment renters or the residents in the valley below the proposed development.

Please do the smart thing and do not allow this proposed development to proceed.

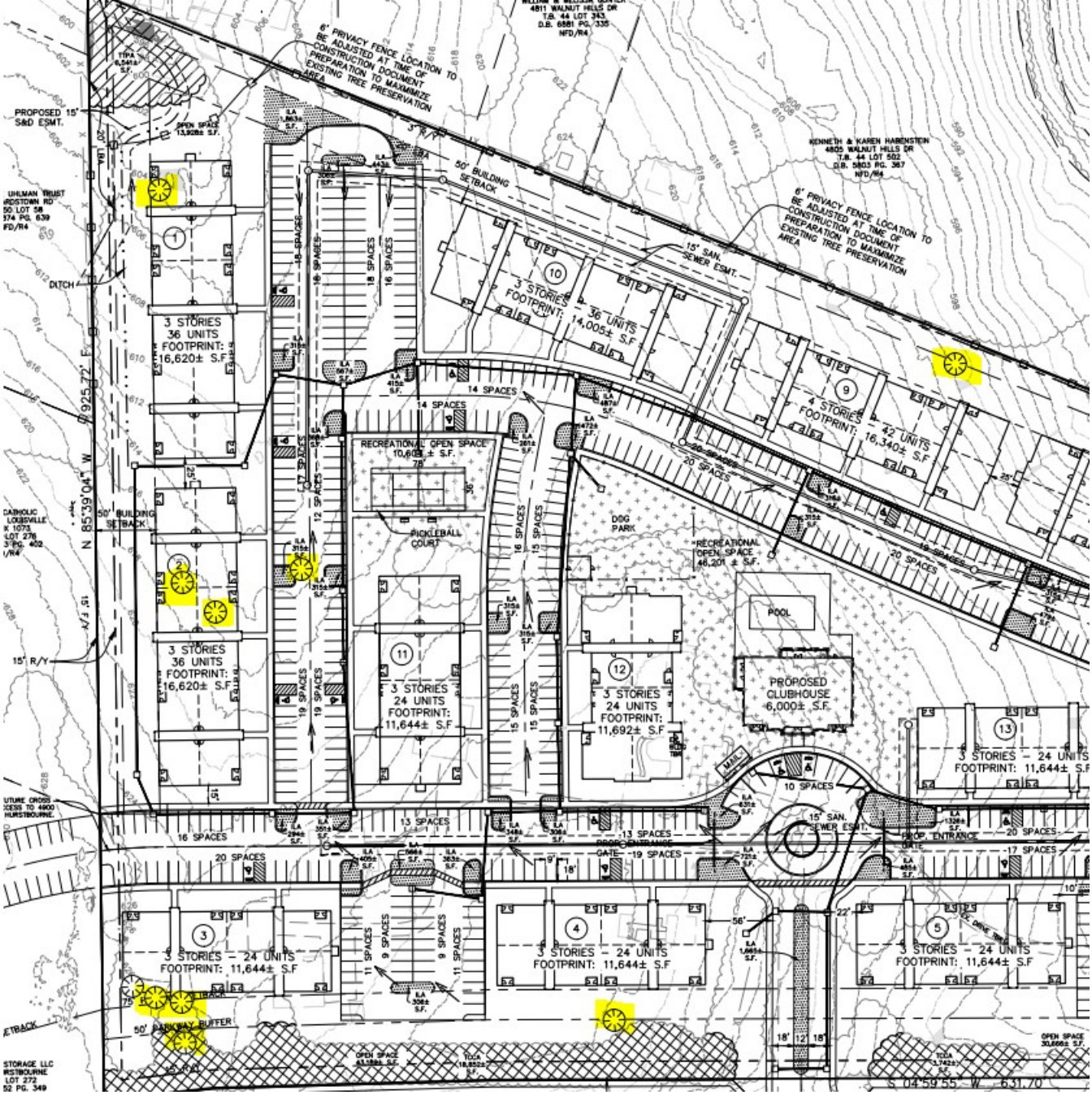
Thank you

Bob Gunter

4903 Walnut Hills Drive

40299

Sent from Mail for Windows


6' PRIVACY FENCE LOCATION TO BE ADJUSTED AT TIME OF CONSTRUCTION DOCUMENT PREPARATION TO MAXIMIZE EXISTING TREE PRESERVATION AREA
KENNETH & KAREN HABENSTEIN
4805 WALNUT HILLS DR
T.B. 44 LOT 502
D.B. 5803 PG. 367
NFD/R4
PROPOSED 15' S&D ESMT.
50' BUILDING SETBACK
15' SAN. SEWER ESMT.
DITCH
3 STORIES
36 UNITS
FOOTPRINT:
16,620± S.F
3 STORIES
36 UNITS
FOOTPRINT:
16,620± S.F
3 STORIES
24 UNITS
FOOTPRINT:
11,644± S.F
3 STORIES
24 UNITS
FOOTPRINT:
11,692± S.F
3 STORIES
36 UNITS
FOOTPRINT:
14,005± S.F
4 STORIES
42 UNITS
FOOTPRINT:
16,340± S.F
RECREATIONAL OPEN SPACE
10,601 ± S.F.
PICKLEBALL COURT
DOG PARK
RECREATIONAL OPEN SPACE
46,201 ± S.F.
POOL
PROPOSED CLUBHOUSE
6,000± S.F.
PROP. ENTRANCE GATE
EXIT ONLY
15' R/Y
50' PARKWAY BUFFER
3 STORIES – 24 UNITS
FOOTPRINT: 11,644± S.F
3 STORIES – 24 UNITS
FOOTPRINT: 11,644± S.F
3 STORIES – 24 UNITS
FOOTPRINT: 11,644± S.F
3 STORIES – 24 UNITS
FOOTPRINT: 11,644± S.F
S 04°59'55" W 631.70

St. Germain, Dante

From: stpinlou@aol.com
Sent: Monday, August 1, 2022 5:38 PM
To: john@bardlaw.net
Cc: St. Germain, Dante
Subject: Kennedy Apts. on Hurstbourne: 22-ZONE-0012 and 22-ZONE-0076

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John,

Beside the fact that my clients have strong objections to the site plans for these applications, there are two other problems outstanding:

First, at the last neighborhood meeting for # 0076, we were promised another neighborhood meeting where both applications could be discussed.

Second, Dante has informed me that you are processing these applications as if they were two different and separate projects. It is obvious, for many reasons, that this is just one big apartment development. Consequently, we request that they be combined and processed as one application. If your client does not agree to that, we will strongly object at LD&T to these being heard as two separate projects. That could be a subject of discussion and explanation at the new neighborhood meeting.

Of course, my clients still object to access to Laurel Spring Drive, the large building facing single-family houses on Laurel Spring Drive and the four-story buildings bordering properties on Walnut Hills Dr. Unless these, and other, problems are solved, my clients will continue to be strongly opposed to both applications (which should be just one).

Steve

Stephen T. Porter
Attorney at Law
2406 Tucker Station Road
Louisville, KY 40299
502-905-9991
stpinlou@aol.com

P.S. Hope you are healing as well as possible.

St. Germain, Dante

From: Evan G <gunterer@gmail.com>
Sent: Sunday, July 31, 2022 11:39 AM
To: St. Germain, Dante
Subject: Letter of Opposition for 4700 and 4900 S Hurstbourne
Attachments: opposition.docx

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---

Please find attached my letter of opposition for this proposed development.

Thanks,

Evan

--
* *
Evan Gunter
GivFlow.com
PCOMVP.com
(502) 751-1997
GunterER@gmail.com
Evan@heywillow.com
* *

Dante,

I wanted to personally go on record and let you as well as the committee know that myself and my family are heavily opposed to what is being proposed at 4700 S Hurstbourne and 4900 S Hurstbourne.

My frustrations have started from the beginning in that this whole process has seemed ingenuine in that the developer has not attempted to work with the surrounding community. In fact, they have changed the development so much, what was originally discussed or shown at the neighborhood meeting is hardly resembles what is seen today.

- We had concerns about blending density and having residents peer into the homes behind us from their 3 story buildings (which would feel like 4 because they were building the ground up below it). These have now become 4 story buildings – clearly, the developer took what we said and ignored it.
- One of my largest concerns is the homes and the creek in the valley below this development. This is one of the most unique proposed developments simply because of the homes this will directly impact in the valley below. If you don't flood them, you will dry up the creek and their ability to get ground water. Some of these homes still run on well water.
- When Mr. Talbott and his team submitted their proposal, they indicated the development wasn't on Karst. I found this wild that they could make such a claim since it's very well known on many sources that this is a heavily karst area. The sinkholes and karst landscape are natural drains for the homes in this valley. Changing this landscape will drastically impact the homes in this valley in many ways.
- We know this area to have caves, sinkholes, wetlands, and watersheds. Every piece of natural development has been built around with the current homes in the valley. Building 600+ units here and 4 stories will drastically change the landscape and impact the existing residents.
- In addition to the environmental concerns that I believe are at the forefront of this development, we have the multitude of other concerns this development brings into account. While we live in the city, we also know that the current roads are not prepared to take on 600 units and their vehicles. I live off Watterson trail between Hurstbourne and Bardstown Road and I already can't leave my house between 4-6pm without waiting in traffic just to get out on a main road. Moreover, there are no sidewalks, cross walks, or other infrastructure to safely protect these people in this area.
- You're effectively surrounding the homes in my area by 3 different developments and letting these existing traffic problems run wild. We have bus stops for our kids, no sidewalks, no streetlights, and the roads are not wide enough to support the amount of traffic your wanting to place in the area.

Thanks,

Evan Gunter

4505 Mallick Ln

Louisville, KY 40299

St. Germain, Dante

From: Gail Gunter <bobwgunter@gmail.com>
Sent: Saturday, July 30, 2022 6:10 PM
To: St. Germain, Dante
Subject: Record 22-ZONE-0012 and just questions about recent uploads

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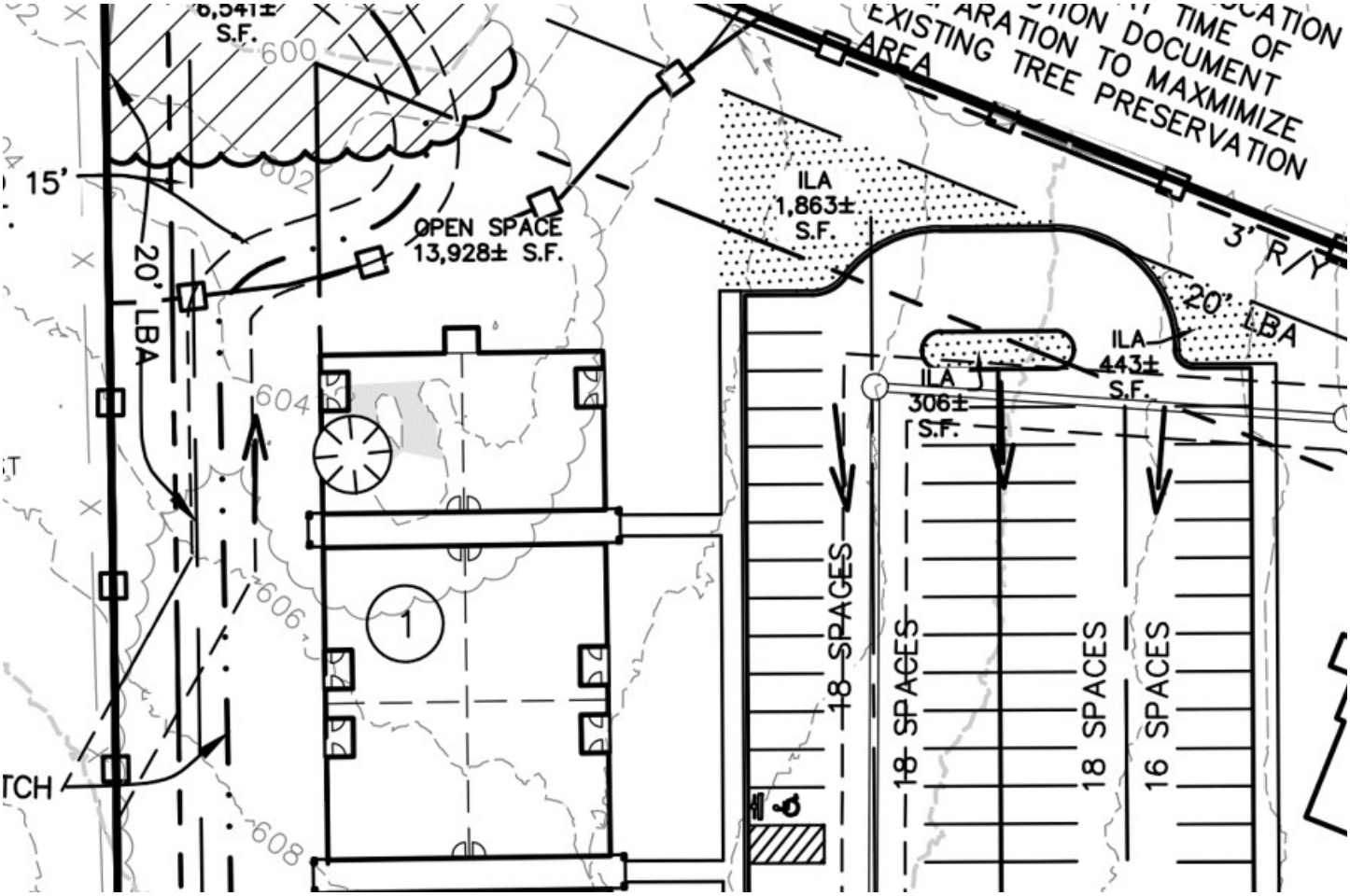
Hi Ms. Germain. I have been looking at the plan uploaded just after the Geo Survey. The plan makes it look like building 1 is at 604 ft but pretty sure the developer plans on lots of fill dirt and raising the area 20 ft or so.?? Is that normal to not disclose the terrain height? If I am correct, building 1 will be 20 ft or so above the recorded 604 height as well as the parking lot? Then a 35 ft building on top of that. Hard to tell the developers intentions, but if I am right, the parking lot will be above the fence and the powerlines below and on the southwest corner. Seems lots of important information is missing.

I am also curious about the Karst study and the geological study. They both indicate they were performed with no more than a 3 story building being considered, however, the developer appears to be planning 4 story buildings. Why was this information held back from the Karst and Geo study. Neither of these very important studies were based on the intents of the developer. Will new studies be performed based upon the new intensions of the developer?

The pic below is from the most recent plan. It would suggest the building 1 is at 604 ground level as well as the parking lot, however, I believe both are on higher ground. So many changes and the lack of detail are confusing.

Thanks

Bob Gunter
4903 Walnut Hills Drive



Sent from Mail for Windows

Sent from Mail for Windows

St. Germain, Dante

From: stpinlou@aol.com
Sent: Saturday, July 30, 2022 12:19 AM
To: St. Germain, Dante
Subject: 22-ZONE-0012 and 22-ZONE-0076

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Dante,

I represent the residents and homeowners on Laurel Spring Drive and Walnut Hills Dr. They are still very concerned about the negative aspects of these two applications. First, however, it is important to find out whether these two applications with the same developer will be considered by the Planning Commission jointly or separately. It is obvious from the plans they should be considered together. In addition to common developer, they have connected internal access and only one clubhouse, one pickleball court and one swimming pool. The two applications are obviously one large apartment community and should be considered as such.

Despite vociferous and continuing objections from my clients, the developments continue to have very objectionable aspects. Just a few of those are:

1. Unnecessary access to a narrow, single-family street (Laurel Spring Dr.) which would result in heavy traffic on that quiet street and dangerous access at Watterson Trail,
2. A large 3-story building on the west side of Laurel Spring Drive, just opposite small, single-family structures,
3. Large, essentially 4-story, buildings at the rear of the single-family lots on Walnut Hills Dr., and
4. Numerous drainage and soil concerns.

We have not yet been able to get answers from the applicant and its attorneys, who have promised a follow-up neighborhood meeting when final plans are formulated. That meeting has not been held. Please let us know how these applications will be considered. Thanks.

Steve Porter

Stephen T. Porter
Attorney at Law
2406 Tucker Station Road
Louisville, KY 40299
502-905-9991
stpinlou@aol.com

St. Germain, Dante

From: Gail Gunter <bobwgunter@gmail.com>
Sent: Thursday, May 12, 2022 8:36 AM
To: St. Germain, Dante
Cc: Gmail
Subject: Objection to 4700 Hurstbourne Lane

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Dante, please record my objection to the proposed development at 4700 Hurstbourne Lane.

The City should be smart about the development of this prime Marketplace corridor. It is obvious that this stretch of Hurstbourne Lane that ends at Bardstown Road is the Marketplace zone. Any other type of development will take jobs away from Louisvillians in need of employment. Plan 2040 states, "Suburban Marketplace Corridors: Suburban Marketplace Corridors are generally located along major roadways with well-defined beginning and ending points and established depths along the length of the corridor." Apartment dwellers will especially be impacted by any decision to ignore this marketplace zone as jobs in the area will be negatively impacted.

If providing jobs to louisvillians is not important, consider the environmental risk these 3 story apartment developments will cause to the Valley of Fern Creek and the neighborhood of Walnut Hills, including the air, water, earth and the residents. Please make the smart decision and do not approve the proposed development at 4700 Hurstbourne lane. Please consider the following:

- The Walnut Hills Neighborhood lies in the Valley on the slopes of Fern Creek. The Valley is around 60 feet below, and on the slope of the proposed development ending in Fern Creek. The Valley of Walnut Hills is surrounded by the banks of Hurstbourne Lane, Bardstown Road and Watterson Trail. The Creek of Fern Creek runs through the Valley and disappears below Bardstown Road and Hurstbourne Lane.

- The proposed development proposes to place parking lots so they adjoin the Valley below and will point exhaust fumes down the slope to the Valley below. If approved, the city will be allowing motor vehicles to direct exhaust and particulates at the Valley and residents below. Automobile exhaust fumes and particulate matter will be sent into the Valley below, saturating the land, the water, the homes and the lungs of the residents below. In addition, the development proposes to point many of the Apartment windows towards the Valley so the view of the polluted valley can be observed by the residents.

- The Apartments will leach antifreezes, oils, salts from the pool, chemicals from the lawns, pollution settling dripping from the non permeable pavement, lotions and dryer vent exhaust, into the soil sending it directly towards the Valley and Fern Creek. The pollution will be sent into the Valley below the proposed apartment complex. The Valley will become smog laden with pollutants from the Apartments and traffic above. The elderly, the children and all will certainly suffer from the targeted pollutants directed and settling in the Valley.

- Sinkholes dot the south end border of the proposed development and appear to contain and direct water to the stream which flows through the Valley and feeds Fern creek. This is obviously Karst terrain

having underground streams and spaces that have naturally formed drainage routes on the south end of the development. The developer appears to be proposing to blast and move dirt in an attempt to build the money maker apartments.

- The developer proposes no method to catch the ground pollution and water pollution at the southwest end of the development. In fact, the developer plans to raise the area approximately 25 feet and build a 3 story apartment building on top of the slope. The natural drainage of the Karst terrain will surely be interrupted and will divert waters to other places on the slope. The terrain of my home and others will be changed by the development. More sinkholes, underground caverns and waterways will develop and cause new risk to me. I don't want to fall into a sinkhole as I sleep, as Jeff Bush did in Florida. I don't want the little children in the valley to risk death from this development.
  The slopes of Fern Creek currently begin at Hurstbourne Lane and the development proposes to move the bank to the Southwest border of the development. The slopes of Fern Creek will be moved closer to Fern Creek and negatively impact the Valley, the creek and Walnut Hills neighborhood.

- The developer wants to blast, build hills on the land and move the banks of Fern Creek close to the Creek. The proposal wants to make the Valley smaller. Blasting on the karst terrain of the slope my home resides on, will surely cause risk to my home and land. The current depressions in my land and the land of others in the Valley indicate to me, the sensitive nature of Karst terrain. Blasting will increase safety risk in the entire Valley. If I don't fall in some sinkhole, the natural streams flowing through the terrain will change, sending water into other areas, risking my home and the residents of the Valley.

- The southwest corner of the development utilizes natural drainage rather than engineered drainage, as in other parts of the proposed development. It appears to me the development intends to send the pollutants from the parking lot and the apartments at the SouthWest corner of the development straight to the residents of the Valley Below and to the Creek. The development will send all the pollutants caused by the Apartment Complex right through my property and home, on top of the ground, in the air, below the surface and straight to the creek and the young children below. The development proposes to face many apartments towards the Valley, providing a great view of the suffrage that will surely take place in the Valley.

- My land will become polluted with the forever pollutants. The development will take away my ability to have a sustainable life. The waters from the complex will feed my garden, flowers, plants, pets and animals.

- The only entrance and exit to the valley is on Watterson Trail and ends in the slopes of Hurstbourne lane and Bardstown Road. There will be no escape from the pollutants settling in the Valley and on the residents, children of the Valley.

- The city just approved a huge development on the North Side of Watterson Trail, which sits at the entrance to the Valley. This huge development is at the entrance to the Walnut Hills Valley. The approval of this development jeopardizes the Walnut Hills valley and will add to the pollution of Walnut Hills Valley.

- The City has already approved an Apartment Complex at the Northeast end of the Walnut Hills Valley (Bardstown and Watterson Train) which will add to the pollution of the Valley below.

- The smog from the Watterson Trail Development and the Bardstown development will be funneled into the Valley and will settle in the valley and the Walnut Hills neighborhood. The tiny tykes as well as the elderly like myself will suffer from the pollutants in the short term and the long term. More than likely, traffic and environmental impacts will even affect the ability of emergency services to enter the valley if needed.

- Approving a large development with 3 story apartments right on the slope behind my house will add to pollution problems and risk associated with valleys. The smog will increase, the particulates will be spewn into the valley, the dryer vents will spew their chemicals into the valley, the land and the water will be contaminated. Many of these pollutants stick to vegetation. My property will be polluted from the top and from the bottom through waterways under my property. In fact, the developer has purposely positioned parking lots to adjoin the property of Walnut Hills residents so the exhaust can point right into the homes and the valley.

- Karst or not, the development will not capture the roof run offs, the car washes and oil changes, chemicals from pools, lawn care and plastics that will travel down the slope to my yard.

The development does not consider the health of the residents in the Valley below, the damage to the homeowners properties, the trespass of the chemicals which are certain to travel through my property and lungs to the creek. In fact, the developer has positioned many of the 3 story buildings purposely, so its occupants can look into yards of the Walnut Hills neighborhood and the Valley below. This will offer the occupant the opportunity to observe the short term and long term effects of polluting a valley and stream. If the city wants to place its residents' health and safety as a priority, this proposal will not be approved.

Please be “smart” about this proposed development and deny the development. The proposed site is Marketplace zone and can help to provide jobs to the many apartment renters which will be in need of jobs. A Marketplace Zone will allow the residents of the west end of Hurstbourne to enjoy the same privileges of the north side, such as restaurants and retail shops and will reduce traffic problems identified on Hurstbourne lane. The current plan will surely develop a lower class neighborhood and one without the luxuries of smart neighborhoods and will further divide communities and people.

Please make a Smart decision, and don’t turn the Walnut Hills Valley into a Cancer or Death Valley. You think this will increase the Island effect of the City, then imagine what it will do to the small Valley and Walnut Hills neighborhood. I have already been negatively impacted by Rubbertown and am fortunate to be alive. I hope the city can see the risk to the Valley of Walnut Hills and prevent this from repeating, impacting the little tykes, adults and the seniors in the Walnut Hills Neighborhood. There are plenty of developments taking place in the area and property available in the area to save this Valley and to provide jobs to the residents of the Hurstbourne area. Please do not do this to the little children or residents of the Valley. This proposed development jeopardizes entire generations of my family and others, and the risk will last for lifetimes.

Bob Gunter

CC: Anyone that cares about Health, water and the environment.

St. Germain, Dante

From: stpinlou@aol.com
Sent: Sunday, March 20, 2022 3:13 PM
To: john@bardlaw.net
Cc: St. Germain, Dante
Subject: Case # 22-ZONE-0012 4700 S. Hurstbourne Pkwy.

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John,

Will you please provide me with 2 large copies of the latest plan? I see that it now has 3 access points. That makes the access to Laurel Spring Drive totally unnecessary and I cannot understand why it is even on the plan. As we have requested earlier, and as you promised at the neighborhood meeting, there should never be access to Laurel Spring Drive. Among the many problems with this plan, this access is one of the most serious. There are others, but this one is a total deal-breaker. It seems to me and my clients that having this third exit on your plan is a red herring bargaining tool. That strategy does not fly, we must still eliminate the other problems with the plan.

Could you please confirm what grading will be done on the property, especially at the rear of the development? We have been told that the western portion will be raised as much as 12 feet or more to level the site. What is the height of the buildings along that western border?

Steve Porter

Stephen T. Porter
Attorney at Law
2406 Tucker Station Road
Louisville, KY 40299
502-905-9991
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St. Germain, Dante

From: Brian <bgo454@gmail.com>
Sent: Tuesday, March 29, 2022 1:32 PM
To: St. Germain, Dante; john@bardlaw.net; stpinlou@aol.com; Madison Hicks
Subject: Goben Opposition letter #2
Attachments: Goben Letter #2, 4700 S Hurstbourne Development Opposition.pdf

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Dante,
Please see attached opposition letter to the new development plan for 4700 South Hurstbourne. Please enter into the record for future reference.
Thanks,
James Goben

Goben opposition Letter #2

To all involved in the revised development plan dated March 14, 2022 for the 4700 South Hurstbourne lane proposed project.

We received the revised plan for the development that shows the use of Laurel Spring drive as the alternate entrance/exit. The plan gets worse with every revision instead of better. This plan has no consideration for the rights and privacy of the current residents of Laurel Spring Drive. The entrance/exit onto Laurel spring is planned to be T intersection directly in front of my current residence. With this plan, my family will incur a constant visual intrusion into the front living room window and house. At night, there will be headlights shining on and into the front of the house all night from the traffic, not to mention the noise.

With that being said, the entire plan for the use of Laurel Spring drive is a bad choice. The street is barely wide enough now to support side by side traffic, especially at the guardrail section over the creek. This would lead to car accidents and damage to property, vehicles, mailboxes, yards, or worse... The road is highly used for walking. This plan will endanger the safety residents and others that use the road for walking. The road is not in the best condition and would likely deteriorate further with increased traffic. The road is not on the list for winter snow removal. The slight incline on the road after the creek has always caused an issue when it is snow covered. As far as traffic, there are times when there can be a 3 to 4 car back up trying to get out of the Laurel Spring Drive onto Watterson Trail as it is. The other day I waited there for close to 5 minute waiting for an opening as traffic continued from both directions on Watterson Trail. I do not know how this will be a feasible entrance/exit for the new development. I envision traffic backing up the entire length of Laurel Spring Drive preventing passage. I have also noted on the plan that this proposed entrance/exit is aligned with the street/parking lot of the back row of apartments, the proposed entrance/exit would likely become the main entrance/exit for that area. When you add the additional traffic from this development and the other new development (same proposed exit location on Watterson Trail) on the other side of Watterson trail, this seems to be a poor decision causing a major traffic problems and safety concerns for all.

For the reasons above, we vehemently oppose the use of Laurel Spring Drive as an entrance/exit to the new proposed development.

Thank you,

James and Pamela Goben

8207 Laurel Spring Drive

Louisville, Ky 40299

St. Germain, Dante

From: stpinlou@aol.com
Sent: Thursday, March 17, 2022 11:36 PM
To: john@bardlaw.net
Cc: St. Germain, Dante
Subject: Kennedy Apartments 22-ZONE-0012

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John,

I understand your client has filed a new plan showing an access point onto Laurel Spring Drive. As you know, I represent the homeowners on both Laurel Spring Drive and Walnut Hills Drive. My clients are adamantly opposed to any access onto that narrow street which ends at Watterson Trail at a dangerous intersection. Traffic from this large apartment project is totally incompatible with this quiet single-family residential street.

Steve Porter

Stephen T. Porter
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St. Germain, Dante

From: Brian <bgo454@gmail.com>
Sent: Wednesday, February 2, 2022 10:22 AM
To: St. Germain, Dante; john@bardlaw.net
Subject: Letter of Opposition for 4700 S Hurstbourne Development
Attachments: Goben Letter, 4700 S Hurstbourne Development Opposition.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Dante and John,
Please see the attached opposition letter to the 4700 S Hurstbourne development. I have listed various concerns. Please ensure that it is entered into the record for future reference.
Thank you,
Jame Goben

Concerning the development at 4700 South Hurstbourne lane,

I want to start by saying I am not opposed to progress and development of property. However, I am opposed to this development. Everyone in the vicinity knew the property would eventually be sold and developed. The hope was that any new development would be of the same type as the surroundings (small or single residential family dwellings). There are many concerns with the new development.

- Privacy:
  The proposed 3 story buildings located on property perimeter are not conducive to the privacy of existing residential property. The current plan shows a proposed 3 story apartment building 72 ft across the street (Laurel Spring Drive) from the front of my house. The positioning of the 3 story building with balconies will allow residents on the 2nd and 3rd floors of the building to look directly into the front window of my living room. This is not a desirable situation.

  The development proposal does not provide adequate privacy provisions for the residents on Laurel Spring Drive or any of its perimeter. It appears that the proposal is for a brush/scrub barrier with small trees planted, no fence or privacy fence. There seems to be a general lack of concerns for the privacy of existing residents by the development company.

- Sound:
  Multifamily dwellings producing an increase in noise and traffic. The existing area is a quiet residential area. The proposed development would increase noise level for existing residents. The proposed 3 story apartment buildings with balconies and no privacy buffer will increase the noise level from the apartment residents, conversations, loud music, parties… The development will also increase the traffic noise for the entire area, vehicular and loud music from the vehicles.
- Surface drainage:
  The increased paved surface will not absorb water and the water runoff will encroach on existing residential property. It is fact that increased paved parking lots increase the water runoff in the area. Although a retention basin is proposed not all of the water will enter or be contained in the basin. There will be an increase in water runoff for the existing residents. It appears the development plan is for the runoff to enter Fern Creek. This creek is already prone to flooding. The additional water runoff will increase the flooding potential.
- Sewer connections:
  Current residents on Laurel Spring drive are at low point as far as the sewer connection is concerned. New developments seem to be continuously proposed to be connected to this shared sewer line. The Morning Point facility was connected, the proposed Waterson trail Hurstbourne Commons development is slated for connection and now the 4700 S Hustbourne lane development. It appears to be unknown whether this increase in sewage flow will tax the capacity of the Laurel Spring sewer line. It appears to be excessive. I am concerned that when all of these developments get connected, there will be a problem and since Laurel Spring residents are the low point, one day I will eventually end up with raw sewage in my basement.
- Inconsistent development type:
  The proposed development is not consistent with the existing surrounding residential community, Single family homes with property. The area has always been a quiet and secluded area with an abundance of wildlife and foliage. This multifamily home development is not

consistent with the immediate area. Existing residents will see their property values plummet as a result of a 3 story apartment complex across the street or behind them.

In conclusion, I oppose this development for the reasons listed above and the additional following concerns. One of which is the out of state developer that has no stake or concern for the Louisville metro community or its residents. The development proposal shows this lack of concern as they propose to build 3 story apartment buildings to maximize rental intake at a rental rate that will just meet the lowest market value to look down on and encroach on existing properties. In the video meeting, they imply that there is a shortage of apartments in the area. This seems to be unfounded since it is single family homes that are shortage in the area. The area is saturated with multi-family apartment dwellings. There seems to be very few good points about this development. It does not conform to the same configuration or standards of the existing surrounding residential community.

Thank you,

James and Pamela Goben

8207 Laurel Spring Drive

Louisville, Ky 40299

St. Germain, Dante

From: stpinlou@aol.com
Sent: Sunday, January 2, 2022 11:57 PM
To: john@bardlaw.net
Cc: St. Germain, Dante
Subject: 21-ZONEPA-0163

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John,
This is to let you know I represent neighbors on Laurel Springs and Walnut Hills in opposition to the proposed apartments plan above. Please send me a large copy of the proposed plan. Thanks. I will be on the virtual call Thursday night.

Steve

Stephen T. Porter
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