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May 24, 2021

Case Manager
Louisville Metro Planning & Design Services
444 S. Fifth Street
Louisville, Kentucky 40202

Re: (1) **Case Nos. 9-88-58; 9-62-93, and 9-3-99;**
(2) 617 S. Hurstbourne (existing Carrabba's), 615 S. Hurstbourne (formerly Mimi's Café), and 421 S. Hurstbourne (existing Chili's)
(3) Amendment to Binding Elements to allow drive-through

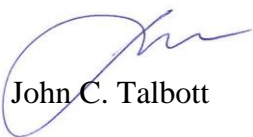
Dear Case Manager:

We are herewith filing an Amendment to Binding Element application for the above referenced properties and cases. Binding Element # 5(a) and # 20 in Case Nos. 9-88-58 and 9-62-93, and Binding Element #11 in Case No. 9-3-99 restrict the use of drive-throughs, which are intended to prohibit fast-food style restaurants. We are herewith requesting that the Binding Elements be amended and/or removed to allow a drive-throughs at these existing restaurant locations to reflect the recent changes in the restaurant industry during the COVID pandemic. Nothing in these changes would allow fast food restaurants, which would remain prohibited.

During the COVID pandemic, restaurants have had to change the way to serve customers. To-go orders have become essential to the survival of many restaurants. The applicant is requesting that the binding elements restricting the use of drive-throughs within this commercial center be removed so that these existing restaurant sites have the ability to add a drive-through if needed for traditional sit-down restaurants.

We look forward to answering any questions you may have regarding this development.

Sincerely,



John C. Talbott

Cc: RD Thurman, Applicant
Steve Rusie, City of Jeffersontown