

MINUTES
Special Meeting of Rolling Fields City Commission
6:30 p.m. at Second Presbyterian Church
March 21, 2013

Those Present: Mayor Bill Conway, Commissioners David Dunn, Beth Moffett, Dan Tafel, Carolyn Wetterer, and Clerk Rachel Schrepferman

An attendance sheet was circulated for anyone wanting to speak at the meeting.

Mayor Conway called the meeting to order at 6:30 p.m.

Mayor Conway provided background information dating back to the landmarking process that was conducted in 2008. Mayor Conway introduced Charles Cash and provided brief biographical information on Mr. Cash (his biographical information was printed and available to all in attendance at the meeting). Mr. George Gans was also introduced. Mr. Gans is the former President and CEO of Semonin Realtors.

Sara Scott, Tiffany Lane, spoke at the meeting: She feels that she would like to see the property developed as it is proposed and that it would be a great improvement to the current condition of the property.

John Talbott, Country Lane, spoke at the meeting: Mr. Talbott stated that he was speaking as a resident, not as one of the attorneys with the firm that represented the interests of Mr. Bauer. Mr. Talbott stated that he hoped the Commission would be in favor of the proposed development and he hoped there would no more opposition from Rolling Fields.

Councilman Fleming, Representative to Metro Council, District 7 spoke: He stated that he was at the meeting to observe. Councilman Fleming stated that he remains optimistic for the development and hoped that Rolling Fields residents would support the project. The people that he represents from which he has heard feedback have overwhelmingly supported the development.

Matt Brown, Basswood Lane, spoke: He urged everyone at the meeting to support the proposed development.

David Richardson, Club Lane, spoke: He urged everyone to let people with the capital, ideas, and businesses make the decisions that will effect their investments. He feels that we need to leave the style and design of the development up to the ones that are investing the cash.

Tom Nugent, Rolling Lane, spoke: He stated that he supports the project wholeheartedly.

Commissioner Tafel moved to allow for open discussion and for the members of the public to continue to speak after agenda speakers have presented information. Mayor Conway concurred and allowed that open dialogue would continue after and during the presentations of Mr. Cash and Mr. Gans.

Mayor Conway introduced Mr. Charles Cash. Mr. Cash stated that he was attending the meeting on behalf of Preservation Louisville, an organization for which he serves as President. In his personal experience, demolition by neglect is a terrible thing. If you let a building become abandoned, it is a terrible thing for the community as it relates to vandalism and arson, among other things. The question is: does this development have to be an “either/or” or can it be a “but/and?” The designated preservation called to keep the core of the Bauer’s Tavern, which is a 30’ x 40’ portion of the building. The original proposed plan that was approved at one time by ARC included a restaurant, then later a coffee shop. There is another proposal that takes down the building and replaces it with a replica. The question comes down to whether or not it is possible to reuse the building. Mr. Cash added that an economic hardship claim needs to be presented by the applicant to the Commission for consideration of the new changes. Preservation Louisville supports an independent assessment of the Bauer’s building to determine the structural capabilities of the building. In the past, Mr. Cash has used an engineering firm from Lexington that has no ties to the Louisville community. Theoretically this would be an objective opinion and would be a useful tool for the developers.

Mayor Conway stated that the staff report was asking for a second opinion. He asked Mr. Cash who finances that second opinion. Mr. Cash said that usually the applicant will provide a second opinion on the viability of the building.

Commissioner Tafel asked Mr. Cash about the preservation. Specifically he asked if the exterior is aluminum siding and if much of the woodwork is rotted, then what is there to preserve? Mr. Cash responded that he hasn’t been in the building since the last fire. He doesn’t know what is capable of being conserved. Commissioner Tafel asked if ARC had originally approved demolition of most of the back of the building and had allowed for a big box building (the one time proposed and approved Rite Aid plan) at the back of the lot, would the general footprint be approved? Would it require another review? Mr. Cash stated that the original review and approval would not be transferrable to the new proposed development. He stated that ARC would allow for the points made in the original review from the neighborhoods to be submitted to the new plan.

Commissioner Dunn asked if there was such a thing as de-landmarking a property. Mr. Cash said that there have been some properties that have been allowed to be demolished but not “de-landmarked.”

Commissioner Wetterer asked Mr. Cash if the new proposal would be in place of the old approved proposal or would it require a completely new approval. Mr. Cash stated that a new approval would be required for the new proposal.

Mayor Conway introduced Mr. George Gans. Mr Gans stated background information regarding the Bauer's property and that he was in favor of getting rid of the old building. He retained the services of architect Tim Winters to create another elevation of the proposed Mesh building to see what other options might be in keeping with the proposal, but could marry some elements that were more consistent with the neighborhood feel. Mr. Gans showed the elevation created by Mr. Winters. The Cunningham Group and Mesh, in particular, does not have a signature building style and might be amenable to implementing minor changes and building a more pleasing exterior. Mr. Winters referred to the old Bauer's building as Colonial Revival (Greek Revival influence). Mr. Winters designed an exterior that unites the two buildings. Mr. Gans stated that the only way we are going to stop Mr. Bauer is to ask the landmarks commission to enforce the property designation. Mr. Gans said that Mockingbird Gardens, Pat Payne and Raymond Smith are waiting for Rolling Fields' decision on this issue.

Commissioner Tafel stated that the proposed design doesn't seem to be anyone's first choice, but that citizens do not need to nit-pick this to death. Commissioner Tafel worries that such public oversight would scare tenants away from committing to the development. He also pointed out that, "This plan is better than what ARC already approved in the Rite Aid plan."

Mr. H. Powell Starks, resident of Indian Hills spoke: He stated that there are many ways to develop the property. There is an opportunity to find some place in the middle or a consensus to the designs. Perhaps the Cunningham Group might have latitude for design changes.

Barker Price, Club Lane, spoke: He stated that he knew Mr. Bauer well and that he is very agitated with this process.

Mr. Talbott asked Mayor Conway how many responses he and/or the Commission received in favor/opposition to this plan. Mayor Conway responded that all responses would be added to the minutes. Further, the Commission is going to weigh all the information from tonight and the feedback received. Commissioner Tafel spoke to Mr. Talbott providing the following information: In the past few days, the Commission has received three responses on our Facebook page; 20 notes to commission: 15 support the ARC approval as is; 5 support the ARC approval, but don't like building, however they don't want to see the project backing out over the issue of building design. Commissioner Tafel quoted portions of the emails received by the Commission (all of which are added to the end of these minutes in their entirety).

David Richardson spoke: he stated that he doesn't like the design either, but that he is not willing to stand in the way of capitalism that will enhance this neighborhood.

Katie Bade, Lightfoot Road spoke: She pointed out that there would be a more modern building, like Henry's down the road, and then the strip center might see a

refurbishment. If we are lucky, there will be a vacant lot rather than having to watch the Bauer property disintegrate. If we can get a better looking building, please try, but if not, please do not get in the way.

Commissioner Moffett stated that at the February meeting the Rolling Fields Commission decided not to take a stand at the meeting of the ARC in late February. Because Rolling Fields chose not to take a stand, she stated that she is not sure why we have so many residents at this meeting for this issue.

Commissioner Dunn stated that at the last meeting and that because Rolling Fields hadn't made a statement, it was assumed by many that Rolling Fields was in favor of the project. The Commission was asked if Rolling Fields would put together a statement. Commissioner Wetterer agreed to draft a letter that would be discussed and rewritten by the Commission possibly to be added to the ARC file for consideration.

Ms. Scott stated that Rolling Fields does not have the right to say "yea or nay" to this development. The people with the money have the right to choose the design. It might not be what she likes but she wants to see something there that is successful. To pick the design is putting Rolling Fields way, way out of line.

Commissioner Moffett stated that "the questions that we are asking are not the same questions that the ARC will be asking." The fight is between ARC and Mr. Bauer. ARC is enabled under state and city law to make determinations. The applicants have to follow those rules. No matter what happens with the restaurant, it does not affect the designated landmark. The owners can do anything they want with that part of the property. The Bauer building is a stand alone issue.

Councilman Fleming stated that he has most recently been in the Bauer's property and that it is a dilapidated building. To renovate that building against the economic potential of the building would result in a situation that would be difficult if not impossible to overcome.

Mr. Cash asked if the building was evaluated for the tax credit allowed for renovation.

Kent Oyler, Duff Lane, spoke: he stated that the question for Rolling Fields is whether the residents are for or against the project. He spoke with a contractor who stated that the building is not economically feasible to be renovated. He stated that he is not pleased with the contemporary design. He feels it is a little out of character for the area, but not enough to look at what he considers are worse options: the approved plan (Rite Aid) or the dilapidated property or a vacant lot. He stated that he hopes that Rolling Fields will not stand in the way of this development.

Councilman Fleming asked Mr. Cash about the process. Specifically, once a plan is submitted, how often and how difficult is it to change a design once the plan is submitted/approved? Mr. Cash said that these plans change all the time. Councilman Fleming asked that if the plan is approved, would citizens or the Commission be able

to come at it from the backside of the process to approach some minor changes to which the Cunningham Group might be receptive?

Commissioner Tafel stated that Dan Kelley on ARC relayed that applicants need only to show that a location is not economically viable. From the February minutes it would appear that there was no consensus to speak to this issue. We request that the core of the existing Bauer's building might be salvaged and there are a few options for which to accomplish this: 1) letter of support for the project to ARC; 2) letter of support with a 'but'; or 3) no response as we determined that there is not scope for Rolling Fields to be involved.

Commissioner Wetterer stated that there were three major concerns based on Rolling Fields' residents feedback: 1) look of restaurant was too modern; 2) ample green space/corridor down Brownsboro Road be provided; and, 3) location of restaurant on the lot.

All were in agreement that the above were the major Rolling Fields' residents concerns. There have not been any specific comments on the existing Bauer building. At the March meeting, Mr. Cash gave the Commission regulations that outlined the project. The draft letter created by the Commission came as the result of discussions at the March meeting because the process was time sensitive (needs to be filed with ARC tomorrow). The Commission felt that the only way that Rolling Fields might have a say in the process was to do so ahead of the ARC ruling by submitting a letter to the application file. Commissioner Wetterer stated that the Commission never intended to stop this deal and the feedback regarding the letter has mischaracterized our position on the issue. The Rolling Fields Commission was never going to oppose the project! Mayor Conway stated that he seconded Commissioner Wetterer's statement. Commissioner Dunn concurred that the statement was an accurate assessment of the process from the March meeting.

Mayor Conway stated that we have traditionally moved as a body with a consensus of appearance. He asked, do we want to make a statement on behalf of the Rolling Fields residents?

Mr. Oylar stated that he believes that if you support the historic nature of the Bauer's building, then you are opposing the project in a response to ARC. Commissioner Wetterer responded that she doesn't think that it is an "either/or." She said that while she is not advocating necessarily, but that the majority of the residents who contacted the Commission expressed that they would love to see a discussion on the design and green space. Commissioner Dunn agreed with Commissioner Wetterer that Rolling Fields should take a position on the issue.

Ms. Scott suggested that we submit a letter with a positive tone and outline gently the elements of concern for the project. ARC has to deal with the project as it is submitted (whole plan - category three plan). Mr. Cash added that the proposal would then go to the development review committee of the planning commission and that will also be addressed in a public meeting. Commissioner Tafel confirmed with Mr. Cash that this is

a two-layer approval process. ARC will not go to the full Landmarks Commission unless it is appealed there.

Mayor Conway asked Councilman Fleming: Is it possible for you to broker a relationship with Mr. Bauer to find some middle ground with the neighborhoods? Councilman Fleming stated that he will be happy to try to continue that effort. Even though the property is not in District 7, he will be happy to attempt to facilitate this conversation for his constituents. Mayor Conway said that everyone wants this development to succeed and make it win-win. Commissioner Tafel said that Mr. Bauer approached the Rolling Fields Commission in February and presented his plan. He noted that the Commission has not provided Mr. Bauer a response to his presentation to the Commission and stated that the Commission should also respond directly to Mr. Bauer.

Mayor Conway asked for other thoughts and comments from the public.

David Richardson stated: that he has not heard that materials used are quality materials and such materials can create an edginess and a youthfulness to a community. While it is not in keeping with the neighborhood, it might not be as objectionable as some think it might be. We could see a more modern, 'Frank Lloyd Wright' feel to the building."

Mr. Oyler stated that he received an email that Mockingbird Gardens was going to endorse the plan.

Commissioner Dunn moved to close public comment; Commissioner Tafel seconded. Motion to close public comment portion of the meeting.

Mayor Conway began the Rolling Fields Commission meeting.

Commissioner Tafel stated that we need to give feedback to Mr. Bauer from his presentation to the Commission at the February meeting. Commissioner Dunn stated that we need to consider the time sensitive nature of the ARC letter.

Commissioner Dunn moved to write a letter to ARC; Mayor Conway seconded. Commissioners Dunn, Moffett, and Wetterer approved and Mayor Conway approved the motion; Commissioner Tafel opposed, stating that the Commission should first respond to Mr. Bauer as it relates to his contact with the Commission at the February meeting. The Commission reviewed the draft formerly prepared by Commissioner Wetterer. Elements of the letter to ARC will include:

- 1) how excited and delighted that the residents are that a development is going forward and that a property that has been an eyesore will be developed;
- 2) thrilled to have a restaurant down the street;
- 3) materials and/or design that is more in keeping with the surrounding neighborhoods, but in any event, the neighborhood does not want to impede the development of the project;
- 4) add a section to the letter regarding green space and green corridor.

Mayor Conway stated that our letter should reflect a careful and measured response.

Commissioner Tafel asked if the Commission was in agreement on supporting project on behalf of residents and all the members of the Commission indicated that they were in agreement.

Commissioner Tafel asked if the Commission was in agreement that we will threaten project and all the members of the Commission indicated that they were NOT in favor of threatening this project.

Commissioner Moffett added that there are some parts of the project that are only up to ARC.

Commissioner Wetterer asked what we do to address these concerns or do we not involve Rolling Fields in them?

Mayor Conway stated that we have a citizen consensus and a consensus on the Commission that we want to express our enthusiasm for the project. Commissioner Wetterer added that we also needed to respond directly to Mr. Bauer and that we should use the same tone in a letter to Mr. Bauer and add information that Rolling Fields would like to keep lines of communication open to their process of development.

Mayor Conway stated that he will not be able to attend the hearing. Commissioner Tafel moved that Commissioner Dunn will read the statement at the ARC hearing on March 27. Mayor Conway seconded. All in favor.

The meeting was adjourned at 8:50 p.m.

The following statements were submitted via email to the Commission prior to the meeting. The statements are included in their entirety and are direct quotes from the emails received:

- I am in favor of the proposed plan for a Mesh Restaurant and doctors' office on the Bauer property. Kathy Oyler, 405 Duff Lane
- I am writing to oppose, in the strongest terms possible, ANY further interference in the redevelopment of the Bauer's property. In part because of ill-advised interference by Rolling Fields elected officials in the zoning and development process last time around we have, for years now, suffered the eyesore of a dilapidated property and the loss of conveniences that make our neighborhood livable and attractive. Whatever the good intent then or now, business reality must be considered and the thoughtfully proposed development allowed to proceed. The plans proposed for the Bauer's property this round are a monumental improvement in the current situation and will prove valuable amenities for the citizens of Rolling Fields. There is no historic significance to the building, which was only put on the register as an end-around of the zoning process. Any of our elected officials who cannot support thoughtful, well planned development of adjacent properties should step down now as they do not represent the majority of residents. Kent Oyler, 405 Duff Lane
- We have reviewed the plans for the new retail, restaurant and physician's offices. Having lived in Rolling Fields for 13 years, we have witnessed the slow demise of the Dolls/Bauer's property to its current state. We believe that it all needs to be torn down. It's an eyesore and embarrassing as it currently sits. It has a negative impact on our neighborhood and is likely decreasing the value and attractiveness of Rolling Fields as a place to live. My wife and I both would like to see these development plans approved. We would love to have a decent, upscale restaurant and thriving retail businesses in that space. In regard to the former Bauer's place as a landmark, I suggest that we leave the historical marker but tear down the current structure. Kathy and I unfortunately cannot attend the meeting tomorrow night, so please consider this email as our formal input to the project. Patrick and Kathy Scheen, 3724 Fairway Lane
- Just a quick note about the Bauer development plans. Sherrill and I want to express our support for these plans. While everyone may have their own particular opinion on style and historical precedence, the proposed renderings look very attractive and in keeping with the old Bauer's restaurant building. This will be an A+ improvement to the overall face of our community and will enhance property values. We recently had the opportunity to visit some friends in Marietta, GA where commercial developers have done a masterful job of creating business space that enhances the surrounding residential communities. Getting home from this trip made me realize what an eye sore this property is and how it detracts from our homes. Over and above the aesthetics, the usefulness of professional offices and a restaurant would be Great! Mike and Sherrill Scheid, Crocus Lane
- I am in favor of the Mesh Restaurant and Doctors' Offices at the former Bauer's site. Mary Means, Old Brownsboro Road
- I am writing to vehemently oppose any interference by the RF Council in the redevelopment of the Bauer's property. As a resident of Rolling Fields, I would like to register strong support for the development of the Bauer property plan as currently presented. The Bauer and Cunningham/Mesh groups have done their due diligence in

hiring an architect, an attorney and have designed a well laid out plan of their choosing, as is their right to do so. I also want to go on record as not being in favor of advancing any funds from the Discretionary fund for use in supporting the preservation cause of Mr. Cash or others. I do not feel that this development is the concern of Rolling Fields, as it is not in our purview and is outside the scope of the council. Rolling Fields elected officials should concentrate on issues inside of our city limits. Unless you take a house to house poll of every resident, you cannot put forth an accurate "measured response" on behalf of the city, saying you have a consensus on which to base your letter to the ARC. I cannot attend the meeting tonight, so please consider this my formal input on the decision of whether or not to draft a letter to the ARC from Rolling Fields. Joanna Nugent, Treasurer, Rolling Lane

- I urge you either to support the proposed development on the Bauer's property, or to take no position. While the proposed restaurant design may not be exactly what I would have envisioned, I am not in the restaurant business and not able to offer an informed opinion about how best to create and sustain a viable enterprise of this type. I am, however, anxious to have a convenient nice restaurant in place of either a less desirable commercial venture or the current eyesore. The proposed project seems to accomplish that. I also note that the only part of Rolling Fields that actually faces this site is a condo/apartment building. In the end, the eventual development and its precise design -- within reason -- will have almost no impact on the beauty of our neighborhood and the value of our homes. The edge of Northfield faces a hodgepodge of much less attractive commercial buildings, yet they do not remotely intrude on the streets and homes inside the neighborhood. Finally, I hope Rolling Fields will not nitpick to death every proposed project so that no improvements are ever made. It is this kind of attitude that delays a bridge for 30 years and consigns us to a mediocrity we do not deserve. Thank you for your consideration and for your willingness to serve as commissioners. I hope none of you are looking for loopholes in the balloting to invalidate your election.... David Wombwell, Canoe Lane
- Since moving back to Louisville in 2009, we have seen the Bauer property, for whatever reasons, remain stalled in a "do nothing" status. Now, a new proposal for a restaurant and medical office has surfaced. At first blush, the "old Bauer" medical office look and shockingly new restaurant design seem incompatible. However, do we really need two buildings side by side that look alike? The striking differences between the two could be really refreshing. Also, while this may not be the perfect plan that suits everybody, there are risks in waiting for that "perfect plan" to emerge (and it never does..):
 1. this property could remain vacant and in a downward spiral of disrepair for years to come. Or,
 2. a much less desirable project goes up in the future. Think: RiteAid plan --- or something way worse.

We need to get behind this current development proposal and be proactive in making it happen. **Please register our support.** Ann & Rob Webb, 410 Duff Lane

- I wanted to send my support for the development of the Bauer property/eyesore. It truly is a shame that the damage has been so severe and needs to be addressed now rather than later. The property must be cared for and developed without any further

delays. Please let the council members know we support the current development.
Thank you, Elizabeth Lococo, Basswood Lane

- Richmond and I both strongly disagree with your desire and possible intentions to present a Letter of Opposition to the proposed development of the Bauer property. Due to a possible conflict we may not be able to attend the special meeting tonight. We both believe that the proposed plan is a viable one and would enhance our neighborhood in a positive manner. It is time for the blight and rundown property to finally go away. Please use this communication as our vote in saying NO to your possible plan of opposition. Susan Simpson, Canoe Lane
- I understand there is a meeting this evening to decide whether or not to support the development of the Bauer property. As a long-time resident of Rolling Fields, I believe it is critical to move forward in the development of this property and not allow the current property to continue to decay. Not only is it an eye sore, but I believe it holds down our property values deprives us the opportunity for new businesses that can support our lives. For many years I walked not only to Doll's but also Azalea, and it provided many fond memories and conveniences. I believe it is time that we not only support this new plan which has been carefully thought out, but also work cooperatively to enhance the development, as well as better inform our neighbors. Please support this new effort and let's move forward cooperatively and decisively. All my best, Jennifer M. Blair, 432 Country Lane
- Thank you for serving as Rolling Fields Commissioners. Having once been City Clerk I appreciate the time commitment and applaud you. I've read the various emails being circulated that discuss the Bauer property and the new development plans and the possibility that the RF Commission is going to submit a letter opposing the development or demanding a redesign of the current plans. Two things stick out to me. First, I'm not sure what Rolling Fields has to do with this whole issue. I don't believe the property is in Rolling Fields although it is clearly nearby and highly visible to RF residents on a daily basis. But it seems odd to me that our City would involve itself in lobbying for or against changes to a development outside of our city boundaries. That seems a little like Louisville lobbying Shelbyville, or vice versa, over proposed changes to their downtown. It may happen but it seems outside their jurisdiction and inappropriate to me. Especially when, and this is my second point, the proposed development is vastly superior to the status quo. It's been five years or so since the Bauer property began to fall apart. Every day I pull out of Country Lane and see an incredibly ugly building straight ahead (Doll's, I miss it so!), and a dilapidated, rundown, moldy, rat trap on the right where a restaurant once stood. It's awful looking, and awfully embarrassing. I hate when visitors ask about it and I have to tell them the history. Worse yet, my 9 and 14 year-old kids regularly remark on how horrible it looks and what a shame it is that property in such a nice part of town looks the way it does (kids these days...). Anyway, I can't see any reason we wouldn't embrace the plans, whether they suit my particular architectural taste or not. We ought to be happy businesses are willing to invest money to improve such a prominent property in our neighborhood. It's got to be a huge improvement over what we have now and, frankly, I like the idea of having a bar close to home once again. And, common sense tells me if opposition to the plans results in the developers backing out it's just going to make it that much harder to find someone "suitable" to lease/buy the property. To me it's a

slam dunk. The viewing of which, by the way, is why I'm writing this email rather than attending tonight's meeting in person. Richard Herrmann, Country Lane

- Since I will be unable to attend the Special Meeting tonight to discuss the Bauer's Property, I wanted to send each of you an email to voice my support for the proposed Mesh Restaurant and Physicians building plans. I certainly hope that even though there may be some concerns regarding the design of the Mesh restaurant, we can look beyond that and get the project started to fix an embarrassing eyesore that is currently the old Azalea/Bauer's property. I do not think it would be wise to force the Cunningham group to pull out of this project because they can't design the building the way they would like. I hope that you will all support this plan. Sincerely, Nick Melhuish, 3716 Fairway Lane
- I am in support of the proposal to accept the new proposal for the Mesh group application of the new project for a new restaurant and the OneMD Medical office. Susan Vogt, Rolling Lane
- I am unfortunately unable to attend tonight's meeting so am passing this along via email. I must say I am excited to even be addressing this issue, as this property has been idle far too long. I have seen several emails going back and forth regarding the proposed use and design of the Bauers Property. I have looked at the renderings as well. I'm not going to address the One MD part of this as I don't think there should be much of a problem with that. If One MD doesn't do well there, the new building will lend itself to many different uses. Let us address the restaurant: I am old enough now to have lived through several years of local strife over bridges, arenas, and arguments about the preservation of functionally obsolete buildings on Whiskey Row, etc. etc. At the end of the day, we are all entitled to our opinions. But sometimes we let opinions cloud our judgment with respect to the greater good, creating impediments to forward progress that is so very necessary. Objectivity and subjectivity are two very different things, and in this case we must all remain as objective as possible. As a resident of the St. Matthews area for years, and now as a resident of Rolling Fields, I have enjoyed the Bauers property in at least two or three previous 'iterations'. In a perfect world for me, I would be a third generation living the memories so fondly shared over the years by my grandparents and parents of the old Bauers restaurant and its traditions, passing those experiences on to a fourth. But we have to live in the real world and the real world mandates change, whether we think that change is good or bad. The reality of this situation for some might seem there is nowhere to go but 'up' with respect to this site. However, like Mr. Talbott, and as a commercial real estate professional, I would argue there is definitely room to continue the slide downward, and that would be in the form of tenants we might REALLY deem undesirable/not the right fit for our neighborhood or not the 'highest and best use' of this property. Based on what I see in the market every day I can conjure far worse scenarios than this and I'm sure you all would agree. But it does not appear we have so many people upset about the use as we do the design. Once again, as more of an 'old school' guy, the design of this restaurant initially struck me as a bit too modern. But often times with respect to design, whether it is at home, work or elsewhere, I have been taught you have to let yourself 'live' with something for a bit before passing a final judgment or opinion. I have re-visited the drawing on several occasions and am now very excited about what we might have there. The use is exactly what we need in our

neighborhood. I would venture a guess that those opposed at present to the design would at the very least try the restaurant when it opened, and if they liked it would begrudgingly patronize such a convenient amenity. I could go on, but will leave it with this: The best thing that can happen here if we get this plan through architectural review is that the site is improved, does well and becomes a valued amenity. Those unhappy with the look and/or feel can grouse about it all they want while enjoying food and beverages with their friends and neighbors who don't so much mind, all the while offering opinions about how they would change the design. The worst thing that can happen if we get this plan through architectural review is that we have a VASTLY improved site in need of a different restaurant concept if or when this one doesn't fly. And for those who are opposed to the current design, they will get their wish when a new concept tries its luck there. And here is where I say.....Just be careful what you wish for. This site needs to be improved. A restaurant is what we need. It will be impossible for everyone to agree on the design. Let the developers invest. Let them try their luck. If you don't like the design, chances are at some point in the future, whether it is now or in three more generations, we'll be having this discussion again. In one man's opinion, that is the way it should be. Thank you for your consideration.
Yandell Wood, Tiffany Lane

- My husband and I are in favor of the current proposal for the Mesh restaurant and doctor's office at the Bauer's location. However, I might chain myself to the oak tree on Azalea's brick terrace if they plan to chop it down. I would be sad to see that go, but in all seriousness, I'm tired of looking at the dilapidated building. Sincerely, Your tree hugger neighbor, Carin Isaacs, 3725 Fairway Lane
- I support the current plans being considered to develop the Doll's/Bauer property. Neville Blakemore, III, Mockingbird Valley Drive (Non Resident of Rolling Fields)
- I understand the Council will review tonight the proposed development plans for the Bauer property on Brownsboro Road. It is my understanding that the developers propose a doctors office building and a new restaurant concept called Mesh. It is my opinion that the design of the office building is one which compliments the residential neighborhood, not necessarily the commercial neighbors, which I think is good. On the other hand I feel the restaurant design is a little bit extravagant for the residential neighborhood, although it is better than the eyesore Skee Bauer has allowed to deteriorate to a point of no repair. By allowing this development to proceed, would be to let Skee Bauer win even though he has been a horrible neighbor. Unfortunately it has come a time to allow something productive to occupy the property. If Mesh is unwilling to modify their design to blend in more with the residential area then so be it, Skee wins. Sincerely, Sam Booker, Canoe Lane
- I have been forwarded a copy of Mr. John Talbott's appeal to the citizens of Rolling Fields / Mockingbird Gardens, as well as a communication sent by Mr. Kent Oyler to the commissioners advising against any further interference in the proposed development of the Bauer's property. I agree 100% with each and every point and position made by Mssrs. Talbot and Oyler can add nothing further other than to officially register my belief the development of the property is a matter to be decided solely by the Bauer's. Given the unintended consequences of the previous missteps (notably the landmark designation) by those who appoint themselves in charge of the public good, I should hope they might have learned that not only are have they

violated the property rights of the Bauers in principle, their policies have also failed miserably in practice. To make amends to the Bauers, we should take every step necessary with all due haste to clear out any remaining impediments, including revocation of the historic landmark designation. I hope this will be the outcome of the upcoming meeting, to which I cannot attend due to my absence from town. Mayor Conway -- that you have "personal" feelings about the design is your perfect right. I encourage you to express your "personal" opinion to the Bauers if you feel you have ideas that can improve the design. But to take an official position than in anyway hinders the development is overstepping your bounds, and I request you and the all the commissions refrain from doing so. Sincerely, George C, Dick, 3500 Basswood Lane AND 3721 Edmond Lane

- I certainly hope that the council will not speak out against the development on behalf of our neighborhood without first having a meeting with our neighbors. There are obviously several people living in RF who would like to see development move forward. I know that, while the design of mesh is a little busy for my taste, I would love to see the property improved. It would be great to have a good restaurant in walking distance. It would be very disappointing to have these potential developers scares away. I hope to see you tonight. Best, Lauren Morgan, Crocus Lane

Respectfully submitted,

Rachel Schrepferman
Clerk, Rolling Fields