

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

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William B. Bardenwerper  
Direct dial: 426-0388, ext. 135  
Email: WBB@BARDLAW.NET

June 30, 2017

**RE: Proposed Modified Conditional Use Permit to allow an 85,000-square-foot state-of-the-art historical racing machine facility on property located at 4520 Poplar Level Road, formerly known as Churchill Downs' "Trackside" site**

Dear Neighbor,

We are writing to invite you to a meeting we have scheduled to present neighbors with our Modified Conditional Use Permit plan for the former Trackside site located as above. The applicant is proposing to construct an 85,000-square-foot a state-of-the-art historical racing machine facility at 4520 Poplar Level Road. The new Churchill Downs facility, which will offer exotic wagering on historical racing, has been approved by the Kentucky Horse Racing Commission.

Accordingly, we will file a Modified Conditional Use Permit application and plan for review with the Division of Planning and Design Services (DPDS) after this meeting. We would like the opportunity to show and explain to neighbors this plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Monday, July 17 at 7:00 p.m.** at **Crown Plaza Hotel** located at **830 Phillips Lane**. The meeting will be held in the "Coronet B" room which is the first room on the right, past the Front Desk.

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688 or our land planning and engineering firm representatives Kevin Young or Ann Richard at 426-6688.

We look forward to seeing you.

Sincerely,



William B. Bardenwerper

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Cc: Hon. Dan Johnson, Councilman, District 21  
Brian Davis, Louisville Metro Planning & Design Services, Planning Manager  
Kevin Flannery, Austin Miller and Justin Paul, Churchill Downs, applicant  
Kevin Young and Ann Richard, Land Design & Development, land planners/engineers

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### Neighborhood Meeting Summary

A neighborhood meeting was held on Monday, July 17 at 7:00 p.m. at Crown Plaza Hotel located at 830 Phillips Lane. Those in attendance included the applicant's attorney Bill Bardenwerper with Bardenwerper Talbott & Roberts, land planner Kevin Young with Land Design & Development, as well as the applicant's representatives Kevin Flannery, Austin Miller and Mike Anderson.

Mr. Bardenwerper began by showing a PowerPoint presentation of the site, building elevations and aerial and ground level photographs. Mr. Flannery explained how the pari-mutuel wagering facility will operate in accordance with law, how it will be designed and all the features that will be included in it. Mr. Bardenwerper also explained the modified conditional permit use process.

There were 23 neighbors in attendance. Neighbors who attended and were vocal were from the followings streets:

Dyer Avenue, two families near the dead-end fencing adjacent to the property's main drive (south of property); Redstart Road, at least two homeowners close to the cemetery property (southwest of property); Breitenstein Avenue, near dead-end fencing adjacent to the subject property (south of property); and Cavelle Avenue, on the northwest side of the subject property near the Durrett Lane entrance to the stable gate.

Areas of concern included drainage impact (i.e., how the new site plan will impact drainage on surrounding neighborhoods); and sanitary sewers (i.e., septic field conditions on Cavelle Avenue, where it appears that only six houses are on sewer and 21 houses are still on septic).

Also of concern was the Breitenstein Avenue gate (i.e., people who supposedly jump the fence or enter, or think they can, through this gate).

Additionally of concern was the Dyer Avenue fencing at the dead-end (i.e., people also who enter/attempt to enter the property at this location).

Further concerning Cavelle Avenue neighbors was the fact that new fencing would not be installed to screen their properties.

Final concerns included landscaping / brush heavy, hours of operation on weekend, lighting, noise from horse trailer movement on Durrett Lane entrance, (i.e., follow up wanted), and security.

The applicant's attorney, land planner and other representatives answered all these questions as best they could with information available at the time and agreed to make changes to the proposed modified conditional use permit plan to the extent possible in order to address these neighbor concerns.

Respectfully submitted,

William B. Bardenwerper

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# Developer's Neighborhood Meeting

<i>Meeting Date and Time</i>	July 17, 2017 @ 7:00 pm	<i>Developer's Name</i>	Churchill Downs
<i>Location of Meeting</i>	Crown Plaza Hotel, 830 Phillips Lane, Louisville, KY		
<i>Description of Proposal</i>	Conditional Use Permit to allow 85,000 sf historical racing machine facility		
<i>Subject Site Location</i>	4520 Poplar Leven Road, Louisville, KY		

## NEIGHBORS IN ATTENDANCE

NAME	ADDRESS	ZIP CODE	EMAIL ADDRESS
DAVID GROSS	4502 Poplar Level Rd.	40213	DGROSS@HENDERSON-SERVICES.COM
BEVERLY KERZEN	1315 Scholac St	40213	BKKERNEN1315@GMAIL.COM
TOM BERDING	4310 CAVELLE AVE	40213	TWBERDING@YAHOO.COM
Melanie Johnson	4403 Caville Ave	40213	
Jones Allen Kirkpatrick	4409 Caville Ave	40213	
Shirley Denning	4000 DR 40200 386-8492		
Janet Farfan	4400 Dyer Ave (502)689-2586	40213	farfan949@gmail
James & Patricia West	4401 Dyer Avenue 502-548-1285	40213	LOUISWEST777@GMAIL.COM

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Location of Meeting	Crown Plaza Hotel, 830 Phillips Lane, Louisville, KY		
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## NEIGHBORS IN ATTENDANCE

NAME	ADDRESS	ZIP CODE	EMAIL ADDRESS
St. Christopher Boone	4813 Redstart Rd	40213	WLP15182@yahoo.com
LARRY J. KORFHAGE	4417 CAVELLE AVE	40213	N/A
Mike Hall	4401 <del>Baith</del> Baithurst Ave	40213	
David Wall	1317 Tile Factory Ave	40213	
Elisabeth Dixon	4413 Cavell Ave.	40213	elisabethdixon15@gmail.com
Chris Dixon	4413 Cavell Ave.	40213	christylerdixon@gmail.com
Bob & Pam Grant	4402 Cavell Ave	40213	pkgrant2000@yahoo.com
Billy & Peggy Cecil	4404 CAVELLE AVE	40213	
Terri & Anita Whitmore	4403 Dyer Ave	40213	ATfish223@gmail.com
Kejia Rose	4811 Redstart Rd	40213	
Jesse Kerrison	4811 Redstart Rd	40213	

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