

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223  
(502) 426-6688 • (502) 425-0561 (FAX) • WWW.BARDLAW.NET

Nicholas R. Pregliasco  
Direct dial: 426-0388, ext. 139  
Email: NRP@BARDLAW.NET

July 17, 2018

Dear Neighbor,

**RE: Proposed Conditional Use Permit (CUP) to allow a restaurant with outdoor alcohol sales and consumption at 1031, 1035, 1037 & 1041 Goss Avenue**

We are writing to invite you to a meeting we have scheduled to present neighbors with our CUP plan to allow a restaurant with outdoor alcohol sales and consumption on the above referenced property. At the time of formal filing, we will also be filing a Category 3 application to allow a 1-story, 5,000 sf restaurant. The outdoor dining area, for which the CUP is requested, will be a part of the proposed restaurant.

Accordingly, we filed the CUP plan for pre-application review on Monday, July 9<sup>th</sup> with the Division of Planning and Design Services (DPDS) that has been assigned case number **18CUP1089** and case manager, **Beth Jones**. We would like to show and explain to neighbors this plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Tuesday, July 31<sup>st</sup> at 7:00 p.m. in the cafeteria at St. Elizabeth of Hungary Church** located at **1020 E. Burnett Avenue** (*enter the cafeteria through the door, under an awning, facing Hoertz Ave.*).

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688 or our land planning and engineering firm representative Sarah Beth Sammons at 426-9374.

We look forward to seeing you.

Sincerely,



Nick Pregliasco

cc: Hon. Pat Mulvihill, Councilman, District 10  
Beth Jones, Case Manager with Division of Planning & Design Services  
Sara Beth Sammons, land planners with Land Design & Development, Inc.  
Shawn Cantley, applicant with Goss Avenue Restaurant, LLC

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Client: Shawn Cantley/Goss Ave.  
Case No: 18CUP1089  
Site Address: 1031, 1035, 1037 &  
1041 Goss Ave.

Block 25J, Lot 14, 16, 17, 18  
BCCN Real Estate Holdings, LLC  
312 S. 4<sup>th</sup> Street, 6<sup>th</sup> floor  
Louisville, KY 40217

**Tier One Property Owners:**

Block 25J, Lot 19  
Tenfiftyeight, LLC  
1058 Highland Ave.  
Louisville, KY 40204-1961

Block 26C, Lot 166, 165  
Goss Avenue, LLC  
12800 Crawford Rd. NE  
Palmyra, IN 47164-8947

Block 26C, Lot 164  
Prospect Property Group, LLC  
13505 Ridgemoor Dr.  
Prospect, KY 40059

Block 26C, Lot 163  
Hurt Housing, LLC  
603 Maryhill Ln.  
Louisville, KY 40207

Block 26C, Lot 162  
Nicholas L. James & Jay Bhimani  
188 North St., Apt. 62  
Boston, MA 02113

Block 26C, Lot 161, 140  
Karen Sue Hauck  
PO Box 5022  
Louisville, KY 40255

Block 26C, Lot 160  
Charles Glasser  
5113 Withorn Sq.  
Louisville, KY 40241

Block 26C, Lot 159, 158, 129  
George & J L Hauck  
9101 Old Bardstown Rd.  
Louisville, KY 40291

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Block 25J, Lot 13  
Judith Karen Stevens Obiedo  
1029 Goss Ave.  
Louisville, KY 40217

Block 25J, Lot 32  
Christopher James Hunter  
1028 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 33  
Reed S. Welker  
1030 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 35  
John & Stacey Dziedzic  
6503 Westwind Way  
Louisville, KY 40014

Block 25J, Lot 35  
Mary Helen Gary & Robert Gary  
1034 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 36  
Eleanor E. Thiemann  
1036 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 37  
Nancy Russman & Elizabeth Stith  
1038 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 38  
James Barry Cissell  
1040 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 39  
Loretta S. Robinson  
1042 Samuel St.  
Louisville, KY 40204

**Tier Two Property Owners:**

Block 25J, Lot 40  
Justin Stewart & Laurel Sims Stewart  
1044 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 41  
Cynthia & Bryan Hubbs  
1046 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 42  
Claire Schroering  
1048 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 43  
Marvin & Millicent Sidebottom  
6511 Hollow Tree Rd.  
Louisville, KY 40228

Block 25J, Lot 23  
Four Pegs, LLC  
1053 Goss Ave.  
Louisville, KY 40217

Block 25J, Lot 22  
Michael & Nancy Breitenstein  
1628 Lucia Ave.  
Louisville, KY 40204

Block 25J, Lot 12  
Raymond Cortez & Debie Cortez  
1027 Goss Ave.  
Louisville, KY 40217

Block 25J, Lot 11  
Katrina Ice  
1025 Goss Ave.  
Louisville, KY 40217

Block 25J, Lot 260  
Mildred Link  
1026 Samuel St.  
Louisville, KY 40204

Block 26C, Lot 157  
Karen Hauck & Lynn Hauck Hite  
1000 Goss Ave.  
Louisville, KY 40217

Block 26C, Lot 171, 168  
Gabriele Properties, LLC  
Gabriele Foods, LLC  
1030 Goss Ave.  
Louisville, KY 40217

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Block 26C, Lot 167  
Goss Avenue, LLC  
12800 Crawford Rd., NE  
Palmyra, IN 47164

Block 26C, Lot 141  
Melissa Lee  
1005 Ash St.  
Louisville, KY 40217

Block 26C, Lot 142  
Bank of America NA  
7105 Corporate Dr.  
Plano, TX 75024

Block 26C, Lot 143  
Alice M. Eilers  
416 Oxford Place  
Louisville, KY 40207

Block 26C, Lot 144  
Joseph, Jr. & Robin Maupin  
2916 Cambridge Rd.  
Louisville, KY 40220

Block 26C, Lot 145  
Stuart Jones & Catherine Hatcher  
1013 Ash St.  
Louisville, KY 40217

Block 26C, Lot 146  
Daniel & Kelley Lewis  
1015 Ash St.  
Louisville, KY 40217

Block 26C, Lot 145, 148  
Kristin Chervenak & Leila Faucette  
1017 Ash St.  
Louisville, KY 40217

Block 26C, Lot 149  
Andrew Withington  
1834 Stevens Ave.  
Louisville, KY 40205

Block 25J, Lot 9  
Tommy & Mary Locicero  
1017 Goss Ave.  
Louisville, KY 40127

Block 25J, Lot 10  
137 Harlan, LLC  
4523 Wolfcreek Pkwy.  
Louisville, KY 40241

Block 25J, Lot 107  
James R. Disselkamp  
1047 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 106  
Nicole Troxell & Caroline Wilson  
1045 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 105  
Andrea Clark  
1043 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 103  
Allison K. Dobbs  
1039 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 102  
Logan Smith  
1033 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 101  
Thomas Westley & Mary Austin  
1027 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 100  
Dennis Tanaka  
1025 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 99  
Daniel Petersmith  
1023 Samuel St.  
Louisville, KY 40204

Block 25J, Lot 98  
Brett Meyer & Christine Smith  
1817 Tyler Pkwy.  
Louisville, KY 40204

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Others:

Nicholas R. Pregliasco  
Bardenwerper, Talbott & Roberts, PLLC  
1000 N. Hurstbourne Pkwy., 2<sup>nd</sup> Floor  
Louisville, KY 40223

Hon. Pat Mulvihill  
Councilman, District 10  
601 W. Jefferson Street  
Louisville, KY 40202

Sarah Beth Sammons, ASLA, PLA  
Land Design & Development, Inc.  
503 Washburn Ave.  
Louisville, Kentucky 40222

Beth Jones, Case Manager  
Department of Planning and Design  
444 S. 5<sup>th</sup> Street  
Louisville, KY 40202

Shawn Cantley  
Goss Avenue Restaurant, LLC  
1073 Cherokee Road  
Louisville, KY 40204

**Those neighbors that attended the  
7/31/18 NM not already on the APO  
list:**

Mike Morris  
947 Goss Avenue  
Louisville, KY 40217

Gail Linville  
526 Atwood St.  
Louisville, KY 40217

## Developer's Neighborhood Meeting

<i>Meeting Date and Time</i>	<i>Developer's Name</i>	<b>Goss Avenue Restaurant, LLC</b>
July 31, 2018 @ 7:00 pm		

*Location of Meeting*  
St. Elizabeth of Hungary Church, 1020 E. Burnett Avenue, Louisville, KY

<i>Description of Proposal</i>	Proposed CUP to allow a restaurant with outdoor alcohol sales and consumption

**Subject Site Location**  
1031, 1035, 1037 & 1041 Goss Avenue, Louisville, KY

## NEIGHBORS IN ATTENDANCE

NAME	ADDRESS	ZIP CODE	EMAIL ADDRESS
<i>PLEASE PRINT CLEARLY</i>			

Geoff Wohl	D10 LA			geoff.wohl@louisvilleky.gov
Ron Bolton				Schnitzeling278@gmail.com
✓ Gail Linville	526 Atwood St	40217		
✓ Marcy Russman	1038 Samuel St	40204		chetrnaway1038@hotmail.com
✓ Elizabeth Smith	1038 Samuel St.	40204		libbale@hotmail.com
✓ Allison Dobbs	1039 Samuel St	40204		allisonkdobbs@gmail.com

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## Developer's Neighborhood Meeting

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<i>Description of Proposal</i>	Proposed CUP to allow a restaurant with outdoor alcohol sales and consumption

*Subject Site Location*

1031, 1035, 1037 & 1041 Goss Avenue, Louisville, KY

## NEIGHBORS IN ATTENDANCE

[illegible]



**Neighborhood Meeting Summary  
Cantley/Goss Ave.**

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A neighborhood meeting was called to order at 7:00 PM on July 31, 2018 at the St. Elizabeth of Hungary Church located at 1020 E. Burnett Avenue which was chosen because it is located close to Goss Ave. with ease of access to residents from the area who mostly attended this neighborhood meeting.

The meeting began with John Talbott showing a PowerPoint presentation of the area and nearby development. He did this so that everyone present was fully familiar with exactly the properties being considered and impacted. He described also the proposed initial site plan for this site, its perimeter buffers and setbacks, the location of parking, the increased parking over what is required, a detailed district development plan, and the points of ingress and egress.

Sara-Beth Sammons, with Land Design and Development explained the particulars of the site and variance request, including the landscape buffers, trees and screening to improve aesthetics and mitigate potential adverse impacts on neighbors, square footage of the restaurant, and traffic flow and parking.

Major issues raised by neighbors included traffic flow in the alley behind the lots, parking, noise, trash and access. The neighbors were concerned with traffic taking a left (west) when entering the alleyway, which takes drivers into a dead end. Apparently, signage presently instructs drivers that it is a dead end and to go right, but many drivers with the current establishments still go the wrong direction. We agreed to investigate additional signage. Neighbors were pleased however to hear that the parking lot was open to the alley, and they specifically did not want the parking lot closed to the alley, which they indicated was important to maintain police patrols in the alley.

Regarding some of the other issues, it was explained that binding elements could be used to restrict things such as garbage pickup at inconvenient hours. It was also explained that the restaurant was specifically designed to direct the outdoor area, and the noise it may produce, away from residential properties and towards the other restaurants on Goss Ave.

Several questions were raised about details concerning the restaurant, such as the number of seats, hours of operation, etc., which it was explained have not been determined at this point.

The neighbor immediately to the west of the property was disappointed about her view being compromised and we agreed to investigate plantings which could be put in the buffer to soften the view of the building.

Mr. Talbott also explained how the DPDS "Case Management Review Process" how agencies such as MSD will review the submitted DDDP and how those agencies' preliminary stamps of approval are required prior to this application being public meetings and hearings. He said that those attending this meeting, and who

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received notice thus far will receive official notice of those meetings so that they can appear to comment on the application finally filed.

Mr. Talbott also provided those present with information relative to contacts at DPDS and himself if anyone had any additional questions.

Respectfully submitted,  
John C. Talbott  
Bardenwerper, Talbott & Roberts, PLLC  
Building Association of Greater Louisville Building  
1000 N. Hurstbourne Parkway, Second Floor  
Louisville, KY 40223  
(502) 426-6688

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