

From: [Emma Aprile](#)
To: [Haberman, Joseph E](#)
Cc: [Armstrong, Cassie](#); [Metcalf, Megan A.](#)
Subject: Comments re: 21-OVERLAY-0031
Date: Monday, December 13, 2021 12:30:46 PM

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Dear Mr. Haberman,

I am writing in response to 21-OVERLAY-0031 regarding an overlay permit request for 1270 Bardstown Road, at the corner of Bardstown Road and Rosewood Avenue. Please add this letter into the record for this case, and please share this letter with the Bardstown Road Overlay District Committee.

I am a neighbor who lives within a block from this property on Rosewood Avenue, at 1806 Rosewood Avenue, and I work part-time at Carmichael's Bookstore, 1295 Bardstown Road, across the street from the proposed drive-thru. My family and I use the sidewalks adjacent to this building almost every day, whether for getting to work, shopping, or to any of our local parks.

I urge the Planning and Design Services staff and the Bardstown Road Overlay District Committee to reject this application 21-OVERLAY-0031 as incompatible with the goals and guidelines of the BROD as outlined in Appendix G of Metro Louisville's Land Development Code, as well as being incompatible with our area's Traditional Marketplace Corridor and Traditional Neighborhood Form District designations. This proposal not only violates the BROD, TMC, and TNFD goals of promoting walkability, but also endangers pedestrians using our Bardstown Road and Rosewood Avenue intersection and increases vehicle traffic and pollution in our residential district.

According to the BROD guidelines, "Buildings should be 'pedestrian- friendly.' Design building facade elements that promote a pedestrian-friendly environment include building to the edge of sidewalk" [Appx. G:E.2.b]. While this building may indeed have been built before the BROD guidelines were instituted, the goal of all new renovation, additions, and refurbishment is to bring the corridor into increasing compliance with the BROD goals. Preserving this site's current layout while expanding the building in direct contravention of the BROD guidelines will only hurt the corridor's continued economic development and physical safety.

The proposed drive-thru path will encircle the building, making any pedestrian approaching the building have to cross a vehicle's path. The drive-thru will also increase automobile traffic on that corner, and all of this increase in traffic will cross the sidewalk that is the main path between our neighborhood and the crosswalk and light at Bardstown Road, thus cutting off a main route to and from the other side of Bardstown Road and all the amenities there, including Willow and Cherokee Park,

both of which are within short walks of that crosswalk. Tyler Park is also just a short walk away and is also accessed by people coming from Bardstown Road via this corner. The BROD outlines in Appendix G: G.2.c a requirement that “parking areas and drive-thrus should be located to the side or rear of structures” for exactly these reasons.

The increased traffic will adversely impact those of us who live and work near this business and will also add the presence of idling cars at the drive-thru. The increased traffic and idling time will increase noise and air pollution for all of us, and will also make this corner not just unpleasant but actively dangerous to pass by for pedestrians and patrons en route to neighboring businesses.

The reorganization of the site includes placing a dumpster, apparently without any screening (in contravention of the BROD guidelines, outlined in LDC Appx. G: G.2.d, that call for 36-in. screening), at the corner of the drive-thru entrance/exit and the sidewalk on Rosewood. With or without screening, this will impair visibility for both pedestrians and drivers, leading to an inevitable increase in collisions at this corner—the addition of this drive-thru and its increase in traffic will actively endanger pedestrians heading in either direction on Rosewood.

Please also note two other major BROD violations in this proposal: “The number and width of curb-cuts on the Corridor should be minimized to promote pedestrian circulation” [Appx. G:G.2.j], yet this proposal increases the use of the curb-cut, endangering pedestrians. The BROD also states that “new structures should be located at the front property line” [Appx. G:E.2.d], yet the new structural addition to this building is located at the rear of the building, contravening the Corridor’s goals of increased pedestrian access to buildings, as noted above.

Finally, the proposal’s introduction of a drive-thru will reduce patronage opportunities for adjacent BROD Corridor businesses, reducing the vitality and the commercial life of our neighborhood. As a bookstore employee, I know many of our customers from outside the neighborhood park nearby and visit the bookstore on foot in tandem with other businesses—including the liquor store at 1270 Bardstown Road. In making this business accessible to patrons without leaving their vehicles, the proposal violates the commercial principles underlying the Traditional Marketplace Corridor, and reduces patron access to all the other businesses in the area.

When I sit on my front porch on Rosewood Avenue, I can see so many people walking up to Bardstown Road. People who walked by with empty carts earlier return from Bardstown Road with carts full of groceries. Couples with strollers, families with kids running ahead or trying out their scooters on their way to a park, people in wheelchairs (motorized and not), even groups of dressed-up teens on prom nights in May making their way up to the Bristol or Ramsi’s—all these people walk by 1270 Bardstown Road enjoying the way the BROD and LDC guidelines for our area and its access to the Bardstown Road Traditional Marketplace Corridor have made our neighborhood increasingly walkable, safer for pedestrians, and so inviting to residents and patrons who wish to visit our numerous businesses. Please do not allow these fantastic gains to be eliminated at our high-pedestrian-traffic corner.

We urge you to reject the application of 21-OVERLAY-0031 as out of keeping with the Bardstown Road Overlay District's guidelines, as well as being incompatible with its location within a Traditional Marketplace Corridor and as part of a Traditional Neighborhood Form District.

Thank you,
Emma Aprile and Andrew Rosenthal



1806 Rosewood Ave.
Louisville, KY 40204

I rarely end up where I was intending to go, but often I end up somewhere that I needed to be.
—Douglas Adams, *The Long Dark Tea-Time of the Soul*

From: [Andy Blieden](#)
To: [Haberman, Joseph E](#)
Cc: [Armstrong, Cassie](#)
Subject: 21-overlay-0031
Date: Tuesday, January 4, 2022 9:38:57 PM

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Dear Joseph-

I am a business owner on Bardstown Road and I'm a resident at 1075 Cherokee Rd. I am writing to ask that you deny the application for the expansion, drive thru, and dumpster location for this application.

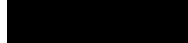
I cannot make the virtual meeting but please let this be my strong opposition to this application.

We are trying to bring Bardstown Road back to become a pedestrian friendly street. The location of the dumpster is horrid and the addition of a drive through makes the area more dangerous to pedestrians and detracts from the ambiance of Bardstown Road.

Please consider this objection and please don't approve this plan.

Sincerely,

Andy Blieden



From: [Dan Borsch](#)
To: [Haberman, Joseph E](#)
Subject: Vault Liquors & Smoke
Date: Wednesday, January 5, 2022 7:34:01 AM

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Mr. Haverman-

I am writing to share my complete support for the letter submitted by Friends of Bardstown Rd. The proposed changes to the Vault liquor are completely inappropriate and out of character for the neighborhood and would set a terrible precedent for Bardstown Rd. I hope that these proposed changes will not be allowed to proceed.

Sincerely,

Daniel Borsch



40204

From: [Jackie Cobb](#)
To: [Haberman, Joseph E](#)
Cc: [Armstrong, Cassie](#); [Metcalf, Megan A.](#); [Schwager, Zachary D.](#)
Subject: Comments re: 21-OVERLAY-0031
Date: Saturday, December 11, 2021 1:27:34 PM

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Dear Joe,

Please include this letter from the Friends of Bardstown Road in the case file for 21-OVERLAY-0031 pertaining to 1270 Bardstown Road, Louisville, KY. Friends of Bardstown Road is a 501c(6) neighborhood group composed of both businesses and residents focused on helping Bardstown Road reach its full potential as a vibrant place to live, work, and visit.

Friends of Bardstown Road urges Planning and Design Services and the Bardstown Road Overlay District Committee to reject the proposal for Vault Liquor's additional structures and property use changes as outlined in the application 21-OVERLAY-0031 because the proposed expansion of this building is incompatible with multiple principles and guidelines of the Bardstown Road/Baxter Avenue Overlay District (BROD).

The *Distinctive Characteristics of the Bardstown Road/Baxter Corridor Review Overlay District* description preceding the BROD Guidelines themselves states that the "automobile-oriented service facilities" in this area of Bardstown Road constitute the "largest breaks in historic character of the corridor." The proposed development for 1270 Bardstown Road does absolutely nothing to repair that break. On the contrary, it deepens that break by increasing the automobile-oriented design of the building.

According to the current BROD Guidelines as outlined in the Land Development Code:

- The proposed addition to the building does not bring the building into compliance with BROD Guidelines, and instead increases the lack of pedestrian access and safety. Per LDC Appendix G (E)(2)(b), under the BROD, "buildings should be "pedestrian-friendly," which should "include building to the edge of the sidewalk," and per Appendix G (E)(2)(d), "new structures should be located at the front property line," requiring new additions to conform to these guidelines. Instead, this proposed development has planned an addition to expand the building further away from the sidewalk, maintaining the front of the building set far back from the sidewalk, thus remaining out of compliance. Allowing the driving path and the parking area to remain between the building and the sidewalks renders the proposed design inhospitable to

pedestrians both using the business and walking past the business.

- Per Appendix G (G)(2)(c), "Parking areas and drive-thrus should be located to the side or rear of the structures." This proposed development is in obvious violation of this principle. The placement of this property at the busy corner of an intersection that is high-traffic for pedestrians provides this property with two busy frontages—Rosewood Avenue and Bardstown Road. The development's drive thru is proposed to wrap around the building from Rosewood Avenue to the Bardstown Road side, all adjacent to sidewalks. This proposed driveway placement will create an inhospitable environment for pedestrians walking along the sidewalk, not only because of cars crossing through the curb cut for drive-thru access, but also because of the planned placement of the dumpster right next to the sidewalk and driveway on Rosewood, reducing visibility for both walkers and drivers. Not only that, the proposed drive-thru would have cars crossing the primary pedestrian entrance on the Bardstown Road side of the building's front door—far from pedestrian friendly!
- Per Appendix G (G)(2)(d) and (e), the proposed parking areas for this development would be required to be hidden by landscaping or 36" walls given their adjacency to sidewalks and size. The proposed development does not propose adequate screening.
- Per Appendix G (E)(2)(e), "high quality materials and historically appropriate architectural details at the ground floor/street level of buildings" are encouraged. This proposed development proposes using fiber cement board on the addition, which is not keeping in character with the existing building or neighborhood.

Fundamentally, the addition of a drive-thru for this business is out of keeping with the BROD guidelines. The placement of this automobile-oriented building addition on this busy pedestrian corner will absolutely increase vehicle traffic and will endanger pedestrians given the multiple sidewalks that will cross a planned vehicular path. The corner of Bardstown Road and Rosewood Avenue functions as a major locus for the pedestrian life of the Bardstown Road Traditional Marketplace Corridor—it is at one of the few signalized, marked crossings for pedestrians along the Bardstown Road corridor. Many pedestrians use this corner of Bardstown Road and Rosewood Avenue to take advantage of Willow, Tyler, and Cherokee Parks, all three just short walks away from that intersection. Increased traffic in and out through this drive-thru will make that pedestrian route significantly more dangerous, especially for families and for assisted mobility users who rely on this signalized crossing. This corner is also within a brief walk of a grocery store, bookstore, hotel, and numerous restaurants, all of which are used by neighborhood residents and by patrons and tourists visiting the corridor from other areas.

In summary, the Friends of Bardstown Road urges PDS and the BROD Committee to deny the permit for case 21-OVERLAY-0031 on the grounds that the proposed development violates several tenets of the Bardstown Road Overlay District. The proposed development would be incongruous with the existing land use and design features, and also would deteriorate the visual quality of the Bardstown Road historic corridor. Most importantly, the proposal would endanger both the pedestrian nature of the area and the pedestrians themselves.

Please reject this application as inconsistent with the character of the Bardstown Road Overlay District, and as detrimental both to our area's commerce and the quality of life of our neighborhood's residents.

Sincerely,

Jackie Cobb
President, Friends of Bardstown Road
PO Box 4064
Louisville, KY 40204

From: [Tiffany Fabing](#)
To: [Haberman, Joseph E](#)
Cc: [Armstrong, Cassie](#); [Metcalf, Megan A.](#)
Subject: Comments re: 21-OVERLAY-0031
Date: Sunday, December 12, 2021 5:40:56 PM

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Please add this email to the record for 21-OVERLAY-0031, regarding the request for 1270 Bardstown Rd.

The proposed drive thru and addition are contrary to the guidelines and intent of the Bardstown Rd. Overlay, which emphasizes walkability and design that is compatible with the neighborhood. BROD was created to help maintain and enhance the appearance and vitality of the corridor. This proposal detracts from the overall design quality of the area. Specifically, I have the following concerns regarding the proposed changes:

- The proposed drive-thru is a safety hazard for both pedestrians and drivers in an already confusing and busy parking lot. It will be located in front of the building, contrary to the guidelines, which state "Parking areas and drive-thrus should be located to the side or rear of structures."
- Adding a drive-thru will negatively impact residents on Rosewood as it will increase noise and air pollution due to idling vehicles
- The proposed structural addition will use building materials that are incompatible and fail to enhance the property's visual interest
- The proposed placement of the business's dumpster adjacent to the sidewalk will negatively impact Rosewood Ave pedestrians. The applicant fails to address screening.

Please reject this application. Rather than promoting walkability, pedestrian access, and vitality, this proposal endangers pedestrians, increases automobile traffic, and detracts from the design quality of a prominent intersection.

Thank you,

Tiffany Fabing
2044 Alta Ave
Louisville, KY 40205

I'm writing to add my voice to the opposition of this business being granted a drive thru lane, parking that backs into said lane, and an addition with street side dumpster that can only be described as development graffiti on the pig that is Mid City Mall.

Recently Mike King was quoted, "Preston Highway is very car-specific. As a result, it's very dangerous."

You could say the same thing about the stretch of Bardstown Road unregulated by pedestrian-favoring guidelines past the Watterson. Carcentric planning is really a lack of pedestrian forethought. The site plan reflects this. This block is already drive thru saturated, with three on this site alone and two across the street, and is the salient example that led to negating drive thrus altogether In Nulu.

Never mind how many drive thrus were removed altogether or completely shielded from the street in the past 30 years. Never mind how any existing drive thru was minimized by superior design criteria and exceeded the standards of the existing guidelines. Never mind this business already asked for this same thing years ago and was told no. Traffic engineering principles alone should tell you that! Three merging drive thrus with zero wayfinding into a right turn only exit at a major pedestrian crossing! The main pedestrian entrance to the business crosses said drive thru, and a dumpster is proposed at the Rosewood access blocking visuals to Rosewood.....what could go wrong?!

A major focus of the overlay guidelines is minimizing curb cuts. Why? Because pedestrians don't do so well crossing them! Ben Botkins' recent redo of the police station/ballet building includes removal of the existing driveway. When the Eagle in the same block was renovated for a prior restaurant we did the same; removed the mid block driveway and turning it into outdoor seating. Commonwealth Bank replaced a fast food business. It's lushly landscaped site belies the fact there is a drive thru at the rear. The recent La Bomba rebuild, (a business with one of the most dangerous drive thrus on the corridor), completely eliminated the drive thru.

A site plan that requires a waiver and a variance from the LDC gives me flashbacks of the Goodfellas pizza case, a case so botched by poor review order (BOZA ahead of overlay) and a site plan so devoid of proper analysis, the case, after four hearings, was summarily rejected. Rightly so. Any time a site plan shows fifty surface parking spaces ahead of the building, with an ill-defined pedestrian access through said parking, at a major intersection with zero attention to said pedestrians, AND creates a blind access singular drive aisle crossing the pedestrian sidewalk from the street.....well. It's either aTMC form or its not.

The applicant crawled away.

The purpose of design review and zoning is to better the outcome and bring a pedestrian corridor's development into better compliance with the code. The design record of this corridor proves you can have superior, highly designed, pedestrian friendly development. Curb cuts and drive thrus were never the focus of the development plan or the outcome. When Rally's was demolished for Just Fresh across from mid city, a drive thru-less restaurant with terrace was designed. Although now a paint store, adaptive reuse will again come and the building is poised, by virtue of its design, to be a restaurant once again. I have no idea what purpose an

outdoor patio at the corner of an already traffic challenged side street serves. I guess I should be grateful for that tree, which will likely perish from the proposed changes. How about simple landscape enhancements?! Every tree planted as part of the 1996 Baxter Ave Theatre project has died or been cut down from lack of maintenance. Canes removed mature healthy trees for vertical sticks so you could see their overscaled sign. Win win.

This liquor establishment under current consideration has a many times nicked brick wall to remind me of the utter folly of carcentric design that isn't functional. We've done at least two charettes for Mid City that blow up all the suburban out parcels and send this relic from Preston Highway to hell. I hope I live long enough to see it. And to see drive thrus struck from the guidelines altogether.







Finally, that's not an existing drive thru window. Just like Krogers wasn't. The broken up paving, junk strewn on site, and parking that can only be described as wonky, a falling in wall and poorly maintained, but still alive tree complete the picture. A lousy neighbor to have. The "improvements " proposed aren't any better than the sad lack of maintenance currently.

I also support the objections of Tiffany Fabing and Emma Aprile..

Respectfully submitted,

Debra Richards Harlan
1734 Chichester Ave
40205

From: [Debra harlan](#)
To: [Haberman, Joseph E](#)
Subject: Liquor store case
Date: Wednesday, December 29, 2021 12:31:46 PM
Attachments: [Liquor store case.pdf](#)

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Please copy to the BOZA case manager; I don't seem to have that person on my list. Thanks.

Sent from my iPhone

From: [Helvey, Sarah L](#)
To: [Haberman, Joseph E](#); [Armstrong, Cassie](#); [Metcalf, Megan A.](#)
Subject: 21-OVERLAY-0031
Date: Monday, December 27, 2021 2:24:56 PM

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I live in the 1700 block of Rosewood Ave and am writing to express concern over the proposal of adding a drive-thru to Vault Liquors at the corner of Bardstown Rd and Rosewood Ave. Our street, in particular the blocks between Bardstown and Baxter, is already highly traveled by speeders cutting through. There is supposed to be no left turn from Bardstown to Rosewood, but that is constantly violated. This section of Bardstown Rd by Mid City Mall is extremely congested already. The southeast end of the parking lot is also already extremely congested with the drive-thru of Heine Bros and Skyline Chili. Another issue with people ignoring a "no left turn" post is by Heine Bros. People very frequently turn left from Bardstown Rd between Skyline and Heine Bros, despite the posting. An additional issue of traffic violations is the alley that runs behind Rosewood from Baxter to Bardstown, between the houses and the south side of Mid City Mall. It is supposed to be one-way headed east from Baxter to Bardstown, but people go the wrong way many times a day and have caused several near misses with other cars and even pedestrians.

Please do not vote to add a drive-thru to Vault Liquors.

Thank you for your consideration,

Sarah Helvey-Martin
1717 Rosewood Ave

From: [Gail Henson](#)
To: [Haberman, Joseph E](#)
Cc: [Armstrong, Cassie](#)
Subject: 21-OVERLAY-0031
Date: Thursday, December 30, 2021 2:39:19 PM

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Dear Mr. Haberman,

Please add this letter into the record for 21-OVERLAY-0031, regarding an overlay permit request for 1270 Bardstown Road.

As a 40-year resident of the area, frequent patron to the PNC, Carmichael's, and MidCity Mall, and active participant on the new Cherokee Triangle/Bonnycastle Neighborhood planning process, I urge Planning and Design Services and the Bardstown Road Overlay District Committee to reject this application for addition of a drive-thru and building expansion at 1270 Bardstown Road.

1. It's too dangerous. This area is already a logistical nightmare for pedestrians. The proposal will make it so much more dangerous for people navigating the sidewalks and intersections that this liquor store rests on. People already play chicken with getting in and out of the coffee shop, the chili store, this liquor place, Mid City Mall, and the little road onto Rosewood. Adding a drive through would add even more danger.

2. Secondly, the proposal is incompatible with the goals and guidelines of the BROD as outlined in Metro Louisville's Land Development Code.

According to the BROD guidelines, "Buildings should be **'pedestrian- friendly.'**" This proposed addition of a drive-thru at this location not only does not bring the building to the edge of the sidewalk on either Bardstown Road or Rosewood Avenue, but also increases vehicular traffic while simultaneously decreasing pedestrian accessibility of 1270 Bardstown Road and its surrounding businesses. This building is on a corner with two sides of frontage, and the proposed drive-thru surrounds the building, leading to any pedestrian use of the building needing to cross the designated lane of drive-thru traffic.

The proposed addition does not match the existing brick, which **violates Appendix G (E)(2) (e):** "high quality materials and historically appropriate architectural details at the ground floor/street level of building."

3. Dumpster will have a negative impact on Rosewood. Finally, the applicant proposes to move the dumpster next to the sidewalk on Rosewood Ave., which is a nuisance to Rosewood residents and pedestrians. With the new Bellweather Hotel, such a placement would detract..

Please reject this application. It is too dangerous, it doesn't fit with the BROD guidelines, and its dumpster placement will be so unfortunate and ugly for the homeowners.

Sincerely,

Gail Henson
2335 Bonnycastle Av
Louisville 40205

From: [Allan Linehan](#)
To: [Haberman, Joseph E](#)
Subject: Vault Liquors expansion
Date: Tuesday, January 4, 2022 9:06:46 PM

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Dear Mr Haberman,

As a resident in the Bardstown Rd Overlay for the past 20 years, I've seen a decrease in small businesses and an increase in Bars. Much as I shop at Vault Liquors, is it really necessary to expand the alcohol business along Bardstown Rd? I think it's time we say enough! Let's get more businesses that don't involve liquor. Bardstown Rd is becoming the Bourbon Street of Louisville. Loud and obnoxious partying every night. Every morning I pick up a bucket full of trash cast upon the sidewalks between Bardstown Rd and Bloom Elementary (on Lucia Ave). It's just gotten worse over the years.

Allan Linehan
1637 Lucia Ave

From: [Robert Riley](#)
To: [Haberman, Joseph E](#); [Armstrong, Cassie](#)
Subject: 21-OVERLAY-0031
Date: Monday, January 3, 2022 12:01:25 PM

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Please accept this as my opposition to the overlay permit request for 1270 Bardstown Road (21-OVERLAY-0031) and my request that the current request to add a drive thru window be rejected.

As I understand it, the purpose of the Overlay District Committee is to approve appropriate design aesthetics, not use. That is the purpose of Planning and Design. In terms of the aesthetics, this is a bad plan. It will be inconsistent with the surrounding properties including the newly revamped Boutique Hotel across the street. The existing building of some, if limited, historical and architectural significance, would require modification and as I understand it, the original design features will be severely impacted or lost entirely. This is especially true since the requested changes are to the front of the building which is the viewing angle from Bardstown Road. I cannot see how adding a drive through window to the front of a historical building will add to the aesthetics of the neighborhood, or increase the contextual views to passengers or pedestrians.

As far as the use of the building, this proposal will direct additional car traffic to an already tricky building use. There is no direct access to the building site from Bardstown Road thus requiring access from the Mid City Parking lot or thru the shared driveway to the Skyline Chili Parlor (which incidentally has a drive through on the side of the building rather than the front). The most likely ingress or egress will be to add traffic to Rosewood. Several years ago, the turn onto Rosewood from Bardstown Road, was modified in what I thought was an attempt to reduce the use of Rosewood to access the Mid City mall. This request now asks you to add traffic to the very intersection.

There is certainly concern for both Committees in regard to any placement of a dumpster that remains visible from Bardstown Road. No set of guidelines would suggest that a dumpster should be a focal point for passing motorists or pedestrians.

From: [Florence Saltzman](#)
To: [Haberman, Joseph E](#); [Armstrong, Cassie](#); [Metcalf, Megan A.](#)
Subject: Comments re: 21-OVERLAY-0031
Date: Monday, January 3, 2022 5:19:30 PM

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I live on Rosewood Avenue and love living in an urban area where I can walk to stores, restaurants, parks and more. The Tyler Park Neighborhood Association has been involved in increasing safety for walkers and the walkability of our neighborhood as has the Bardstown Road Overlay Committee. Bardstown Road and the MidCity Mall are unique in that they are surrounded in close proximity by residences. This requires unique business/neighborhood solutions. I believe along with many of my neighbors that a proposed drive through liquor store at the northwest corner of Rosewood and Bardstown Road is a poorly thought out proposal for these reasons:

1. Drive through liquor stores in themselves are a bad idea. My out of town friends are amazed they exist here already.
2. It requires cars to exit directly onto Rosewood creating increased traffic on a residential street.
3. The corner it proposes to exit on is a right turn only. Unfortunately many people already disobey the sign and turn left. That behavior would increase and create a danger to busy Bardstown Road traffic.
4. The sidewalk the drive would pass through is a busy pedestrian walkway both on Bardstown Road and on Rosewood. We don't want our neighborhood to become another place that requires an automobile because it is too dangerous to walk.
5. The liquor store has parking included on it's property making the request frivolous and unnecessary.
6. The proposal also moves their dumpsters next to the sidewalk on Rosewood rather than the alley where it should be.
7. We chose to live in the walkable Highlands, we do not want it to become like the walker unfriendly areas of Shelbyville Road.

For all these reasons and more I request you deny the business' request to create a drive through on my residential street.

Florence Saltzman

From: [Lary Saltzman](#)
To: [Haberman, Joseph E](#)
Subject: 1270 Bardstown Road
Date: Monday, December 27, 2021 4:58:00 PM

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I am against the new overlay addition to the liquor store(1270 Bardstown Road) , corner of Bardstown Rd and Rosewood...I do not feel this is good for our neighborhood.

Lary Saltzman
1715 Rosewood ave
40204

From: [Michael Schnuerle](#)
To: [Schwager, Zachary D.](#); [Haberman, Joseph E](#)
Subject: 21-OVERLAY-0031 : BROD objections
Date: Wednesday, November 24, 2021 5:45:54 PM

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Hello Joe and Zachary,

I am writing per §162.27 (D) to oppose 21-OVERLAY-0031 for BROD committee approval, to "deny the Permit" per §162.27 (J), based on the following factors:

1) Not currently up to compliance with BROD guidelines

Per §162 APPENDIX F, the existing building is not up to compliance with BROD and does not come to the sidewalk area. The existing building should first come into compliance before these plans are approved, or as part of the proposed plans.

The parts of APPENDIX F that do not meet the current building/lot design:

- A) "...buildings are constructed at or near the front and side property lines..."
- B) "...characterized by an overall two and a half story mass that is divided into distinct segments or store fronts..."
- C) "Parking is provided on the street or at the rear of sites with alley access..."

More evidence of non compliance is below using APPENDIX G.

2) Design not built to edge of sidewalk

At best the existing building should be removed and a new building built to the edges of the property lines at the east and south at Bardstown and Rosewood, like the BROD rules state. At worst the addition should be added to the front of the building matching the existing building style.

See §162 APPENDIX G (E)(2)(b): "building to the edge of sidewalk"

See §162 APPENDIX G (E)(2)(d): "New structures should be located at the front property line."

3) Parking area too visible and confusing

The existing/proposed parking and driving areas are a chaotic mess with 2 car entrances/exits, 3 parking areas, and driving areas in front of, on both sides, and behind the building. Cars drivers are allowed to circle the building on all sides and there are too many parking areas. Parking areas of this size should be hidden by landscaping or 36" walls.

See §162 APPENDIX G (G)(2)(b): "Combining existing, small, under-utilized lots to create shared parking areas that are more efficient and more accessible is strongly encouraged."

See §162 APPENDIX G (G)(2)(d): "Parking areas adjacent to the public sidewalks must use landscaping, trees, colonnades or other construction, to maintain the building line created by structures along the sidewalk. Side parking lots which exceed 40% of the total linear lot frontage adjacent to right-of-way shall provide a 36" high masonry, stone, or concrete wall that makes reference to a similar design within the

surrounding area extending from the principal structure across the front of the parking area. Surface parking lots with no principal structure shall provide the 36" wall as described. The 36" tall wall can wrap around any existing or proposed monument signage to maintain visibility."

See §162 APPENDIX G (G)(2)(e): "Adequate perimeter landscaping, fencing, or a combination of both is required to help screen parked vehicles from full public view. The screening height shall be 36" above finished grade of parking lot. This height will enable drivers of vehicles to safely see and avoid other pedestrians and vehicles while screening most of the parked vehicles' mass."

4) Dangerous new "crosswalk"

Adding a drive through as shown in the plans requires drivers through users to drive right in front of the main entrance to the building. The only protection offered is a painted crosswalk. This is dangerous for pedestrians and store shoppers entering and exiting the front of the building. Instead the applicant should follow the BROD guidelines and build the structure forward to the street scape. If a drive through is needed, build the addition forward, and put a drive through on the back of the building in the existing driving lane, which could also be made one way.

See §162 APPENDIX G (G)(2)(c): "Parking areas and drive-thru's should be located to the side or rear of structures"

5) Moving dumpster right next to the sidewalk

The plans show moving the garage dumpster right next to the sidewalk on Rosewood Ave. This will create a nuisance for pedestrians and is not in character with the neighborhood. There are not other BROD businesses with dumpsters directly adjacent to a sidewalk beside a main road. It also creates a hazard for employees using the dumpster and walking across both the drive through and driving/parking lanes. It should be kept next to the building.

See §162 APPENDIX G (E)(2)(j): "All new mechanical equipment that is visible from a public right-of-way should be installed to have a minimal impact on adjacent properties and from public view."

6) A fiber cement walled addition, not matching existing brick

Proposes using fiber cement board on the addition, which is not keeping in character with the existing building or neighborhood. At a minimum it should be red brick and styled to match the existing building materials and style.

See §162 APPENDIX G (E)(2)(e): "High quality materials and historically appropriate architectural details at the ground floor/street level of building"

Please let me know if you need any other information or clarifications from me on these points, if I made any errors referencing the BROD Guidelines, and I hope the BROD Committee takes all of this email into consideration.

Thank you,

Michael Schnuerle
1515 Goddard Ave
Louisville, KY 40204
[REDACTED]

From: [Maggie Steptoe](#)
To: [Haberman, Joseph E](#); cassie.armstrong@lou-ky.gov
Subject: Comments re: 21-OVERLAY-0031
Date: Wednesday, December 29, 2021 1:09:22 PM

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As a resident of the Tyler Park neighborhood, 1705 Windsor Place, I am opposed to the proposed changes in the property being requested in 21-OVERLAY-0031. Specifically, the request to add drive-thru access to Vault Liquors and an expansion of the current building would increase car traffic, increase pollution from idling cars and reduce safe pedestrian traffic along Bardstown Road and Rosewood Avenue.

Margaret M Steptoe

Sent from my iPhone