

# Case No. 23-Zone-0065

5024 and 5026 South Third Street

307 West Kingston Avenue

**Subject:** Re: Case No. 23-zone-0065 5024 South Third Street

**From:** "Jeff Rawlins" <jr@architecturalartisans.net>

**Date:** Mon, September 18, 2023 08:41

**To:** gearl@iglou.com

**Priority:** Normal

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onverting the two lower apartments in the north building into bakery space.

will not be happy about this either but the owner has agreed to help find another apartment for him nearby.

simplifies the construction, reduces the parking demand, and reduces the overall building square footage of the develop

16, 2023 at 7:36 PM <gearl@iglou.com> wrote:

gs,

neighborhood meeting, you indicated that the 2 apartments on the  
5024 South Third Street would be eliminated.

please confirm that the current plan is to eliminate these 2

.

vr

1	Community Form: Goal 1	<p>6. Discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential.</p>	✓	<p>The proposal does not represent an expansion of non-residential uses into residential areas, as the site already contains a mix of residential and non-residential uses. The site is within an established neighborhood serving commercial area along S third St. Adequate buffering and screening will be provided adjacent to residential areas and public streets.</p>
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	Element	Policy	Finding	
44	Housing: Goal 1	<p>2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.</p>	✓	<p>The proposed zoning district would allow for a variety of housing types and densities. The site is near a variety of services that support aging in place. The site is served directly by transit.</p>
		1 Encourage inter-generational		-

		centers.		
47	Housing: Goal 3	2. As neighborhoods evolve, discourage displacement of existing residents from their community.	+/-	It is unclear whether any residents of the site might be displaced during the construction process.

For 23-ZONE-0065 - 5024 S 3rd St., this building is a circa 1942, two story, masonry apartment building. The front façade faces 3<sup>rd</sup> Street, and is also the elevation on which the new addition is proposed. This will significantly alter the historic integrity of the structure and may negatively affect its future ability to be listed on the National Register and access rehabilitation tax credits, since it is over 50 years of age. Urban Design staff recommends additions be constructed on non-primary facades when possible.

Thanks,

Kat

Katherine Groskreutz  
Planning & Design Coordinator  
***Planning & Design Services***  
***LOUISVILLE METRO ECONOMIC DEVELOPMENT***  
444 South Fifth Street, Suite 300  
Louisville, KY 40202  
(502) 574-6929



5100 South Third St



5102 South Third Steet

Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

From September 7, 2023 Staff Report

## Luckett, Jay

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**From:** Maureen Welch <maureen.welch1222@yahoo.com>  
**Sent:** Tuesday, September 19, 2023 10:38 AM  
**To:** Luckett, Jay  
**Cc:** Ruhe, Betsy  
**Subject:** Comments on Case # 23-zone-0065 5024 and 5026 South Third Street

**Follow Up Flag:** Follow up  
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**Categories:** Respond

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Jay,

Good morning! I hope you're doing well. I attended one of the neighborhood meetings and am very familiar with this location. In high school I worked at the McDonald's at 3rd and Amherst, and my sister worked at the Arby's that is adjacent to this location. My first house was on Forum Avenue which is one street over from Kingston. I also have several family members who live close to the area. Beechmont continues to me near and dear to my heart. I live less than 2 miles from the site.

Below are my thoughts on the proposed change from R-7 and OR-1 to C-1 and C-R with respect to 5024 and 5026 South Third Street.

- **Proposal eliminates affordable housing** - two apartments will be replaced with a bakery which is a bit at odds with 2040 Plan #47 Housing: Goal 3 that says "As neighborhood evolves, discourage displacement of existing residents from their community."
- **Proposal compounds a dangerous intersection at 3rd and Kingston with street parking** - design will increase congestion and accidents at 3rd and Kingston with proposed parking on Kingston. At a neighborhood meeting the owner indicated any deliveries will be made by vans. There's not room for delivery trucks / vans behind the building. My concern is they will park on 3rd Street to make deliveries. This is also right by a school so there's increased traffic congestion in the morning and afternoon. Plan 2040 #25 Mobility: Goal 2 says "Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances." My concern is the cars have to turn around to go back out on Third Street or they have to go down Kingston which is a quiet residential street to get to Southern Parkway.
- **Enhanced street curb appeal needed** - the concrete out front needs to be busted up so that shrubs and trees can be planted. If the proposed zoning change goes through, both the nail salon and the proposed bakery need significant landscaping to get potential customers' attention.
- **Addition of binding elements needed** - if this zoning change is made, the following binding elements must be added to exclude the following from ever being on this property.
  - **Package liquor stores (no on-site alcohol consumption allowed)**
  - **Vape shops**
  - **Pawn shops**
  - **Automobile rental agencies**
  - **Automobile parking areas, public and private**
  - **Automobile service stations with service bays for repair of no more than two vehicles**

As you can see, my first preference is not to have the zoning changed on this site. However, if the zoning is changed, we need binding elements and enhanced street curb appeal.

Thank you for your consideration of my thoughts.

Best regards,

Maureen Welch

## Luckett, Jay

---

**From:** gear@iglou.com  
**Sent:** Sunday, September 17, 2023 5:17 PM  
**To:** Luckett, Jay  
**Subject:** Case No. 23-zone-0065 5024 and 5026 South Third Street

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Jay,

307 East Kingston Avenue is currently zoned R7 but I believe the applicant wants to change the zoning to CR. As stated in the March 2, 2022 letter, no changes are being made to this property other than reconfiguring the existing parking. Why is this property being rezoned. Can it not stay R-7.

5026 South 3rd Street is already OR-1. I don't see any changes to this property requiring a change to C1. If this property needs to be changed to C-1, can we bind out package liquor stores, smoke shops, auto repair, drive thru facilities, pay day loan shops, cell phone stores.

Could the bakery proposed at 5024 South 3rd Street be zoned CR, rather than C-1. If C-1 is required for a bakery, can we bind out package liquor, smoke shops, auto repair, drive thru facilities, pay day loan shops, cell phone stores.

Thank you.

Ann Ramser

## Luckett, Jay

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**From:** Edward Korfhage <ed.korfhage@yahoo.com>  
**Sent:** Tuesday, August 22, 2023 2:38 PM  
**To:** Luckett, Jay  
**Subject:** Re: Online login for LD&T meeting

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Mr. Luckett,

As you may know my apartment is one that is scheduled to be used as the kitchen for the bakery. The maintenance man just left my apartment after cleaning black mold from my walls. He told me that he also did that in the apartment across the hall (which is also to become the kitchen). It seems to me that in reworking these two apartments to make them a kitchen that it would just spread the mold and make it unsafe to be a commercial kitchen. Please pass this on if I am unable to attend the meeting. Thank you very much.

Edward Korfhage

On Thursday, August 10, 2023 at 04:20:19 PM EDT, Luckett, Jay <jay.luckett@louisvilleky.gov> wrote:

The public hearing before the Planning Commission is scheduled for 9-7. You can put any comments you want on the written record by forwarding them to me directly. Public testimony is permitted at the Public Hearing, either in person or online. New notice will be mailed and posted on the subject site at least 14 days prior to the hearing.

Regards,

**Jay Luckett, AICP**

Planner II

Office of Planning

Louisville Metro Government

444 S. Fifth St. #300, Louisville, KY 40202

O: 502-574-5159



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**From:** Edward Korfhage <ed.korfhage@yahoo.com>  
**Sent:** Thursday, August 10, 2023 4:17 PM  
**To:** Lockett, Jay <Jay.Lockett@louisvilleky.gov>  
**Subject:** Re: Online login for LD&T meeting

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Mr. Lockett,

Now that this meeting is over, what is the next process? Will there be any other opportunity to provide opinions on this proposal? Thanks.

Edward Korfhage

On Tuesday, July 25, 2023 at 08:55:15 AM EDT, Lockett, Jay <[jay.lockett@louisvilleky.gov](mailto:jay.lockett@louisvilleky.gov)> wrote:

Edward,

Thank you for taking the time to express your opinions regarding this proposal. I will add your letter to the record and forward it to the applicant. Please feel free to contact me with further questions or comments.

Regards,

**Jay Lockett, AICP**

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**From:** Edward Korfhage <[ed.korfhage@yahoo.com](mailto:ed.korfhage@yahoo.com)>  
**Sent:** Monday, July 24, 2023 4:16 PM  
**To:** Lockett, Jay <[Jay.Lockett@louisvilleky.gov](mailto:Jay.Lockett@louisvilleky.gov)>  
**Subject:** Re: Online login for LD&T meeting

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Mr.  
Lockett,

These comments are for case 23-ZONE-0065 concerning 5024 & 5026 S. Third St. and 307 W. Kingston Ave.

1) According to the plan there are only 5 regular parking spaces and 2 handicapped spaces. This may meet the stated criteria but it is not enough parking spaces for 10 apartment units and 2 businesses (parking for customers and employees).

2) With proposed on street parking on W. Kingston it will make the intersection of W. Kingston and S. Third St. much more dangerous.

3) With the lack of parking it will gradually eliminate affordable housing in the apartments because residents will not want to fight over available parking spaces and indeed it would impact the residences to the west of 307 W. Kingston by forcing residents to find on street parking.

4) In the original proposal, the kitchen for the bakery was in between the 2 apartment buildings at 5024 and 5026 S. Third St. In the April informational meeting I brought up the fact that the fire marshal when he was inspecting the apartments for smoke alarms said that his office would never approve plans having a commercial kitchen so close to residential areas. In the new plan that was presented in June the kitchen was moved to replace the 2 apartments on the first floor of 5024 S. Third St. It seems to me that this is just as dangerous as the original plan.

5) By having the kitchen in the 2 first floor units of 5024 S. Third St., it eliminates more affordable housing.

Please keep me informed of any other meetings.

Thank you,

Edward Korfhage

On Monday, July 24, 2023 at 03:41:23 PM EDT, Lockett, Jay <[jay.lockett@louisvilleky.gov](mailto:jay.lockett@louisvilleky.gov)> wrote:

You can send any comments you would like to me and I will add them to the record for the case.

Regards,

**Jay Lockett, AICP**

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**From:** Edward Korfhage <[ed.korfhage@yahoo.com](mailto:ed.korfhage@yahoo.com)>

**Sent:** Monday, July 24, 2023 3:40 PM

**To:** Lockett, Jay <[Jay.Lockett@louisvilleky.gov](mailto:Jay.Lockett@louisvilleky.gov)>

**Subject:** Re: Online login for LD&T meeting

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If I'm unable to attend the meeting can I still send online forms?

Edward Korfhage

On Monday, July 24, 2023 at 03:32:59 PM EDT, Lockett, Jay <[jay.lockett@louisvilleky.gov](mailto:jay.lockett@louisvilleky.gov)> wrote:

Edward,

Sorry I missed your call. The meeting links for public hearings can be found here: <https://louisvilleky.gov/government/planning-design/upcoming-public-meetings>

You can scroll down until you find the meeting and date, and there will be a meeting link that becomes live at the time of the meeting. There is also a link to fill out an online speaker form under the section titled "how to participate in a public meeting." If you are unable to fill out the online form ahead of time, you can still speak. Once the meeting starts, follow the link and then you can message the meeting host and let them know which case you wish to speak about.

Regards,

**Jay Lockett, AICP**

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## Dock, Joel

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**From:** gear@iglou.com  
**Sent:** Sunday, June 26, 2022 12:57 PM  
**To:** Dock, Joel  
**Subject:** Kingston and South 3rd – Case No. 22-zonepa-0030

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Joel,

This is follow up from the Library session this past Wednesday.

I mentioned the proposed rezoning at 5024, 5026 South Third Street and 307 West Kingston all under 22-zonepa-0030. You said to look at the agency comments. No agency comments are present. Jeffrey Rawlins with Architectural Artisans stated at the neighborhood meeting that all agencies had approved the proposal. Are agency comments posted on the pre application case number. If not, how do neighbors review comments prior to the neighborhood meeting. We should have the same information as the developer.

I reviewed the notice for the neighborhood meeting. Nowhere on the notice nor on the letter is the case number listed. Because I typed in Third and not 3rd in Accela, I did not initially find the case number. The case number should be provided on any information issued by the developer to the neighbors.

My notes from the meeting indicate that the number of apartments is wrong. I believe this is because some of the apartments will have to be eliminated because of codes regarding windows and exit/entry ways but I am not sure. I have numerous concerns about this proposal, but I want to view the agency comments before I submit all my comments.

The general notes on the plans mention a secured fenced area for long term bicycle parking in the rear of the building. I don't see where this is located on the plans.

I also want to know when the amount of parking spaces was reduced to zero for apartment buildings containing 4 apartments. I understand that government wants residents to use public transit, but we are putting the cart before the horse. Public transit must be sufficient to meet the needs of residents before taking away the cars. Has anyone calculated the amount of time via public transit to go to a doctor at Baptist East.

Thank you.

Ann Ramser

**From:** [Edward Korfhage](#)  
**To:** [Lockett, Jay P](#)  
**Subject:** case #22-ZONEPA-0030  
**Date:** Wednesday, June 15, 2022 9:43:01 AM

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Mr.. Lockett,

My name is Edward Korfhage and I live at 5024 S. 3rd St. Apt. 1. I attended the meeting last night about the proposed bakery that is to be built on this property. According to the representative from the Architectural firm if the property is rezoned to C-1 there is no minimum parking spaces required. To me that is unacceptable. The number of parking spaces for 5024 and 5026 will be reduced from 12 to 7 with 2 of those being designated as handicapped. That means that for two fourplexes and two businesses there are only 5 legitimate parking spaces. In addition for the property facing Kingston Ave. the parking spaces would be reduced from 5 to 2. This would mean on street parking for most of the tenants and patrons of the businesses. The representative said that the city wanted to eliminate the curb cut between 5024 and 5026 because it was dangerous. I have lived here four years and have never seen an accident from people pulling in or out of that curb cut while I have witnessed several accidents at 3rd and Kingston. If the on street parking on Kingston takes place due to the lack of parking spaces it will only increase the chances of accidents occurring at 3rd and Kingston.

Also the front of my building would be closed off along with my window that looks out on 3rd St. The apartment across the hall would not only lose her front window but all of her side windows as well leaving her with natural light coming into the apartment from the rear window. This would also be true of the apartment at 5026 that is on the driveway side of the apartment. In addition the gas meters and electric meters would have to be moved and I don't know where they could be moved to. In the rear, there are outside steps coming down from the upstairs apartment on one side of the rear and on the other are steps leading to the basement. Another concern is there is no place for trucks to deliver supplies to the bakery without parking on the street or removing more parking spaces for the tenants and patrons.

The representative also mentioned that he would have to find out what the regulations are for the kitchen to the bakery. That due to fire concerns the first floor apartments may have to be vacated. Obviously since I live on the first floor this would adversely affect me. There is much concern about affordable housing and if even one of the units had to be vacated this would be a concern. All in all this proposal was not given a very thoughtful consideration. I am firmly opposed to the changing of the zoning to C-1. I would appreciate your thoughts. Thank you.

Sincerely,

Edward Korfhage