

## St. Germain, Dante

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**From:** Laura Probus <lprobus@ht-school.org>  
**Sent:** Monday, October 4, 2021 11:22 AM  
**To:** St. Germain, Dante  
**Subject:** 21-zone-0013

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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I live at 8025 Watterson Trail and have voiced concerns previously about major concerns about numbers of units, safety in roads and various other concerns (which are already a concern) so I would anticipate building more in a residential area are even more unsafe and not welcome. I would ask that this be a R-6 zoning change instead of the R-7 as proposed and want this documented please. I thank you for your time!

Laura Probus

**Laura Probus, MSSW, C-SSW**  
**School Counselor**



**[Holy Trinity Parish School](#)**  
**423 Cherrywood Rd.**  
**Louisville, KY 40207**  
**(502) 897-2785 ext. 150**

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## St. Germain, Dante

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**From:** Sheri Lamothe <shlamothe@gmail.com>  
**Sent:** Monday, July 12, 2021 1:11 PM  
**To:** St. Germain, Dante; Jon Bingham-Eastland Church Of Christ  
**Subject:** Re: 21-ZONE-0013 Plan comments

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Dante:

I just wanted to update you from our end. Jon Bingham and I were grateful to be able to meet again with Mr. Sims on June 10th to further discuss our concerns and suggested alternatives. He advised that he would look into some of the issues and he was just beginning conversations with builders, etc., and would keep us advised on further developments resulting from those initial conversations. I am curious if any further action or agency comments, etc., have taken place on this proposed development. Thanks again for your assistance.

Sheri Lamothe

**The Law Office**  
1015 S. Fourth Street  
Louisville, KY 40203  
phone: (502) 634-1300

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On Tue, May 11, 2021 at 8:04 AM St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)> wrote:

Mr. Bingham,

I will add your comments to the record.

**Dante St. Germain, AICP**

Planner II

Planning & Design Services

Department of Develop Louisville

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**From:** Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)>  
**Sent:** Monday, May 10, 2021 6:58 PM  
**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
**Cc:** Sheri Lamothe <[shlamothe@gmail.com](mailto:shlamothe@gmail.com)>; Kathy Linares <[klinares@mindelscott.com](mailto:klinares@mindelscott.com)>  
**Subject:** Re: 21-ZONE-0013 Plan comments

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Kathy (copying Dante for addition to the record),

Following up on the virtual meeting we had tonight (which did not seek to address the thoughts below from March - with follow up in April - and thus which remain without due discussion. It would be best, before plans are finalized to go to LD&T, for Sheri (copied) and I to be able to talk about these things directly with Mr. Sims. We hope that opportunity for discussion amongst the 3 of us will be forthcoming very soon, given the possible timing laid out in the meeting tonight. We hope reasonable resolution can we determined in advance of the meetings of LD&T and beyond.

Thank you,

Jon Bingham

On Wednesday, April 21, 2021, 02:26:03 PM EDT, Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)> wrote:

Kathy (copying Dante and Sheri),

Just following up on this correspondence, having not heard anything in response thus far. Perhaps that is because not much internal movement is taking place recently. If this is dormant for now, that is fine. If the possible plans for this proposal are not in any rush, neither am I. Feel free to take your time. However, please, well in advance of any next activities that may start to happen more officially downtown, I would welcome our conversation about the matters expressed below.

Thank you for your consideration. Just whenever you are ready.

Jon Bingham

On Monday, March 22, 2021, 09:09:38 AM EDT, Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)> wrote:

Thank you, Dante.

Kathy,

I would welcome a conversation at your and/or Mr. Sims' convenience. It would likely be valuable for Sheri Lamothe (copied) to join the discussion as she can speak best to neighbor concerns along Watterson Trail. Having kindly met with Mr. Sims once before some time back (thank you), I/we would find it valuable for him to be as directly involved in the conversation as possible. We remain hopeful that his and his family's long-time connection and influence in our community will positively impact his consideration and cooperative inclusion of these relatively small and reasonable adjustments (relative to the scope of the project). We look forward to pursuing a win-win solution.

Jon Bingham

502-645-3098

On Monday, March 22, 2021, 07:51:05 AM EDT, St. Germain, Dante <[dante.st.germain@louisvilleky.gov](mailto:dante.st.germain@louisvilleky.gov)> wrote:

Mr. Bingham,

Thank you for your comments on this case. I will add them to the record.

I may suggest that you contact the developer or the developer's representative directly regarding your requests. I have copied Kathy Linares with Mindel Scott and Associates on this email.

**Dante St. Germain, AICP**

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---

**From:** Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)>  
**Sent:** Friday, March 19, 2021 2:28 PM  
**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
**Cc:** Sheri Lamothe <[shlamothe@gmail.com](mailto:shlamothe@gmail.com)>  
**Subject:** 21-ZONE-0013 Plan comments

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Dante,

Hearing that submitting some comments sooner rather than later would be recommended in hopes of appealing for and receiving reasonable consideration - including achieving actual adjustment to the plan - before going to LD&T and beyond, I will try to briefly highlight some concerns and suggestions for the proposed apartment complex. Please share this with appropriate personnel working on this development proposal.

There is some recognition in the 2040 Comprehensive Plan that indicates the appropriateness of reasonable consideration and accommodation of the neighboring community rather than simply focusing on what may be technically maximally allowed without due consideration of the community impact. There is a balance of interests that needs to be struck - which is part of the art of planning and design. We ask for this balance. We need a bit of relief from the full extent of this current proposal.

The surrounding community needs the protection of only changing the zoning from R-4 to a max of R-6. R-7 (enabling 3-story buildings throughout) is not appropriately considerate of the externalities of the change being imposed on the neighbors (from long-time R-4 and small structure use of C-1) as well as up and down Bardstown Road. The R-6 limitation/protection of the community in an option in the Land Development Code for good reason - it still grants the developer and the city the vast majority of the density sought, but provides some relief for the community. Please view the R-6 option as granting most of the large housing gain that still will be achieved rather than begrudge the incremental reduction from 348 units.

Though historically 2-story structures throughout a complex was most common and standard (and is found along Bardstown Road), we understand that such a limitation will not suffice now. But what is reasonable to all neighboring properties and those traveling Bardstown Road is to have the new apartment buildings tiered: 2-story on the perimeter (8 buildings) and then 3-story in the middle of the complex. This alternative would result in a total of 284 (348-64) apartments, which would help reduce traffic and other related concerns as well. [I sympathize greatly with the residents along Watterson Trail who will be tremendously impacted by the (at most right-in, right-out, please?) entrance planned onto WT. Any reduction (of 40 to 64 units) of the total volume of the complex will help. It is better than no consideration of the impact on them.]

If 3-story were still to be under consideration for any of these perimeter buildings, a number of other 3-story complexes mitigate the obtrusive height on the perimeter of a property and view on major roads by **both** setting half of the first floor into the ground **and** using sound walls and higher fencing and tree canopies around the perimeter. If the ground is not conducive to building a significant part of the first floor down into it, that is a limiting reality that should be borne by the developer (and thus limit the perimeter to 2-story), not the surrounding community (forcing a full 3-story height on the perimeter).

R-6 maxes out at 311 units on this property. Thus a practical max of 308 is understandable, which would be reducing 5 buildings to 2 story and allowing the other 3 to remain 3 story - partly built in the ground as mentioned above. The 5 buildings requested to be limited to 2-story would be building

numbers 4, 5, 6, 14 and 15. The 3 buildings that might be partly in the ground would be numbers 1, 2 and 3 with a sound wall along Bardstown Road for both sound and aesthetic reasons.

A max of 308 apartments within R-6 is a proper balance of interests of developer and community. Please implement this balanced solution to the various interests.

Along with this, between building #4 and the church building, please have an 8 foot high-quality fence on the edge of the property plus multiple, staggered layers of trees (preferably evergreen for best screening) near to and thus quickly at appropriate height relative to the building height. Please have the 8 foot fence and at least one layer of trees of appropriate height along the property between buildings 5 and 6 and the church property.

There is concern about the location of the complex's entrance on Bardstown Road relative to the entrance to the church parking lot. That is close and likely will create left turns traffic hazards on Sunday morning and particularly Wednesday evening - and occasional other weeknights. Might another location with further distance from the church lot entrance be possible? This was not an issue when the neighboring property was R-4. It is an issue with density somewhere around 300 residents.

It would be good to have sidewalk access along Bardstown Road enabling apartment residents to walk along there to come to church. Can possibilities for that be discussed?

Thank you for your consideration of these matters,

Jon Bingham

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## St. Germain, Dante

---

**From:** John Adams <jeadams60@gmail.com>  
**Sent:** Sunday, June 6, 2021 9:35 PM  
**To:** Stuber, Elizabeth W.  
**Cc:** David Mindel; Kathy Linares; St. Germain, Dante; Stan Sims  
**Subject:** Re: Road issue with Case #21-Zone-0013

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This issue still exists. It's a daily occurrence. Random times, not just rush hour. There are only 2 spots for turning left. That backs everything up..

Thanks for any help you can give us

On Wed, Jun 2, 2021 at 3:03 PM Stuber, Elizabeth W. <[Elizabeth.Stuber@louisvilleky.gov](mailto:Elizabeth.Stuber@louisvilleky.gov)> wrote:

Kathy,

I was not aware of the issue or if it has been resolved.

Beth Stuber, PE

Transportation Engineering Supervisor

---

**From:** Kathy Linares <[klinares@mindelscott.com](mailto:klinares@mindelscott.com)>  
**Sent:** Wednesday, May 26, 2021 1:25 PM  
**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
**Cc:** John Adams <[jeadams60@gmail.com](mailto:jeadams60@gmail.com)>; Stuber, Elizabeth W. <[Elizabeth.Stuber@louisvilleky.gov](mailto:Elizabeth.Stuber@louisvilleky.gov)>; David Mindel <[dmindel@mindelscott.com](mailto:dmindel@mindelscott.com)>; Stan Sims <[stan@elderlawpllc.com](mailto:stan@elderlawpllc.com)>  
**Subject:** FW: Road issue with Case #21-Zone-0013

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Dante,

For the record, I am forwarding a copy of the letter I received below from John Adams an adjacent property owner and including Beth in this email since she is the reviewer coordinating with Public Works. At the May 10<sup>th</sup> neighborhood meeting, Jared Townes with Councilman Engel's office indicated that their office had alerted Public Works to the existing issue and that the situation was going to be analyzed that week. Maybe Beth can check on the outcome or status of the review of the issue and reply to all.

Kind regards,

**Kathy Linares, ASLA, LA, AICP**

*Senior Planner / Landscape Architect*

[KLinares@MindelScott.com](mailto:KLinares@MindelScott.com)

[5151 Jefferson Boulevard](#)

[Louisville, KY 40219](#)

502-485-1508 | Ext: 131



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**From:** John Adams <[jeadams60@gmail.com](mailto:jeadams60@gmail.com)>  
**Sent:** Wednesday, May 26, 2021 12:39 PM  
**To:** Kathy Linares <[klinares@mindelscott.com](mailto:klinares@mindelscott.com)>  
**Subject:** Road issue with Case #21-Zone-0013

EXTERNAL email. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello, my name is John Adams, [8011 Watterson Trail, Louisville, KY 40291](#). At the last zoning meeting I discussed a problem with traffic backup. Please get this information to the right people.

We have a backup several times a day from the intersection past Starlight Lane.

In light of the Stan Simms project to build apartments on that corner, we need an extra lane to relieve the traffic. Even if that project doesn't go through, we still need a turning lane.

This issue happens often even during the day when during traffic hour and throughout the day. This is dangerous if we need to get out for an emergency.

I have attached some files to this email to document the problem.

1. A map of the corner. The X shows where the video was taken. I drew a lane that needs to be added to the corner.

2. A Video of the issue

3. A picture showing the backup on Watterson Trail towards J-town.

Please help us initiate an improvement project

John Adams

[8011 Watterson Trail, Louisville, KY 40291](mailto:8011.Watterson.Trail@Louisville,KY.40291)

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## St. Germain, Dante

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**From:** John Adams <jeadams60@gmail.com>  
**Sent:** Wednesday, May 26, 2021 12:44 PM  
**To:** St. Germain, Dante  
**Subject:** Traffic issue Case #21-Zone-0013  
**Attachments:** Map of issue.png; Road IMG-0804.MOV; Road 1.jpg

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My name is John Adams, 8011 Watterson Trail, Louisville, KY 40291. Please help us with an existing issue that will get worse if the apartments are build on the corner of Bardstown Road and Watterson Trail.

We have a backup several times a day from the intersection past Starlight Lane. In light of the Stan Simms project to build apartments on that corner, we need an extra lane to relieve the traffic. Even if that project doesnt go through, we still need a turning lane.

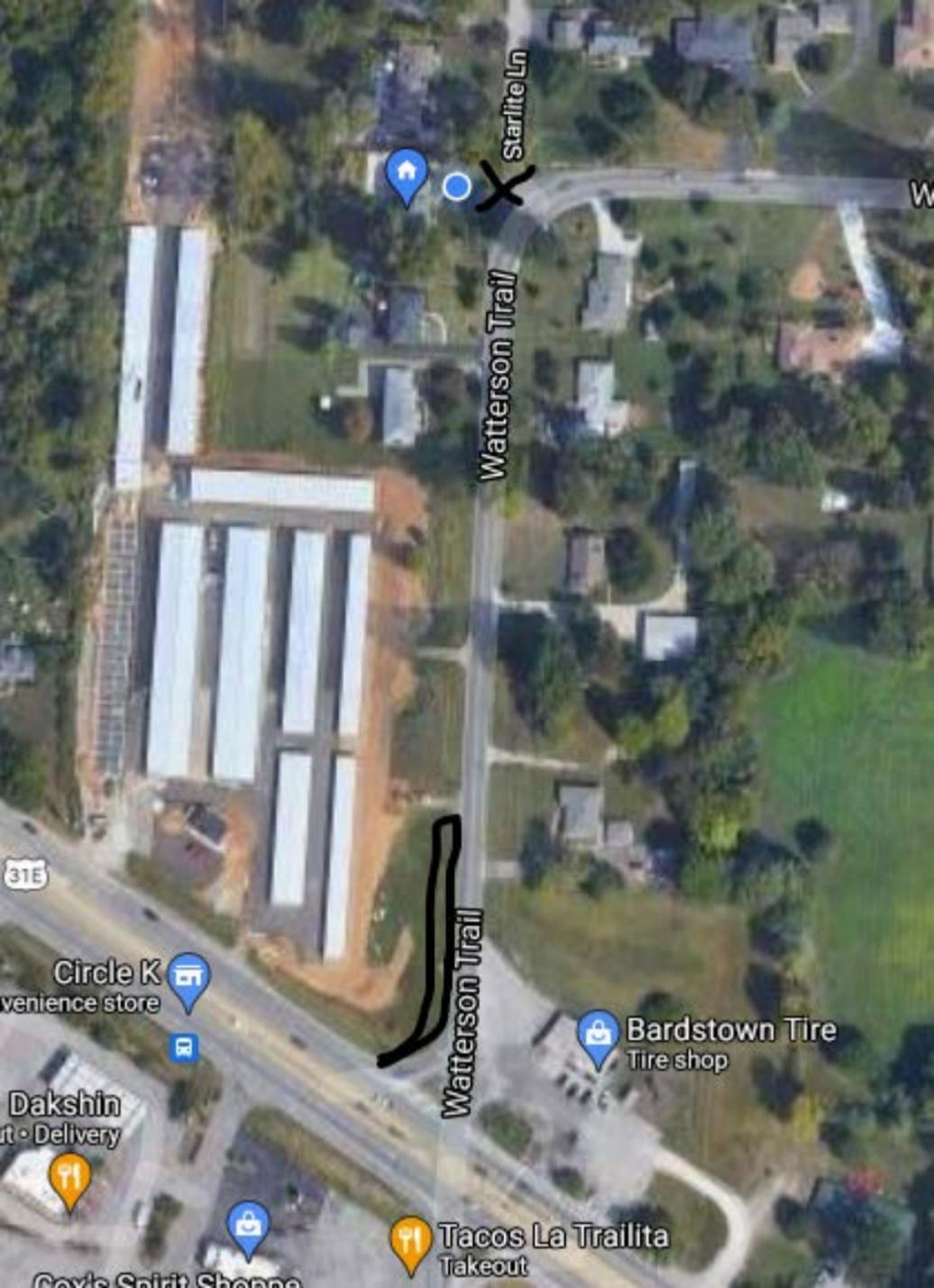
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Please help us initiate an improvement project

John Adams  
8011 Watterson Trail, Louisville, KY 40291



Starlite Ln

Watterson Trail

Watterson Trail

31E

Circle K  
convenience store

Dakshin  
at • Delivery

Cox's Spirit Shoppe

Bardstown Tire  
Tire shop

Tacos La Trailita  
Takeout



## St. Germain, Dante

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**From:** Jon Bingham <jon\_br549@yahoo.com>  
**Sent:** Friday, May 14, 2021 7:59 PM  
**To:** Kathy Linares; Stan Sims  
**Cc:** Sheri Lamothe; David Mindel; St. Germain, Dante  
**Subject:** Re: 21-ZONE-0013 Plan comments

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Mr. Sims,  
Thank you for our opportunity to meet. Enjoy your vacation!  
Jon

On Friday, May 14, 2021, 01:13:15 PM EDT, Stan Sims <stan@stansimslaw.com> wrote:

John,

Thank you for the email.

And David and Kathy thank you for the great work on this project. Everyone in the family thinks it looks great.

And Dante, I look forward on meeting you.

I'm glad to have another meeting with Jon and Sheri. Please contact Stephanie Stewart at my office, she has my calendar and knows that you will be calling.

I'm on vacation, finally, from June 16 to the 26<sup>th</sup>, but any time after we can meet at the office.

Again, thank you all for such a great plan.

---

**From:** Jon Bingham <jon\_br549@yahoo.com>  
**Sent:** Thursday, May 13, 2021 9:34 PM  
**To:** Kathy Linares <klinares@mindelscott.com>  
**Cc:** Sheri Lamothe <shlamothe@gmail.com>; David Mindel <dmindel@mindelscott.com>; Stan Sims <stan@stansimslaw.com>; St. Germain, Dante <dante.st.germain@louisvilleky.gov>  
**Subject:** Re: 21-ZONE-0013 Plan comments

Kathy,

Thank you for the reply now that the other aspect was adjusted and communicated.

Thank you for the current locations of the buildings. Regardless of building size, that footprint is appropriate for the eventual plan.

Thank you for the consideration of fencing, trees and sidewalks. Regardless of building size, the 8 ft fence height and significant tree canopy is appropriate for the eventual plan.

Unfortunately, your second paragraph provides no actual, reasonable justification for R-7 (348 units) compared to the high intensity that would exist at 284 or 308 units (near, but under, the max of R-6). Every line of argument you provided fits perfectly with a max of 284 or 308 units. So, R-6 is the reasonable max density, providing just a bit of protection and relief from the tremendous impact this development will have on the surrounding community. And again, for any of the 8 buildings on the perimeter that remain 3-story, putting half or more of the first floor in the ground (as already has been done elsewhere locally) would be appropriate to reduce the impact. Otherwise, 2-story on the perimeter (keeping the same footprint currently in place rather than what was threatened in the meeting) is reasonable.

**Mr. Sims,**

I (and I believe also Sheri) would welcome a conversation directly with you about the community's need of R-6 and related issues before the proposal is finalized by Mindel Scott to go before LD&T. We would greatly prefer being a voice of support of your reasonableness of no more than 308 units within R-6 on this project. Worthwhile consensus would be much better than continued disagreement moving forward. *When during the week of May 17th could be possibilities for a convenient time for discussion among the 3 of us neighbors?* Thank you for such consideration.

**Dante,**

Please include this correspondence in the record.

Thank you all,

Jon Bingham

On Thursday, May 13, 2021, 04:42:07 PM EDT, Kathy Linares <[klinares@mindelscott.com](mailto:klinares@mindelscott.com)> wrote:

Jon,

I do apologize for not responding to this email sooner. We were looking at possible changes resulting from the traffic study and the need to provide a 3<sup>rd</sup> meeting with neighbors since additional property was added to the request. As you and Sheri, who indicated concerns similar to yours, attended the most recent neighborhood meeting both are now aware of this and the revised location for the developments Watterson Trail entrance.

The location of a higher intensity development as is proposed, R-7 Multi-Family, is appropriately located on an arterial and primary collector level road in Bardstown Road and Watterson Trail. Its location here provides a transition to the existing residences from Bardstown Road a major vehicular corridor as it transitions with the infill of higher intensity commercial development that is expected to extend along this portion of the Bardstown Road Corridor. The proposed multi-family complex addresses a need for a diversity of housing types to appeal to people of varying ages and incomes. The proximity to public transportation with TARC route #17, one of the heavier traveled routes having a stop along this site's frontage, is another reason that high density residential is appropriate here. Access to public transportation will be a significant benefit for future tenants.

We heard your concerns with the proximity of the proposed 3 story tall buildings to the existing single-family homes at the first Neighbor meeting. Significant changes were made to the plan prior to its formal filing in exceeding the Code required 50' setback for 3 story buildings adjacent to single family residential. All buildings are shown at 80'-100' from the shared property line with single family residential. In addition to this change the pool and clubhouse were also relocated as requested and now are more centrally located in the site and away from the church.

The request for an 8' fence over the 6' continuous screen required by Code is still being considered. A commitment can be made to provide a mix of evergreen and deciduous trees around the perimeter of the site to enhance the buffer. A continuous sidewalk will be provided along the site's roadway frontage and into the community.

Kind regards,

**Kathy Linares, ASLA, LA, AICP**

*Senior Planner / Landscape Architect*

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Kathy (copying Dante and Sheri),

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**Dante St. Germain, AICP**

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It would be good to have sidewalk access along Bardstown Road enabling apartment residents to walk along there to come to church. Can possibilities for that be discussed?

Thank you for your consideration of these matters,

Jon Bingham

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



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## St. Germain, Dante

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**From:** Sheri Lamothe <shlamothe@gmail.com>  
**Sent:** Monday, May 10, 2021 7:51 PM  
**To:** klinares@mindelscott.com; St. Germain, Dante; Jon Bingham  
**Subject:** Re: 21-ZONE-0013 Plan comments

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Kathy, Dante....

This is just a follow up from tonight's 3rd neighborhood remote meeting,

Dante, for the public record I reiterated my concerns that I expressed in my email to you and Kathy on May 4, regarding specifically the height of the perimeter buildings and the proposed height of the fence. We were advised that these concerns would be shared with Mr. Sims and that I should possibly try to have a further conversation with him. I believe that has also been suggested by earlier emails from Jon Bingham of Eastland Church of Christ.

Because of the timelines suggested this evening, we hope that any conversation with the seller, if possible, be had before the LDT meeting that I understand may be scheduled very soon.

As always, Thank you.

Sheri

On Tue, May 4, 2021 at 12:56 AM Sheri Lamothe <[shlamothe@gmail.com](mailto:shlamothe@gmail.com)> wrote:  
Kathy,

This correspondence serves to endorse entirely the recent communication from Jon Bingham of Eastland Church of Christ. As he mentioned, we are most appreciative of the generous time spent with Mr. Sims as we shared our common concerns with the original proposal. As a resident in this area for over 35 years, I am acquainted with Mr. Sims and his family and their long, proud standing in the community. For this reason, we are grateful to have him as the local developer, not just the owner who opts to sell to an out of town entity. That being said, there are still several concerns, particularly regarding the suggested density, as so acutely stated by Mr. Bingham.

Not to reiterate the earlier message, but this emphatically supports the recommendation limiting the height of the perimeter structures to two stories, especially if the ground, etc. will not permit those buildings to be partly constructed into the earth. At the very minimum, we are requesting the few buildings that directly adjoin property owners be modified. This adjustment will significantly reduce the objectionable aesthetics not only for owners but for all travelling Bardstown Road and Watterson Trail.

Also, the height of the fence and natural screen is a concern as owners are interested in 8 foot fencing where proposed with sufficient, evergreen landscaping.

I am hopeful that a compromise is possible that satisfies the investment of the owner, promotes community and goodwill with neighbors, and ultimately creates an inviting and visually appealing residence for those seeking a home. This seems to be the optimum resolution for all.

I look forward to the opportunity for the conversation with you and/or Mr. Sims as suggested by Jon's email.

Thank you.

Sheri Lamothe  
502-380-6103

PS: Dante, may I ask that this correspondence be made part of the file. Thank you.

On Mon, Mar 22, 2021 at 9:09 AM Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)> wrote:

Thank you, Dante.

Kathy,

I would welcome a conversation at your and/or Mr. Sims' convenience. It would likely be valuable for Sheri Lamothe (copied) to join the discussion as she can speak best to neighbor concerns along Watterson Trail. Having kindly met with Mr. Sims once before some time back (thank you), I/we would find it valuable for him to be as directly involved in the conversation as possible. We remain hopeful that his and his family's long-time connection and influence in our community will positively impact his consideration and cooperative inclusion of these relatively small and reasonable adjustments (relative to the scope of the project). We look forward to pursuing a win-win solution.

Jon Bingham  
502-645-3098

On Monday, March 22, 2021, 07:51:05 AM EDT, St. Germain, Dante <[dante.st.germain@louisvilleky.gov](mailto:dante.st.germain@louisvilleky.gov)> wrote:

Mr. Bingham,

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I may suggest that you contact the developer or the developer's representative directly regarding your requests. I have copied Kathy Linares with Mindel Scott and Associates on this email.

**Dante St. Germain, AICP**

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**From:** Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)>  
**Sent:** Friday, March 19, 2021 2:28 PM  
**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
**Cc:** Sheri Lamothe <[shlamothe@gmail.com](mailto:shlamothe@gmail.com)>  
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Thank you for your consideration of these matters,

Jon Bingham

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## St. Germain, Dante

---

**From:** Jon Bingham <jon\_br549@yahoo.com>  
**Sent:** Monday, May 10, 2021 6:58 PM  
**To:** St. Germain, Dante  
**Cc:** Sheri Lamothe; Kathy Linares  
**Subject:** Re: 21-ZONE-0013 Plan comments

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Kathy (copying Dante for addition to the record),

Following up on the virtual meeting we had tonight (which did not seek to address the thoughts below from March - with follow up in April - and thus which remain without due discussion. It would be best, before plans are finalized to go to LD&T, for Sheri (copied) and I to be able to talk about these things directly with Mr. Sims. We hope that opportunity for discussion amongst the 3 of us will be forthcoming very soon, given the possible timing laid out in the meeting tonight. We hope reasonable resolution can we determined in advance of the meetings of LD&T and beyond.

Thank you,  
Jon Bingham

On Wednesday, April 21, 2021, 02:26:03 PM EDT, Jon Bingham <jon\_br549@yahoo.com> wrote:

Kathy (copying Dante and Sheri),

Just following up on this correspondence, having not heard anything in response thus far. Perhaps that is because not much internal movement is taking place recently. If this is dormant for now, that is fine. If the possible plans for this proposal are not in any rush, neither am I. Feel free to take your time. However, please, well in advance of any next activities that may start to happen more officially downtown, I would welcome our conversation about the matters expressed below.

Thank you for your consideration. Just whenever you are ready.  
Jon Bingham

On Monday, March 22, 2021, 09:09:38 AM EDT, Jon Bingham <jon\_br549@yahoo.com> wrote:

Thank you, Dante.

Kathy,

I would welcome a conversation at your and/or Mr. Sims' convenience. It would likely be valuable for Sheri Lamothe (copied) to join the discussion as she can speak best to neighbor concerns along Watterson Trail. Having kindly met with Mr. Sims once before some time back (thank you), I/we would find it valuable for him to be as directly involved in the conversation as possible. We remain hopeful that his and his family's long-time connection and influence in our community will positively impact his consideration and cooperative inclusion of these relatively small and reasonable adjustments (relative to the scope of the project). We look forward to pursuing a win-win solution.

Jon Bingham  
502-645-3098

On Monday, March 22, 2021, 07:51:05 AM EDT, St. Germain, Dante <dante.st.germain@louisvilleky.gov> wrote:

Mr. Bingham,

Thank you for your comments on this case. I will add them to the record.

I may suggest that you contact the developer or the developer's representative directly regarding your requests. I have copied Kathy Linares with Mindel Scott and Associates on this email.

**Dante St. Germain, AICP**

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**From:** Jon Bingham <jon\_br549@yahoo.com>  
**Sent:** Friday, March 19, 2021 2:28 PM  
**To:** St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>  
**Cc:** Sheri Lamothe <shlamothe@gmail.com>  
**Subject:** 21-ZONE-0013 Plan comments

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## St. Germain, Dante

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**From:** Sheri Lamothe <shlamothe@gmail.com>  
**Sent:** Tuesday, May 4, 2021 12:57 AM  
**To:** klinares@mindelscott.com; St. Germain, Dante; Jon Bingham  
**Subject:** Re: 21-ZONE-0013 Plan comments

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Kathy,

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Sheri Lamothe  
502-380-6103

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## St. Germain, Dante

---

**From:** Kenny Graven <Kenny.Graven@vulcanhart.com>  
**Sent:** Friday, February 5, 2021 11:53 AM  
**To:** St. Germain, Dante  
**Subject:** FW: Watterson Trail-Bardstown Road Development

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Dante,

Just wanted you to see my view from my front yard(8006 & 8008 Watterson Trail). The storage unit project remains 90% complete with no work completed the past six months. It is an eyesore and is inhabited nightly by homeless as it is a perfect free shelter! When will the landscaping be completed as per the design spec? Now there is a proposal to build a massive apartment complex behind me and an access road just beside me! There was a home on both sides and across the street when I moved in. How can these changes get approved and destroy what was a neighborhood???

Or change the zoning for the whole area and we can all get the advantage and sell out – move to a real neighborhood!!!

**From:** Kenny Graven <Kenny.Graven@vulcanhart.com>  
**Sent:** Friday, February 05, 2021 11:36 AM  
**To:** Kenny Graven <Kenny.Graven@vulcanhart.com>  
**Subject:** Watterson Trail











Sent from my iPhone

## St. Germain, Dante

---

**From:** Melanie Gould <melanieg@INSURAMAX.com>  
**Sent:** Wednesday, January 6, 2021 9:33 AM  
**To:** St. Germain, Dante  
**Cc:** stan@elderlawpllc.com  
**Subject:** Case #20 ZonePA-0116

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Mr. Germain,

I would like to oppose the building of the proposed complex that effects Bardstown Rd. and Watterson Trail. I live on Watterson Trail across the road from the houses the complex will be built behind. This is an old community with many residents living there 60+ years. Our stretch of highway between Hurstbourne and Bardstown Rd. is already stretched to over capacity with cut through traffic making it hard to even get in and out of our drive ways at certain times of day. This complex would push the use of the Rd. over the edge not to mention the rise in foot traffic and most likely crime. This is the worst possible area to develop such a large rental apartment complex. We are a very tight nit community with most of the residents being elderly. Please reconsider building the complex as to the many lives it would have an impact on. On top of all of that I don't want to look out of my front windows and see apartment buildings on my beautiful street. The one thing that prompted us to buy a house on this street was the fact you were in the metro but it felt like you lived in the country. I urge you to please not build and take that away from us and our wonderful neighbors!!!!!!!!!! This is a very bad idea for the area!!!!!!!!!!

Sincerely,

**Melanie Gould, AAI**

Sales Executive



2200 Greene Way | Louisville, KY 40220

502.479.4032 | 502.479.4052 FAX

[melanieg@insuramax.com](mailto:melanieg@insuramax.com) | [www.insuramax.com](http://www.insuramax.com)

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## St. Germain, Dante

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**From:** Kenny Graven <Kenny.Graven@vulcanhart.com>  
**Sent:** Monday, December 28, 2020 12:35 PM  
**To:** St. Germain, Dante  
**Subject:** FW: Development at Bardstown Road near Watterson Trail intersection

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Ref: 20ZonePA-0116

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**From:** Kenny Graven  
**Sent:** Monday, December 28, 2020 12:33 PM  
**To:** dante.st.germain@louisvilleky.gov  
**Subject:** Development at Bardstown Road near Watterson Trail intersection

Dante,

I am the owner of 8006 & 8008 Watterson Trail and am concerned about the proposed apartment development directly behind my property. Additionally, a proposed entrance off Watterson Trail will be a huge detriment to my property and my homes value. We were subject to an ugly development across the street with storage units now this directly behind me. I would be happy to entertain selling the property for a fair price. Please look at the development surrounding my property and I'm sure you'll agree my home is being enveloped in commercial properties not home style living as it was five years ago when I bought it.

Appreciate your consideration,

Kenny Graven  
502-649-5137

## St. Germain, Dante

---

**From:** RITA J RUCKRIEGEL <splcft@bellsouth.net>  
**Sent:** Saturday, December 26, 2020 12:11 PM  
**To:** St. Germain, Dante  
**Subject:** Bardstown Road Apartments  
**Attachments:** Apartments Objection.docx

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Dante,

The attachment has my objections to 20-ZONEpa-0116

R. JOSEPH RUCKRIEGEL  
8031 Watterson Trail  
Louisville, KY 40291 ph. 502-435-5526

December 21, 2020

Attn: Dante St. Germain  
Planning and Design Services  
444 S. 5<sup>th</sup> Street, Suite 300  
Louisville, Ky 40202

**Case 20-ZONEPA-0116**

Gentlemen,

Please note that I am a client of Mindel Scott on other property that I own and they have been very helpful. That makes it hard for me to be an objector, and highlights how serious I am about suggesting the rethinking this project.

I was unsuccessful in connecting to your virtual meeting of December 17. 2020 regarding the Bardstown Road apartment project. I am writing because a development of that size is just not right for my area.

I am eighty- nine years old and I have lived, and raised my children, at 8031 Watterson Trail for fifty-five of those years. When I moved here in 1965 this area was still country. Hurstborne Lane was an unheard-of cow path and Watterson Trail had a twelve- foot ROW (probably still does). There were no sewers (still none on my block). We had a small strip center at the corner of WT and Btwn Rd with a Winn-Dixie grocery and Oak Drugs. In my particular section of WT the houses have an extensive set-back and have enviable front yards. Most back yards had a garden, some still do. If you get the picture you understand why we hate what is proposed.

THAT WAS THEN

Hurstbourne Lane is now a major highway with daily jammed traffic.

When the Meijers store came along it became an additional part of the traffic. The morning and afternoon short-cuts through WT to Btwn, backs up traffic past our house and two thirds of the way back to Hurstbourne.

Lately, I am aware of a plan for a seventy acre shopping center behind Meijers – I know few details, but it is a no-brainer to assume that will add to the WT traffic nightmare .

The construction of storage units at WT and Btwn has been stopped for an unknown reason, but it has seriously lowered adjoining and nearby property values – including my own property.

**The apartments would immediately add to the lowering of my property value.**

THIS IS NOW

My main objection to the apartments project is to what would be easy access to the back yards of private properties on the south side of WT. From there a person (or felon) on foot could cut through directly to WT, and then on to the north side of WT where I live. The number one binding element of any permit should require an eight- foot high concrete or stone wall along the rear of the entire length of the project. A wood or metal fence is not adequate.

Another objection of equal importance is there should be no vehicular opening to any point to WT. The already existing traffic issues mentioned above should make that obvious. A binding element must also address that.

Another objection relates to the size of the project.

The site may be suitable for apartments, but the effect of the development cannot do anything but contradict the neighbors', and especially my own, reasons why they chose to locate on WT. I have hope that that Sims Properties can find an alternative use for the site, or at least consider a major reduction in the size of the project.

I am asking that the members of the Planning Commission take a thoughtful look at how the project will affect the people of our neighborhood.

Respectfully,

R. Joseph Ruckriegel



## St. Germain, Dante

---

**From:** Patrick Allen <det.allen502@gmail.com>  
**Sent:** Tuesday, December 22, 2020 10:35 AM  
**To:** St. Germain, Dante  
**Subject:** Proposed Development on Bardstown Road

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Hello Dante,

I am contacting you in regards to the proposed development of multi-unit buildings behind my property at 8028 Watterson Trail. It is a hard pill to swallow after purchasing this home and land about seven years ago because of its country-like setting that it will now be totally different. We purchased the land because of the quiet country-like setting in the city with a pond and covered dock at the rear of our property that is very private. We have family get-togethers, campfires, and utilize the area quite often for entertaining.

This development would change that forever. If we could have foreseen this we would never have bought the property, but we did and it's our home now as we have invested quite a bit in the house and property. Having get-togethers at the pond with people staring down from 3 story apartments is not quite what we envisioned. With that and the sight of the buildings along with the noise that comes with it, our land and its use will not be the same if this development takes place.

I also fear that there will eventually be foot traffic that makes its way onto my property to possibly cut through to Watterson Trail or for other reasons. This is a safety concern for me. Our children currently play freely back on our property and we currently do not have to worry about it. I would prefer that it didn't happen at all, but if it does it would be calming some of our concerns, (not all of them) if there could be lower profile buildings closest to our property lines and some type of barrier wall that could not be scaled easily that prevented anyone from making their way onto our property. This is a concern for all of us who have properties that back up to the development.

I know it is probably routine for you when a project is in the making to field emails from concerned or angry property owners being affected by the development. I understand that it is business and that there is money to be made, but please realize we have all been here for a while. Some of us for generations and this will decrease the value of our property and change the feel of this area forever. If you could please work on solutions that would address these concerns I would appreciate it.

Thank You,  
Patrick Allen  
8028 Watterson Trail

## St. Germain, Dante

---

**From:** mdridi1 <mdridi1@yahoo.com>  
**Sent:** Monday, December 21, 2020 2:25 PM  
**To:** St. Germain, Dante  
**Subject:** About the 348 three story apartment units

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Ms. Dante St. Germain

I own property at 8010 Watterson Trail that will back up to a proposed development of 348 three story apartment units. My property sits across the street from an unfinished, eyesore of a one story storage facility. I am already forced to look at that blight in the front of my property; now this explosive development of three story structures is proposed for the rear of my home. This property is where my family lives, my children and our pets. I do not want to fear for our safety from unknown people in high buildings that can jump, climb or walk onto our property. In addition, this property is our investment. Our investment may have already suffered from the blight across the street. Additionally, the terrific traffic increase on Watterson Trail and especially right near our home close to this intersection would put us all in danger and create traffic jams for blocks.

Please consider this letter as my absolute and unmistakable rejection of such a plan, without major modifications.

Mohamed Dridi"

Sent from my iPhone Mohamed dridi

## St. Germain, Dante

---

**From:** Laura Probus <lprobus@ht-school.org>  
**Sent:** Monday, December 21, 2020 12:23 PM  
**To:** St. Germain, Dante; Laura Probus  
**Subject:** concerns.- planning case # is: 20ZonePA-0116, Bardstown Road proposal.

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concerns.- planning case # is: 20ZonePA-0116, Bardstown Road proposal

I am writing to voice my very great concerns over this proposed property and its location. I've literally have almost been hit a few times either getting my mail or picking up trash in my yard which is thrown from all the congestion and traffic going through or cutting my ditch and yard and my mailbox on Watterson Trail has been knocked down 9 times in the last year-and-a-half due to reckless drivers and too much traffic. My primary concern is safety as well as too much congestion and development in a residential area. I feel like the property could be placed elsewhere in a more commercial area as opposed to single-dwelling homes on that street. There's plenty of property on Hurstbourne Lane as well as other areas nearby that would be more appropriate for this type of building structure ; Apartments.

I thank you.

Sent from my Sprint Samsung Galaxy Note10.

## St. Germain, Dante

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**From:** Kim Ennis <kennis@twc.com>  
**Sent:** Sunday, December 20, 2020 4:05 PM  
**To:** St. Germain, Dante  
**Subject:** 20ZonePA-0116 KSJ Bardstown Road proposed development

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Hello Dante,

I am writing regarding the proposal of the multi family buildings planned by Sims Property just behind our home, 8026 Watterson Trail. This will have tremendous impact on the surrounding homes. Many of us were present at the neighborhood meeting but there are many who will be impacted beyond what was invited to the meeting.

I'm aware of the issues outlined to you by our neighbor Sheri Lamothe and I wanted you to know that my husband Tony Ennis and myself are in agreement with her objections.

Most directly affecting just the Lamothes and ourselves is the supposed easement running through our property claimed to be owned by Sims. We have no record of this easement showing up on our property surveys and deeds. I understand this information has been asked for and records will be provided by the developers. My greatest concern is that they will want to have a gate or walkway running between our properties to access Watterson Trail by foot and the thought of this terrifies me. Our safety from the number of renters that will be living within yards of our home will be exacerbated by such an action if this is indeed what can happen. I am hoping you can put a stop to this being a possibility.

If there is an entrance on Watterson Trail as planned near the intersection I cannot imagine how long it will take to get through that light. As it is coming and going on this section of Watterson Trail at that intersection can be a nightmare during rush hours. Increased traffic from the number of families proposed will make it so much worse. Someone needs to sit and monitor normal workday traffic flows before approving this. Most evenings traffic backs up from that intersection to our home which is a good distance from that light.

I think we all know that this will devalue our property if this goes through as planned. Most of us are retired or near retirement and have no chance to recover from this loss. We count on our homes to gain value as we age and for some of us it's the only thing we have when the time comes to sell and use that money for our end of life care. This is especially true for the homes that butt up against these three stories buildings. The loss of privacy is beyond what any of us ever thought we would experience living here. We are exposed to being looked onto by

unknown people in the higher stories of these buildings. No fence will protect us or allow us privacy from this happening. This is not a normal neighborhood home subdivision being built here. These are not condominiums owned by individuals with vested interest in what happens to the neighborhood. They are rentals with an element of crime that comes with rental property. We will not be as secure as we are now and I am extremely concerned for our safety and well being. Please consider reducing the height of the buildings that can view down onto the back of our homes. Three stories is just too too much for the close proximity they are planning to our homes.

I am also asking that you require a perimeter wall that cannot be breached to keep people from our properties. With that many families living there we will have people trying to walk up to Meijer Shopping Center by cutting through the back of our property. It happened all the time when there was a gas station at the corner and when robbed they fled by cutting through the Sims property and coming out into our back yards. People living in homes on that property will not take the long way around if they can just hop into our yards and exit out onto Watterson Trail. We're not talking about just a few people. We are talking about hundreds to a thousand people moving through that property. We will also have no protection from any criminal element living there who see us as easy marks and will break into our homes and harm us and our pets. They will be able to watch our movements while sitting at their windows and come into our property from the back. Bored teenagers will see our properties as places to explore and create mischief. I am extremely concerned for the safety of ourselves and our neighbors. Crime will go up. We will be broken into. I am sure statistics can be found that show this to be true. I will be afraid to leave my home and will be afraid to be in my home. I am terrified of this going through as planned.

I understand that something will be built there and we cannot stop it from happening completely. I am hoping and praying you and the planning board will take the time and care to see what will happen that will destroy the lives of those living here and have lived here for decades. Help protect us from such an invasion to our safety and well being. Many of my neighbors are old and feel helpless. We need someone to watch out for us and make sure the change happens with the least amount of risk to those of us already here.

If there is something that we can do further to ensure the approval does not go through as planned please let us know.

Thank you,

Kim Ennis

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<https://www.avast.com/antivirus>

## St. Germain, Dante

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**From:** Sheri Lamothe <shlamothe@gmail.com>  
**Sent:** Friday, December 18, 2020 4:48 PM  
**To:** St. Germain, Dante  
**Subject:** Re: 20ZonePA-0116 KSJ Bardstown Road proposed development

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Thanks so much for forwarding the documents. One thing I believe should be pointed out and it was raised last night: We own the property at 8024 Watterson Trail. Our neighbors, Kim and Anthony Ennis own 8026 Watterson Trail, right next door. There is an obvious Texas Gas underground pipeline as evidenced by the extruding 3 foot iron pole so marked between our front yards right off Watterson Trail. Further, there are multi LG&E transmission lines overhead of this same area, with a pole transformer in the side yard, on this very same location. In neither our Deed or the Ennis' Deed is there mentioned an easement granted to Sims. We requested last night the actual Deed Book and Page number for that conveyance since it appears to be entirely the width of the utility easement, and I understand after more detailed title work and possible survey that info will be forthcoming. However, I notice in the comments from Beth Stuber, at item #3, she is inquiring about an entrance to the development between 8024 and 8026 Watterson Trail and further, at item #13 she comments that a sidewalk out to S Watterson Trail is required? Again, I believe these issues may be cleared up, but because it compromises both our properties, I thought it best to get this issue in the record.

Thanks.

On Fri, Dec 18, 2020 at 3:34 PM St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)> wrote:

Ms. Lamothe,

Attached are the agency comments and other materials related to this case. Please let me know if you have any questions.

**Dante St. Germain, AICP**

Planner II

Planning & Design Services

Department of Develop Louisville

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**From:** Sheri Lamothe <[shlamothe@gmail.com](mailto:shlamothe@gmail.com)>

**Sent:** Thursday, December 17, 2020 8:09 PM

**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>

**Subject:** 20ZonePA-0116 KSJ Bardstowen Road proposed development

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Hi Dante:

I wanted to drop an email after tonight's teleconference Neighborhood Meeting on the above proposed development.

There were a significant number of issues raised by a good number of property owners regarding the height of the proposed structures, the number of proposed units, the urgent traffic issues, the lack of a proposed permanent barrier, easement matters, etc. We were advised that this meeting was only preliminary and all of our concerns had been recorded and would be discussed with the developer for his thoughts.

We were also told that this proposal would very likely necessitate another virtual neighborhood meeting, after these matters were brought to the developer.

I thought I'd make a written statement to the Planning Commission regarding the result of tonight's meeting.

Thanks so much.

Sheri Lamothe

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## St. Germain, Dante

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**From:** Tony Ennis <tony.ennis.32@gmail.com>  
**Sent:** Thursday, December 17, 2020 7:36 PM  
**To:** St. Germain, Dante  
**Subject:** CASE #20-ZONEPA-0116

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This is about the proposed development for the corner of Bardstown Rd and Watterson Trail.

I want to opine that this development is *very* poorly thought out. There has been no thought given to gas line easements, traffic, sewage, or anything else as far as I can tell. Some of the proposed buildings are running over the top of gas lines. I believe this development should be halted. The local infrastructure simply cannot handle it. Finally, and you hear this all the time, but our entire lives are tied up in our properties. These massive 3-story units (about 300 families, total) will destroy our lives' investment - our properties.

Thank you,  
Tony Ennis

## St. Germain, Dante

---

**From:** Louis Cecil <louiscecil@twc.com>  
**Sent:** Monday, December 14, 2020 8:42 AM  
**To:** St. Germain, Dante  
**Subject:** Concerns about Watterson Trail Bardstown Apartment Development

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The increasing traffic, Traffic is complicated to commute to and from different places without getting in to accident now .It's very hard to be safe when you are doing yard work out by these busy streets without being hit. Three story Buildings will restrict any viewing ,except seeing these buildings ,how would this help resale value, And Most likely It would Increase crime and drugs in this area , thanks for your concern? The Cecil's @ 8016 Watterson Trail

## St. Germain, Dante

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**From:** Sheri Lamothe <shlamothe@gmail.com>  
**Sent:** Thursday, December 3, 2020 2:27 PM  
**To:** St. Germain, Dante  
**Subject:** Case # 20ZonePa-0116 Bardstown Road proposed development

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Dante..Thank you much for speaking with me today regarding the above proposal. As I mentioned, we have many concerns regarding this development, some I will itemize below.

1. At the intersection of Bardstown Road and Watterson Trail a commercial development for a storage facility was planned and construction began a couple of years ago. This property now stands as an uncompleted eyesore. Our understanding is that the developer ran into issues, left the property, and it has been returned to the lender. I placed several phone calls and emails to Robin Engle, Metro Council, this spring and summer just to get weeds and grass mowed and the litter removed from the property. This real estate sits directly across the proposed Watterson Trail access point for this new development and has become a dangerous host to folks with undesirable habits and conditions.
2. The traffic at the intersection mentioned above is a nightmare at any given time because of the traffic lighting and lane provisions. Adding an entrance in such close proximity would result in traffic tie-ups and accidents at every angle, on Bardstown Road, Watterson Trail and this new access road. This location is 0.2 miles from our home.
3. We've been advised there is currently a proposal for over 700 new residential units on property directly behind the Meijer store nearing Whitfield Road. The proposed access leads to Watterson Trail. This is 0.4 mile from our home.
4. The proposal would mean the potential for over 1,000 new residential units less than one-half mile, in either direction, from our home on one of the busiest and most accident-laden, narrow roads in the county. I'm in the process of obtaining an actual count of accidents, some tragically fatal, on this short strip of Watterson Trail.
5. The proposal is for three story buildings. The storage facility mentioned above did consider the residential nature of the property and planned for only a single story structure, something that when, (if ever) completed wouldn't so completely obliterate the aesthetic value of our community.

A three story structure disintegrates our right to safety from unknown, unseen onlookers into our property, our hobbies and our very lives. A concrete or stone facade barrier, a raised berm, or landscaping can not distort the looming nature of a three story behemoth.

What a shock to the otherwise farm-like, peace-filled setting of our community.

These are only the scratched surface of our concerns.

Thank you, Sheri and Anthony Lamothe



## St. Germain, Dante

---

**From:** Kathy Linares <klinares@mindelscott.com>  
**Sent:** Thursday, May 13, 2021 4:42 PM  
**To:** Jon Bingham  
**Cc:** Sheri Lamothe; David Mindel; Stan Sims; St. Germain, Dante  
**Subject:** RE: 21-ZONE-0013 Plan comments

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Jon,  
I do apologize for not responding to this email sooner. We were looking at possible changes resulting from the traffic study and the need to provide a 3<sup>rd</sup> meeting with neighbors since additional property was added to the request. As you and Sheri, who indicated concerns similar to yours, attended the most recent neighborhood meeting both are now aware of this and the revised location for the developments Watterson Trail entrance.

The location of a higher intensity development as is proposed, R-7 Multi-Family, is appropriately located on an arterial and primary collector level road in Bardstown Road and Watterson Trail. Its location here provides a transition to the existing residences from Bardstown Road a major vehicular corridor as it transitions with the infill of higher intensity commercial development that is expected to extend along this portion of the Bardstown Road Corridor. The proposed multi-family complex addresses a need for a diversity of housing types to appeal to people of varying ages and incomes. The proximity to public transportation with TARC route #17, one of the heavier traveled routes having a stop along this site's frontage, is another reason that high density residential is appropriate here. Access to public transportation will be a significant benefit for future tenants.

We heard your concerns with the proximity of the proposed 3 story tall buildings to the existing single-family homes at the first Neighbor meeting. Significant changes were made to the plan prior to its formal filing in exceeding the Code required 50' setback for 3 story buildings adjacent to single family residential. All buildings are shown at 80'-100' from the shared property line with single family residential. In addition to this change the pool and clubhouse were also relocated as requested and now are more centrally located in the site and away from the church.

The request for an 8' fence over the 6' continuous screen required by Code is still being considered. A commitment can be made to provide a mix of evergreen and deciduous trees around the perimeter of the site to enhance the buffer. A continuous sidewalk will be provided along the site's roadway frontage and into the community.

Kind regards,

**Kathy Linares, ASLA, LA, AICP**

*Senior Planner / Landscape Architect*

[KLinares@MindelScott.com](mailto:KLinares@MindelScott.com)

5151 Jefferson Boulevard

Louisville, KY 40219

502-485-1508 | Ext: 131



## MINDEL SCOTT

[www.MindelScott.com](http://www.MindelScott.com)

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**From:** Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)>  
**Sent:** Wednesday, April 21, 2021 2:26 PM  
**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
**Cc:** Sheri Lamothe <[shlamothe@gmail.com](mailto:shlamothe@gmail.com)>; Kathy Linares <[klinares@mindelscott.com](mailto:klinares@mindelscott.com)>  
**Subject:** Re: 21-ZONE-0013 Plan comments

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Kathy (copying Dante and Sheri),  
Just following up on this correspondence, having not heard anything in response thus far. Perhaps that is because not much internal movement is taking place recently. If this is dormant for now, that is fine. If the possible plans for this proposal are not in any rush, neither am I. Feel free to take your time. However, please, well in advance of any next activities that may start to happen more officially downtown, I would welcome our conversation about the matters expressed below.  
Thank you for your consideration. Just whenever you are ready.  
Jon Bingham

On Monday, March 22, 2021, 09:09:38 AM EDT, Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)> wrote:

Thank you, Dante.

Kathy,  
I would welcome a conversation at your and/or Mr. Sims' convenience. It would likely be valuable for Sheri Lamothe (copied) to join the discussion as she can speak best to neighbor concerns along Watterson Trail. Having kindly met with Mr. Sims once before some time back (thank you), I/we would find it valuable for him to be as directly involved in the conversation as possible. We remain hopeful that his and his family's long-time connection and influence in our community will positively impact his consideration and cooperative inclusion of these relatively small and reasonable adjustments (relative to the scope of the project). We look forward to pursuing a win-win solution.

Jon Bingham  
502-645-3098

On Monday, March 22, 2021, 07:51:05 AM EDT, St. Germain, Dante <[dante.st.germain@louisvilleky.gov](mailto:dante.st.germain@louisvilleky.gov)> wrote:

Mr. Bingham,

Thank you for your comments on this case. I will add them to the record. I may suggest that you contact the developer or the developer's representative directly regarding your requests. I have copied Kathy Linares with Mindel Scott and Associates on this email.

**Dante St. Germain, AICP**

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**From:** Jon Bingham <[jon\\_br549@yahoo.com](mailto:jon_br549@yahoo.com)>  
**Sent:** Friday, March 19, 2021 2:28 PM  
**To:** St. Germain, Dante <[Dante.St.Germain@louisvilleky.gov](mailto:Dante.St.Germain@louisvilleky.gov)>  
**Cc:** Sheri Lamothe <[shlamothe@gmail.com](mailto:shlamothe@gmail.com)>  
**Subject:** 21-ZONE-0013 Plan comments

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Dante,

Hearing that submitting some comments sooner rather than later would be recommended in hopes of appealing for and receiving reasonable consideration - including achieving actual adjustment to the plan - before going to LD&T and beyond, I will try to briefly highlight some concerns and suggestions for the proposed apartment complex. Please share this with appropriate personnel working on this development proposal.

There is some recognition in the 2040 Comprehensive Plan that indicates the appropriateness of reasonable consideration and accommodation of the neighboring community rather than simply focusing on what may be technically maximally allowed without due consideration of the community impact. There is a balance of interests that needs to be struck - which is part of the art of planning and design. We ask for this balance. We need a bit of relief from the full extent of this current proposal.

The surrounding community needs the protection of only changing the zoning from R-4 to a max of R-6. R-7 (enabling 3-story buildings throughout) is not appropriately considerate of the externalities of the change being imposed on the neighbors (from long-time R-4 and small structure use of C-1) as

well as up and down Bardstown Road. The R-6 limitation/protection of the community in an option in the Land Development Code for good reason - it still grants the developer and the city the vast majority of the density sought, but provides some relief for the community. Please view the R-6 option as granting most of the large housing gain that still will be achieved rather than begrudge the incremental reduction from 348 units.

Though historically 2-story structures throughout a complex was most common and standard (and is found along Bardstown Road), we understand that such a limitation will not suffice now. But what is reasonable to all neighboring properties and those traveling Bardstown Road is to have the new apartment buildings tiered: 2-story on the perimeter (8 buildings) and then 3-story in the middle of the complex. This alternative would result in a total of 284 (348-64) apartments, which would help reduce traffic and other related concerns as well. [I sympathize greatly with the residents along Watterson Trail who will be tremendously impacted by the (at most right-in, right-out, please?) entrance planned onto WT. Any reduction (of 40 to 64 units) of the total volume of the complex will help. It is better than no consideration of the impact on them.]

If 3-story were still to be under consideration for any of these perimeter buildings, a number of other 3-story complexes mitigate the obtrusive height on the perimeter of a property and view on major roads by **both** setting half of the first floor into the ground **and** using sound walls and higher fencing and tree canopies around the perimeter. If the ground is not conducive to building a significant part of the first floor down into it, that is a limiting reality that should be borne by the developer (and thus limit the perimeter to 2-story), not the surrounding community (forcing a full 3-story height on the perimeter).

R-6 maxes out at 311 units on this property. Thus a practical max of 308 is understandable, which would be reducing 5 buildings to 2 story and allowing the other 3 to remain 3 story - partly built in the ground as mentioned above. The 5 buildings requested to be limited to 2-story would be building numbers 4, 5, 6, 14 and 15. The 3 buildings that might be partly in the ground would be numbers 1, 2 and 3 with a sound wall along Bardstown Road for both sound and aesthetic reasons.

A max of 308 apartments within R-6 is a proper balance of interests of developer and community. Please implement this balanced solution to the various interests.

Along with this, between building #4 and the church building, please have an 8 foot high-quality fence on the edge of the property plus multiple, staggered layers of trees (preferably evergreen for best screening) near to and thus quickly at appropriate height relative to the building height. Please have the 8 foot fence and at least one layer of trees of appropriate height along the property between buildings 5 and 6 and the church property.

There is concern about the location of the complex's entrance on Bardstown Road relative to the entrance to the church parking lot. That is close and likely will create left turns traffic hazards on Sunday morning and particularly Wednesday evening - and occasional other weeknights. Might another location with further distance from the church lot entrance be possible? This was not an issue when the neighboring property was R-4. It is an issue with density somewhere around 300 residents.

It would be good to have sidewalk access along Bardstown Road enabling apartment residents to walk along there to come to church. Can possibilities for that be discussed?

Thank you for your consideration of these matters,

Jon Bingham

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## St. Germain, Dante

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**From:** Melanie Gould <melanieg@INSURAMAX.com>  
**Sent:** Wednesday, January 6, 2021 9:33 AM  
**To:** St. Germain, Dante  
**Cc:** stan@elderlawpllc.com  
**Subject:** Case #20 ZonePA-0116

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Mr. Germain,

I would like to oppose the building of the proposed complex that effects Bardstown Rd. and Watterson Trail. I live on Watterson Trail across the road form the houses the complex will be built behind. This is an old community with many residents living there 60+ years. Our stretch of highway between Hurstbourne and Bardstown Rd. is already stretched to over capacity with cut through traffic making it hard to even get in and out of our drive ways at certain times of day. This complex would push the use of the Rd. over the edge not to mention the rise in foot traffic and most likely crime. This is the worst possible area to develop such a large rental apartment complex. We are a very tight nit community with most of the residents being elderly. Please reconsider building the complex as to the many lives it would have an impact on. On top of all of that I don't want to look out of my front windows and see apartment buildings on my beautiful street. The one thing that prompted us to buy a house on this street was the fact you were in the metro but it felt like you lived in the country. I urge you to please not build and take that away from us and our wonderful neighbors!!!!!!!!!! This is a very bad idea for the area!!!!!!!!!!

Sincerely,

**Melanie Gould, AAI**

Sales Executive



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