

## Dock, Joel

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**From:** Jones, Amanda J. <Amanda.Jones@nortonhealthcare.org>  
**Sent:** Thursday, September 20, 2018 10:44 AM  
**To:** Dock, Joel  
**Subject:** 18ZONE1039

Hello Joel,

I am writing this in opposition of the re-zoning of the Third Lutheran Church. I oppose the zoning change to C-1 for multiple reasons. I am a direct neighbor of the property, therefore I have roots in this neighborhood of greater than sixteen years. The Clifton neighborhood is home to many long term residents, as well as new comers. It is graced with much charm and I have extreme adoration for the area. There is so much history in Clifton, not to be disrupted by another restaurant or establishment creating ruckus with noise, terrible lighting, bringing a dumpster into my backyard with rodents to follow. There are many options with a CR zoning, as the neighborhood is already designed with wonderful businesses within the same category. I have many concerns pertaining to the C-1 possibility, not only will this open options for more traffic, especially during the later hours of the day and night, noise factor, pollution, economy degradation, and so on. Another immediate concern is the fact that the KY School for the Blind is directly across the street from said property, and has been since 1855. The attendees have become a fixture of the community, therefore are comfortable with the area, including crosswalks, traffic, etc. They find trust within the neighborhood as most residential and business owners in the area have accommodated and considered these individuals with impairment in their daily lives. We are aware to be extra cautious as we are driving through the neighborhood, approach cross walks, making turns onto side streets, passing through Haldeman Ave and State Street, where many of the families live within the on campus housing. I would also like to mention, with this establishment being re-zoned, the parking in the back of the building is parallel to my residential parking. With that being said, not only do I fear that our very limited residential parking, which is the property of the condos I reside in will be taken by patrons of whatever becomes of this property. I also fear that the crime rates will increase, automobile traffic and foot traffic will bring more people into the vicinity of my home, in my back yard-passing through to get to the front of the property in question. This is not okay! I have felt at peace with the neighborhood for the sixteen years I have resided within. I find comfort in enjoying my backyard, walking late at night, coming and going from my vehicle to my door, sitting on my patio, which overlooks the church side and back yard. All being said, with the increase of people and traffic in the back, there is no doubt that the comfort and peace I now have, will be taken away and corrupted by strangers lingering within the vicinity of my home. Most of us work hard to maintain a home, an environment in which we find warmth and comfort in. Working 40-50 hours per week to pay a higher amount to live in the Clifton neighborhood because of its unique charm and safety. The historical aspects will be flawed if we as a community continue to allow these off sights to occur. Businesses are a good addition, keeping in mind the countless opportunities for something within the classification of CR zoning. It does not have to be a C-1. Think of the community as a whole in this decision, but also consider the families who live directly next door to the property in question.

Regards,

A. Jaden Jones, M.A.  
Norton Heart Specialists  
Heart Rhythm Center  
6420 Dutchmans Parkway, Suite 200  
Louisville, Kentucky 40205  
Tele (502) 891.8400 Ext 2179  
Cell (502) 664.6290  
Fax (502) 891.8401

[amanda.jones@nortonhealthcare.org](mailto:amanda.jones@nortonhealthcare.org)



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Mr. Dock - will you please confirm receipt and submit my additional comments for the September 20<sup>th</sup> Planning Commission meeting. Thank you for your assistance.

By email September 17, 2018

To: Joel Dock, Planner II

Subject: 9/20/18 Planning Commission meeting  
18ZONE1039, 1860-1864 Frankfort Ave., Third Lutheran Church  
sanctuary, basement, 2 story rear addition, and parsonage

Mr. Dock,

Upon reading the staff report for this case, I have some additional comments to submit.

The staff report includes findings of consistency with elements of Cornerstone 2020. However, several of those "consistency" findings (numbers identified below)--relating to economic growth and transportation/circulation--appear erroneous because they are predicated upon a "large traffic- generator use" that has "direct access" to the "multiple intensities and densities" of Frankfort Avenue and including internal circulation within the property. While that may be correct in other blocks of Frankfort Avenue in the Traditional Marketplace Form District, it is not correct regarding this specific property in the Traditional Neighborhood Form District block, as detailed below. For these reasons, a lower rezoning category, such as CR per my previous comments, appears a better fit for the adaptive reuse of the church and parsonage.

Concerning #37, #41, #44, #46, #47, the only access to the 34 rear parking spaces is from two narrow residential streets (Stoll and Haldeman) off Frankfort Ave. to the rear alley behind 1860-1864 Frankfort Ave. There is no vehicular curb cut from Frankfort Ave.

From Frankfort Ave. there is only pedestrian access to the property. With multiple steps from the sidewalk, the street front does not provide handicap accessibility.

Residents on Stoll Ave. park their vehicles in front of their home on both sides of the street. There is no alley access behind their home. A few residents on S. Haldeman closer to the railroad tracks have alley access for rear parking, but the majority of S. Haldeman residents park their vehicles on both sides of the street in the front narrowing vehicular traffic.

Thank you for the opportunity to further comment on this case.

Pam Vetter  
123 Waverly Ct  
Louisville, KY 40206  
pamavetter@gmail.com

**Dock, Joel**

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**From:** Lucy M. Pritchett <lmpritchett@bellsouth.net>  
**Sent:** Tuesday, September 18, 2018 11:05 AM  
**To:** Dock, Joel  
**Subject:** Case 18ZONE 1039 - Proposed zoning change 1860 Frankfort Avenue/145 Stoll Avenue

Dear Joel Dock,

As I am unable to attend the Planning Commission meeting on September 20 regarding the proposed zoning change to C-1 for 1860 Frankfort Ave/145 Stoll Avenue, I would like to share with you my thoughts on this matter.

I live at 139 Stoll Avenue. I am worried that this zoning change would

- \* bring about the possible over-commercialization of Frankfort Avenue especially in this area around the Kentucky School for the Blind,
- \* shrink on-street parking, and
- \* increase traffic in the neighborhood.

### **Frankfort Avenue**

I oppose granting a C-1 zoning designation to this property as I fear it will open up unrestricted development and growth in the middle of a residential neighborhood. I checked the city's Land Development Code and was shocked at the possible uses of the property that C-1 zoning includes. Car wash? Pawn shop? Car rental agency? I would not like to see Frankfort Avenue become another Bardstown Road.

### **Parking**

This is a residential neighborhood and most homes have on-street parking only, including mine. On-street parking is already tight and most days my street accommodates overflow parking from the School for the Blind. I am a long-time resident of Stoll Avenue. As a senior citizen, it will become more important as I age to be able to park in front of/close to my home.

### **Traffic**

As to increased traffic, my property backs up to the alley that connects the parking lot for 1860 Frankfort Avenue and Arlington Avenue. This didn't pose much of a problem when the parking lot was only used fully on Sundays by the church. Increased daily use by an unsuitable C-1 business would only serve to deteriorate the condition of the already crumbling alley and add to traffic use of Stoll Avenue.

I am not opposed to development of the property for the right tenant. Therefore, I do believe that C-R zoning would be more appropriate to the character of the neighborhood and would hope that the developer's plans could work within that zoning designation.

I trust that the Planning Commission will see to the best interests of the residents of the Clifton neighborhood.

Thank you for the opportunity to express my concerns.

Lucy M. Pritchett  
139 Stoll Avenue

502.899.1244

## Dock, Joel

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**From:** Peggy Christensen <peggy\_christensen@hotmail.com>  
**Sent:** Monday, September 17, 2018 10:59 AM  
**To:** Dock, Joel  
**Subject:** change in zoning

Joel Dock,

I am unable to attend the Planning Commission meeting on Sept 20 in regards to Zoning change for 1860 Frankfort Ave/145 Stoll Ave. I would like to share my thoughts and comments.

I live at 142 Stoll Ave which is across the street from 145 Stoll Ave, the entrance to the parking lot for the property. My concerns are mainly about parking and increased traffic in the neighborhood. This is a residential neighborhood and most homes have on-street parking only, including mine. Our on-street parking is already at a premium and we accommodate overflow parking from the Printing House for the Blind most weekdays. As a senior citizen, as my age advances, it becomes more important that I be able to park in front of/close to my home.

I oppose granting a C-1 Commercial zoning designation to this property because it opens us up to unrestricted development and growth in the middle of a residential neighborhood. I want to see this property developed and put to good use but believe that a C-R zoning would be more appropriate to the character of the neighborhood.

I have faith that the Planning Commission will defend the best interests of the residents of Metro Louisville. Thank you.

MargaretM. Christensen  
142 Stoll Ave.

## Dock, Joel

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**From:** Mike O'Leary <mike.oleary@twc.com>  
**Sent:** Thursday, September 13, 2018 12:57 PM  
**To:** Dock, Joel  
**Cc:** Clifford Ashburner; Mo Deljoo; Mike O'Leary, President Clifton Community Council  
**Subject:** Zoning cases: 18Zone1038 & 18Zone1039  
**Attachments:** Zoning Cases 18Zone1038 and 18Zone1039.PDF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Dock,

On September 4, 2018 eleven neighbors of the Clifton neighborhood met to review and discuss case number 18Zone1038 (1749 Frankfort Ave) and case number 18Zone1039 (1860-1864 Frankfort Ave). 9<sup>th</sup> District Councilman Hollander attended the meeting to listen to our thoughts, comments and suggestions.

The attached letter is a consensus of the eleven Clifton neighbors who attended the meeting. Please note while Councilman Hollander was in attendance he limited his comments to telling us of the responses his offices has received on this issue. Councilman Hollander did not express any opinion or remarks in favor or not in favor of the proposed zoning changes of the two cases.

Here is the list of Clifton neighbors, with their addresses, who attended this meeting:

1. Erin Staley 1856 Frankfort Ave. [staley.eta@gmail.com](mailto:staley.eta@gmail.com)
2. Peggy Christensen 142 Stoll Ave. [peggy-christensen@hotmail.com](mailto:peggy-christensen@hotmail.com)
3. Matt Glaser 1820 Arlington Ave [matthewglaser@yahoo.com](mailto:matthewglaser@yahoo.com)
4. Dan Poling 227 Pope Street [danpoling57@yahoo.com](mailto:danpoling57@yahoo.com)
5. Cassandra Culin 185 N. Bellaire Ave [kyspring@bellsouth.net](mailto:kyspring@bellsouth.net)
6. Kyle Culin 185 N. Bellaire Ave [kyspring@bellsouth.net](mailto:kyspring@bellsouth.net)
7. Bill Wright 2110 Vernon Court [bww0912a@gmail.com](mailto:bww0912a@gmail.com)
8. Bill Lieshoff 250 Crescent Hill Place, #102 [blieshoff@gmail.com](mailto:blieshoff@gmail.com)
9. Jan Weber Jane Street [kyjwbera@gmail.com](mailto:kyjwbera@gmail.com)
10. Pam Vetter 123 Waverly Ct [pamavetter@gmail.com](mailto:pamavetter@gmail.com)
11. Mike O'Leary 1963 Payne Street [mike.oleary@twc.com](mailto:mike.oleary@twc.com)

*In attendance to listen:* Councilman Hollander. [Bill.Hollander@louisvilleky.gov](mailto:Bill.Hollander@louisvilleky.gov)

Please add the attached letter to your report and the information provided to the Planning Commissioners.

Thank you.

Mike O'Leary  
President, Clifton Community Council

Michael O'Leary  
1963 Payne Street, Louisville KY. 40206  
Phone: (502) 899-1364 Email: [mike.oleary@twc.com](mailto:mike.oleary@twc.com)

- *Let us understand before we disagree. If we disagree let us not be disagreeable.*





**Clifton** Community Council  
PRESERVING THE PAST PLANNING THE FUTURE

*“Give residents a voice to government and keep them connected to one another”*

September 4, 2018

Clifford Ashburner, Attorney  
for Mo Deljoo, Ally Properties LLC  
Dinsmore & Shohl LLP  
101 S. Fifth Street  
Suite 2500 PNC Tower  
Louisville, KY 40202

Joel Dock, Planner II  
Planning & Design  
444 S. 5th Street  
Louisville, KY 40202

Dear Mr Ashburner, and Mr Dock,  
At a neighborhood meeting on September 4, 2018, residents reached a consensus on the two zoning cases listed below.

**18Zone1038**

**1749 Frankfort Ave**

1. Change the zoning from R-5B, Two-family Residential to **C-R**, Commercial-Residential. This will allow the new tenant, a real estate agency, to lease the space.
2. Retain a 5 ft. LBA in the rear yard along the west property line, a 15 ft. LBA along the north property line adjacent to the rear parking area, and landscaping along the east side of the rear addition as shown in the site plan presented at the August 23 LDT meeting.
3. Repair or replace the rear yard privacy fence.

**18Zone1039**

**1860-1864 Frankfort Ave (former Third Lutheran Church and parsonage)**

1. Change the zoning from R-7, multi-family Residential, to **C-R**, Commercial-Residential to allow for the existing church, basement, two story rear addition and two-story parsonage to be repurposed.
2. Approve the Conditional Use Permit (CUP) to retain the existing 21 off-street parking spaces (LDC 4.2.39) at 145 Stoll Ave. with a 400 SF ILA where 2 trees are to be planted per the site plan.
3. Retain the sidewalk on the east side of the church for pedestrian and handicap access. Install a 5 ft. LBA in the west side front yard. Replace the wrought iron fence with a wood privacy fence on the west side of the property next to the parsonage and into the rear yard.

Sincerely,



Mike O'Leary  
President, Clifton Community Council

CLIFTON COMMUNITY COUNCIL  
*Preserving the Past. Planning the Future*  
131 Vernon Avenue, Louisville, KY 40206

## Dock, Joel

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**From:** Philip Samuel <billygoathill3@gmail.com>  
**Sent:** Thursday, September 13, 2018 4:02 PM  
**To:** Dock, Joel  
**Subject:** 18ZONE1039, 1860-1864 FRANKFORT AVE

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Subject: 9/20/2018 Planning Commission meeting  
18ZONE1039, 1860-1864 Frankfort Avenue, Third Lutheran Church

Mr. Dock,  
Please confirm receipt and present these comments on to the Planning Commission for their meeting on September 20.

I attended the first neighborhood meeting (shortly after the Third Lutheran Church and adjacent parsonage at 1860-1864 Frankfort Ave. were purchased), but I was unable to attend the LDT meeting on August 23. Nor will be able to attend the Planning Commission meeting on Sept. 20.

Based upon what I heard at the original meeting, and also upon I have read about zoning options (especially the comparison between C-1 and C-R zoning), I am OPPOSED to the request change to C-1 for this property primarily (but not limited to this) because of the residential nature of this block. I would, however, support a re-zoning to C-R.

Thank you,  
Philip J. Samuel  
3 Angora Ct.  
40206

Mr. Dock - will you please confirm receipt and submit my comments for the September 20<sup>th</sup> Planning Commission meeting. Thank you for your assistance.

By email September 13, 2018

To: Joel Dock, Planner II

Subject: 9/20/18 Planning Commission meeting  
18ZONE1039, 1860-1864 Frankfort Ave., Third Lutheran Church  
sanctuary, basement, 2 story rear addition, and parsonage

Mr. Dock,

I support **CR** zoning instead of the **C1** zoning classification as submitted by the applicant for 1860 and 1864 Frankfort Ave. located within the Clifton Traditional Neighborhood Form District. This two block area on the south side of Frankfort Avenue (from State St. to Haldeman Ave.) has been predominantly residential since the early 1900's when it was developed.

The '**CR**' zoning class is more appropriate for this location on Frankfort Ave., and will be comparable to the re-zoning approved for 1741 Frankfort Ave., the former site for the James Lees Presbyterian Church. **CR** will still permit the owner to market the space to potential retail, office, and restaurants with indoor dining and indoor liquor service.

Most restaurants on Frankfort Ave. that have outdoor dining and outdoor liquor service are located on or closer to the front sidewalk or street. The structures on both 1860 and 1864 Frankfort Ave. have deep set backs from the street and multiple steps from the sidewalk. In that most patrons will probably park in the rear alley and enter from the rear of the property any rear outdoor dining may not be an option for potential restaurant tenants. I believe the 34 uses listed for **CR** will be sufficient for the adaptive re-use of the Third Lutheran property.

Based on the location of the structures and where they are located on the site, I recommend the more comparable zoning class of '**CR**' for the 8,853 SF sanctuary, basement, and 2 story rear addition at 1864 Frankfort Ave., and the 2500 SF parsonage located at 1860 Frankfort Ave.

I am in agreement with the application for a conditional use permit for the existing 34 parking spaces at 145 Stoll Ave., in the rear alley behind 1860-1864 Frankfort Ave.

Thank you for the opportunity to comment on this case.

Pam Vetter  
123 Waverly Ct  
Louisville, KY 40206  
pamavetter@gmail.com

## Dock, Joel

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**From:** Hollander, Bill H.  
**Sent:** Thursday, September 13, 2018 11:51 AM  
**To:** Dock, Joel  
**Subject:** FW: Proposed binding element for both Frankfort Ave. cases

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

-----Original Message-----

**From:** Ashburner, Clifford <[Clifford.Ashburner@DINSMORE.COM](mailto:Clifford.Ashburner@DINSMORE.COM)>  
**Sent:** Tuesday, September 4, 2018 11:07 AM  
**To:** [mike.oleary@twc.com](mailto:mike.oleary@twc.com); [deljoo@noveen.com](mailto:deljoo@noveen.com); Hollander, Bill H. <[Bill.Hollander@louisvilleky.gov](mailto:Bill.Hollander@louisvilleky.gov)>  
**Subject:** Proposed binding element for both Frankfort Ave. cases

Mike and Bill:

Mo and I spoke about the best way to allow for the two properties at 1749 and 1860 to be rezoned in a way that provided Mo needed flexibility but also provided the neighborhood some certainty and future input should uses change. We propose that the following binding element be added to both cases:

The subject property shall only be used for uses allowed in the C-R Commercial Residential zoning district, unless a change in use to a use allowed in the C-1 Commercial zoning district is approved by the Planning Commission or one of its committees at a public meeting after at least 14 days notice to those who received notice of this application.

The binding element will ensure that only uses that are allowed in the C-R zone can occur in the properties unless and until there is further review by the Planning Commission or one of its committees and those in the neighborhood have had an opportunity to weigh in.

As you know, 1749 will be used as office space by Kentucky Select Properties should the rezoning be approved. Mo still is without a tenant for the church.

Please let us know how the meeting goes tonight. If you have an alternative idea to address the interests of both Mo and the neighborhood, please email or give me a call to discuss.

Best,

Cliff

Cliff Ashburner  
Dinsmore & Shohl, LLP  
502-540-2382  
Sent from my iPad

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## Dock, Joel

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**From:** Leslie Barras <lebarras@gmail.com>  
**Sent:** Thursday, September 13, 2018 10:44 AM  
**To:** Dock, Joel  
**Cc:** Leslie Barras  
**Subject:** 18ZONE1039 Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

18ZONE1039  
1860-64 Frankfort Avenue; 145 Stoll Avenue

Mr. Dock,

These comments are submitted for inclusion in the administrative record and consideration at the September 20, 2018 Planning Commission meeting on the above-referenced case.

I oppose the rezoning from R-7 to C-1. I attended the May 23 pre-app meeting and recognize that the adaptive reuse of a church is a unique situation, requiring flexibility and creativity. However, this side of the block in Clifton has been residential for decades and is in the Traditional Neighborhood Form District, not the Traditional Marketplace Form District portion of Frankfort Avenue. The basic character of this area has not been substantially altered for years.

If this property cannot be repurposed for multi-family residential or Live/Work units, a C-R Commercial Residential District rezoning would be more consistent with the Form District, current surrounding R-7/R-6/R-5A zoning, and the Aug. 29th Development Plan's statement of use as "Retail/Office." C-R would still provide many opportunities for income-producing uses, such as office space that would not be so intrusive on the surrounding neighbors, the Kentucky School for the Blind, or the American Printing House for the Blind. While C-1 and C-R uses overlap, the possibility under C-1 of outdoor dining, alcohol sales, or a lounge is unacceptable in the middle of a residential block, and our neighborhood experience is that binding elements are not a solution. Future owners feel free to disregard them, putting the burden on the neighborhood to seek enforcement, or assume that they can just get them removed since they have a foot in the door with the more intensive zoning classification.

Regarding parking, whatever zoning is approved, I support the CUP instead of rezoning the parcel at 145 Stoll Avenue.

Thank you for this opportunity to comment.

Ms. Leslie Barras  
221 N. Clifton Avenue

## Dock, Joel

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**From:** Dock, Joel  
**Sent:** Wednesday, September 5, 2018 9:06 AM  
**To:** 'Amy Chase'  
**Subject:** RE: Church rezoning

As I understand it, the meeting held last night was a private meeting of the community. No planning officials were involved.

C-1 allows, like many other other zoning districts, a selection of uses. These uses range from insurance offices and barber shops to restaurants and retail stores, and many in between. An office use can be placed in a commercial district, but does not require a commercial district.

These concerns have been incorporated into the record and forwarded to the applicant.

Joel P. Dock, AICP  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
LOUISVILLE FORWARD  
444 South Fifth Street, Suite 300  
Louisville, KY 40202  
502-574-5860  
<https://louisvilleky.gov/government/planning-design>

-----Original Message-----

**From:** Amy Chase [<mailto:amylchase@hotmail.com>]  
**Sent:** Tuesday, September 4, 2018 5:20 PM  
**To:** Dock, Joel  
**Subject:** Church rezoning

Joel,

I have a conflict & am having to miss the meeting tonight. My concern with the rezoning is that they are applying for a C-1 and if I understand correctly this gives them the permission to do whatever they want without many restrictions. I don't know enough about rezoning, but aren't there lesser classes that would put at least a few restrictions on the property? If they were seriously planning on making it office spaces like they have stated, would they really need this type of zoning?

I am also concerned about the parking & any increase in noise & debris of a restaurant or social gathering place.

Thank you for your time. Please let me know if there is anything you need from me in the future on this matter.

Thanks again,

Amy



## Dock, Joel

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**From:** Mitchell Morrell <mitchelldmorrell@gmail.com>  
**Sent:** Tuesday, September 4, 2018 5:23 PM  
**To:** Dock, Joel  
**Cc:** mike.oleary@twc.com  
**Subject:** Case-18Zone1039 and 18Zone1038

Hello Joel,

I'm a resident of the Clifton neighborhood on Stoll Avenue (very close to the two cases) and I would like to voice my support of the re-zoning of both properties.

I believe the small businesses in our neighborhood keep our community the eclectic, vibrant area that people love. Being able to re-zone these properties will show that we support the small business growth of our community.

I appreciate you're time and consideration and hope you have a great week.

Mitchell Morrell  
502-552-7276

## Dock, Joel

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**From:** Dock, Joel  
**Sent:** Friday, August 24, 2018 12:03 PM  
**To:** Hollander, Bill H.  
**Cc:** Liu, Emily; Ethridge, Kyle  
**Subject:** RE: Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue  
**Attachments:** C-1 use list.pdf; Application\_EveningHearingPetitionConvenient\_Oct13.docx; Application\_EveningHearingPetitionDowntown\_Oct2017.docx

Thank you for this thorough response. I very clearly understand your position and the authority of Metro Council. I would still be curious to know what uses permitted within C-1 would be objectionable, apart from, in my opinion, the obvious suburban, auto-oriented uses – auto dealerships or car washes. This could be helpful information in the future in directing potential applicants and the current applicant. A list of C-1 uses has been attached.

I have heard from three interested parties to-date. Two of these individuals voiced support for CR instead of C-1.

A petition for night hearing at a convenient location requires 300 signatures. A petition with 200 signatures allows for the meeting to be held in the evening at the Old Jail Building. A petition would be required no later than September 5<sup>th</sup>. Applications for each have been attached.

Thanks,

Joel P. Dock, AICP  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
*LOUISVILLE FORWARD*  
444 South Fifth Street, Suite 300  
Louisville, KY 40202  
502-574-5860  
<https://louisvilleky.gov/government/planning-design>



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LOUISVILLE**  
*LOUISVILLE FORWARD*



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**From:** Hollander, Bill H.  
**Sent:** Friday, August 24, 2018 11:24 AM  
**To:** Dock, Joel  
**Cc:** Liu, Emily; Ethridge, Kyle  
**Subject:** RE: Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue

Joel –

I had forgotten that Kyle had forwarded it along. Thanks for reminding me. I was, frankly, disappointed that Cliff thought it wasn't important enough to share with anyone and I have told him that. The applicant has had shifting stories about plans for the site. It was originally undefined and then clearly office, not retail. I had passed along this article to some of the many residents who have contacted me about it. I will of course now need to tell them that the position has shifted again - <https://www.bizjournals.com/louisville/news/2018/05/25/hilltop-theater-owner-buys-frankfort-avenue-church.html>.

I understand what is required in the LDC - but I also understand that Metro Council has the authority to condition a rezoning on a particular use and to require that the applicant return to the Commission or the Council if the use changes. The County Attorney has approved such binding elements many times. That is what I have done along Frankfort Avenue and what I intend to do in the future.

I will make up my mind based on the record, which I expect to be very full. I just received an email from a very active Clifton resident objecting strongly to the Clifton Community Council's position in this matter and any decision to permit an undefined commercial zoning on a property located in a residential block and directly between and in VERY close proximity to two multi-family residential buildings. I expect there will be a number of comments at the September 20 hearing. How many signatures on a petition does it take to have the meeting at night near the site, so that ordinary citizens can actually participate, and when would a petition need to be submitted?

Bill



Councilman Bill Hollander | Ninth District Councilman  
Louisville Metro Council  
601 W. Jefferson Street | Louisville, KY 40202  
d: (502) 574-1109

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**From:** Dock, Joel  
**Sent:** Friday, August 24, 2018 8:39 AM  
**To:** Hollander, Bill H. <Bill.Hollander@louisvilleky.gov>  
**Cc:** Liu, Emily <emily.liu@louisvilleky.gov>; Ethridge, Kyle <Kyle.Ethridge@louisvilleky.gov>  
**Subject:** RE: Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue

Councilman Hollander,  
Planning staff received a copy of the letter/email in an email from Kyle Etheridge on 8/13. It is part of the record and was forwarded to the applicant at that time. While it may be strongly encouraged to define a tenant(s), such specificity is not required per LDC chapter 11, part 4. A general use or range of potential uses is not uncommon (ex. Retail/office). If there is a specific use(s) within the C-1 zoning district that is objectionable please inform staff so that the Commission and applicant can be fully informed. Ultimately, staff and the Commission are tasked with determining the appropriateness of the requested district with all associated uses and making a recommendation based on the impact of the district as a whole.

Thanks,

Joel P. Dock, AICP  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
*LOUISVILLE FORWARD*  
444 South Fifth Street, Suite 300

Louisville, KY 40202

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<https://louisvilleky.gov/government/planning-design>



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**From:** Hollander, Bill H.  
**Sent:** Thursday, August 23, 2018 2:52 PM  
**To:** Dock, Joel  
**Cc:** Liu, Emily; Ethridge, Kyle  
**Subject:** FW: Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue

Joel –

Below is the email I referred to at the LD&T meeting today regarding the two Frankfort Avenue cases. Cliff apparently did not include it in the record or mention it to anyone at the meeting but I thought you should have it for your file.

Bill



Councilman Bill Hollander | Ninth District Councilman  
Louisville Metro Council  
601 W. Jefferson Street | Louisville, KY 40202  
d: (502) 574-1109

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**From:** Hollander, Bill H.  
**Sent:** Wednesday, May 23, 2018 1:48 PM  
**To:** [clifford.ashburner@dinsmore.com](mailto:clifford.ashburner@dinsmore.com)  
**Cc:** Mike OLeary <[mike.oleary@twc.com](mailto:mike.oleary@twc.com)>; Ethridge, Kyle <[Kyle.Ethridge@louisvilleky.gov](mailto:Kyle.Ethridge@louisvilleky.gov)>  
**Subject:** Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue

Cliff –

I am not going to be able to make the meetings tonight but wanted to pass along a comment. Although I of course do not have positions on the potential rezonings at this stage, I wanted to note that I have never voted for a rezoning in my district which did not involve stated, relatively well-defined plans for the properties involved. As you know, in some cases, I have requested that binding elements be added which require additional approvals, including from Metro Council, if those plans change.

The May 10 Business First article indicates that these proposals are much less definite than have been presented for Frankfort Avenue properties during my term. I hope that will change as the cases progress.

Feel free to read this comment or make note of it at the meetings, if you think that is appropriate.

Bill



**Councilman Bill Hollander** | Ninth District Councilman  
Louisville Metro Council  
601 W. Jefferson Street, | Louisville, KY 40202  
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## Dock, Joel

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**From:** Hollander, Bill H.  
**Sent:** Thursday, August 23, 2018 2:52 PM  
**To:** Dock, Joel  
**Cc:** Liu, Emily; Ethridge, Kyle  
**Subject:** FW: Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue

Joel –

Below is the email I referred to at the LD&T meeting today regarding the two Frankfort Avenue cases. Cliff apparently did not include it in the record or mention it to anyone at the meeting but I thought you should have it for your file.

Bill



**Councilman Bill Hollander** | Ninth District Councilman  
Louisville Metro Council  
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**Cc:** Mike OLeary <[mike.oleary@twc.com](mailto:mike.oleary@twc.com)>; Ethridge, Kyle <[Kyle.Ethridge@louisvilleky.gov](mailto:Kyle.Ethridge@louisvilleky.gov)>  
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## Dock, Joel

---

**From:** Ethridge, Kyle  
**Sent:** Monday, August 13, 2018 8:19 AM  
**To:** Dock, Joel  
**Subject:** RE: August 23, 2018 LD&T Meeting - Case No. 18ZONE1038, located at 1749 Frankfort Avenue  
**Attachments:** Email\_ Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue.pdf

Joel.

The Councilman had emailed the attached letter to Cliff Ashburner and asked him to share the information at the public meeting back in May. He requested more information about the appropriate use.

He asked that I send you the email to be added to the official file.

Thank you,  
Kyle



**Ms. Kyle Ethridge** | Legislative Assistant  
Office of Councilman Bill Hollander  
601 W. Jefferson Street | Louisville, KY 40202  
d: (502) 574-3908 o: (502) 574-1109

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**From:** Dock, Joel  
**Sent:** Thursday, August 9, 2018 9:49 AM  
**To:** Ethridge, Kyle <[Kyle.Ethridge@louisvilleky.gov](mailto:Kyle.Ethridge@louisvilleky.gov)>  
**Subject:** RE: August 23, 2018 LD&T Meeting - Case No. 18ZONE1038, located at 1749 Frankfort Avenue

Attached.

Joel P. Dock, AICP  
Planner II  
Planning & Design Services  
Department of Develop Louisville  
*LOUISVILLE FORWARD*  
444 South Fifth Street, Suite 300  
Louisville, KY 40202  
502-574-5860  
<https://louisvilleky.gov/government/planning-design>



**DEVELOP  
LOUISVILLE**  
*LOUISVILLE FORWARD*



**From:** Ethridge, Kyle  
**Sent:** Thursday, August 9, 2018 9:15 AM  
**To:** Dock, Joel  
**Subject:** FW: August 23, 2018 LD&T Meeting - Case No. 18ZONE1038, located at 1749 Frankfort Avenue

This one too.

Thanks!



**Ms. Kyle Ethridge** | Legislative Assistant  
Office of Councilman Bill Hollander  
601 W. Jefferson Street | Louisville, KY 40202  
d: (502) 574-3908 o: (502) 574-1109

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**From:** Council District 9 Notification of Development Proposals <[development-notifications@public.govdelivery.com](mailto:development-notifications@public.govdelivery.com)>  
**Sent:** Wednesday, August 8, 2018 2:56 PM  
**To:** Hollander, Bill H.  
**Subject:** August 23, 2018 LD&T Meeting - Case No. 18ZONE1038, located at 1749 Frankfort Avenue

The attached is notification of the August 23, 2018 Land Development and Transportation meeting to be held at the Old Jail Building, 514 W. Liberty St., at 1:00 p.m.

- [18ZONE1038 LD%26T+Notice.pdf](#)

Having trouble viewing this email? [View it as a Web page.](#)



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This email was sent to [bill.hollander@louisvilleky.gov](mailto:bill.hollander@louisvilleky.gov) on behalf of Louisville Metro using GovDelivery · 707 17th St, Suite 4000 · Denver, CO 80202 · 1-800-439-1420






Email

# Neighborhood Meetings T...

Priority  
Normal


Date

Status: Received


Owner  
 Kyle Ethridge

Email



From

 Bill Hollander

To

 Clifford Ashburner

Cc

 Kyle Ethridge;  Mike O'Leary

Bcc

Subject

Neighborhood Meetings Tonight - 1749 & 1860-1864 Frankfort Avenue

Cliff –

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Bill




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Louisville Metro Council  
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d: (502) 574-1109

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Regarding

Duration

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**Created On** 5/23/2018 2:00 PM **Created By**  Kyle Ethridge

## Dock, Joel

---

**From:** Peggy Christensen <peggy\_christensen@hotmail.com>  
**Sent:** Thursday, August 23, 2018 9:15 AM  
**To:** Dock, Joel  
**Subject:** Zoning change

Joel Dock/case manager,

I live at 142 Stoll Ave and have been invited to the zoning change meeting for 1860 Frankfort Ave and 145 Stoll Ave today at 1:00. I am unable to attend due to work obligations. 145 Stoll Ave is opposite my property and I have serious concerns about a change to commercial zoning so nearby. My understanding is that there is little or no commercial C-1 zoning along Frankfort Ave and I question why that should change for this property. It would be a dramatic change in character for the neighborhood we call home. Thank you for your consideration.

Peggy Christensen  
142 Stoll Ave.

Sent from my iPhone

Mr. Dock - will you please confirm receipt and present my comments to the LDT Committee members when they meet on Thursday, August 23. Thank you for your assistance.

By email August 21, 2018

To: Joel Dock, Planner II

Subject: 8/23/18 LDT committee meeting  
18ZONE1039, 1860-1864 Frankfort Ave., Third Lutheran Church  
sanctuary, basement, 2 story rear addition, and parsonage

Mr. Dock,

I am in disagreement with the zoning classification chosen by the applicant for the two parcels at 1860 and 1864 Frankfort Ave. located within the Clifton Traditional Neighborhood Form District.

The 'CR' zoning class is more appropriate for this location on Frankfort Ave., and will be comparable to the re-zoning approved for 1741 Frankfort Ave., the former site for the James Lees Presbyterian Church. CR will still permit the owner to market the space to potential retail, office, and restaurants with indoor dining and indoor liquor service.

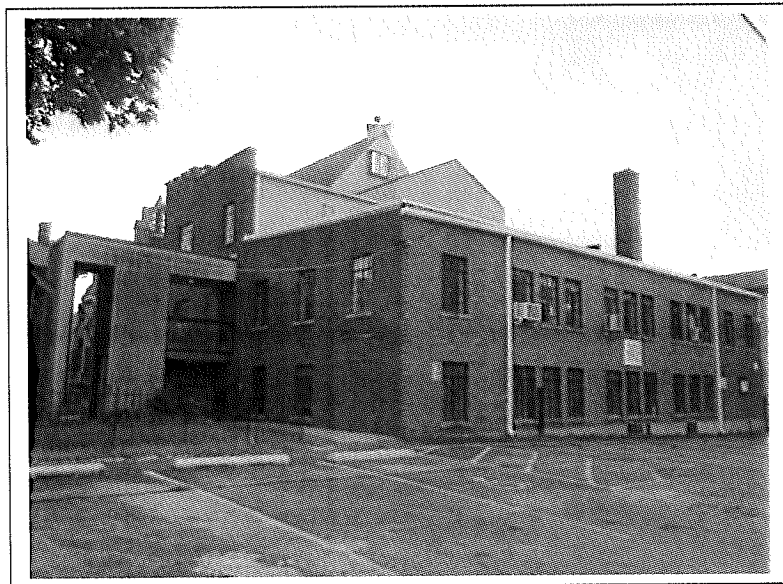
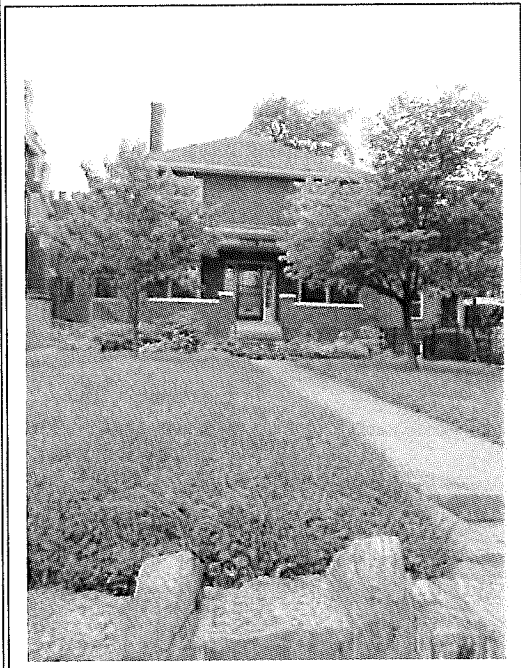
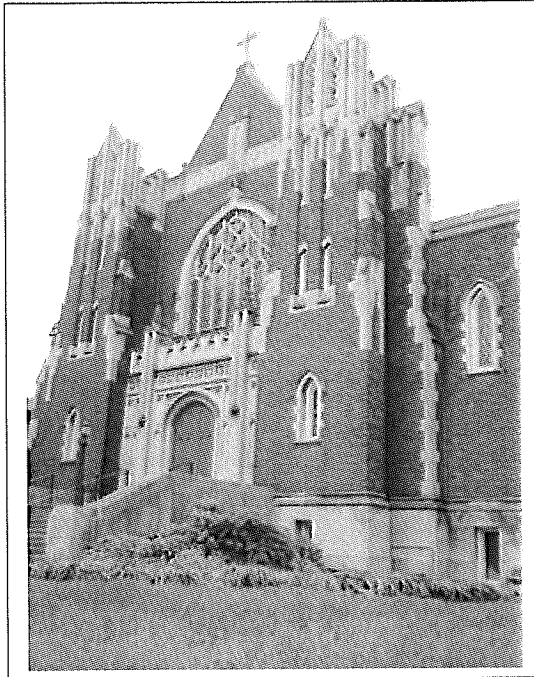
Most restaurants on Frankfort Ave. that have outdoor dining and outdoor liquor service are advantageously set on or closer to the front sidewalk or street. The structures on both 1860 and 1864 Frankfort Ave. have deep set backs from the street and multiple steps from the sidewalk. In that most patrons will probably park in the rear alley and enter from the rear of the property any rear outdoor dining may not be an option for any potential restaurant tenant. Any exterior modification such as outdoor dining may need approval by the Landmarks staff.

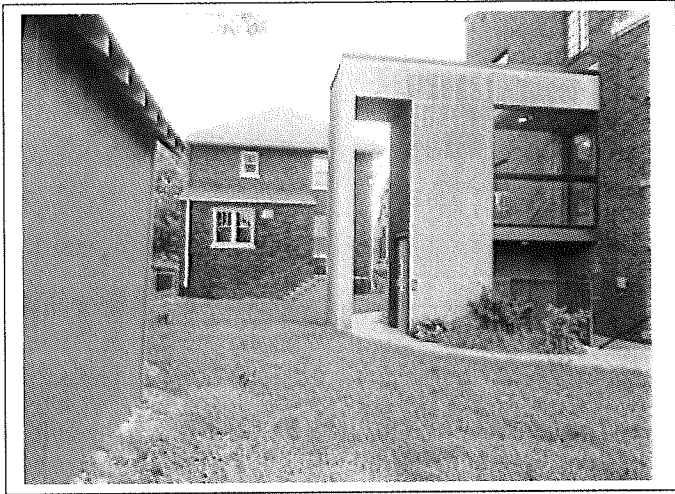
Based on the location of the structures and where they are located on the site, I recommend the more comparable zoning class of 'CR' for the 8,853 SF sanctuary, basement, and 2 story rear addition at 1864 Frankfort Ave., and the 2500 SF parsonage/rectory located at 1860 Frankfort Ave.

I am in agreement with the application for a conditional use permit for the existing 34 parking spaces at 145 Stoll Ave., in the rear alley behind 1860-1864 Frankfort Ave.

Thank you for the opportunity to comment on this LDT case.

Pam Vetter  
123 Waverly Ct  
Louisville, KY 40206  
pamavetter@gmail.com





## Dock, Joel

---

**From:** Leslie Barras <lebarras@gmail.com>  
**Sent:** Sunday, August 19, 2018 4:43 PM  
**To:** Dock, Joel  
**Cc:** Leslie Barras  
**Subject:** 18Zone1039 Comments (Third Lutheran Church, 1860 Frankfort Avenue)

Mr. Dock - would you acknowledge that you received these comments and that they will be provided to the LDT Committee as well? I can't attend the Aug. 23 meeting. Thank you.

Submitted via email, August 19, 2018

18ZONE1039  
1860 Frankfort Avenue

Mr. Dock,

These comments are submitted for inclusion in the administrative record and consideration at the August 23, 2018 Land Development & Transportation Committee meeting on the above-referenced case.

I oppose the rezoning from R-7 to C-1. I attended the May 23 pre-app meeting and recognize that the adaptive reuse of a church is a unique situation, requiring flexibility and creativity. However, this side of the block in Clifton has been residential for decades and is in the Traditional Neighborhood Form District, not the Traditional Marketplace Form District portion of Frankfort Avenue. In other words, the basic character of this area has not been substantially altered for years, nor does the neighborhood plan envision a character change.

A C-R Commercial Residential District would be more consistent with the Form District, current surrounding R-7 zoning, and the July 25 Development Plan's proposed use as "Retail/Office." C-R would still provide many opportunities for income-producing uses, such as office space that would not be so intrusive on the surrounding neighbors, the Kentucky School for the Blind, or the American Printing House for the Blind. Alternatively, a Live/Work authorization per Section 4.3.19 of the Land Development Code (Permitted Uses with Special Standards) would also appear more appropriate than C-1 rezoning.

What this block does not need is a restaurant and/or bar sitting smack dab in its middle. I lived directly behind one of Clifton's most popular restaurants and bars for almost ten years. No matter how thoughtful a current owner tries to be, he/she has no control over future owners or patrons, who parked in our yard and driveway; threw glass bottles and other trash in our yard; created ruckuses in the street well into the night; and urinated anywhere they pleased.

Finally, it is unclear in the July 25 revised Development Plan why the church sanctuary seems to now be excluded from the "Rezoning Area" depicted on the map. There was no discussion in the pre-app meeting of excluding the sanctuary from the request—in fact, to the contrary. It concerns me that there may be additional—and now undisclosed—plans for the sanctuary that are being left to future land use changes.

Regarding parking, whatever zoning is approved, I support the CUP instead of rezoning the parcel at 145 Stoll Avenue. I would also encourage any owner to work with the Printing House for the Blind, who has a 70-80 car parking lot on State Street around the corner that is seldom full during the day and practically empty after business hours.

Thank you for this opportunity to comment.

Ms. Leslie Barras  
221 N. Clifton Avenue