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CITY OF  
PROSPECT, KENTUCKY

PUBLIC MEETING

September 26, 2016

1 CITY OF PROSPECT, KENTUCKY

2 PUBLIC MEETING

3 SEPTEMBER 26, 2016

4 MR. ASHBURNER: Hello, everybody.

5 Thank you all for coming out tonight. Obviously,  
6 this development has caused a lot of interest. I  
7 appreciate you all coming out tonight. It's a  
8 beautiful night, and I'm sure there's lots of things  
9 you could be doing other than meeting here with  
10 us, but I just want to tell you we appreciate your  
11 time.

12 My name is Cliff Ashburner, and I'm with the  
13 law firm of Dinsmore & Shohl. I represent LDG  
14 Development who is the proposed developer on  
15 this project tonight. I have with me to my right  
16 here Chris Dischinger with LDG; Kelli Jones with  
17 Sabak, Wilson & Lingo; Ramona Vasta with LDG;  
18 and Michael Gross, also with LDG.

19 I have also with me my paralegal Sheri  
20 Werling. If you have requests for additional  
21 information we can provide you after tonight's  
22 meeting, probably the best thing to do is to see  
23 Sheri at the end of the meeting, give her your  
24 email address, and nature of the information you  
25 want, and we can see that we will get it to you.

1        Tonight we're going to talk a little bit about  
2        the project, a little bit about the process that the  
3        project is going through, and then we're going to  
4        try to answer as many of your questions as we can.  
5        I do not know if we will be able to answer all of  
6        them tonight, but we will do our best. And please  
7        recognize that we're still early in the process, very  
8        early in the process, and so some level of the  
9        [inaudible] just hasn't been released yet Okay?

10       So, to begin with, this is a rezoning proposal  
11       from R-5A, OR-1, and a very small piece of C-1.  
12       R-5A is a multi-family tag, where a OR-1 is an  
13       office-residential offering the potential for  
14       multi-family.

15       C-1 is commercial to R-7 on the property that  
16       you-all are familiar with. It's at the corner of  
17       River Road and Timber Ridge. River Road and  
18       Timber Ridge here. It's basically the property that  
19       wraps around the Kroger fuel center.

20       Now, about eight years ago, I think it was  
21       about eight years ago, that property -- or a  
22       portion, rather, of the property here was approved  
23       for condominiums, two condominium buildings 45  
24       feet in height, a bank, which is where the Kroger  
25       fuel center is now, and medical offices. And

1 obviously, part of the project got built, or not that  
2 any of the property got built, but part of the  
3 property was developed, and the road's cut in and  
4 then it stopped. Like a lot of projects that began  
5 around 2007, 2008, it just kind of stopped.

6 So the proposal tonight, you can see here and  
7 I think we have a board over there as well, is for a  
8 multi-family structure, a single structure. This is  
9 Timber Ridge here, Forest Cove, the Kroger fuel  
10 center is the notch, if you will. It's 198 units,  
11 senior housing. It is a 4-story building that is  
12 right at 45 feet, as was approved before.

13 There are 207 parking spaces on the plan and  
14 about 35- to 40% of -- of the property is going to  
15 remain undisturbed as a buffer between River Road  
16 and the building. So that's the project in a  
17 nutshell.

18 Now, the rezoning process -- the rezoning  
19 process began when LDG filed its pre-application  
20 application. Basically, we filed a version of that  
21 plan there, I just showed you there, with the  
22 Planning Commission. The Planning Commission  
23 and its agencies gave it preliminary review. We  
24 had a meeting with them last week where we talked  
25 about issues relevant to the project.

1       The next step is tonight. We want to hear  
2 from you. I'm sure that you all have lots of  
3 comments and questions, and, as I said, Sheri is  
4 going to be keeping notes of those. I understand  
5 also we have a court reporter here, so to the  
6 extent that she can hear the remarks you-all make,  
7 those will be transcribed into her record.

8       What we discuss tonight will be reported to  
9 the Planning Commission at the next step, which is  
10 the formal filing. The formal filing will be, again,  
11 the plan and application, besides some more  
12 material to enter [phonetic] of records [phonetic]  
13 next meeting.

14       Please, everybody -- has everybody signed  
15 the sign-up sheet? No? Okay. Sign up sheet's  
16 right back by the door. It's kind of between the  
17 small door there and the main entrance.

18       If you did not get notice by mail of tonight's  
19 meeting, if you sign up on the sign-up sheet, your  
20 attendance tonight will be noted and you'll get a  
21 notice of future meetings.

22       So, after the formal filing of the application,  
23 \_\_\_\_\_ gets another look, \_\_\_\_\_  
24 takes another look, MSD takes another look at the  
25 project, determines whether it is in shape to move

1 forward to the zoning process.

2 It will then go to what's called the Land  
3 Development and Transportation Committee. The  
4 Land Development and Transportation Committee  
5 is made up of half the Planning Commission, that's  
6 five planning commissioners. Their meetings are  
7 the first and third Thursdays of the month at the  
8 old jail building at 1 p.m. That's at the southeast  
9 corner of 6th and Liberty.

10 If you -- if you were here tonight, you will get  
11 a notice in the mail when the project goes to LD&T  
12 for review. LD&T reviews cases basically on a  
13 technical basis, however, they will let anyone  
14 speak that wants to come and talk.

15 And then LD&T will make a determination as to  
16 the fitness of the project to continue through the  
17 process to go over a full public hearing before the  
18 Planning Commission.

19 The Planning Commission is another public  
20 meeting. If you're here tonight, you'll get another  
21 notice in the mail. Those run second and fourth  
22 Thursdays of the month. You'll have an  
23 opportunity to come down and talk then, as well.

24 If the Planning Commission makes a  
25 recommendation at its hearing, or when the

1 Planning Commission ultimately makes a  
2 recommendation, even if it takes more than one  
3 hearing. It will then go to Louisville Metro  
4 Council, and the Council has the final say on all  
5 zoning cases. So that is the process in a nutshell.

6 The public opportunities that you'll have to  
7 speak, obviously, are tonight, and as I said  
8 before, we'll take down what's said in here.  
9 There's a court reporter. I will assume that her  
10 record is -- will -- will end up in the public record  
11 at some point, as well. The LD&T meeting is  
12 another opportunity to come and speak publically  
13 about the project. And the Planning Commission is  
14 the third opportunity to speak publically about the  
15 project.

16 It is incumbent on you to participate in the  
17 project at the Planning Commission stage, and this  
18 is because, for the most part, Metro Council does  
19 not hold separate public hearings. They base their  
20 decision on what the Planning Commission hears  
21 and the evidence that is put into the record before  
22 the Planning Commission.

23 So, if you want to participate in the project --  
24 in the process after tonight, make sure you're on  
25 the Planning Commission level.

1        Now, you can also submit your comments,  
2        those comments will go to Julia Williams, our staff  
3        person. Her name is Julia Williams. Her email is  
4        julia.williams@louisvilleky.gov. You can send in  
5        comments to her at any time during the process. I  
6        like it, I don't like it, it's too much traffic, it's too  
7        tall, it's too short, any of those comments are fine.

8        So does anybody have any questions first  
9        about the process? And if you don't mind, so we  
10       can -- try to make sure that everybody who wants  
11       to get heard is heard, and we do so in sort of an  
12       orderly fashion. There's a mic right there in the  
13       middle of the room.

14       You can either pass it to your neighbor, or  
15       you can come to the mic. If you see a little line  
16       here, there's a switch on the bottom and that says  
17       "on" or "mute." Just flip the switch to "on," and  
18       then we can hear your comments, and everybody  
19       hear your comments at the same time.

20       Yes, sir.

21                MR. SPEAKER: I'd just like to ask one  
22       basic question: Why did you-guys want this  
23       particular site to develop this complex? You know,  
24       the reason I ask that is that --

25                MR. SPEAKER: We can't hear you.

1 MR. ASHBURNER: Yeah. The mic's right  
2 there.

3 MR. SPEAKER: I've got a basic  
4 question.

5 MR. ASHBURNER: It's on.

6 MR. SPEAKER: Yeah. I have a real  
7 basic question. I'm just wondering why you-guys  
8 selected this site to build this complex? You  
9 know, I'm an advocate of supporting the homeless  
10 in Louisville. Probably for seven to ten years I've  
11 been helping the homeless in the streets of  
12 Louisville, bringing them food and clothing, take  
13 them to \_\_\_\_\_. So I really don't have an  
14 issue with helping the unfortunate.

15 The only question, why you selected this  
16 particular site to build housing -- low-income  
17 housing. One of the reasons I'm wondering is that  
18 there's not going to be low-income people  
19 \_\_\_\_\_, You get the other complexes  
20 around the country, particularly in Nashville, you  
21 have a complex down there called the Getty  
22 [phonetic], that \_\_\_\_\_ a few years back.  
23 \_\_\_\_\_, ZIP code 37207. It's a  
24 wealthy and growing area, whereas  
25 \_\_\_\_\_.

1 I think building low-income housing in the  
2 areas that it's needed is really great. I think if  
3 you build a complex in the west end, downtown,  
4 the south end, would be \_\_\_\_\_ for  
5 potential renters. \_\_\_\_\_ thinking  
6 people that come out, probably from those areas,  
7 because you would be away from their family and  
8 friends.

9 So it seems like to me any land you might buy  
10 and develop would be cheaper in those areas  
11 \_\_\_\_\_ Family income of 50,000 is 54% in  
12 that 37207 area. In Prospect I guess the --

13 MS. SPEAKER: Can you hold the  
14 microphone a little closer?

15 MR. SPEAKER: In Prospect -- in the ZIP  
16 code in Nashville where you developed the latest  
17 project would be \_\_\_\_\_ change, the income  
18 level of 50,000 and less than 64%. In Prospect,  
19 it's 12%. We don't need low-income housing here  
20 in Prospect.

21 The home values down there in -- down there  
22 in Nashville is about 120,000, and here it's  
23 374,000, so I really don't see a need \_\_\_\_\_  
24 low-income \_\_\_\_\_. \_\_\_\_\_,  
25 building a piece of property up here

1 \_\_\_\_\_; whereas, if you're building it  
2 in plenty of places in Louisville you're going to  
3 have an infrastructure of bussing the people who  
4 take buses to work. They would prefer to be with  
5 their family and friends. I don't think the renters  
6 would want to move up here away from family and  
7 friends. I think if you gave them a choice to build  
8 something in the west end and downtown, they  
9 would select that area way before moving out to  
10 Prospect.

11 So, if you'd just answer my question, why did  
12 you select this particular site?

13 MR. ASHBURNER: Okay. Well, I -- I  
14 think you asked really two questions. I want to  
15 make sure I answer them both and -- and correct  
16 one of the misconceptions that's probably out  
17 there about the project.

18 First, why should people of limited means  
19 have access to the amenities in Prospect? And  
20 part of it, I think, is because there are plenty of  
21 people with limited means who work in Prospect,  
22 and -- and most of LDG's tenants actually come  
23 from a neighborhood, sir, close to their projects,  
24 even their open [phonetic] projects.

25 So I think the reason for locating here is

1 because there is available property, there are  
2 commercial areas within walking distance, and  
3 there are lots of people in the community who have  
4 jobs in the community who would benefit and would  
5 be good tenants. Obviously, that is their risk, is  
6 LDG's risk to take.

7 The other thing is about the project itself.  
8 And, Michael, correct if I'm wrong on this. The  
9 income verification level is at 80%, and --

10 MR. SPEAKER: 80%; correct?

11 MR. ASHBURNER: Yeah, 80% now, so  
12 that means that, you know, 40% of the population  
13 would qualify. So, you know, there's a huge  
14 number of people who could be here [phonetic].  
15 These are not folks who are homeless currently  
16 looking for a place to live that is rent free.

17 These apartments, obviously, are for rent, and  
18 everybody who moves in has to have a source of  
19 income and can pay the rent, and it's all verified.  
20 So I think that there may be a slight misconception  
21 about what the project really is and who it's going  
22 to serve.

23 MR. SPEAKER: Oh, yeah, the -- the area  
24 is also, it's in a gated community, and not  
25 everyone is fortunate to be able to afford the life

1 that they want ast hey age, and really, this  
2 development will give people in the area a chance  
3 to have a nice quality senior facility that is at a  
4 rent level that's capped where they know they will  
5 be able to afford it going forward.

6 MR. ASHBURNER: Correct.

7 MR. SPEAKER: Is it a senior-living  
8 place, or what is this?

9 MR. ASHBURNER: It's senior --

10 MS. SPEAKER: When you're talking  
11 about people working in this area, if they're  
12 seniors, they're probably retired.

13 MR. ASHBURNER: No. Senior, in this  
14 context, means 55 or more.

15 MS. SPEAKER: Oh, okay.

16 [people talking over each other]

17 MR. ASHBURNER: No.

18 MS. SPEAKER: Okay. When you say  
19 senior, you're misleading.

20 MR. ASHBURNER: No, I'm not.

21 MS. SPEAKER: Yes, you are.

22 MS. SPEAKER: Yes, you are.

23 MR. SPEAKER: Yes, you are.

24 [people talking over each other]

25 MR. ASHBURNER: All right. If we can,

1 please, I want to take questions in turn so that  
2 we're all sure that everybody hears the question  
3 and hears the answer. We're also not going to  
4 debate tonight, because --

5 [people talking over each other]

6 MR. ASHBURNER: So the answer to the  
7 question is this, in other words, in the meaning  
8 [phonetic]: It is age restricted to 55 and older,  
9 which, according to HUD regulations, makes it a  
10 senior complex. That's where the term came  
11 from. And it is also \_\_\_\_\_. The two go  
12 hand-in-hand.

13 And to your question in the back, ma'am,  
14 about 80% of the residents here, of the residents  
15 in other senior facilities like this are retired.  
16 About 20% of them work, and about 80% of them  
17 are retired. They average about one car per unit.  
18 That is only about 30% of those cars move on  
19 a regular basis, and this is from properly  
20 answering -- it's from their surveys, their  
21 experience, and their other complexes.

22 So that answers your.

23 MAYOR EVANS: I'm the Mayor of the  
24 City of Prospect, as many of you know. First thing  
25 I want to say is thank you for turning out the way

1 you have.

2 We have a number of questions that we in the  
3 city have -- the city is not doing this, this is  
4 something that they're doing, and from that, we  
5 are interested, and we just have some questions  
6 that we put together, and if you would allow us to  
7 proceed, I have three or four questions I'm going  
8 to ask.

9 Margaret, sitting next to me, has some  
10 questions she would like to ask. Grant has some  
11 questions he would like to ask from the city  
12 council. Sandra Leonard is here somewhere, she  
13 had some questions she'd like to ask, and so  
14 would Randy Swan [phonetic].

15 So if you would let us ask those questions and  
16 then follow up after we ask those, that would --  
17 that would be great.

18 MR. ASHBURNER: Sure.

19 MAYOR EVANS: Okay. Here are the  
20 questions that I would like to ask --

21 MS. SPEAKER: Use the microphone.

22 MR. SPEAKER: We can't hear you.

23 MS. SPEAKER: We can't hear you.

24 MAYOR EVANS: I'm being told that I'm  
25 soft-spoken, and I've never had that happen.

1       The first question is: Is the property in this  
2 proposal currently owned by LDG Development?  
3 We already know it's not zoned for this type of  
4 development, so I need to ask that, is it currently  
5 owned by LDG?

6           MR. ASHBURNER: No. It's under  
7 contract.

8           MAYOR EVANS: It's under contract. Do  
9 you have an option on the property?

10          MR. ASHBURNER: Purchase.

11          MAYOR EVANS: Purchase the property?

12          MR. ASHBURNER: Purchase.

13          MAYOR EVANS: Purchase contract;  
14 okay.

15          MR. SPEAKER: If it can go through. If  
16 this is allowed to go through, then they can buy it;  
17 right? Is that what it is?  
18 [people talking over each other]

19          MAYOR EVANS: He doesn't think we  
20 need to get into that.  
21 [people talking over each other]

22          MR. SPEAKER: The property value is  
23 going down. That's the bottom line.

24          MR. ASHBURNER: Okay. To answer  
25 your question, Mayor, it's -- you know, if this is a

1 zoning case, it's about a project. It's about what  
2 it looks like. What you see done on Timber Ridge,  
3 how many cars might join you on Timber Ridge, in  
4 time [phonetic] has a business arrangement from  
5 LDG and the current owner.

6 MS. SPEAKER: Are there stipulations on  
7 the questions we can ask?

8 MR. ASHBURNER: No. I just don't think  
9 a contract is currently private needs to be  
10 dissected by the room.

11 MAYOR EVANS: In other words, you can  
12 ask the question, but they are --

13 MS. SPEAKER: They don't have to  
14 answer it. Okay.

15 MAYOR EVANS: Okay. My next question  
16 is: Have you completed other similar  
17 developments in Kentucky and Indiana?

18 MR. SPEAKER: Yes.

19 MR. ASHBURNER: Yeah.

20 MR. SPEAKER: \_\_\_\_\_.

21 MR. ASHBURNER: The -- the closest to  
22 the project is Brookstone Senior Living. It's on  
23 South Hurstbourne near the theaters; right?

24 MAYOR EVANS: Correct.

25 MR. ASHBURNER: So. . .

1           MAYOR EVANS: How about Indiana?

2           MR. ASHBURNER: No.

3           MAYOR EVANS: You have no projects in  
4 Indiana?

5           MR. SPEAKER: No senior projects in  
6 Indiana.

7           MAYOR EVANS: I didn't say senior. Do  
8 you have projects in --

9           MR. ASHBURNER: Similar, sure. No, we  
10 don't have any property in Indiana.

11          MAYOR EVANS: Really?

12          MR. SPEAKER: We have in the past. We  
13 have in the past.

14          MAYOR EVANS: But were they  
15 successful?

16          MR. SPEAKER: We've had one that  
17 wasn't so successful.

18          MAYOR EVANS: Can you tell us about  
19 that?

20          MR. SPEAKER: It was a -- a family. . .  
21 [people talking over each other]

22          MAYOR EVANS: What's different  
23 between asking questions in a deposition? I'm not  
24 doing anything. I just asked a question.

25          MR. ASHBURNER: All right. With the

1 project in Indiana, I guess, it's -- Chris said it was  
2 successful. They had a -- a -- what do you want to  
3 call it --

4 MR. SPEAKER: Louder.

5 MR. ASHBURNER: They resolved all the  
6 issues with the Indiana project that they no longer  
7 own to the satisfaction of the Indiana Housing  
8 Authority.

9 MAYOR EVANS: Right. Margaret, do you  
10 have some questions?

11 MS. COLLIER: Yes, I do. My name is  
12 Margaret Collier [phonetic], and I would like to  
13 know if LDG has other subsidized housing project  
14 pro -- properties in Jefferson County?

15 MAYOR EVANS: Yes.

16 MR. ASHBURNER: Yeah.

17 MS. COLLIER: How -- how many do you  
18 have?

19 MR. SPEAKER: Well, we have None  
20 subsidized. Our properties are non-subsidized.

21 MS. COLLIER: Okay. But do you have  
22 subsidized housing?

23 MR. SPEAKER: Our properties are not  
24 subsidized. We have affordable housing. There's  
25 a difference.

1 MS. COLLIER: Okay. How many of those  
2 do you have?

3 MR. SPEAKER: Probably -- let's see.  
4 Five or -- it's five or six.

5 MS. COLLIER: Five or six. Then I would  
6 like to ask why are you proposing such a high  
7 density of building [phonetic] that's 200 units in a  
8 low-density area which features 12 units or less?

9 MR. ASHBURNER: Okay. Well, the  
10 answer is that this is a place that this particular  
11 property, given it's proximity to office and  
12 commercial and the road network is a place that I  
13 think is [phonetic] appropriate, typically.  
14 [people talking over each other]

15 MR. ASHBURNER: [inaudible] where you  
16 put high density [inaudible] most people is the  
17 closest to the services.

18 MS. COLLIER: \_\_\_\_\_?

19 MR. ASHBURNER: Wherever you put  
20 high-dens -- where you put the most people is  
21 closest concerns us.

22 [people talking over each other]

23 MR. ASHBURNER: Kroger, Walgreens,  
24 restaurants across the street.

25 MR. SPEAKER: Both of them?

1 [people talking over each other]

2 MS. COLLIER: All of the buildings in  
3 this area are one or two stories. Why are you  
4 proposing a four-story building in this area?

5 [applause]

6 MR. ASHBURNER: The four-story  
7 building is basically because this site was  
8 previously approved for a building the same  
9 height. Actually, two buildings the same height.

10 MR. SPEAKER: But not the same income  
11 level, not. . .

12 MR. ASHBURNER: The \_\_\_\_\_.

13 MR. SPEAKER: It -- it was not that kind  
14 of a -- looks like an institution.

15 MR. ASHBURNER: Next? The young  
16 lady over here.

17 MS. SWANN: I'm Rande Swann. This  
18 area, have you done any traffic study?

19 MR. ASHBURNER: We have not done a  
20 traffic study yet, because preliminary looking at  
21 the typical trips generated by a previous project  
22 and by this project, we haven't finished the study.

23 MR. SPEAKER: \_\_\_\_\_.

24 MS. SWANN: We -- we currently already  
25 have backups down Timber Ridge several times of

1 the day. Periods with people trying to get out onto  
2 River Road. Also at times, trying to get out on 42.  
3 And so our concern is you're going to put 200  
4 apartments and 200 parking spaces, I mean, that's  
5 a minimum of 400 additional cars on Timber Ridge  
6 a day, more likely much more than that.

7 And our concern is about the traffic pattern  
8 and the additional congestion. And what kind of  
9 provisions, if you have 200 units there, it sounds  
10 to me like you're assuming that because they're  
11 seniors they're going to only have one vehicle per  
12 family.

13 Now, there's a lot of seniors in here, because  
14 Prospect has an aging population. How many of  
15 you only have one vehicle in your household?  
16 [applause]

17 MS. SWANN: My husband and I retired in  
18 2003. We not only have our vehicles respectively,  
19 but we do love our boy toys, and we tend to hold  
20 on to those, too, in retirement. What provisions  
21 have you made for visitor and handicapped parking  
22 if this is a senior-living facility?

23 MR. ASHBURNER: We have visitor and  
24 handicapped parking on the plan. I invite you to  
25 look at it there. They are the small parking area

1 that's closest to the entrance.

2 MS. SWANN: Okay. Well, if I'm reading  
3 this right you have got 205 parking spaces?

4 MR. ASHBURNER: 207.

5 MS. SWANN: 207; okay, for about 197,  
6 200 units. Your employees, where is the  
7 additional parking going to be for this complex?  
8 Because our concern is that this is woefully  
9 inadequate parking, and it will overflow and go up  
10 the Kroger lot, which will then lead to the point  
11 you can't park at Kroger just like you can't park at  
12 Kroger Holiday Manor --

13 MS. SPEAKER: According to building  
14 code city requirements, we're only required to  
15 have half a parking space per unit for senior-type  
16 housing. We would increase that to one per unit --

17 MR. SPEAKER: Oh, you're doing us a  
18 favor.

19 MS. SPEAKER: -- \_\_\_\_\_,  
20 as far as the number of impact [phonetic] spaces,  
21 we're required to have \_\_\_\_\_ spaces.

22 MS. SWANN: Are you anticipating that  
23 any of these folks -- because 55 is pretty young to  
24 retire for a lot of folks -- that they will use bus  
25 service? Have you done any looking at the TARC

1 schedules?

2 MR. SPEAKER: The --

3 [people talking over each other]

4 MS. SWANN: \_\_\_\_\_ senior  
5 services, and they need to \_\_\_\_\_?

6 MR. SPEAKER: I know there is an  
7 express route past the -- on the \_\_\_\_\_.

8 MS. SWANN: I -- I just did some chatting  
9 with TARC today -- I'm not a TARC rider, I'm  
10 assuming that you would say Eastpoint is going to  
11 be our closest employment center. And are these  
12 people, are still some of them working?

13 It is 8 hours on a bus to get from Prospect to  
14 Eastpoint. It is 11 hours on a bus to get over to  
15 the Ford truck plant area. It is 2 hours to get to  
16 the Mall St. Matthews.

17 And if we happen to work the morning shift  
18 when Louisville International Airport ask and  
19 confirmed was most busy from 6 to 2. That's one  
20 of their most intensive times for unemployment,  
21 when they were the terminal staff. You have to go  
22 out there the evening before and spend the night.  
23 It's just an option.

24 [applause]

25 MS. SWANN: So what are -- what are you

1 doing -- if you're in business for seniors and  
2 you're supposed to have senior services, and  
3 seniors, I hear -- I think I hear you-all saying, are  
4 not driving so much, so you want senior services,  
5 so public transportation would be one of those  
6 services.

7 It doesn't sound to me like plopping folks  
8 down in this area of Prospect with very limited  
9 public transportation that we have out here is  
10 going to really be fair to them. So what is your  
11 proposal for dealing with transportation needs for  
12 people who are elderly and perhaps no longer  
13 drive?

14 MR. SPEAKER: So when we surveyed the  
15 developments that we have, and as Cliff mentioned  
16 earlier, what we tend to average is about one car  
17 per unit. Those cars don't always move. As -- as  
18 seniors get older, they are hesitant to give up  
19 their vehicles, but they don't necessarily drive as  
20 much.

21 It was about 20% of the -- of the senior  
22 community working that those people simply have  
23 cars to get to their job and back and are not  
24 relying on TARC to take a trip down to the airport.

25 We've also been talking to some service

1 providers to -- to provide services and also ride  
2 programs to help seniors that are less willing to  
3 drive to get to appointments, such as medical  
4 appointments and -- and to other destinations they  
5 need to get to.

6 Please go get in line, if you don't mind. I  
7 know a lot of people have questions.

8 [people talking over each other]

9 MR. SPEAKER: I'll ask a question later,  
10 but right now I have one question.

11 MR. ASHBURNER: Okay.

12 MR. SPEAKER: Okay. You keep talking  
13 about this being a senior facility.

14 MR. ASHBURNER: Yes.

15 MR. SPEAKER: My reading is that there  
16 has to be one senior per unit; okay? I don't know  
17 how many people -- folks are \_\_\_\_\_, but I  
18 live in 1000 square feet, and I live with a family.  
19 Okay? Now maybe one senior, two adults, plus  
20 some children. Don't tell me you can't do it,  
21 because that's the way I grew up. And that's they  
22 way they do Germantown [phonetic] right now.

23 So \_\_\_\_\_. So let's not call this a  
24 senior unless we have some provision that  
25 restricts the number of people and the aging

1 people in the units.

2 [applause]

3 MS. SPEAKER: That is my question also.

4 MR. SPEAKER: Okay. So you are  
5 correct that the requirement is that at least one  
6 person in the household needs to be 55 or over.  
7 Our restriction is nobody under 18 is allowed to  
8 live there period.

9 What we typically find is that in the one  
10 bedroom units, they only have one occupant. And  
11 in two-bedroom units, they typically have one  
12 occupant, with a small percentage of the -- the  
13 two-bedroom units having either spouses living  
14 together, or possibly a caregiver, depending on  
15 the person.

16 MS. ROGERS: My name's Beth Rogers.  
17 Do you anticipate that the residents will be of  
18 mixed income and that this -- do I understand that  
19 there is a cap on income?

20 MR. ASHBURNER: There is a cap on  
21 income, and, yes, it will be mixed.

22 MS. ROGERS: Is that a household cap,  
23 or is that an individual cap?

24 MR. ASHBURNER: Household.

25 MS. ROGERS: Household cap. And did I

1 understand you to say that none of these units are  
2 federally or locally rent subsidized?

3 MR. ASHBURNER: That's correct. There  
4 was -- I mean, the restriction comes from the tax  
5 credits that are used to finance the project.

6 MS. ROGERS: Okay. So there is no  
7 renting subsidy from any governmental facility?

8 MR. SPEAKER: No.

9 MS. ROGERS: Can you tell me what the  
10 rent is for a one- and a two-bedroom?

11 MR. SPEAKER: So, just so we're clear,  
12 we provide -- as the owner of the property, we  
13 provide no subsidy to the tenant. If the tenant  
14 comes with housing choice voucher or a batch  
15 voucher or they're retired military, we accept that,  
16 but we do not provide any subsidy.

17 When somebody walks into our leasing office,  
18 they have to walk in and provide verification of  
19 their income to both make sure that they're not  
20 over the income level, but also to make sure that  
21 they can afford to pay the rent.

22 MS. ROGERS: But it can be government  
23 subsidized --

24 MR. SPEAKER: Well --

25 MS. ROGERS: -- so just [phonetic] --

1 MR. SPEAKER: -- if they --

2 MS. ROGERS: -- personally don't do it,  
3 but --

4 MR. SPEAKER: Correct. The resident --  
5 just like -- just like if anyone want to rent their  
6 condo, if it was allowed by the condo bylaws, they  
7 were allowed to rent it, they could accept a --  
8 a \_\_\_\_\_ voucher.

9 MS. ROGERS: And can you tell me what  
10 the rent is for a one-bedroom and what the rent is  
11 for a two-bedroom?

12 MR. SPEAKER: So, right now, the one --  
13 the -- the one-bedroom rents would -- would be  
14 capped at about \$930, and the two-bedroom rents  
15 would be capped at about \$1,000.

16 MS. ROGERS: Thank you. I saw on your  
17 chart that the one-bedroom is about 743 square  
18 feet, and the two-bedrooms 963 square feet,  
19 approximately. How many of each size will you  
20 have?

21 MR. SPEAKER: 178 two-bedrooms, and  
22 20 one-bedrooms.

23 MS. ROGERS: 178 two-bedroom and. . .

24 MR. SPEAKER: 20 one-bedrooms.

25 MS. ROGERS: Thank you. How many of

1 these will be -- have accessible features for  
2 seniors?

3 MR. ASHBURNER: All of them.

4 MR. SPEAKER: Well, let me explain. So  
5 the units will all be elevator served. All units will  
6 be what they call fair-housing accessible, which  
7 means they can be converted. A certain number --  
8 percentage is required immediately be set up for  
9 wheelchairs and for walkers and that kind of thing,  
10 so the hearing impaired and basically all the units  
11 will be accessible -- fully accessible to anybody in  
12 a wheelchair or that kind of thing.

13 MS. ROGERS: Thank you. How many  
14 elevators will you have?

15 MR. SPEAKER: Two.

16 MS. ROGERS: Two elevators?

17 MR. ASHBURNER: Yeah.

18 MS. ROGERS: For 200 people?

19 MR. SPEAKER: Ridiculous.

20 MR. SPEAKER: Just two quick  
21 questions, and this is not my quote, it comes from  
22 the Indianapolis housing page, so I guess the  
23 name of the project you talked about earlier,  
24 Cambridge Station, I believe. The Indianapolis  
25 housing board is demanding the rule of Kentucky

1 based landlords -- excuse me -- return 800,000 in  
2 taxpayer-funded rent subsidy payments.

3 And they said -- they want to say if they don't  
4 pay it by Monday they will possibly pursue fraud  
5 charges. Among the charges employees engaged  
6 in a widespread pattern of criminal activities,  
7 including dealing narcotics, resident -- residential  
8 injury, firearm offenses, and welfare fraud.

9 \_\_\_\_\_.

10 [laughter]

11 MR. SPEAKER: And then, I guess the  
12 other question, per your website, you have six  
13 facilities in -- in Louisville, Jefferson County.  
14 Looks like all or some are right on the edge of it.  
15 Here is a couple quotes from Apartment Rentals  
16 for You. Again, I found this online, this is not me.

17 On Falcon Crest on New Castle Road, 29%  
18 that answered the question "would recommend,"  
19 the city average is 62. [reads] This place was  
20 absolutely terrible. Herds of kids not supervised,  
21 damaging vehicles. I never had to call the police  
22 so many times in my life.

23 And then, Overlook Terrace on Hunter Way,  
24 zero percent recommended. [reads] This place is  
25 a nightmare. I wouldn't suggest moving unless you

1 want to be disappointed.

2 Thank you.

3 [applause]

4 MR. SPEAKER: If we could, if you have  
5 questions, we prefer to answer questions first, and  
6 if you want to make any comments, come and see  
7 us after the meeting.

8 MS. SPEAKER: \_\_\_\_\_.

9 MR. SPEAKER: I know it's on the record.  
10 All of your comments are on the record.

11 MS. ANDERSON: I would like to ask you  
12 a question. Do you live in Prospect?

13 MR. SPEAKER: No.

14 MS. ANDERSON: Okay. My name is Fran  
15 Anderson. I live in Sutherland.

16 MR. SPEAKER: Okay.

17 MS. ANDERSON: My husband is 75, I'm  
18 65. We still both work. We have four vehicles.  
19 We're retired military. We worked very hard to get  
20 here.

21 Now, I kind of find it kind of offensive that  
22 you're standing up there acting arrogant and  
23 condescending because we --

24 [applause]

25 MS. ANDERSON: I worked hard to pay

1 for my house, so did my husband. I don't want it  
2 depreciated anymore that it already has been by  
3 the economy. That's number one.

4 Number two, I run in the morning. I run alone,  
5 I feel safe. I work on the west side of Louisville  
6 every day \_\_\_\_\_. I know what comes  
7 with that, and it's the same population that you're  
8 talking about moving in. I you were talking about  
9 moving a senior citizen, some are like \_\_\_\_\_  
10 Sam Swope, that would be a completely different  
11 ballgame.

12 But you need to know, many people out here  
13 probably feel the same way I do. And it's an uphill  
14 battle to get this place out here.

15 [applause]

16 MR. GILPIN: Good evening. My name is  
17 Ray Gilpin [phonetic], and I live in Sutherland with  
18 my wife, and the reason that we picked Prospect  
19 years ago when we moved from Virginia was  
20 because there were no apartments here. That was  
21 very attractive to us. It was like a little village  
22 community that Prospect offers, and I think I speak  
23 for all of us in this room, we want to keep that.  
24 We don't want to lose that. This would cause us to  
25 lose it.

1       And we talked about parking. I want to talk  
2 about the roads. There are really only two roads  
3 into Prospect, 42, River Road, unless you take  
4 some convoluted directions through the  
5 subdivisions, that's about it.

6       Recently River Road was closed because of  
7 the new bridge, people wanted to take 42. What a  
8 mess that was. And we couldn't wait for that to be  
9 over. Then one day there was an accident on 42,  
10 \_\_\_\_\_ . I think half the city was backed  
11 up that day.

12       So I think you need to take that into  
13 consideration. The roads into Prospect, there just  
14 aren't enough of them to accommodate, I think it's  
15 going to be 400 people. And I think it's going to  
16 be 400 cars. I did hear the young lady say your  
17 requirement is only half of a car, and you're  
18 speaking about the one car.

19       If there is more than one car, two cars you  
20 can't foresee there won't be, so where in the world  
21 does one park? There is no place else to park. I  
22 mean, kind of cheat and go over to the Kroger  
23 parking lot. That's not going to work, because  
24 that's their parking lot, and that will confuse  
25 everybody and mess up everything.

1       The other thing I wanted to point out is the 55  
2       thing, I just don't see that happening. I can see  
3       where someone will say, okay, you know, my dad is  
4       55 or 56, or whatever the age might be, and so  
5       he -- he got us this apartment, and then, after the  
6       paperwork is done, he's gone and then whoever is  
7       leftover is who is going to be in that house. You  
8       know, there's going to be cheating going on.

9       So it's not going to be just people that are  
10      over 55 living there. So those are my concerns. I  
11      just don't think that best in Prospect. We think it  
12      would ruin our community. We worked hard to get  
13      here. We don't want to give it up. We have a nice  
14      community. We've worked hard, we've got nice  
15      homes. I was working on my house today, trying to  
16      \_\_\_\_\_, so I think this is really going to  
17      be a major disaster.

18      Thank you very much.

19      [applause]

20               MR. ASHBURNER: If I can just address  
21      [phonetic] traffic. Obviously, we recognize the  
22      traffic is an issue out here. We know where it  
23      comes from. You know, a lot of it comes from  
24      Prospect, a lot of it comes from Oldham County,  
25      and the -- I don't believe the scope of the traffic

1 study has yet been set by the project itself.

2 MR. SPEAKER: Yes.?

3 MR. ASHBURNER: It has? I'm going to  
4 let Kelly answer that. We have engaged a traffic  
5 expert, Diane Zimmerman, who is well-versed in  
6 traffic issues in this community and in Oldham  
7 County. So she's going to give us an idea of how  
8 much traffic this project will generate based on  
9 studies across the nation and what impact that will  
10 have on the existing traffic that's out here on  
11 Timber Ridge and 42/River Road.

12 MS. SPEAKER: So Diane Zimmerman,  
13 she's been working with Public Works and I review  
14 her Public Works to determine what the scope of  
15 that traffic study is. And what they determined is  
16 they want her to study, and this means to go sit  
17 out and count actually how many cars go through  
18 these intersections at certain peak hours of the  
19 day.

20 The intersections they want us to study are  
21 River Road and Timber Ridge Drive, Timber Ridge  
22 Drive and Forest Cove Lane \_\_\_\_\_, and then  
23 Timber Ridge Drive and 42.

24 So what we'll do is we'll see what the -- the  
25 cars are doing in those three intersections, and

1 we'll determine, based on those counts, if road  
2 improvements need to be made at any of those  
3 intersections. And -- and there are very set  
4 specific guidelines out there that we have to  
5 follow, and Public Works will base their decision  
6 on -- on what improvements we have to make.

7 MR. SPEAKER: I have a question.

8 [people talking over each other]

9 MR. SPEAKER: \_\_\_\_\_ on what you  
10 were talking about. Have you checked where 841  
11 turns into 42 as part of the traffic report?

12 MR. ASHBURNER: The -- the scope is  
13 really set. The question is do we check where  
14 841 turns into 42 as part of the traffic report.  
15 We've just gotten the scope really, and -- and  
16 Diane is engaged to do the work, but she hasn't  
17 completed the work yet.

18 And the scope is not set by us. The scope is  
19 set by Public Works. And so they looked at this  
20 project and it's selectively [phonetic] kind of the  
21 scope of impact and looked at the intersections  
22 that \_\_\_\_\_ discussed.

23 MR. SPEAKER: The traffic -- traffic,  
24 what happens right now, and you need to look at it,  
25 because you get on 841, you go down 42. It's

1 already jam packed right before the intersection. I  
2 can't even get out of my -- my intersection, my  
3 home area right now, you know.

4 MS. SPEAKER: Get in line.

5 MR. SPEAKER: When will this report be  
6 done?

7 MR. SPEAKER: When will the report be  
8 done?

9 MR. SPEAKER: Yeah. This -- this traffic  
10 report.

11 MS. SPEAKER: It's usually a couple  
12 weeks --

13 MR. ASHBURNER: Few weeks --

14 MS. SPEAKER: -- at least.  
15 [people talking over each other]

16 MR. SPEAKER: We don't need no report.  
17 We already know.

18 MR. ASHBURNER: The study is done  
19 objectively. It'll -- it'll -- it'll tell you actually how  
20 many cars go through an intersection, how many  
21 make left turns, how many go straight, how many  
22 go right.

23 MR. SPEAKER: \_\_\_\_\_.

24 MR. ASHBURNER: Okay. Yes, sir.

25 MR. SPEAKER: My name is Officer

1 Shaun Burton, and I'm an officer with the  
2 Louisville Metro Police, and I work here. I have a  
3 couple questions for you.

4 Number one, will you be receiving block  
5 grants or accept block grants from the Louisville  
6 Metro Housing Authority? The reason I say -- let  
7 me -- let me say why I ask this specifically.

8 Would it be possible for Louisville Metro to  
9 house prisoners, sex offenders, and things like  
10 that in your facility with block grant funding from  
11 the city?

12 MR. ASHBURNER: That's the first I've  
13 heard of that.

14 MR. SPEAKER: Well, let me go -- let me  
15 ask another question, Will you be receiving or  
16 taking block grants from Sunrise, Seven Counties,  
17 or things like that, so they can --

18 MR. ASHBURNER: No.

19 MR. SPEAKER: -- house homeless --

20 MR. ASHBURNER: No.

21 MR. SPEAKER: -- and indigent in your  
22 facility?

23 MR. ASHBURNER: No.

24 MR. SPEAKER: What assurance do we  
25 have of that?

1           MR. ASHBURNER: The assurance, this --  
2 this -- I mean, and Mike can go into a little more  
3 detail.

4           MR. SPEAKER: Okay. Well, let's -- let's  
5 go on then.

6           You said that you were going to limit the  
7 residency status up there for people who are not  
8 permanent residents to 18 years or older?

9           MR. ASHBURNER: Yes.

10          MR. SPEAKER: Is that true?

11          MR. ASHBURNER: I think that's -- yeah.  
12 The restriction was -- you said --

13          MR. SPEAKER: Let's be fair and call  
14 them co-residents. If somebody wants to have  
15 their grandchild or their son 27 years of age,  
16 something like that living there, then that will be  
17 acceptable?

18          MR. SPEAKER: That person -- thank --  
19 thank you for bringing this back up, because I  
20 wanted to address the same thing on the last  
21 speaker brought up about unwanted people in the  
22 units, or people who aren't residents. So anyone  
23 that actually lives in the unit needs to be on the  
24 lease. And there's a certain amount of time that  
25 any guest can stay at the property before they

1 have to --

2 MR. SPEAKER: \_\_\_\_\_.

3 [people talking over each other]

4 MR. SPEAKER: What we -- what we have  
5 found -- what we have found is that in our senior  
6 communities they actually do become very tight,  
7 close-knit communities, and as seniors do, they  
8 will keep an eye out for each other, and they also  
9 keep an eye out for people breaking the rules of  
10 the apartment complex, and what we have found in  
11 our developments is that seniors kind of  
12 self-police \_\_\_\_\_ for --

13 MR. SPEAKER: Okay. Well, we're  
14 locating -- we're locating this in Prospect, not  
15 Utopia. Okay? So --  
16 [applause]

17 MR. SPEAKER: -- if somebody allows  
18 their 27-year-old grandson to reside with them for,  
19 say, over two weeks, where you had to evict them  
20 from the unit and they have a criminal history,  
21 what assurances do we have for security purposes  
22 or anything that you-guys are going to prevent that  
23 in some way, shape, or form?

24 MR. SPEAKER: \_\_\_\_\_ eviction?  
25 [people talking over each other]

1 MR. SPEAKER: You're not \_\_\_\_\_.  
2 They'll say they lived there over a certain amount  
3 of time, you have to evict them. It doesn't matter  
4 what you say or what I say, \_\_\_\_\_ if  
5 somebody's established residency, you have to go  
6 through the eviction process.

7 MR. SPEAKER: First of all, the turnover  
8 rate at senior developments is extremely low.  
9 Because I've seen --

10 MR. SPEAKER: Pardon me.

11 MR. SPEAKER: -- the difference.

12 MR. SPEAKER: Pardon me. I don't want  
13 to be like Bill O'Reilly and get on here [phonetic].  
14 What I'm trying to say is some resident, some  
15 legal resident lives there and allows someone with  
16 them, like a grandchild, niece, nephew, or  
17 whatever, that have a criminal history and you  
18 want to get rid of them, but they've allowed to  
19 establish residency, then you have to go through  
20 the eviction process, because the legal resident  
21 there has allowed them to establish residency.

22 What sort of plan do you have in place to keep  
23 people from -- non-residents, you know,  
24 establishing residency there that have things like  
25 mental illness, criminal histories, sex offender

1 registry?

2 I can tell you right now Seven Counties is  
3 going to try and place people in your -- in your  
4 facility.

5 MR. SPEAKER: So, as I was saying, in  
6 our senior complexes, what we've found is that the  
7 turnover rate is extremely low; single percentages.  
8 The seniors, once they move in to one of these  
9 developments, they don't want to leave. We have  
10 a police do a background check --  
11 [people talking over each other]

12 MS. SPEAKER: \_\_\_\_\_.

13 MR. SPEAKER: I'm getting there. I'm  
14 getting there.

15 So they have to \_\_\_\_\_. So  
16 they have the -- there is -- it's a much more  
17 strenuous process to get into one of your  
18 apartment complexes than any \_\_\_\_\_  
19 apartment complex that anyone goes into.

20 So, once these residents, once these seniors  
21 are in, judging by the low turnover rate, they don't  
22 want to leave. The eviction rate is even lower.  
23 So, they -- if they move somebody in that is not on  
24 the lease, they face eviction.

25 MR. SPEAKER: If they relieve -- if they

1 receive all the \_\_\_\_\_, then it falls under  
2 the same act even if they comes from a block rate  
3 from Metro Housing, that for Section 8 there are  
4 very specific rules for getting rid of the primary  
5 resident.

6 MR. ASHBURNER: If -- if people violate  
7 the rules, they are subject to eviction. Whether it  
8 takes a month or two, they are --  
9 [people talking over each other]

10 MR. SPEAKER: \_\_\_\_\_ raise  
11 some questions, legal questions about things that  
12 happened where I work.

13 We have communities that start one way and  
14 they wind up another. People live there for long  
15 periods of time and what have you. They have  
16 kids. Their grandkids \_\_\_\_\_ pass on, and  
17 then, and then during the time frame, they have  
18 people living with them with a criminal history.

19 Seven Counties, they have all kinds of issues.  
20 And they have communities that just deteriorate  
21 because people move in and lower the -- the social  
22 standard.

23 I think that's where people are a little  
24 conscious here about is that we don't want  
25 psychotics and people from the penitentiary and

1 people with criminal histories residing in our  
2 neighborhood.

3 And I think that would be something for  
4 you-guys, too. We don't want \_\_\_\_\_ that  
5 just recently placed people off of Brownsboro Road  
6 in a sex-offender co-habitational facility, that,  
7 essentially, the neighbors didn't want there to  
8 start with. That's the problem with \_\_\_\_\_.

9 MR. SPEAKER: Okay.

10 MR. SPEAKER: Okay? Thank you.

11 [applause]

12 MR. FULCHER: My name is Frank  
13 Fulcher, and I live in Hunting Creek Subdivision,  
14 and I just have a few questions that I'd like to  
15 hear some numbers. It was a surprise, the under  
16 18. That's the first time I've heard that  
17 restriction.

18 You-guys got a -- a \_\_\_\_\_ issue. Is  
19 there a maximum number of occupants per unit?

20 MR. ASHBURNER: I mean, the buildings  
21 \_\_\_\_\_.

22 MR. FULCHER: No. I'm asking -- you  
23 know, you said, you've got -- you've got  
24 enforcement through the lease process or  
25 whatever? How many people, if you sign them on

1 2, 3, ,8 15, how many people --

2 MR. ASHBURNER: Let me the building  
3 code says two per bedroom.

4 MR. FULCHER: I didn't ask what the  
5 building code said, though.

6 MR. SPEAKER: Our policy is two per  
7 bedroom, too. We don't see that many people in  
8 our senior complexes.

9 MR. FULCHER: Well, what's the answer?

10 MR. ASHBURNER: Two per bedroom is  
11 the maximum allowed in any one unit, in any --

12 MR. SPEAKER: In any one unit. That's  
13 not been their experience.

14 MR. FULCHER: Okay. So a maximum of  
15 four in a two-bedroom unit.

16 MR. SPEAKER: We -- we have 56 units  
17 off of Hurstbourne Lane, \_\_\_\_\_. Of  
18 those we have 53 that are one occupant -- they're  
19 all two-bedrooms -- 53 of them have one person,  
20 and 300 have two people in it. The only person  
21 that can live in the unit is a person over 55, a  
22 spouse, or a caregiver.

23 [people talking over each other]

24 MR. FULCHER: That restriction has  
25 never been -- never been enforced. How do you

1 \_\_\_\_\_? How do you enforce that?

2 MR. ASHBURNER: They talked about it.  
3 I mean, there's -- there are property managers  
4 on-site. There are also \_\_\_\_\_ police  
5 among themselves. These things that goes on in  
6 these facilities.

7 MR. SPEAKER: it's property  
8 management, just like any property manager on  
9 any rental unit that -- I'm sure there's plenty of  
10 people in the room here tonight who are on this  
11 list [phonetic]. He's got a property manager to  
12 make sure you get the right people in there, the  
13 right people who are on the lease, people who are  
14 not destroying their property. \_\_\_\_\_.

15 MR. FULCHER: Another question; a little  
16 shift here.

17 MR. SPEAKER: Right.

18 MR. FULCHER: Officer Burton that just  
19 talked here had some -- had some serious security  
20 issues. How do you plan on handling security at  
21 this facility?

22 MR. ASHBURNER: I think it's key card  
23 entry. There are cameras -- security cameras. We  
24 have monitor cameras in the entry points. So. . .

25 MR. FULCHER: Then how many -- how

1 many full-time and part-time people, employees  
2 will you be having here? Is there an on-site  
3 manager?

4 MR. ASHBURNER: Yes.

5 MR. SPEAKER: Said there's a \_\_\_\_\_.

6 MR. SPEAKER: So there would be two  
7 people in the office, and probably two to three  
8 people outside the office. They would --  
9 maintenance personnel people that go around and  
10 help take out trash and do other services like that,  
11 cleaning around the grounds.

12 MR. FULCHER: So 24/7 is not in the  
13 plan, so it's an 8-hour day for these folks.

14 MR. SPEAKER: I'm not certain what our  
15 hours are per -- it's whatever it takes to get the  
16 job done.

17 MS. SPEAKER: Did you figure in parking  
18 spaces for these folks?

19 [laughter]

20 MR. FULCHER: One -- one more  
21 comment. For everybody here, please sign in,  
22 because they don't do a head count, and your  
23 signature is what we use when this goes forward to  
24 the next level. So make sure to do that first.

25 [applause]

1           MR. ASHBURNER: We'd like to just  
2 follow up on that comment. ease make sure your  
3 name and address are legible on the sign-in sheet.  
4 If we need more sheets back there, we'll put more  
5 sheets back there, but even though Sheri can read  
6 my handwriting, that's no guarantee that she can  
7 read yours.

8           Yes, ma'am.

9           MS. SPEAKER: My name is Connie  
10 \_\_\_\_\_, and I have some questions about  
11 the environment that you-all are going to come into  
12 [phonetic]. What kind of terrain is in your major  
13 proposed unit space? What kind of terrain  
14 \_\_\_\_\_ space?

15           MR. ASHBURNER: Most of it is  
16 undisturbed. I mean, actually it looks like  
17 \_\_\_\_\_.

18           So, if you look at the plan here, you'll see we  
19 show a -- we show all this in the development  
20 area. We have the building, the parking around it.  
21 There is a retention and drainage easement, which  
22 is the next closest thing. And then, as you go  
23 down the hill, of course you've got a little blue  
24 line stream that runs through there.

25           Basically, the area on the opposite side of the

1 blue line stream would be undisturbed. It is -- if  
2 any disturbance is going to take place it's going to  
3 be some modification to that gravel driveway that's  
4 back there, or elimination of the driveway that's  
5 back there.

6 So, most of the area, as I said, will remain  
7 undisturbed. Most of the area shown on the  
8 \_\_\_\_\_ plan.

9 MS. SPEAKER: Okay. Are you-all going  
10 to be applying for MSD's green infrastructure  
11 incentive program and the \_\_\_\_\_  
12 infrastructure is \_\_\_\_\_.

13 MS. SPEAKER: MSD will be looking at  
14 our site \_\_\_\_\_ that planning process. They  
15 will also look at the site when we submit  
16 construction plans.

17 We are not in the area that is eligible for the  
18 green infrastructure incentive, because that is  
19 where you would combine sewers and it's probably  
20 in the west end or downtown where you can have  
21 combined sewers here, so we are not eligible for  
22 the incentive.

23 However, we are required to provide green  
24 infrastructure to the unit that we call first flush,  
25 so the first amount of rainfall that will hit the

1 pavement and run off to required \_\_\_\_\_  
2 entry to clean it. Before we would have run it  
3 down into the stream that's on the property.

4 So we will be looking at green infrastructure.  
5 We are accounting for retention requirements. We  
6 are accounting for the flood plane compensation,  
7 where we would be required to accommodate and  
8 \_\_\_\_\_.

9 MS. SPEAKER: Where is your tree count  
10 [phonetic] \_\_\_\_\_?

11 MS. SPEAKER: In this \_\_\_\_\_,  
12 you can see the dark green area, that is a tree  
13 \_\_\_\_\_. We are calling it our tree  
14 \_\_\_\_\_ area, which is a permanent protection  
15 area, so all of those trees in that area that we are  
16 not disturbing will be protected.

17 We will also be planting a number of trees on  
18 site. \_\_\_\_\_, but also the whole  
19 \_\_\_\_\_ to the south and to the east.

20 We will be far exceeding the trees we're  
21 required to have per the regulations on site.

22 MS. SPEAKER: Is any part of this  
23 development in the flood plane?

24 MS. SPEAKER: The flood plane was. . .  
25 The flood plane runs right here, right along the

1 edge of our parking lot. There's some places  
2 where we will be jutting into then flood plane.  
3 There are some places there we are outside of the  
4 flood plane. This area that's shown here --

5 MR. SPEAKER: You're not there yet.

6 MS. SPEAKER: -- it is -- Sterom  
7 Management plugged the compensation in our  
8 agreement the structure ends in the area.

9 MS. SPEAKER: Is the flood plane  
10 \_\_\_\_\_ to that?

11 MS. SPEAKER: Yeah.

12 MS. SPEAKER: All of those -- those  
13 \_\_\_\_\_ have to address, it'll \_\_\_\_\_  
14 into the flood plane modification.

15 MS. SPEAKER: Are you aware that last  
16 year Prospect had three major flood events?

17 MS. SPEAKER: I am aware that they had  
18 some, I don't know the exact quantity.

19 MS. SPEAKER: Well, it's major. And  
20 where are you going to park the cars when you  
21 have a flood event?

22 MR. SPEAKER: Go ahead.

23 MS. SPEAKER: The way this site is  
24 designed, this was initially a big hole where it will  
25 capture the runoff from the site. Our site itself

1 will not be required to control run on our site. Any  
2 additional run on within our site and let it out  
3 slowly, and that's why we'll be capturing it in it's  
4 detention area and --

5 MR. SPEAKER: You can make it flood  
6 [phonetic].

7 MS. SPEAKER: -- letting it out slowly so  
8 that we don't increase the flooding problem on this  
9 street.

10 MS. SPEAKER: Well, during heavy  
11 rainfalls, that area is completely filled with water.  
12 Completely. It's like a lake. And it stays there for  
13 months. Were you aware of that?

14 MR. SPEAKER: No.

15 MR. SPEAKER: \_\_\_\_\_.  
16 [laughter]

17 MS. SPEAKER: This flood plane,  
18 \_\_\_\_\_. If we could classify it as  
19 flood plane [phonetic], but that didn't happen.

20 MR. EVANS: Hi. I'm Rob Evans  
21 [phonetic]. I'm a Prospect resident. So my  
22 question is a lot [phonetic] -- business folks,  
23 would be your business model. Based off of prices  
24 that you'll receive for your rent, and those are  
25 comparable to the Georgetown -- or the

1 Germantown lofts. So it seems to be a little bit  
2 excessive pricing for affordable housing, first.

3 But the big question I've got is you can see  
4 where we had the commuter problem anyway,  
5 where we have pollution problems anyway, we are  
6 trying to reduce the number of vehicles on the  
7 road.

8 You're going to take residents that are going  
9 to have families probably throughout the rest of  
10 the city, where we; things further for them to get  
11 to. Services are going to be further, medical  
12 services clearly are. Even if the VA Hospital does  
13 get built, they're still going to be much further  
14 away to go to that medical facility; families and so  
15 forth. And the really affordable things that they  
16 can go to -- well, I mean, talk about restaurants,  
17 and any time you want to come and take me to one  
18 the Prospect restaurants, we could do that in a  
19 couple of nights.

20 The pricing for these folks \_\_\_\_\_ is  
21 going to be different. So, from a business model  
22 perspective, how does that work to bring those  
23 folks here to let them live when all the  
24 transportation costs -- gas is more expensive here,  
25 groceries are more expensive here -- sorry, Arnie

1 [phonetic] -- all of these things are -- are a much  
2 bigger deal because \_\_\_\_\_ come to the  
3 community and look at us.

4 What was -- what was the city rationale  
5 [phonetic], not to mention the fact the numbers of  
6 properties that we could repurpose throughout  
7 Louisville that would a) help the city provide jobs  
8 in other places in the city that probably don't --  
9 aren't needed out here in Prospect and are  
10 cheaper for your business model in general.

11 MR. SPEAKER: Well, what we find is  
12 that the vast majority of residents probably  
13 already live here, and there's some circumstances,  
14 either with family or they downsize.

15 And -- and just as a for instance, my personal  
16 life, my wife's grandmother, her husband died, we  
17 moved her in down the street into a condo until  
18 last year when she had to find an assisted-living,  
19 but the ability to have, say, secure housing with  
20 other people kind of the same age and the same  
21 security was very \_\_\_\_\_.

22 MR, EVANS: So we've done a  
23 demographic survey of the community to figure out  
24 if the need exists.

25 MR. SPEAKER: I've seen one.

1 MR. EVANS: And can we see those,  
2 Ernest [phonetic]? Is that available to us?

3 MR. SPEAKER: Not really right now, but  
4 I --

5 MR. SPEAKER: \_\_\_\_\_.  
6 [laughter]

7 MR. SPEAKER: I really want to see --

8 MR. SPEAKER: We cannot release of  
9 those unless we have a full final \_\_\_\_\_.  
10 You go through this whole process and we will  
11 have it for you.

12 \_\_\_\_\_ is best used  
13 \_\_\_\_\_ big financial decisions, so I  
14 promise you that their \_\_\_\_\_ was  
15 based on experience and math and -- and being  
16 conservative. So I have no problem with releasing  
17 \_\_\_\_\_. Do you?

18 MR. EVANS: I -- I think that the  
19 community would appreciate that based on the fact  
20 that, if we could see the need in our community for  
21 that type of service, that would probably be  
22 helpful. Certainly the idea that this type of  
23 service is needed in Louisville in general, I think  
24 we can disagree with that. But the question is why  
25 put it here? To be able to make life easier for

1 residents is going to be really kind of difficult.

2 So how can we know -- how we know how to  
3 connect, so that I can get your report finally after  
4 \_\_\_\_\_.

5 MR. SPEAKER: Okay. Yes, ma'am.

6 MS. MILLER: Good evening, My name is  
7 Rebecca Miller, and I live in Quarters [phonetic] of  
8 Prospect. Anybody else? I have two questions.

9 The first question, and I just want a real  
10 answer to this question, okay? \_\_\_\_\_ I  
11 spent 30 years or work in marketing, and 20 of  
12 those years were spent in senior-living housing.  
13 So I \_\_\_\_\_ this question.

14 What is the name of this facility? Not  
15 Prospect Cove; what is the legal name of this  
16 facility?

17 MR. ASHBURNER: \_\_\_\_\_.

18 MR. SPEAKER: Yeah.

19 MS. MILLER: What does it serve? Tell  
20 me a senior blank blank. What is it?

21 MR. SPEAKER: I'm not really  
22 understanding.

23 MS. MILLER: Is it --

24 MR. SPEAKER: She wants to know the  
25 name of the LLC --

1 MS. MILLER: I want to know is it Senior  
2 Affordable Housing, Affordable Housing for  
3 Seniors, just the name. What is the name?

4 MR. ASHBURNER: The name of the  
5 building is Prospect Cove --

6 MR. SPEAKER: The senior -- I mean,  
7 we -- I think we \_\_\_\_\_ is --

8 MS. MILLER: Well, I told the board, we  
9 can't have 18 year olds in a senior affordable  
10 living community. It does not work. I have vetted  
11 [phonetic] people, I've leased these facilities, I've  
12 done market studies. I'm telling you affordable  
13 housing for seniors is exactly that, affordable  
14 housing for seniors.

15 Not for their families and 18 years old. You  
16 have a couple that are signified as seniors, 55 and  
17 up, and everybody in this room is smart, they've  
18 worked hard to get where they are, and they can  
19 see through that. They can see what works. And  
20 they -- they -- they searched and they found what  
21 works.

22 So is it truly senior affordable housing, or is  
23 it affordable housing with the caveat of a 55 year  
24 old living there?

25 MR. ASHBURNER: What -- how does -- I

1 mean, it's -- it's 75% 55 and older.

2 MS. MILLER: But the seniors 55 and  
3 older in most senior-living communities, and you  
4 can look at the \_\_\_\_\_ community on Fern  
5 Valley Road; okay? I vetted those people, I did  
6 the market study for that, and I can tell you those  
7 people are all well over 55. Usually only one  
8 person lives there, two people live there.

9 If you bring a relative in, they are only  
10 allowed to stay for X period of time.

11 MR. SPEAKER: They don't --

12 MS. MILLER: They don't reside there.

13 MR. SPEAKER: Correct.

14 MS. MILLER: \_\_\_\_\_

15 MR. ASHBURNER: Yeah, that's correct.

16 And that's consistent with the responses we  
17 have --

18 MS. MILLER: What we have here is a  
19 semantics war; okay? If it's affordable senior  
20 housing, then that's what it needs to be, but it's  
21 not affordable senior housing. It is affordable  
22 housing for the senior living there 55 years old.  
23 That's the semantic name.

24 MR. ASHBURNER: No. The question was  
25 asked what is really possible? And the answer,

1 truthfully, was you have to have somebody  
2 who's 55 who's there, and they can have a  
3 caretaker who is under 55. Or they might have a  
4 spouse who is under 55; okay? The program that  
5 this is approved under is age limit of 55 and up.

6 MS. MILLER: All units?

7 MR. ASHBURNER: And -- yes.

8 MR. SPEAKER: All the units.

9 MR. ASHBURNER: All the units. And so  
10 I don't think that we've heard anything --

11 MS. MILLER: Affordable senior housing  
12 facilities are exactly that, they're affordable  
13 senior -- I never had anybody come to me with  
14 family members that were under 55 that were out  
15 of jail. They're vetted very strongly --

16 MR. ASHBURNER: Right.

17 MS. MILLER: You have not heard me  
18 doing a strong background check on these people,  
19 you're [phonetic] the officer. That's our concern.  
20 It's not that we don't care about people; it's that  
21 we're not buying it.

22 MR. ASHBURNER: Okay.

23 MS. MILLER: Thank you.

24 MR. ASHBURNER: I think --

25 [applause]

1           MR. ASHBURNER: I think the answers  
2 that Michael and Chris gave earlier to a question  
3 about if it's possible and what their practices were  
4 are entirely consistent with your experience.  
5 Michael talked about there are other senior  
6 projects, and typically there is one occupant per  
7 unit, even in situations where you have two  
8 bedrooms.

9           And the follow-up question was: Well, how  
10 many can you fit in a two-bedroom unit? And the  
11 response was the building code allows two people  
12 per bedroom. That -- but that is not to say that is  
13 the practice, nor is it consistently their experience  
14 in their other projects.

15           But their experience in their projects and your  
16 experience in the Franciscan facility you  
17 described, are entirely consistent.

18           MR. SPEAKER: He already said it  
19 was\_\_\_\_\_.

20           MR. ASHBURNER: Pardon?

21           MR. SPEAKER: He just said their  
22 practice and policy is two per bedroom.

23           MR. ASHBURNER: No, no, no. No, no,  
24 no. That was not the practice and policy, that was  
25 the -- the question was: How many can you legally

1 fit into a two-bedroom unit?

2 MR. SPEAKER: And he said that we  
3 allow two per bedroom.

4 MR. ASHBURNER: You have to comply  
5 with the law.

6 MR. SPEAKER: Right.

7 MR. ASHBURNER: Okay? But the  
8 practice is -- the practice is, as -- as was stated,  
9 one occupant per unit. Some units, some  
10 two-bedroom have got two occupants.

11 MR. SPEAKER: You can comply with the  
12 law but you can also supercede the law.

13 MR. ASHBURNER: But -- well.

14 MR. SPEAKER: No, I don't think that's --  
15 I don't think that's right. Yes, sir.

16 MR. THOMAS: Hi, Mike Thomas. I'm a  
17 resident of the zip code Prospect, and I'm also  
18 currently employed by the City of Prospect as a  
19 police officer.

20 One of the problems I think everybody in this  
21 room probably has the same concern, is crime. I  
22 got on the Internet looking at your associate  
23 facility throughout Jefferson County, and I'm sure  
24 Metro PD as well could look it up. I saw hundreds  
25 of calls for service in those areas for domestic

1 violence, assaults, burglaries, vandalism, many,  
2 many others. Car thefts and car vandalism,  
3 \_\_\_\_\_ just associate crime, which is all these  
4 people that are living\_\_\_\_\_.

5 We don't want this out here. Metro is already  
6 backed up with runs that we fill in for them on a  
7 daily basis. I make runs every day back tem up,  
8 them backing us up. So that's going to be  
9 something.

10 You talked about traffic; I live on River Road.  
11 This facility is going to be at my back door. I'm  
12 going to almost look at this thing every day. So  
13 my property value could be affected.

14 Traffic, River Road is horrible. River Road  
15 and Timber Ridge is horrible. Timber Ridge and 42  
16 is horrible. You have a problem of dealing with  
17 not only people getting in and out of this facility.  
18 I assume there's only one entrance and exit. But  
19 you're going to deal with the shopping center right  
20 across the street, and if nobody else is thinking  
21 about, if you think about cars at all at the  
22 assisted-living home, going in and out of there will  
23 be horrible.

24 So you're going to have additional traffic.  
25 You have the tunnel going in right now. So you're

1 going to have folks from Indiana, so it will  
2 increase the traffic on 42. And if we have to shut  
3 down 42, if we have to shut down River Road, that  
4 is immense backups. We get calls every day of  
5 complaints of folks trying to get home going to  
6 Oldham County or going through the subdivisions  
7 here locally because of traffic backed up.

8 And sometimes it's construction, sometimes  
9 it's wrecks. A lot of it to do with this construction,  
10 \_\_\_\_\_ but there are a lot of things to look  
11 at besides let's put a four story building in  
12 Prospect and move a bunch of old people here. I  
13 am going to be old one day and I'm probably going  
14 to live in one, I'm sure. I hope not. I hope  
15 somebody takes me in.

16 MR. ASHBURNER: \_\_\_\_\_.

17 MR. THOMAS: But, you know, I -- I think  
18 there are a lot of concerns about -- about traffic  
19 and about crime and about placement of this  
20 facility. And I hope that everybody signs up,  
21 everybody goes to these meetings, everybody gets  
22 involved in this because if you don't, it's going to  
23 be just what they said it's going to be. Think  
24 about it.

25 [applause]

1           MR. SPEAKER: Good evening. My name  
2 is Mike \_\_\_\_\_. So you've given us this idyllic  
3 presentation of what we can all expect to hear you  
4 give us an idea that you would be helping -- you  
5 would be helping seniors. My question is this: On  
6 November 12th, 2015, the Indianapolis Star  
7 reported that 2010 the Indianapolis housing  
8 agency demanded LDG to pay \$400,000 in federal  
9 Section 8 housing permits because of violations  
10 that included substandard housing conditions, and  
11 high instances of crime in the complex.

12           The housing agency said that Cambridge  
13 Station had 815 crime reports and 97 health and  
14 housing violations from 2006 to 2009. So my  
15 question is: Did you-all give a similar  
16 presentation to the people of Indianapolis?  
17 [applause]

18           MR. ASHBURNER: The simple answer is  
19 that was a re-development project with about 450  
20 units. It's -- like I said before, LDG reached an  
21 agreement with the Indiana Housing Authority,  
22 and, you know executed that agreement to their  
23 satisfaction.

24           MR. SPEAKER: Reached an agreement  
25 but I \_\_\_\_\_.

1 MR. ASHBURNER: Well, I don't -- I don't  
2 need to reiterate the Indiana \_\_\_\_\_; okay?  
3 Yes, ma'am.

4 MS. SPEAKER: New question: Do you  
5 allow subletting? Because that's where problems  
6 start.

7 MR. ASHBURNER: No.

8 MS. SPEAKER: Now, will there be a  
9 written contract?

10 MR. SPEAKER: Yes.

11 MR. ASHBURNER: Yeah.

12 MS. SPEAKER: \_\_\_\_\_ contract?

13 MR. ASHBURNER: Yeah.

14 MS. SPEAKER: And who will be  
15 overseeing this?

16 MR. ASHBURNER: LGB Property  
17 Management.

18 MS. SPEAKER: Okay. And what will  
19 happen if there was an illegal sublet?

20 MR. ASHBURNER: They will be evicted.  
21 Same as would happen in any other home -- house.  
22 If you were to --

23 MS. SPEAKER: I sub out this \_\_\_\_\_  
24 and there are sublets and legal sublets going on all  
25 over the place. So when people sublet their

1 apartment they jack the price up. So that's why I'm  
2 asking.

3 MR. ASHBURNER: Okay. Yes, ma'am.

4 MS. SPEAKER: I live in Smithfield  
5 Greene Condominiums, and I didn't hear you  
6 mention that intersection in your traffic report.  
7 Timber Ridge is our only ingress, the egress to that  
8 condominium area, and I think you better include  
9 that in your traffic investigation.

10 But my questions are about your financing.  
11 Could you please describe for us your plan for  
12 financing this project, and can you also tell us  
13 when and how many times have you defaulted on  
14 any loans in your previous projects anywhere?  
15 Thank you.

16 MR. ASHBURNER: Okay. The first  
17 answer is -- I think that the entrance to Smithfield  
18 Greene, performance or lack of performance will be  
19 caught in the scope of traffic study, because we're  
20 studying intersections on both sides of that  
21 entrance, because that entrance isn't a true  
22 intersection in the sense that there are four  
23 potential users there so I think they'll be caught  
24 there.

25 As far as financing, Michael, you want to

1 handle that?

2 MR. SPEAKER: So the -- these  
3 developments are typically financed with tax  
4 exempt bonds and housing tax credits, which is a  
5 federal program, and it is probably one of the most  
6 successful programs for providing housing to  
7 working citizens across the -- across the country.

8 MR. SPEAKER: Are we sure \_\_\_\_\_?

9 MS. SPEAKER: And what about the  
10 second question about the previous defaults?

11 MR. SPEAKER: Only [phonetic] defaults.

12 MR. SPEAKER: Our Indianapolis  
13 \_\_\_\_\_ where we pay our lenders and -- and  
14 work that situation out. We've done 40  
15 projects, 5,000 units, and you know, we've very  
16 proud of our record where we stand and what we've  
17 accomplished. What we've done, we put elderly  
18 \_\_\_\_\_ after the fact, trying to make everything  
19 right.

20 MR. SPEAKER: Well, that's some  
21 comments this -- just informational based you know  
22 I have business where I deal in projects with low  
23 income Americans, lots, 600 families. I'll tell you  
24 that this -- this project right here, you're really  
25 putting from the feedback that I know of, that I've

1 read up, you're really putting yourself at a  
2 disadvantage. You're really going to have a tough  
3 time because you've landlocked these people,  
4 because, look around this room.

5 Your demographics are that there's a lot of  
6 money, and so it makes it real tough on people  
7 when you landlock these lower income people into a  
8 situation where some think it's okay. I mean, to  
9 put these people out here with no bus service, with  
10 no means to have income anywhere close by, and  
11 then to landlock them, which they may very well  
12 could easily be landlocked because once the crime  
13 starts, it's going to be turned up, the pressure is  
14 going to be turned up. You see this turnout today,  
15 this is a small percentage of this population.

16 And my wife's not here, my -- my relatives  
17 aren't here. It's just -- it's a little tough going. I  
18 am going to tell you guys right now. I mean, it's  
19 not -- when my -- I make my living with people that  
20 will house these apartments. And I can tell you  
21 right now that they \_\_\_\_\_. So I mean I just  
22 encourage you to think about that before you do.

23 Thank you.

24 [applause]

25 MR. SPEAKER: My name is Max Bradley

1 and I live about two houses down from Officer Mike  
2 so your structure will be somewhat in my backyard  
3 \_\_\_\_\_. Four things I noticed on your plans that I  
4 think the audience here should know. You stop  
5 at 198 apartments, could you tell me why because  
6 at 200 you have to have a second access road;  
7 right? So --

8 MR. ASHBURNER: That is true, but that's  
9 not the real reason that they stopped.

10 MR. SPEAKER: That's a great reason but  
11 \_\_\_\_\_ rezoned, but the original plans call  
12 for a road that comes out right here. So it would  
13 be great if they did build a structure of 198  
14 apartments that not only had Glen Cove here, they  
15 also have had Del Haven or another road so that all  
16 traffic and the situation that was spoken about on  
17 Highway 42, so that it went this way or vice  
18 versa -- that way.

19 The second thing is you mentioned traffic  
20 study. Did the traffic study -- is Louisville Metro  
21 doing this traffic study?

22 MR. ASHBURNER: No.

23 MR. SPEAKER: Because I noticed a  
24 month ago someone allocated \$944 to study Wolf  
25 Pen Branch at River Road. I don't think that study

1 has happened\_\_\_\_\_ I just wondered if  
2 that was connected to his property in one way,  
3 shape, or form. That seems to be\_\_\_\_\_.

4 MR. ASHBURNER: \_\_\_\_\_

5 MR. SPEAKER: The last question I have:  
6 The planning meetings you said are on Thursday,  
7 so the next planning meeting for this, we're all  
8 needing to show up for that; is that correct?

9 MR. ASHBURNER: Yeah. We'll have the  
10 meeting until the fire marshal says you have to  
11 stop letting people in.

12 MR. SPEAKER: Okay. Is that this  
13 Thursday of the Thursday following?

14 MR. ASHBURNER: No, no, no. No. After  
15 tonight, we will, obviously, take a lot of these  
16 comments into account, we may change the plans,  
17 we may not. We will then move on to the formal  
18 filing, which is actually filing the application.

19 Typically, it will be about 30 days after you  
20 file the application, maybe 45 before you get to an  
21 LGB meeting, but you all will get 14 days advance  
22 notice in the mail. One thing to do, notice, it's  
23 about a half page, sort of a postcard, sort of a  
24 thing a little bit bigger than a postcard. I think  
25 they ought to do a little bit better job with what --

1 it doesn't really stand out. But if you get any  
2 postcard in the mail that says "Louisville Metro" on  
3 it, read it.

4 Also, one other thing -- you were talking about  
5 sharing information. Obviously, you can contact  
6 me. You got a notice by mail tonight that will have  
7 my information. If you didn't, my email address is  
8 clifford.ashburner@dinsmore.com. If you want to  
9 nominate a spokesman, that's typically a good  
10 idea.

11 One place, one channel of communication, I'm  
12 happy to talk to anybody. And the information  
13 about this project will be available on -- online. If  
14 you search for the address on Metro Planning  
15 website, you should be able to find copies of the  
16 plan, the notes of tonight's meeting and anything  
17 else we submit.

18 MR. SPEAKER: Okay.

19 MR. ASHBURNER: Yes, sir.

20 MR. SPEAKER: Just like some  
21 clarification. On the chance that this is built and I  
22 think most us hope it doesn't happen. Will -- will --  
23 I thought I heard a couple of times where the  
24 resident who is 55 or over may have a spouse --

25 MR. ASHBURNER: Right.

1 MR. SPEAKER: -- and only a caregiver.

2 MR. ASHBURNER: That's --

3 MR. SPEAKER: Is that what I heard, or is  
4 that not correct?

5 MR. ASHBURNER: That's -- that's what I  
6 heard. Yeah.

7 MR. SPEAKER: As a permanent resident.

8 MR. ASHBURNER: Correct.

9 MR. SPEAKER: That's correct?

10 MR. SPEAKER: Yeah. Correct.

11 MR. SPEAKER: You should push that a  
12 little bit more, because a lot of us are worried  
13 about kids moving in and things like that.

14 MS. SPEAKER: The kids \_\_\_\_\_

15 MR. SPEAKER: If the lease -- if the  
16 lease specifies a 55 or old -- older person and  
17 their spouse and one caregiver? I think -- I think  
18 people might be a little less antagonistic toward  
19 this whole thing.

20 Secondly, just one other question: Do you  
21 have any plans to provide traffic signals or  
22 streetlights or anything of that nature for the  
23 impact at the intersections?

24 MR. ASHBURNER: Yeah. That's -- that's  
25 something that would be prescribed by traffic

1 study. So what happens when you do a traffic  
2 study like the one associated with this project,  
3 once there's a threshold that's met, potentially by  
4 this number of units, \_\_\_\_\_ you need to apply  
5 for \_\_\_\_\_ analysis and traffic studies

6 They will then say, and you need to study this  
7 intersection, this intersection, this intersection.  
8 And that's the stage that we're at now. Once we do  
9 that study and we add in -- the study compares a  
10 few things. First it compares growth. So it will  
11 say, if nothing -- if the project is not start for 20  
12 years or 10 years, let's just imagine what this  
13 intersection will look like.

14 And then it will say, if the project is built, this  
15 is what this intersection will look like. This is how  
16 it will be formed. And then -- then we'll say,  
17 because of that delta, we think that we need to  
18 make these improvements. And sometimes those  
19 improvements are as simple as modifying software  
20 that's in the signal to allow more time for people to  
21 make certain turns. Sometimes it's adding a lane  
22 to the roadway.

23 One thing that -- that we heard from planning  
24 was a desire to make this area more walkable and  
25 potentially put what's called a Hawk, which is a

1 hand-operated crosswalk somewhere on Timber  
2 Ridge, slow traffic down and not pedestrians. And  
3 people recognize and \_\_\_\_\_ that  
4 because there are no stops on Timber Ridge,  
5 people drive probably above the speed limit.

6 MS. SPEAKER: Who pays for it?

7 MR. SPEAKER: We do.

8 MS. SPEAKER: So if somebody puts up a  
9 traffic light and it's \$300,000, you all would pay for  
10 that?

11 MR. ASHBURNER: That would be part of  
12 the project. I mean, \_\_\_\_\_ that's --  
13 that's what happens. You know, but that's -- that's  
14 what happens. Those costs are paid for by the  
15 project. Yes, ma'am.

16 MS. SPEAKER: My name is \_\_\_\_\_,  
17 resident of Prospect for 36 years. I want to make  
18 one comment, and then I have a question.

19 MR. ASHBURNER: \_\_\_\_\_

20 MS. SPEAKER: Your answers are very  
21 vague. You have not been answering our questions.  
22 I'm sorry to say this. You always talk around our  
23 questions, and we would like real, real answers.  
24 The other thing, I don't know how many names that  
25 \_\_\_\_\_

1 MR. ASHBURNER: I mean, there are --  
2 it's common in the real estate industry to use  
3 \_\_\_\_\_ project specific entities.

4 MS. SPEAKER: Well, how many do you --  
5 how many do you use?

6 MR. ASHBURNER: I think we use --

7 MR. SPEAKER: There's north of 50  
8 entities.

9 MR. ASHBURNER: Yeah.

10 MS. SPEAKER: Well actually 18. We  
11 \_\_\_\_\_ the next time you come?

12 MR. ASHBURNER: I may be \_\_\_\_\_.

13 MS. SPEAKER: I understand that. \_\_\_ in  
14 six states.

15 MR. ASHBURNER: Okay.

16 MS. SPEAKER: I'm not stupid.

17 MR. ASHBURNER: Not suggesting you  
18 are.

19 MS. SPEAKER: I just wanted that. So  
20 you do not have a monitored security that \_\_\_\_\_?

21 MR. ASHBURNER: There would be  
22 monitored cameras at the development and the --

23 MS. SPEAKER: Is anybody watching the  
24 cameras?

25 MR. ASHBURNER: Yes.

1 MS. SPEAKER: Oh, really? 24/7?

2 MR. SPEAKER: Yes.

3 MR. ASHBURNER: Yes.

4 MS. SPEAKER: \_\_\_\_\_

5 MR. ASHBURNER: It's called \_\_\_\_\_.

6 MR. SPEAKER: \_\_\_\_\_ working

7 eight hours a day.

8 MAYOR EVANS: There's --

9 MR. ASHBURNER: We only \_\_\_\_\_

10 MS. SPEAKER: How many people?

11 MR. SPEAKER: During the day, we have  
12 \_\_\_\_\_ people on staff after hours it is a  
13 monitored security company, I can't remember the  
14 name of it, but they -- where they watch the  
15 camera --

16 MS. SPEAKER: And all sites are \_\_\_\_\_

17 MR. SPEAKER: That's correct; yes

18 MS. SPEAKER: You have tax liens  
19 against you \_\_\_\_\_.

20 MR. SPEAKER: Tax liens?

21 MS. SPEAKER: You should check. I  
22 found one. Recorded in 2009, now that's been real  
23 recent. Thank you very much for your time. I'll  
24 see you again.

25 [applause]

1 MR. SPEAKER: My name is \_\_\_\_\_  
2 and I live in Hunting Creek. I want to ask some  
3 questions \_\_\_\_\_. Okay. First thing I want  
4 to say is, are you planning to buy this property in  
5 your wife's name and make her the owner property  
6 like you did at \_\_\_\_\_. I know you are  
7 not going to answer but I am going to ask it  
8 anyway.

9 MR. ASHBURNER: Well, first off, it  
10 doesn't have anything to do with this project. This  
11 project will be acquired by an entity created by  
12 LDG for the sole purpose of owning operating and  
13 constructing this project.

14 MR. SPEAKER: That brings up the next  
15 question.

16 MR. ASHBURNER: Okay.

17 MR. SPEAKER: How much skin do you  
18 have in the game versus how much skin is let's say  
19 the Kentucky Housing Authority or other entities  
20 that provide subsidized \_\_\_\_\_ housing?

21 MR. ASHBURNER: You mean what -- what  
22 kind of equity will be --

23 MR. SPEAKER: Are you going to \_\_\_\_\_

24 MR. ASHBURNER: -- provided?

25 MR. SPEAKER: Are you going to continue

1 the equity, or is this build it -- build it, rent it, and  
2 go?

3 MR. SPEAKER: The question was will you  
4 have equity in the project, or is it build it, rent it,  
5 and go? Is that right?

6 MR. SPEAKER: Yeah. In other words,  
7 are you a developer or are you going to  
8 be\_\_\_\_\_?

9 MR. ASHBURNER: There are no --

10 MR. SPEAKER: \_\_\_\_\_

11 MR. ASHBURNER: I mean, they're --  
12 they're a developer and owner.

13 MR. SPEAKER: You are completely  
14 sustained as an owner?

15 MR. ASHBURNER: Yeah.

16 MR. SPEAKER: \_\_\_\_\_ I mean, you  
17 realize that things might change later? Okay.  
18 What is your current status of the liens you said  
19 you \_\_\_\_\_ On the security  
20 notion. See I've had security customers before.  
21 Are you going to have a security monitor or a  
22 security person? There's a difference. We've  
23 seen --

24 MR. ASHBURNER: I thought the answer  
25 was a monitored security type system.

1 MR. SPEAKER: \_\_\_\_\_ when they  
2 say, aren't you the security guard at the bank and  
3 the answer is no I'm a security monitor.

4 MR. ASHBURNER: I mean, let's see how  
5 ADT is monitoring it. I've used ADT.

6 MR. SPEAKER: It takes them about a  
7 half an hour or forty five minutes to get there.  
8 They don't come. They notify police.

9 MR. ASHBURNER: That's true. They  
10 notify the police. We're \_\_\_\_\_.

11 MR. SPEAKER: Oh, wait a minute.

12 MR. ASHBURNER: Someone said earlier  
13 that Prospect and Metro share calls and respond,  
14 when Prospect sometimes gets backed up.

15 MR. SPEAKER: No. In Prospect, not  
16 outside of Prospect city limits. So that means if I  
17 had to call Metro Police it's about 30 minutes to  
18 get here.

19 My question is: Is about 30 minutes to get  
20 here \_\_\_\_\_ security? I'm a senior. I  
21 \_\_\_\_\_.

22 MR. ASHBURNER: There is. I -- I -- I  
23 was right, apparently, for the first time tonight.  
24 Someone just said the City of Prospect Police and  
25 Metro Police help each other and so if there's a

1 call, the city of Prospect might respond if they are  
2 closer.

3 MR. SPEAKER: The City of  
4 Prospect\_\_\_\_\_.

5 MR. ASHBURNER: Well --

6 MR. SPEAKER: But --

7 MR. ASHBURNER: -- \_\_\_\_\_

8 MR. SPEAKER: First -- next this  
9 \_\_\_\_\_I have 4 stores that just opened. You're  
10 asking for 200 units, 4-story building. You should  
11 just say okay, we'll only do 100 units, 2-story  
12 building and say wonderful great guys \_\_\_\_\_  
13 or some variation of that. That's usually how it  
14 works. We did 4 projects in Louisville and that's  
15 how it worked on every single project.

16 MR. ASHBURNER: Okay.

17 MR. SPEAKER: When there's problems  
18 within the complex, okay, who's resolving that, or  
19 is the staff there? At that rate takes a year to  
20 take somebody out or longer. Are you going to do  
21 pre-screening?

22 MR. ASHBURNER: Yes.

23 MR. SPEAKER: You will be doing  
24 pre-screening?

25 MR. ASHBURNER: Yeah. As I think

1 Michael mentioned before, and -- and obviously no  
2 one likes \_\_\_\_\_. The tenants in these  
3 facilities are subject to a brief \_\_\_\_ survey and  
4 criminal background checks and income  
5 verification, age verification and \_\_\_\_\_.

6 MR. SPEAKER: Are you worried  
7 about \_\_\_\_\_?

8 MR. SPEAKER: \_\_\_\_\_.

9 MR. SPEAKER: \_\_\_\_\_.

10 MR. ASHBURNER: In what regard?

11 MR. SPEAKER: Are -- are these  
12 complexes there is security \_\_\_\_\_.

13 MR. ASHBURNER: Folks --

14 MR. SPEAKER: \_\_\_\_\_ I'm sorry.  
15 \_\_\_\_\_.

16 MR. ASHBURNER: And I mean --

17 MR. SPEAKER: For -- for example, the  
18 parking lot .

19 MR. ASHBURNER: I'm sorry. What was  
20 the question?

21 MR. SPEAKER: For example the parking  
22 lot.

23 MR. ASHBURNER: You know, we'd light  
24 the parking lot, and there will be cameras that  
25 capture, I guess, most or all of the parking lot.

1 MR. SPEAKER: Okay. Last question.  
2 The potential residents be informed that the City of  
3 Prospect, we do not have immediate access to  
4 the\_\_\_\_\_.

5 MR. ASHBURNER: Well, they would all  
6 know that they're not in the City of Prospect, and I  
7 don't know what resources you're talking about.  
8 And they -- obviously, they wouldn't ever be able to  
9 run for city council.

10 MR. SPEAKER: No, for example --

11 MR. ASHBURNER: But they should be  
12 treated just like anyone else.

13 MR. SPEAKER: I don't mean \_\_\_\_\_.

14 MR. ASHBURNER: Okay.

15 MR. SPEAKER: \_\_\_\_\_.

16 MR. ASHBURNER: Okay.

17 MR. SPEAKER: We've had people that  
18 live in part of Hunting Creek that's not in Prospect.  
19 And one lady was extremely upset when she found  
20 out she had -- did not get any of the city services,  
21 because she wasn't in the city.

22 Oh, yeah, you live in Prospect, 40059. I just  
23 don't know whether that's going to clear to  
24 residents. I'm very concerned that you're going to  
25 turn this into a warehouse.

1 MR. ASHBURNER: -- Okay. Pardon.

2 MR. SPEAKER: I hope you don't but I'm  
3 concerned. \_\_\_\_\_ default. I know you  
4 hope it doesn't but what happens if it does?

5 MR. ASHBURNER: Well, I mean, just like  
6 any other default like probably this project and its  
7 previous -- whoever is a lender or other investor  
8 would probably come in, try to make sure that the  
9 project is resuscitated or starting construction or  
10 operate the project in accordance with the rules of  
11 compliance if it is \_\_\_\_\_. Rules are rules --

12 MR. SPEAKER: \_\_\_\_\_.

13 MR. ASHBURNER: The deed?

14 MR. SPEAKER: Yes.

15 MR. ASHBURNER: Deed restrictions?

16 MR. SPEAKER: Yeah. That will \_\_\_\_\_

17 MR. ASHBURNER: Yes there will be a  
18 deed restriction that applies to this property that  
19 say \_\_\_\_\_ which would last for 15?

20 MR. SPEAKER: Thirty years.

21 MR. ASHBURNER: Thirty years. Yes, sir.

22 MR. SPEAKER: Thank you. My name is  
23 Harold \_\_\_\_\_. I reside in Prospect. My  
24 question is basically \_\_\_\_\_. What  
25 community services do you believe you can find in

1 either \_\_\_\_\_?

2 MR. ASHBURNER: Well, this -- this is  
3 a -- this is a multi-family project, it is age  
4 restricted. So it's not assisted living, and it's not  
5 nursing. There will be a pool on-site and some  
6 community rooms. Do we have a fitness center?

7 MR. SPEAKER: We have a fitness center,  
8 business center with computers and printers. And  
9 typically, we have a community room where people  
10 can gather and have larger community meals when  
11 people get together.

12 We have a variety of different  
13 amenity\_\_\_\_\_ that we provide\_\_\_\_\_. And  
14 we've also, you know, spoken with some service  
15 providers, possibly put a -- a room in there for, you  
16 know -- for the service providers or whatever  
17 services may be needed.

18 MR. SPEAKER: Okay. So all of that you  
19 just mentioned, \_\_\_\_\_ that you think the city  
20 or LMG would provide?

21 MR. SPEAKER: I'm -- I'm going to --

22 MR. ASHBURNER: You mean beyond the  
23 pool, the fitness room and \_\_\_\_\_.

24 MR. SPEAKER: Yeah I'm looking at, what  
25 happens if you're providing services helping people

1 with finding a job or helping them -- helping them  
2 with transportation issues?

3 MR. ASHBURNER: No.

4 MR. SPEAKER: TARC 3 will -- will  
5 provide rides for people. There are some service  
6 providers that will --

7 MR. SPEAKER: Generally, the -- this is  
8 housing for people that over 55. It's not -- it's not  
9 assisted living it's not the same as, you know,  
10 maybe what you're -- you're thinking of.

11 Obviously, our managers are -- especially at  
12 senior \_\_\_\_\_ and all the people and, you know,  
13 would -- would there be a situation where someone  
14 needs a ride and she might call somebody, and they  
15 might call somebody, and share a ride, sure but  
16 generally we are not providing day to day living  
17 assistance.

18 MR. ASHBURNER: Yes, sir.

19 MR. SPEAKER: My name is \_\_\_\_\_.  
20 Short question. How many residents do you  
21 anticipate -- how many residents do you anticipate  
22 will be living in this development six months from  
23 now after it opens?

24 MR. SPEAKER: Six months after it  
25 opens.

1 MR. SPEAKER: Just based on our history  
2 about 200 -- 220 to 250.

3 MR. SPEAKER: Really?

4 MR. SPEAKER: Really.

5 MS. SPEAKER: Define income.

6 MR. SPEAKER: Income will be from a  
7 number sources, can be Social Security, it can be  
8 living off of investments, pensions. That's  
9 \_\_\_\_\_. It can also be from income from a job.

10 MS. SPEAKER: So what proof do you  
11 require for someone to qualify for this?

12 MR. SPEAKER: They have to bring in  
13 paperwork and show --

14 MS. SPEAKER: But I can bring you a W-2  
15 that gets me in there, and then I can have a new  
16 tenant come \_\_\_\_\_ everything else that  
17 puts me through the roof, is that okay?

18 MR. SPEAKER: If you don't meet the  
19 income guidelines, no, it's not okay.

20 MS. SPEAKER: But how are you going to  
21 check the income guidelines? Are you going to  
22 require tax returns?

23 MR. SPEAKER: We don't require tax  
24 returns. No we don't --

25 MS. SPEAKER: So you -- you trust that

1 they tell you?

2 MR. SPEAKER: We're going to require  
3 you to sign a statement that makes you guilty of  
4 fraud if you are lying.

5 MS. SPEAKER: Okay. I'm just thinking  
6 there is a lot of 55 year olds in here that don't  
7 even qualify, even though they have tax returns a  
8 lot higher than what you're requiring.

9 MR. SPEAKER: Well, I -- I don't know  
10 what you put on your tax return \_\_\_\_\_.

11 MS. SPEAKER: I'm putting on my tax  
12 return if I \_\_\_\_\_ I'm just asking if it's  
13 income defined.

14 My second thing is, and -- and I've got a lot of  
15 concerns with this, but I'll be honest, the parking  
16 is a huge one for me. If you only have parking  
17 for 200 or 207 people living there, you think you'll  
18 have 220 you're going to have some employees that  
19 are not allowed to park there. They have nowhere  
20 to go but across the street to Kroger parking lot.

21 Now, that's bad enough on any given day, but  
22 when you get Thanksgiving and Christmastime, I'm  
23 here to tell you, you have to wait for somebody to  
24 leave to park, and these people can be overflow  
25 parking, and I would think that families that have

1 come to visit, and they're going to be in the Kroger  
2 parking lot, not -- there's not going to be anywhere  
3 for residents to get to Kroger or \_\_\_\_\_ or  
4 the hair cut place or Subway, because it's going to  
5 be full of cars associated with Prospect Condos  
6 [phonetic]. That's a legitimate concern.  
7 [applause]

8 MR. SPEAKER: \_\_\_\_\_. This is --  
9 just a question, \_\_\_\_\_. What  
10 \_\_\_\_\_ that you said before about denying  
11 residents. He said strict standards and you use  
12 \_\_\_\_\_. How are you going to go about  
13 getting your \_\_\_\_\_? Let me tell you why I'm  
14 asking that; okay. Metro Fair Housing and Federal  
15 Law , you can obligate people to go down to the  
16 police department and get their credit history  
17 provided for you \_\_\_\_\_.

18 So are you planning on using like a database,  
19 and where -- and other than that, what statute are  
20 you going to use to deny somebody with a criminal  
21 history residency?

22 MR. ASHBURNER: It's a nationwide  
23 parole background check, and --

24 MR. SPEAKER: And what's the data --  
25 what's the database?

1 MS. SPEAKER: There's a company called  
2 Resident Protection.

3 MR. ASHBURNER: What is it?

4 MR. SPEAKER: Okay. So it's not  
5 something like NCIC or something like that? So if  
6 they hit from Florida doesn't show up in the  
7 database, it's not 100% accurate? It's just  
8 something that you use --

9 MR. SPEAKER: There's a Florida  
10 database --

11 MR. SPEAKER: It's a standard that you  
12 use.

13 MR. SPEAKER: Yeah.

14 MR. SPEAKER: I understand.

15 MR. SPEAKER: The other question I have  
16 is that they do have a data center or something like  
17 that, how -- based on what statute of case law are  
18 you going to deny somebody from prison? Let's  
19 just say that somebody has a felony record; okay?  
20 You know you are already keeping records  
21 \_\_\_\_\_ .

22 MR. ASHBURNER: The question is where  
23 you \_\_\_\_\_; right?

24 MR. SPEAKER: Well you know you can't  
25 deny access to the Federal disability\_\_\_\_\_

1 based on somebody who wants to have residency  
2 that's a heroin addict who is a part of a -- a  
3 outreach program who does not have to provide any  
4 \_\_\_\_\_. So if somebody does have a hit, a  
5 criminal history, under what standard are you going  
6 to use to deny them residency?

7 MR. ASHBURNER: That's an excellent  
8 question. I'm a land lease lawyer, so. . .

9 MR. SPEAKER: Gotcha

10 MR. SPEAKER: And I'm on the  
11 development side, so I don't have an easy answer  
12 for you in my hand.

13 MR. SPEAKER: I hear this every day and  
14 obviously if you can help me out with this, and I'll  
15 have some \_\_\_\_\_.

16 MR. SPEAKER: So -- so we need to do  
17 the national background check, and we do have a  
18 written policy with acceptable standards as to  
19 what's acceptable and what is not. Drug  
20 offenses --

21 MS. SPEAKER \_\_\_\_\_.

22 MR. ASHBURNER: Right.

23 MS. SPEAKER: \_\_\_\_\_ speeding  
24 tickets\_\_\_\_\_.

25 MR. ASHBURNER: Yeah.

1 MS. SPEAKER: Can you speak up  
2 please?

3 MR. SPEAKER: She said minor things  
4 like traffic offenses don't preclude you. Felonies  
5 absolutely do and --

6 MR. SPEAKER: What standard would  
7 that -- what standard would that be based on?

8 MR. SPEAKER: Like he said --

9 MS. SPEAKER: -- fair housing and we  
10 get all of our criteria from fair housing. We have  
11 standards \_\_\_\_\_ from the database. I \_\_\_\_\_.

12 MR. SPEAKER: That's -- that's -- that's a  
13 civil sort of -- that's a civil sort of agreement.

14 MS. SPEAKER: Yeah. That's  
15 \_\_\_\_\_.

16 MR. SPEAKER: Oh, I understand that. I  
17 understand that. But you've got the aid and  
18 everything like that. Let's just say you have  
19 \_\_\_\_\_.

20 MS. SPEAKER: Well, I -- I --

21 MR. SPEAKER: Based on your contract,  
22 based on a contract, your standard is a civil thing  
23 that you associated with your rental agreement of  
24 there's no criminals, so there's no -- the police  
25 aren't coming to remove somebody who violated

1 your code.

2 MS. SPEAKER: I'm a senior citizen that

3 \_\_\_\_\_

4 MR. SPEAKER: Okay.

5 MS. SPEAKER: \_\_\_\_\_

6 MR. SPEAKER: So then -- so then it's  
7 going to have to be an eviction process.

8 MR. SPEAKER: You know, what you're  
9 getting at is that is it a crime for someone who has  
10 a criminal background?

11 MR. SPEAKER: No what I'm actual  
12 getting at is --

13 MR. SPEAKER: When you were talking  
14 about the leases --

15 MR. SPEAKER: Wait.

16 MR. SPEAKER: -- \_\_\_\_\_

17 MR. SPEAKER: That is exactly what I  
18 said. What standard are you going to use to deny a  
19 criminal residency on your property?

20 MR. SPEAKER: \_\_\_\_\_

21 MR. SPEAKER: Just because you have a  
22 contract with these people, and I understand the  
23 economic guidelines, like if somebody violates  
24 those, like \_\_\_\_\_ then yeah they are in  
25 violation of federal law and can be, you know,

1 controlled. But as far as somebody's criminal  
2 history, what standard are you going to use to deny  
3 them residency?

4 MR. ASHBURNER: You'll see Sheri, and  
5 you'll get the guidelines from her.

6 MR. SPEAKER: Okay.

7 MR. ASHBURNER: Okay? Yes, ma'am.

8 MS. SPEAKER: I'm interested in the  
9 zoning change.

10 MR. ASHBURNER: M-hm.

11 MS. SPEAKER: Currently how many  
12 dwellings are permitted to be on that -- is it 10  
13 acres --

14 MR. ASHBURNER: About 10 acres.

15 MS. SPEAKER: --\_\_\_\_\_. And how  
16 much -- you're going to have 198 units --  
17 currently -- and I'm not a land lease lawyer, but it  
18 looks like there's going to be about 10 to 12  
19 dwellings for maybe 4 to 12 dwellings per acre,  
20 and you're looking at putting 20 dwellings per acre,  
21 and I just wanted to know if that's about correct,  
22 because that seems like a massive increase.

23 MS. SPEAKER: That is not a useful way  
24 to \_\_\_\_\_.

25 MR. ASHBURNER: Okay. So 40% of the

1 sites are \_\_\_\_\_ which allows a maximum density  
2 of 12 units per acre. About 60% of the site is  
3 about 55 %. \_\_\_\_\_. That's four  
4 dwellings per acre, so 25 plus --

5 MS. SPEAKER: Forty-eight?

6 MR. ASHBURNER: Yeah. Thank you.

7 MS. SPEAKER: 75 units --

8 MR. ASHBURNER: Yeah, that's typical.

9 MS. SPEAKER: -- on that side to go  
10 into 198 units.

11 MR. ASHBURNER: Yeah. Seventy-five,  
12 eighty.

13 MS. SPEAKER: So that's --

14 MR. ASHBURNER: \_\_\_\_\_

15 MS. SPEAKER: That's what I wanted to  
16 know. And I wanted to echo the concerns with  
17 traffic, parking. It's a significant increase  
18 \_\_\_\_\_.

19 MR. ASHBURNER: Yeah. Okay.

20 MS. SPEAKER: Thanks.

21 MR. SPEAKER: How many bedrooms  
22 \_\_\_\_\_?

23 MR. ASHBURNER: There's 20  
24 one-bedroom units, and 178 two-bedroom units.  
25 That's 3, 56, 376.

1 MR. SPEAKER: So I heard that you can  
2 have up to two person per bedroom, so the max  
3 capacity of that development is more like 7 -800?

4 MS. SPEAKER: Yes.

5 MR. ASHBURNER: In theory, but that is  
6 not the practice, and -- and, again, it's \_\_\_\_\_

7 MR. SPEAKER: But it's still a potential?

8 MR. ASHBURNER: Yeah, but --

9 MR. SPEAKER: The problem that we have  
10 is \_\_\_\_\_?

11 MR. ASHBURNER: Do you want an  
12 answer or do you not? Can I answer your question,  
13 please? Okay. I think somebody over here said  
14 the building is in Prospect, and \_\_\_\_\_ Okay?

15 We're also not building a \_\_\_\_\_; okay?  
16 The pra -- the practice, the experience of this  
17 company that owns 5,000 units is that in a senior  
18 facility, you're going to have about 1 person per  
19 unit, even in two-bedroom units; okay?

20 They have to run the building, they have to  
21 manage the building, they have to staff the  
22 building. Having 800 people in there doesn't really  
23 help any of that. It is against their self interest to  
24 do that. So if I were you, I would rely on Chris'  
25 vast experience and say about 220, about 250

1 residents.

2 MR. SPEAKER: Yeah, and I  
3 \_\_\_\_\_ so I mean there is a reality to  
4 what the situation is, and I -- I'll just say this, we  
5 kind of thought you all were going to be a -- say  
6 seniors instead of a family apartment complex,  
7 so --

8 MS. SPEAKER: It's \_\_\_\_\_  
9 responsibility.

10 MR. ASHBURNER: Yes, sir.

11 MR. SPEAKER: \_\_\_\_\_.

12 MR. SPEAKER: My question concerns  
13 here in Prospect we pay a lot of money in taxes.  
14 Based on \_\_\_\_\_ and school taxes. And my  
15 concern is the if this is set up as subsidized living,  
16 and \_\_\_\_\_ I know it's not, who's going to be  
17 responsible for the tax increases, the appraisals  
18 every two or three years \_\_\_\_\_ taxes?  
19 Who's going to be responsible for that?

20 MR. ASHBURNER: The project, just like  
21 any other multi family project, would pay property  
22 taxes at the same rate as you.

23 MR. SPEAKER: So people who own  
24 property --

25 MR. ASHBURNER: Yeah.

1 MR. SPEAKER: -- would be you-all;  
2 correct?

3 MR. ASHBURNER: Yeah, my clients.

4 MR. SPEAKER: Okay. So who would be  
5 responsible for the tax when it would be appraised  
6 \_\_\_\_\_?

7 MR. ASHBURNER: Well, they wouldn't  
8 appraise it by the unit. Typically when you look at  
9 a multi-family project there's a \_\_\_\_\_, you  
10 look at the income, look at the expense, you come  
11 up with a net number, you multiply it by five, a cap  
12 rate and that is what your value is.

13 That's one way to do it. Another way to do it  
14 is to look at comparable sales. There aren't many  
15 projects like this in the area comparable sales  
16 probably wouldn't work. The last way would be  
17 cost of construction and the tax -- you know, the  
18 PPA I would say in the beginning of most projects,  
19 just like the beginning of most homes, looks at the  
20 cost of construction or the transfer price of the  
21 first sale. So here we \_\_\_\_\_sail, we would have  
22 the cost of construction, and that would be listed  
23 \_\_\_\_\_ on the building permit , plus the value of  
24 the home.

25 MR. SPEAKER: What is the cost of

1 construction?

2 MR. ASHBURNER: We're not that far  
3 along. We have to \_\_\_\_\_ the project.

4 MR. SPEAKER: You don't have any idea?

5 MR. ASHBURNER: We have a ballpark.

6 MR. SPEAKER: \_\_\_\_\_.

7 MR. ASHBURNER: \_\_\_\_\_.

8 MR. SPEAKER: Wait and see? You're not  
9 going to say?

10 MR. ASHBURNER: \_\_\_\_\_.

11 MR. SPEAKER: \_\_\_\_\_.

12 MR. ASHBURNER: Yeah.

13 MS. SPEAKER: \_\_\_\_\_

14 MS. SPEAKER: Can't hear you.

15 MS. SPEAKER: The 80/20 rule of  
16 \_\_\_\_\_ 80% of your it has to be 80%  
17 for 55 and 100% for, and I think your thing doesn't  
18 apply.

19 MR. SPEAKER: You're -- you're right.  
20 So the rule is that you have 55 and over and above,  
21 and that 80% of it needs to be leased to people  
22 who are 55 and over, and then you have a  
23 development that's designated to people that  
24 are 65 and over. 100% of the units have to be  
25 rented to people that are 65 and over.

1 We actually have a rule that the internal policy  
2 where all the residents need to be 55 or over.

3 MS. SPEAKER: Well, that's not the law.  
4 The law is \_\_\_\_\_.

5 MR. SPEAKER: That's not by law. That's  
6 just our --

7 MS. SPEAKER: That's just out of your  
8 good nature to them?

9 MR. SPEAKER: Well, it's also -- it helps  
10 us -- it helps us with --

11 MS. SPEAKER: I understand.

12 MR. SPEAKER: No. No. It -- it's -- it's a  
13 reasonable thing to ask, and it helps us with  
14 compliance. So it's just no compliance issues if  
15 everyone is 55 and over, because then we don't  
16 have to worry about making you happy --

17 MR. ASHBURNER: Yes, ma'am.

18 MS. SPEAKER: I have just one question.

19 MR. SPEAKER: \_\_\_\_\_

20 MS. SPEAKER: I just have one question.

21 MR. ASHBURNER: Go ahead.

22 MS. SPEAKER: I just have one question.

23 MR. SPEAKER: Okay.

24 MS. SPEAKER: I thought I heard you say  
25 that the lease signer had to be 55, but then you go

1 make some reference to no one under 18 being  
2 allowed to visit the unit?

3 MR. ASHBURNER: No -- no one under 18  
4 period.

5 MR. SPEAKER: That's federally.

6 MR. ASHBURNER: That's a federal rule.

7 MS. SPEAKER: So we can have 20 year  
8 olds living in these units --

9 MR. ASHBURNER: Not --

10 MS. SPEAKER: -- 19 year olds 20 year  
11 olds \_\_\_\_\_.

12 MR. SPEAKER: No. So it's 55 or over,  
13 and then one resident has to be 55 or over, and you  
14 can have the spouse who is not 55 or a caregiver.

15 MS. SPEAKER: An 18 year old --

16 MR. SPEAKER: The -- the residents that  
17 live in the -- the residents that live in the senior  
18 developments don't want 18 year olds living there.  
19 They want -- they want seniors living there. They  
20 really do police themselves, and that's really what  
21 helps make it successful.

22 MS. SPEAKER: \_\_\_\_\_

23 MR. ASHBURNER: Yes, ma'am.

24 MS. SPEAKER: I'm wondering, is this a  
25 done deal? I mean, we have been here for the last

1 two hours, so is this project a done deal?

2 MR. ASHBURNER: Well --

3 MR. SPEAKER: He's not going to like my  
4 answer. There are no done deals. There's a --  
5 there's a lot of processes. There is a zoning  
6 process, and beyond the zoning process there's a  
7 design and building permit process, and then  
8 there's a cost, is the project feasible?

9 We're spending money, we will work on the  
10 plans, and -- and work towards getting it done. Do  
11 we think if we get it zoned we can get it done?  
12 Yes, we would think so. We have other things to do  
13 if -- if we don't get it zoned, but there's no done  
14 deal here, per se.

15 MR. SPEAKER: What is your timeline?

16 MR. SPEAKER: I actually like that  
17 answer very much.

18 MR. ASHBURNER: The timeline, I would  
19 say that zoning, if everything goes well,  
20 which \_\_\_\_\_ zoning went well it would be six  
21 to eight months from now. Probably around the  
22 eight month mark with the amount of studies that I  
23 expect us to go to get through the process. If  
24 everything moves very quickly after that, you're  
25 looking at three or four months construction

1 design, then architectural, and then another three  
2 or four months \_\_\_\_\_ so I would say at the  
3 very earliest you're likely to see is \_\_\_\_\_.

4 MR. SPEAKER: That's \_\_\_\_\_

5 MR. ASHBURNER: Yeah.

6 MR. SPEAKER: \_\_\_\_\_.

7 MR. ASHBURNER: About 18 months.

8 MR. SPEAKER: \_\_\_\_\_

9 MR. ASHBURNER: Pardon?

10 MR. SPEAKER: What type of  
11 construction? Wood frame, poured concrete,  
12 concrete block?

13 MR. SPEAKER: Wood frame.

14 MR. ASHBURNER: Wood frame. Yes,  
15 ma'am.

16 MS. SPEAKER: If you will look back at  
17 the letter that we all received, I think it was a  
18 major misstep when you said you were surprised at  
19 resistance. One \_\_\_\_\_ was that one person  
20 had to be 55 and older, and there was an income  
21 limit. Where \_\_\_\_\_ with 10 people in the  
22 apartment?

23 MR. ASHBURNER: That -- that's the  
24 letter you received from the city?

25 MS. SPEAKER: No. I'm saying the letter

1 that I see doesn't say anything about a limit on how  
2 many people or that you couldn't have kids running  
3 around the Kroger gas station, which certainly none  
4 of us want to see.

5 MR. ASHBURNER: Yeah.

6 MS. SPEAKER: I guess it would -- it  
7 would serve you well to put another letter out if,  
8 indeed, these are the plans you have to let people  
9 understand there's not going to be four generations  
10 and twelve people because we all the time, there  
11 was an article in the paper just last week about  
12 refugees from Syria and how they are living in one  
13 unit. It would behoove you to let Prospect know  
14 that's not what you have planned out here.

15 MR. ASHBURNER: I think the letter that  
16 you're talking about did not come from us.

17 MS. SPEAKER: It doesn't matter

18 \_\_\_\_\_.

19 MR. ASHBURNER: No, I understand. I'm  
20 just trying to give -- I want to make sure that we  
21 are all looking at the same thing. That must have  
22 been the letter from the city or from someone else.

23 MS. SPEAKER: \_\_\_\_\_from city hall  
24 we saw last week.

25 MR. SPEAKER: Yeah. The one that came

1 from city hall.

2 MS. SPEAKER: It's a shame it wasn't  
3 more clearly laid out.

4 MR. SPEAKER: De -- Denise here --  
5 Denise here runs our Brook stone property, and she  
6 would love to have you come out and see the  
7 property and meet our residents and see what --  
8 what you're up against and what --

9 MR. SPEAKER: Yes, sir.

10 MR. SPEAKER: Now, it seems to me that  
11 you-all are pretty committed to this project. Have  
12 you heard anything tonight that would diminish your  
13 commitment to this project? Forget about whether  
14 the zoning goes through or anything like that.  
15 Have you heard anything that makes this project  
16 more problematic where you might have thought?

17 MR. ASHBURNER: I'll speak for myself, I  
18 hear a lot of questions, a lot of questions about  
19 who's going to live here. \_\_\_\_\_. I  
20 already know this. I don't know what to expect. I  
21 also heard that's -- that is common in lot -- lots of  
22 zoning cases, which is, you know, I really would  
23 prefer not to have any change.

24 I mean, this is property that was previously  
25 approved for another type of development. It's --

1 you know, it's two 45-foot tall buildings. I know --  
2 I got the variances for those buildings, how high  
3 they're supposed to be. It was also approved for  
4 medical office and a branch bank. Those plans  
5 didn't come through.

6 You know, 2008 happened, and a lot of  
7 projects that started around that time didn't  
8 happen. So, you know, it's not my project, it's my  
9 client's project. It's up to them as to how hard  
10 they want to pursue this, but you know I get this,  
11 with some more information that some of the people  
12 in this room are going to say, this project is not the  
13 end of the world.

14 I don't know that, but I expect that they might.  
15 And one -- one thing I want to caution you-all about  
16 is -- I don't want to say caution; one thing that I  
17 like very much about our zoning process, and I  
18 work with it every day, is that it can be  
19 cumbersome, and it can be time-consuming, and it  
20 can be expensive for applicants.

21 But it pushes people towards a consensus.  
22 This meeting tonight gave us an opportunity to hear  
23 from you, gave you an opportunity to hear from us,  
24 ask questions and make your comments. All of the  
25 other public meetings will serve the same purpose.

1 You know, my hope was that we get it before the  
2 Planning Commission, and we're not -- we are done  
3 talking about traffic because our traffic study has  
4 shown that the impact will not be negative.

5 And maybe we are done talking about parking.  
6 And I know -- I know some of those in the room  
7 think it's all nonsense, but this is what I do; all  
8 right? And then at the very least, we get up before  
9 the Planning Commission and say that we've got  
10 three things we disagree on, and it's \_\_\_\_\_.

11 MS. SPEAKER: Will the traffic study and  
12 the notes be available to us?

13 MR. ASHBURNER: Yes. And  
14 everything -- every single thing, the traffic study,  
15 notes from tonight's meeting, the development  
16 plan, all the revisions [phonetic] of the  
17 development plan, will all be available, most of it,  
18 I think, online.

19 MS. SPEAKER: What's the website?

20 MR. ASHBURNER: Metro Planning.  
21 Yeah. Julia Williams is the staff person. You want  
22 to remember that name, Julia Williams 574-6942.  
23 Yes, ma'am.

24 MS. SPEAKER: My name is Susan \_\_\_\_\_  
25 and my husband and I \_\_\_\_\_. I have -- I

1 have one comment.

2 It -- it seems to me that you-all are going  
3 against a trend in building this large structure  
4 when it seems that more and more housing for  
5 seniors or anyone else is -- is scattered and it's in  
6 four-plexes and 8-plexes, and maybe 16-plexes, but  
7 certainly not in the density that you've proposed,  
8 and I want -- I wonder why you're doing such a  
9 large amount -- why you're trying to put a larger  
10 number of units here in a small space. Thank you.

11 MR. ASHBURNER: Okay. Next,  
12 \_\_\_\_\_ . This area needs the project.  
13 This area is an area which housing like this will  
14 succeed, and this will \_\_\_\_\_ in  
15 Prospect, the exact location you should put  
16 \_\_\_\_\_. So that's --. Yes, sir.

17 MR. FULCHER: Did I understand  
18 correctly that you did some sort of demographic  
19 study? In your experience, has it been that the  
20 seniors who lived in this particular area would be  
21 the logical market for these places? Did I hear  
22 that correctly?

23 MR. ASHBURNER: Yeah.

24 MR. FULCHER: Yes.

25 MR. ASHBURNER: That's correct.

1 MR. FULCHER: \_\_\_\_\_ because  
2 there's nobody in this area that can meet that  
3 income criteria. That's all I have to say. If that's  
4 what your business model shows, you haven't done  
5 a very good job. Thank you.

6 MR. ASHBURNER: Okay.  
7 [applause]

8 MR. ASHBURNER: Yes, ma'am.

9 MS. SPEAKER: If your income  
10 requirement for that building was a million dollars  
11 and that's what you had to have to get in that  
12 building, regardless of what kind of people it  
13 brought in, that's too many cars for this area. I  
14 mean, it -- it doesn't matter \_\_\_\_\_ ,that's too  
15 much traffic, too many cars.

16 MR. ASHBURNER: I appreciate it. Yes,  
17 sir.

18 MR. SPEAKER: It seems to me on the  
19 number of questions and issues and discussions  
20 have been \_\_\_\_\_.

21 MR. ASHBURNER: Make sure \_\_\_\_\_  
22 \_\_\_\_\_.

23 MR. SPEAKER: Okay. Thank you.

24 MR. ASHBURNER: Sir?

25 MR. SPEAKER: There's seems to be a

1 number of issues, questions, and discussions going  
2 tonight and make sure we don't have to rehash all  
3 this at a later time. I wonder who is going to be  
4 responsible for summarizing what we've talked  
5 about, questions that haven't been addressed that  
6 were kind of you know, pushed aside how are we  
7 going to be made aware of this summation of this  
8 meeting?

9 MR. ASHBURNER: We have --  
10 \_\_\_\_\_ my \_\_\_\_\_ furiously writing all  
11 night, taking down all the questions and our  
12 answers. We also have next \_\_\_\_\_ court  
13 reporter that's here tonight. So I would expect that  
14 there will be a transcript that will --

15 MR. SPEAKER: \_\_\_\_\_.

16 MR. ASHBURNER: Okay. I'm sorry.

17 MR. SPEAKER: Will that be handled  
18 online or will a copy be handed to us or mailed to  
19 us \_\_\_\_?.

20 MR. ASHBURNER: The neighborhood  
21 meeting notes will be filed with the application and  
22 so there will be details online, and it's -- it's up to  
23 Mayor Evans as to what he wants to do \_\_\_\_\_.

24 MAYOR EVANS: \_\_\_\_\_.

25 MR. ASHBURNER: And we're

1 \_\_\_\_\_.

2 MS. SPEAKER: Share the transcript.  
3 Share the transcript with us and add it to the public  
4 record for the Planning Commission so it will also  
5 be available online.

6 MR. SPEAKER: Make sure that a copy of  
7 it \_\_\_\_\_.

8 MAYOR EVANS: You can send it in any  
9 way you like.

10 MR. ASHBURNER: Okay. Is there any --  
11 any other -- Yes, sir.

12 MR. SPEAKER: The lady who is doing the  
13 traffic study or whatever, she didn't do the one for  
14 the proposed VA; did she?

15 MR. ASHBURNER: I don't know. I -- I  
16 don't -- I don't, I doubt it because she is a one-man  
17 shop.

18 MS. SPEAKER: \_\_\_\_\_.

19 MR. ASHBURNER: I don't think so.

20 MR. SPEAKER: I was just wondering.

21 MS. SPEAKER: Not yet.

22 MR. ASHBURNER: Not yet.

23 MR. SPEAKER: \_\_\_\_\_.

24 MR. ASHBURNER: Okay. We all have  
25 feelings about the area and a lot of things about

1 traffic vary, with depending on how late I am or  
2 where I go. But she studies traffic objectively.  
3 She will tell you exactly how many cars went  
4 through an intersection on a given day, and which  
5 way did they turn and then she would use  
6 information that is available nationwide on projects  
7 like this.

8 If you have 198 units that are \_\_\_\_\_ for 55  
9 and under, how many trips will they generate on a  
10 daily basis? And she will share traffic counts  
11 around the country, and there's a book, a big book  
12 called --

13 MS. SPEAKER: -- \_\_\_\_\_.

14 MR. ASHBURNER: Well, ITE manual. So  
15 you know, they try to make it as much of a science  
16 as you can. Now you know, I -- I always complain,  
17 I like water issues because water goes downhill.  
18 \_\_\_\_\_ People -- Yes ma'am.

19 MS. SPEAKER: some things you say don't  
20 make sense. You say it's restricted to 55 and older  
21 yet you say it \_\_\_\_\_ can only two to a  
22 bedroom. How are you going to -- you're not  
23 making any sense. You say 55 and older, and you  
24 say someone that is not 18 can be in there. How  
25 are you going to monitor ages?

1       And my other question would be, many people  
2 of that age group are grandparents that have sole  
3 custody of grandchildren. Of course, when they  
4 sign up, they wouldn't admit that, and then they  
5 will bring their grandchildren with them. What will  
6 you do about something like that?

7               MR. ASHBURNER: Well, I think Mike  
8 already talked about that earlier. That will be  
9 violation of the rules of the community, it will be a  
10 violation of the lease, and if you, you know -- in  
11 the experience of development of other projects,  
12 there's a lot of subleasing [phonetic].

13       Imagine for a moment you go to  
14 a \_\_\_\_\_ and you see a 7 year old.  
15 You're not going to keep that to yourself. You  
16 know, that changes the feeling of where you live.

17               MS. SPEAKER: It still takes a year to  
18 evict somebody.

19               MR. ASHBURNER: It doesn't take a year.  
20 I've moved people in 60 days.

21               MR. SPEAKER: \_\_\_\_\_.

22               MR. ASHBURNER: Yes, sir.

23               MR. SPEAKER: Does \_\_\_\_\_ have  
24 their own \_\_\_\_\_ company? If you hire them \_\_\_\_\_

25               MR. ASHBURNER: They hire \_\_\_\_\_.

1 MR. SPEAKER: \_\_\_\_\_.

2 MR. ASHBURNER: Okay. Left to right,  
3 any other questions? Any comments? Anything  
4 from anybody? Yes, sir.

5 MR. SPEAKER: As far as \_\_\_\_\_.

6 MS. SPEAKER: \_\_\_\_\_.

7 MR. ASHBURNER: Yeah. As far as we  
8 cant tell daycare is being closed.

9 MR. SPEAKER: \_\_\_\_\_.

10 MS. SPEAKER: \_\_\_\_\_.

11 MR. ASHBURNER: Was it done in  
12 conjunction with the previous project?

13 MS. SPEAKER: I'm not sure.

14 MR. ASHBURNER: We'll check.

15 MS. SPEAKER: I just want to make one  
16 comment --

17 MR. ASHBURNER: Yes, ma'am.

18 MS. SPEAKER: -- that I know someone  
19 who works for Metro management and it's a  
20 nightmare to \_\_\_\_\_.

21 MR. ASHBURNER: That -- you know, that  
22 may be \_\_\_\_\_ I think  
23 evictions are 1- to 2%, about 1% is the turnover on  
24 an annual basis \_\_\_\_\_.

25 MS. SPEAKER: So that most \_\_\_\_\_.

1 MR. ASHBURNER: Oh, yes. Yeah. Vast  
2 majority. Yes, sir.

3 MR. SPEAKER: Let's -- another traffic  
4 study should go on. \_\_\_\_\_. December  
5 they're going to open up 841, the bridge and tunnel  
6 which is going to affect the traffic on 841, 42, and  
7 River Road. So you know, it's going to completely  
8 change that traffic.

9 MR. ASHBURNER: Well, I would not  
10 expect our \_\_\_\_\_. And they know that it may  
11 even be that someone counts \_\_\_\_\_ and  
12 current traffic situation, and \_\_\_\_\_.

13 MR. SPEAKER: It's just going to be  
14 premature --

15 MR. ASHBURNER: For instance if you  
16 want a traffic study you have to wait until school is  
17 in session. A lot more traffic when school is in  
18 session back and forth, and practices and games  
19 and what not.

20 MR. SPEAKER: How many days does the  
21 traffic study go on?

22 MR. ASHBURNER: Let me ask -- no, no.

23 MR. SPEAKER: --\_\_\_\_\_ for the actual  
24 report, you know.

25 MR. ASHBURNER: I'm not exactly sure.

1 We will get that information. It doesnt \_\_\_\_\_.

2 MS. SPEAKER: I would think so.

3 MR. SPEAKER: Yeah.

4 MS. SPEAKER: \_\_\_\_\_.

5 MR. ASHBURNER: Right. Yeah.

6 \_\_\_\_\_ All right. Are there any other  
7 questions? Comments? Thank you very much for  
8 coming.

9 [WHEREUPON, the Prospect Public Meeting  
10 concludes at 8:25 p.m.]

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CERTIFICATE OF REPORTER

STATE OF INDIANA:

I, TIFFANY LYNN COOGLE, Notary Public  
for the State of Indiana, do hereby certify that the  
foregoing was reported by stenographic and  
mechanical means, which matter was held on the  
date, and at the time and place set out in the  
caption hereof and that the foregoing constitutes a  
true and accurate transcript of same.

I further certify that I am not related to any of  
the parties, nor am I an employee of or related to  
any of the attorneys representing the parties, and I  
have no financial interest in the outcome of this  
matter.

GIVEN under my hand and Notarial seal this  
\_\_\_\_\_ day of \_\_\_\_\_, 2016.

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My Commission Expires: Notary Public

.

JULY 13, 2022 \_\_\_\_\_.

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Commission Number: 655503

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