

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
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John C. Talbott
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April 28, 2022

RE: Neighborhood meeting for proposed change in zoning to allow a 216-unit multi-family community in 8 buildings on approximately 26.25 +/- acres on property located at 4900 S. Hurstbourne Parkway, 5119 and 5201 Bardstown Road and two parcels with no address, Tax Block 50, Lots 270 & 271

Dear Neighbor:

We are writing to invite you to a meeting we have scheduled to present neighbors with our zone change and Detailed District Development Plan (DDDP) for a 216-unit multi-family community located on the above referenced property.

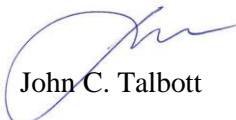
Accordingly, we filed a plan for pre-application review with the Division of Planning and Design Services (DPDS) that was assigned case number, **22-ZONEPA-0057** and case manager, **Dante St. Germain**. The DDDP filed changes zoning on a portion of one property along Hurstbourne Parkway from R-4 to R-6. The other part of the property fronting on Bardstown Road will have a General District Development Plan ("GDDP") seeking a change in zoning to C-1. Accordingly, we would like to show and explain this plan so that we might hear what thoughts, issues and concerns you may have.

In that regard, a meeting will be held on **Thursday, May 12, 2022**, beginning at **6:00 p.m.** at the **Fern Creek Community Association & Chamber of Commerce** in the **Annex Room** located at **6104 Bardstown Road** (*enter under the black awning labeled "Office"*).

If you are unable to attend the meeting, or have any questions or comments, please feel free to email or call me at the number listed above.

We look forward to our opportunity to visit with you.

Sincerely,



John C. Talbott

cc: Hon. Brent Ackerson, Councilman, District 26
Dante St. Germain case manager with Division of Planning & Design Services
J. Kent Gootee, ASLA with Mindel Scott & Associates, Inc.
Vadim Kaplan, AIA, LEED AP with Studio A Architecture
Mendy Reich, Applicant with Kennedy International, Inc.

GENERAL NOTES:

- DOMESTIC WATER SUPPLY:
SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER/DEVELOPER'S EXPENSE.
- TREE PRESERVATION:
A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
- PROTECTION OF TREES TO BE PRESERVED:
CONSTRUCTION FENCES SHALL BE ERECTED PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES. PROTECTION OF EXISTING OR ROOT SYSTEMS OF TREES TO BE PRESERVED THE FENCING SHALL ENCLOSE THE AREA BEHIND THE DRIP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION ACTIVITIES ARE COMPLETED. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.
- LANDSCAPE AND TREE CANOPY:
THE LANDSCAPE AND TREE CANOPY PLAN OF THE LDC SHALL BE PROVIDED AS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- THE DEVELOPMENT LIES IN THE JEFFERSONTOWN FIRE DISTRICT.
- ALL LUMINAIRES SHALL BE AIMED, DIRECTED OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE DIRECTED TOWARDS RESIDENTIAL AREAS OR PROJECTED OPEN SPACES (IE. CONSERVATION EASEMENTS, GREENWAYS, PARKS, PARKWAYS) ON ADJACENT OR NEARBY PARCELS, OR TO CREATE GLARE PERCEIVED BY RESIDENTIAL PROPERTY OWNERS.
- ALL DUMPSTER PADS, TRANSFORMERS, AC UNITS, GENERATOR PADS TO BE SCREENED PER CHAPTER 10 OF THE LDC.
- ALL EXTERIOR ARCHITECTURE TO COMPLY WITH CHAPTER 5.6 OF THE LDC.
- ALL EXTERIOR SIDEWALKS THAT ABUT PARKING TO BE FIVE (5) FEET WIDE MINIMUM.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE EMISSIONS REACHING EXISTING ROADS AND NEIGHBORHOODS.
- ALL EXISTING STRUCTURES AND EXISTING ENTRANCES SHALL BE REMOVED, EXCEPT AS NOTED ON THE PLAN (TRR).
- STREET TREES REQUIRED IN ALL RIGHTS OF WAY, LOCATION AND TYPE TO BE SHOWN ON THE LANDSCAPE PLAN.

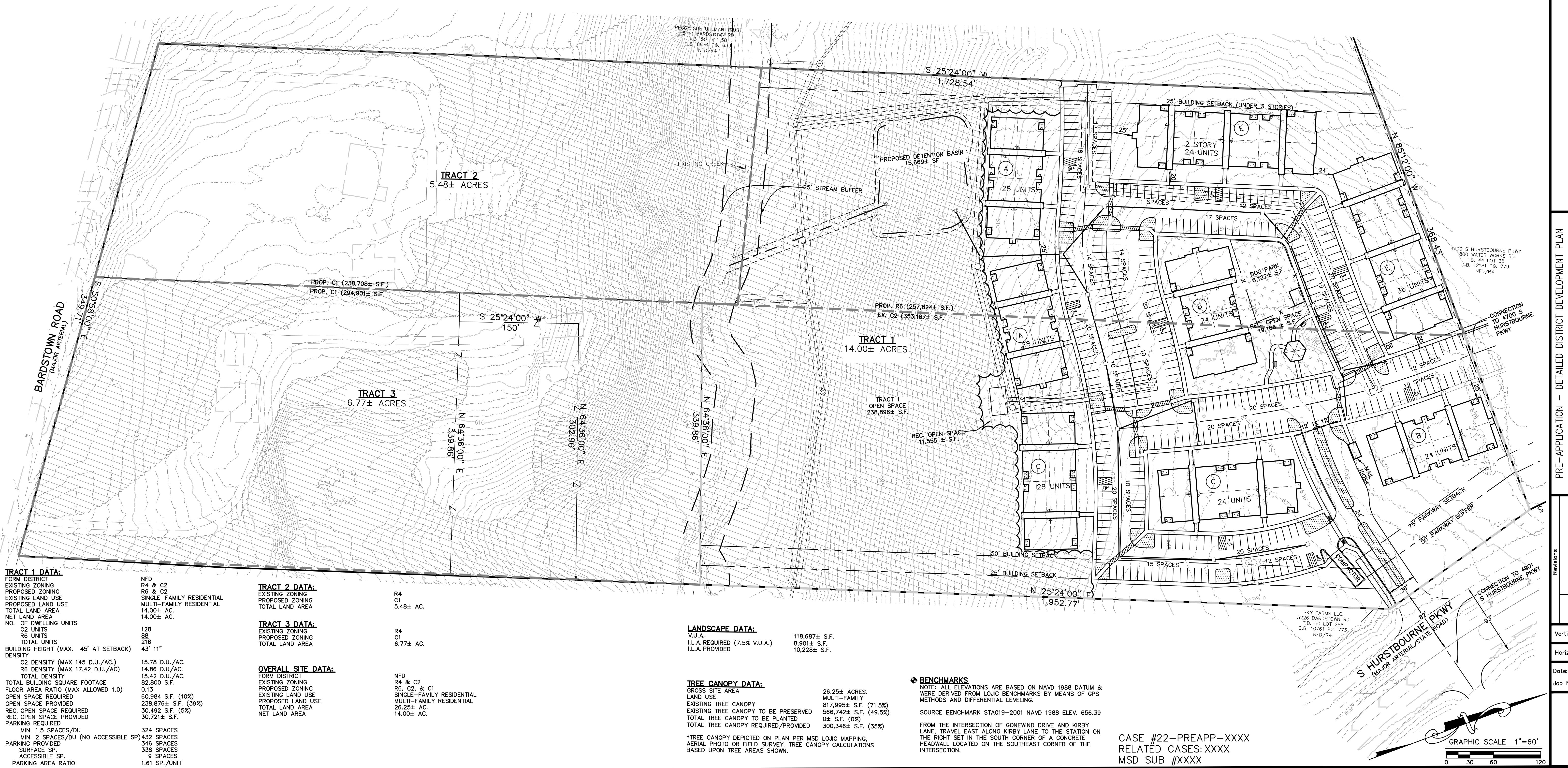
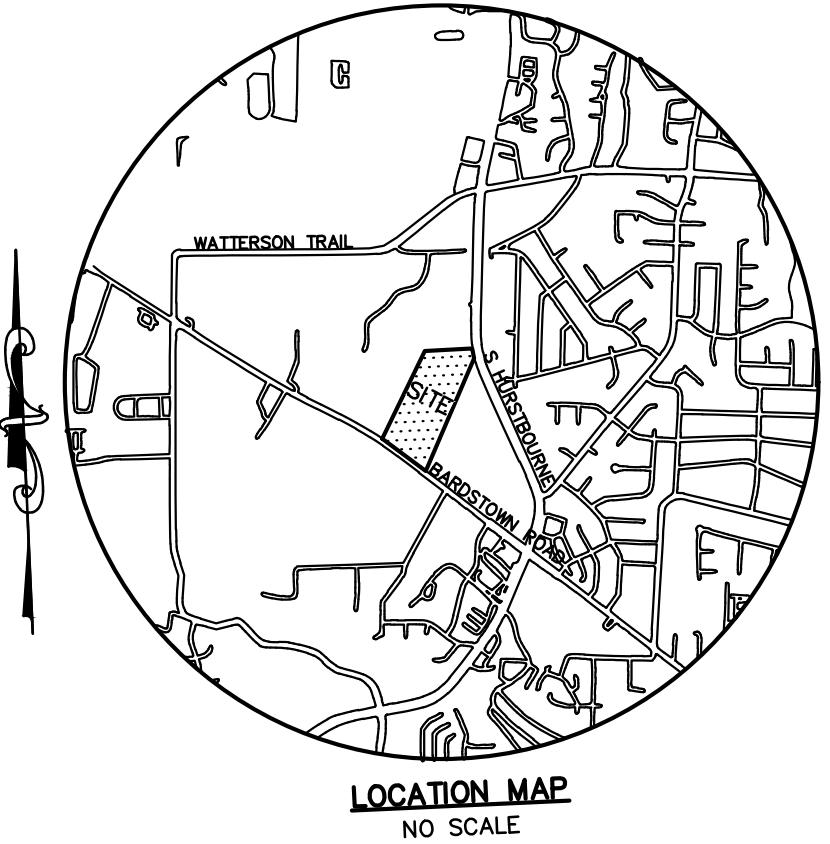
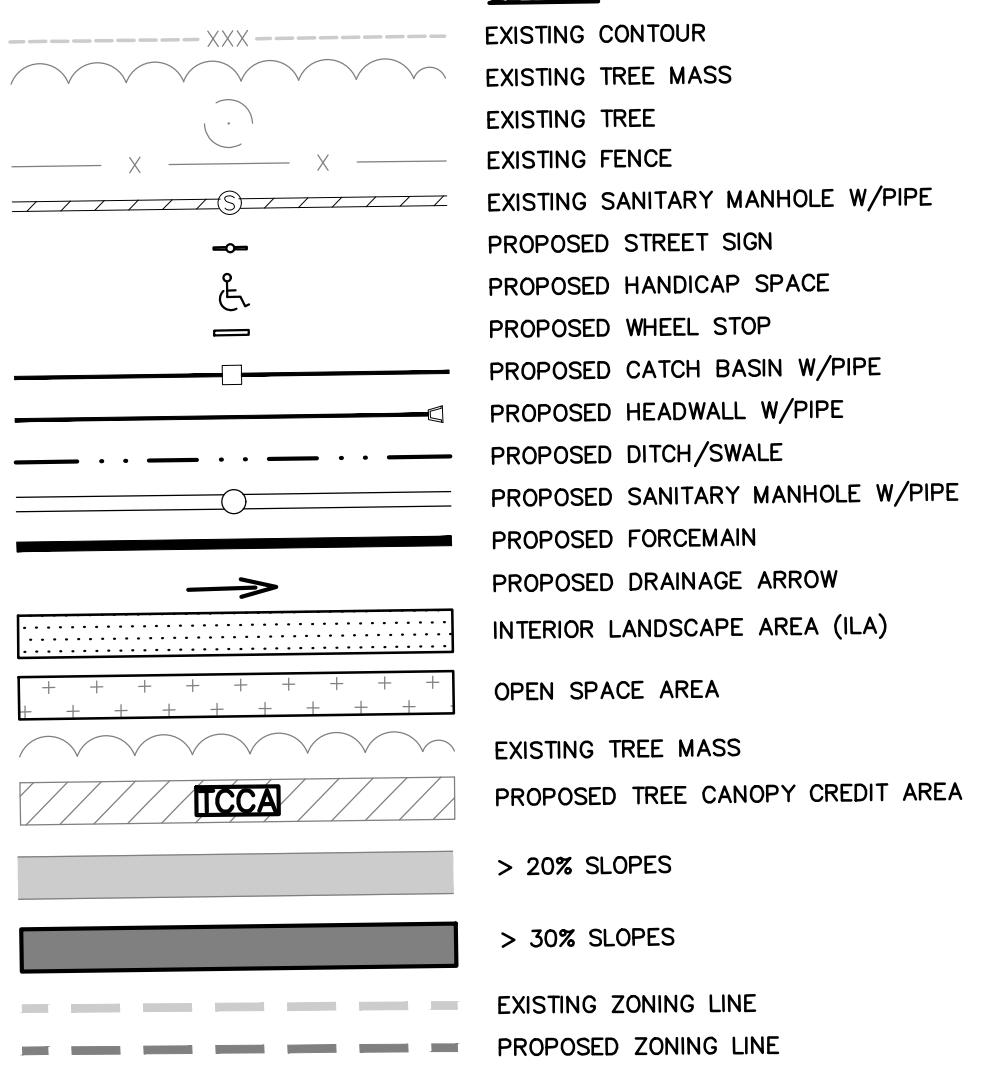
MSD NOTES:

- CONSTRUCTION PLANS & DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARDS SPECIFICATIONS.
- WASTEWATER TREATMENT:
SANITARY SEWER WILL CONNECT TO THE DEREK R. GUTHRIE WASTEWATER TREATMENT PLANT BY LATERAL EXTENSION AGREEMENT, SUBJECT TO FEES. SANITARY SEWER CAPACITY TO BE APPROVED BY METROPOLITAN SEWER DISTRICT.
- DRYWELL STORMWATER DETENTION:
ON-SITE DETENTION WILL BE PROVIDED. POST-DEVELOPED PEAK FLOWS WILL BE LIMITED TO PRE-DEVELOPED PEAK FLOWS FOR THE 2, 10, 25, AND 100-YEAR STORMS ON TO THE CAPACITY OF THE DOWNSTREAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE. CAPACITY UNDER WALNUT HILLS DRIVE TO BE VERIFIED DURING MSD CONSTRUCTION PLAN APPROVAL.
- EROSION AND SEDIMENTATION:
A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MSD AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE RECOMMENDATIONS.
- NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER THE FIRM'S LOJIC MAPPING (2111C0079).
- THE FIRM'S DESIGN OF THE PROPERTY MAY NOT MEET ALL MS4 WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MANAGEMENT PRACTICES.
- MSD DRAINAGE BOND REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
- DOWNSPOUTS FROM ALL BUILDINGS ADJACENT TO THE SOUTHERN AND WESTERN PROPERTY LINES SHALL BE CONNECTED TO THE PROPOSED STORM SYSTEM AND/OR SPLASH ONTO THE PAVEMENT IN A MANNER THAT DOES NOT DRAW INTO THE PROPOSED DRAINAGE SYSTEM. POINT DISCHARGES TO THESE PROPERTY LINES WILL NOT BE PERMITTED.
- STORMWATER VELOCITY DISSIPATION MAY BE REQUIRED UPON MSD CONSTRUCTION PLAN REVIEW.

PUBLIC WORKS AND KTC NOTES:

- RIGHT-OF-WAY DEDICATION BY DEED OR MINOR PLAT MUST BE RECORDED PRIOR TO CONSTRUCTION OF ROAD, CROWD CONTROL, OR WITH ASSOCIATED RECORD PLAT AS REQUIRED BY METRO PUBLIC WORKS, OR WITH ASSOCIATED RECORD PLAT AS SET BY METRO PUBLIC WORKS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY METRO PUBLIC WORKS.
- VERGE AREA WITH PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
- EXISTING UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
- STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SIGHT DISTANCE. FINAL LOCATION WILL BE DETERMINED DURING CONSTRUCTION APPROVAL PROCESS.
- AN ENCROACHMENT PERMIT AND BOND MAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON EXISTING PUBLIC ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES.
- ALL STREET NAME SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS AND BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RESIDENCE OR BUILDING ON THE PROPERTY AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE OF OCCUPANCY.
- THE DEVELOPER IS RESPONSIBLE FOR ANY UTILITY RELOCATION ON THE PROPERTY.
- TREES AND SHRUBBERY SHALL BE TRIMMED OR REMOVED TO PROVIDE SITE DISTANCE AS REQUIRED BY METRO PUBLIC WORKS STANDARDS.
- ALL SIDEWALK RAMPS SHALL CONFORM TO THE STANDARD SPECIFICATION, THE SPECIAL NOTE FOR DETECTABLE WARNING FOR SIDEWALK RAMPS, PER KENTUCKY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION.
- THERE SHALL BE NO INCREASE IN DRAINAGE RUNOFF TO THE RIGHT-OF-WAY. OWNER/BUILDER WILL BE REQUIRED FOR ANY RUNOFF TO THE STATE RIGHT-OF-WAY.
- THERE SHALL BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
- SITE LIGHTING SHALL NOT SHINE IN THE EYES OF DRIVERS. IF IT DOES, IT SHOULD BE AIMED, SHIELDED OR TURNED OFF.
- METRO WORKS BOND AND ENCROACHMENT PERMIT WILL BE REQUIRED FOR ALL WORK DONE WITHIN THE PUBLIC RIGHT-OF-WAY.

LEGEND:



After the Neighborhood Meeting

This Neighborhood Meeting is an opportunity for the applicants and surrounding neighbors to discuss and develop an understanding of the proposal prior to a public hearing. At the conclusion of this neighborhood meeting, the applicant has 90 days to file a formal application with Planning & Design Services. If the formal application is not filed with 90 days, the applicant will be required to have another neighborhood meeting.

Once the formal application is filed, a public hearing will be scheduled to consider the application. This public meeting is your official opportunity to speak in support or opposition to the proposal. If you received a notice regarding this neighborhood meeting, or did not receive a notice but signed the sign in sheet, you will receive a notice of the public meeting. Please contact the case manager if you are interested in learning how to request a night hearing or hearing in the district of the project.

If you are interested in staying informed about this proposal, or have any questions about the formal review process, you may call the Planning & Design Services office at **(502) 574-6230**. Please refer to the case number in your inquiry. You may also go to <https://louisvilleky.gov/government/planning-design> to view meeting agendas, search case information, or obtain other Planning & Design Services information.