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VIA HAND DELIVERY

Te'Andre Sistrunk, Chair
Louisville Metro Planning Commission
Metro Development Center
444 South Fifth Street
Louisville, Kentucky 40202
teandre.sistrunk@louisvilleky.gov

Brian Davis
Planning Director
Louisville Metro Office of Planning
Metro Development Center
444 South Fifth Street
Louisville, Kentucky 40202
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Re: **24-DDP-0078 and 24-FFO-0005**

Dear Chair Sistrunk and Mr. Davis:

Our office represents the applicant on the above referenced case, 24-DDP-0078 and 24-FFO-0005, for a Revised Development Plan.

Due to the possible confusion involved from the original preliminary submission plan approved in 2021, the 1st Revised Plan in 2024, and now this 2nd Revised Plan, Perfection wanted to provide a more thorough explanation of the steps that have led us to the current application, and the reasons behind the current application prior to the upcoming Hearing.

This case was moved from DRC to the Planning Commission because Perfection wanted the approval of this application conditional on a slight addition to density (12 extra lots) to offset increased costs to what it believes is a much better plan for the area and Floyds Fork. Planning Commission counsel did not think that DRC could issue the conditional approval. The 2nd “revised” plan is not cost-effective because of added expense of the plan itself added to other offsite infrastructure expenses, such as the round-a-bout. If the additional 12 lots are not approved by Metro Council, then Perfection wants to remain with the original, less expensive plan.

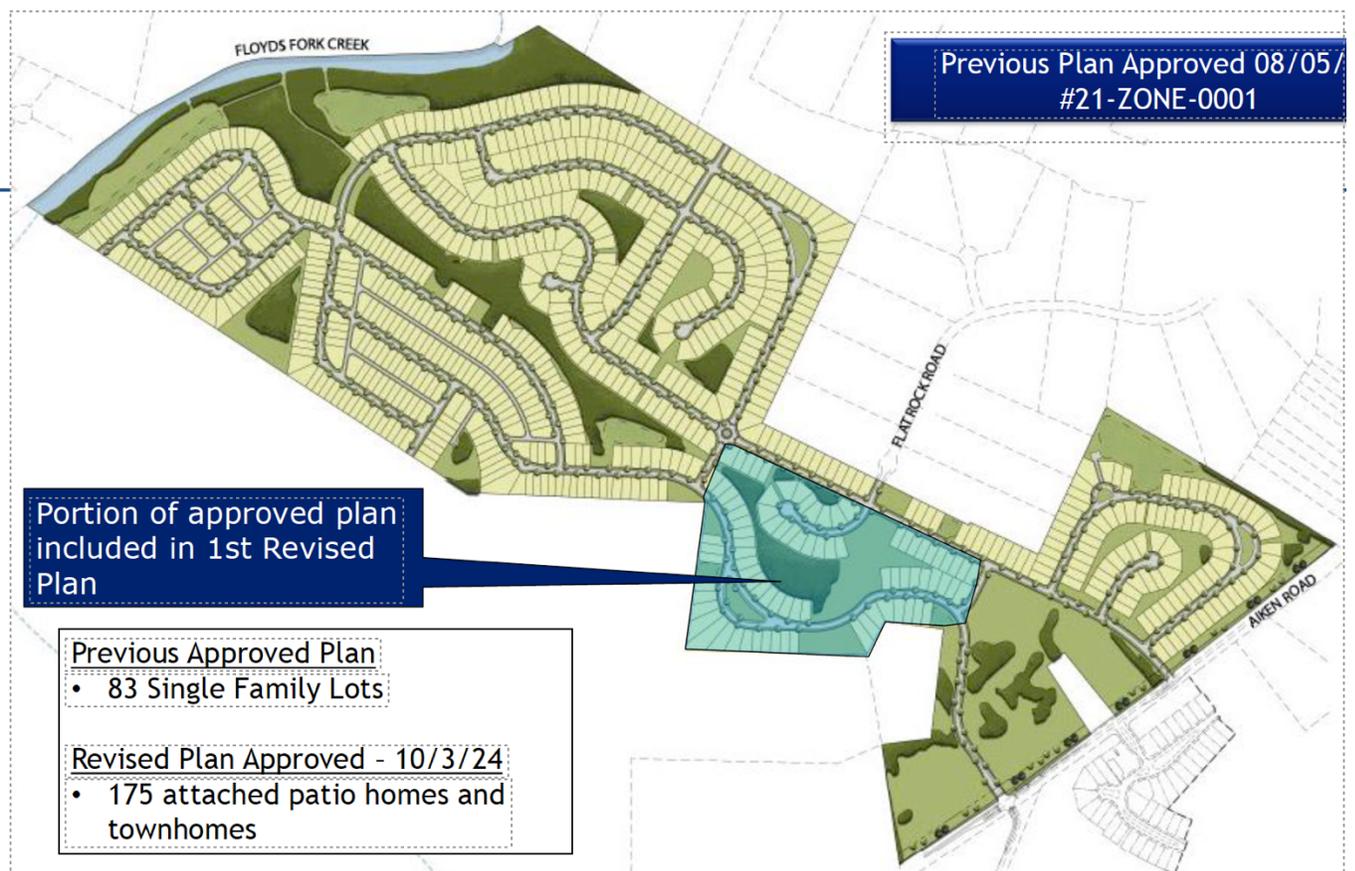
Original 2021 approval (Docket No. 21-ZONE-0001 and 21-MSUB-0001): By way of background, Perfection was approved for an 866-lot PRD subdivision in 2021 on 254 acres of property. The approved plan is below. This plan had a binding element that required review by the Planning Commission if there was any increase in density, a change in use, or amendments to the binding elements. A binding element was added that requires approval from Metro Council to increase density. In other words, without Metro Council approval, no building permits for lots over 866 in the overall subdivision would be given.



Since then, Perfection has gone forward with two partial revised plans on that subdivision, the first which was approved on October 3, 2024; and the second which is currently before the Planning Commission set to be heard on the April 24, 2025 Hearing docket.

1st Revised Plan, 24-DDP-0039. This first revised plan involved a relatively small area of the overall plan, shown shaded in blue below. The revision changed that portion of the plan from single-family lots, to townhomes. As a result, the 83 single-family lots previously approved for this area were revised to instead have 175 townhomes.

This revision took the overall lot count on the overall plan 92 lots over 866. In order to account for this “expansion”, but at the same time not increase density, Perfection agreed that it would reduce the number of buildable lots elsewhere on the site, in areas to be determined in the future. In other words, the overall plan would still be limited to 866 “lots” so that there would not be any increase in density. This revised plan was approved by the Planning Commission without Metro Council approval with the assurance of removal of buildable lots in the future. In other words, no building permits would be issued after 866 lots to prevent any increase in density.



2nd Revised Plan (24-DDP-0078): Since the 1st Revised Plan was approved, Perfection has now moved for a 2nd Revised plan, also shown below shaded in blue. This 2nd Revised plan eliminated 71 lots, leaving us still 21 lots over the 866 lot count.

Although the excess of lots has been greatly reduced from 92 lots down to 21 lots, the increase in the lot count would still need to be either (1) addressed in the same fashion as before with a binding element not to go over the 866 lots, or (2) have Metro Council approve of the increase. Perfection is requesting a slight increase not of all 21 lots, but of 12 lots as will be explained.

The revisions on this plan were much more significant than originally intended at the time of the 1st Revised Plan. After the 1st Revised Plan, Perfection considered making more robust changes than simply removing lots. These revisions significantly increase open space and significantly reduce impervious surfaces, thus reducing storm run-off. Also, this plan significantly increases recreational open space and it adds a club house amenity.



In summary, the 2nd revised plan has the following factors and differences from the original plan:

- (1) removes 71 lots from the area in question;**
- (2) increases open space by 7.48 acres (326,020 sf);**
- (3) reduces impervious area by 2.09 acres (90,843 sf),**
- (4) reduces run off to Floyds Fork by over 2 million gallons/yr., and**
- (5) adds a clubhouse and a recreational field (probably pickleball courts).**

A comparison of the 2021 approval to the 2nd Revised Plan are shown below. For reference, Floyds Fork is on the top, going down the right side of both pictures. From a simple glance, this plan is of a much higher quality with design and club house amenities, and also is a much more Floyds Fork friendly plan.



Below is a close-up of the 2nd Revised Plan. Again, the increased open space, reduced impervious surfaces, and increased amenities are the main changes. (Note the picture rotates counterclockwise about 90 degrees).



Increased expense of 2nd Revised Plan. Perfection believes that this “revised” plan is a tremendous improvement over the originally approved plan, in multiple ways, including more conscious of protecting Floyds Fork. However, the recreational and club house amenities increase the development cost by about \$1 million. Consequently, Perfection requires a very minor increase of 12 lots to pay for the amenities, raising the lot count on the plan from 866 to 878 total lots. The increase in density set for approval will amount to an increase of about 1/100th lots per acre. Specifically, the density will go from 3.41 du/ac to 3.45 du/ac.

If approved by the Planning Commission, this plan still will need to the approval of Metro Council to comply with the Binding Element on the property.

Waiver on “steep slopes” (24-FFO-0005). The current approved plan already allows the development on all of the steep slope areas. The “waiver” is in question simply because of the new DRO regulations that were enacted after this PRD subdivision approval. In other words, a denial of the waiver would have no affect on the development of the steep slopes. Instead, it

would simply require Perfection to build the old plan on the same “steep slopes.” It is important also to point out that the “steep slopes” identified are done at this preliminary stage by a plane flying several thousand feet above ground. Because of how tiny many of the noted areas are, Perfection expects that many of them are simply a pile of dead trees which would not be identified until site was conducted at construction planning approval.

Where will lots be removed to meet the new, 878 lot count? The answer is that Perfection will commit to reducing the lot count from the area closest to Floyds Fork, north of the 2nd Revised Plan area. This area (which is not part of the 2nd Revised Plan) currently has 44 lots, which would be reduced to 33 lots. This commitment as well would reduce impervious areas, such as reduced driveways, in the most sensitive area of Floyds Fork.

The tremendous increase in open space, significant elimination of impervious areas, and enormous reduction to runoff, the net benefit of this 2nd Revised Plan to Floyds Fork is makes it a much better plan for all interested groups. The small increase in lots should make this 2nd revised plan a sensible change for the Planning Commission to approve.

If the 2nd Revised Plan and 12 lot overall increase are not approved Perfection will simply go back to the original plan for this area before this latest application. Perfection will instead remove lower value lots further away from Floyds Fork to meet the 866-lot count.

I very much appreciate your time and look forward to discussing it next week.

Best personal regards,

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Talbott". The signature is fluid and cursive, with a prominent loop at the beginning and a long, sweeping tail that ends in a small flourish.

John C. Talbott