

## FOUR HOURS OF BOUNCING AT THE CHEROKEE TRIANGLE FAMILY FUN FESTIVAL IN WILLOW PARK

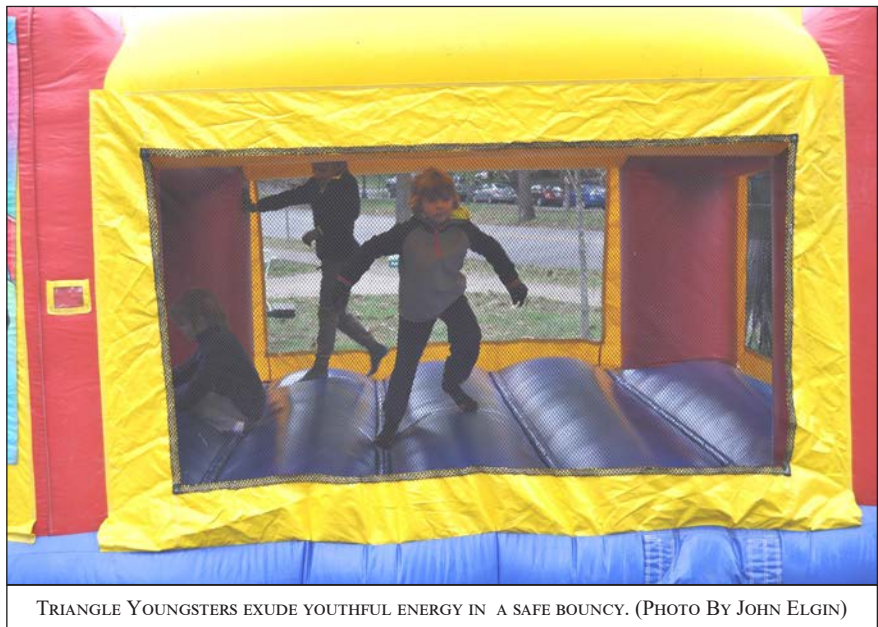
BY PEGGIE ELGIN

The annual Family Fun Festival provided plenty of aerobic fun for youngsters in Willow Park in late October.

Some with seemingly endless energy bounced off the walls in one inflatable after another. And when the super-stars needed to take a break, they turned to local food truck and popsicle vendors for some energy infusions.

Cold wasn't a factor for this target audience. But parents needed to bundle up unless they had a particularly adventuresome child to run after.

There were also some quiet activities at the Library Corner and the Face Painting table where students from Collegiate School, Sacred Heart School and Walden School, provided face-painting appropriate for the then upcoming Halloween celebrations. The fall festival is just one off several activities sponsored by the Cherokee Tri-



TRIANGLE YOUNGSTERS EXUDE YOUTHFUL ENERGY IN A SAFE BOUNCY. (PHOTO BY JOHN ELGIN)

angle Association as a way for neighbors to get together and enjoy the community with their families. See additional photos on page 15.

## THE CHEROKEE TRIANGLE ART FAIR MADE THE LIST!

BY JUDY SWANICK

*Sunshine Artist Magazine*, which bills itself as the "leading publication for art and craft exhibitors, promoters and patrons", recently published its annual list of the 100 best fine art and design shows. **The Cherokee Triangle Art Fair debuted at number 35!** What makes this distinction even more impressive is that the ballots are cast by the artists themselves.

"Making the *Sunshine Artist's* Top 100 Fine Art and Design Shows list is something every one of our Art Fair volunteers can be extremely proud of" said Antonia Lindauer, Art Fair Co-chair —

Artist Director. She continued, "It's really quite an exciting achievement, made even more gratifying because it comes directly from the artists. Our artists are the reason we work so hard for many months each year to put on this event. Because they are of such high quality and professionalism, receiving this distinction is as good as it gets."

The Cherokee Triangle Art Fair is held each year on the weekend before Derby. It features more than 200 juried artists, food, drink and entertainment.

Proceeds from the art fair are returned to the community and neighborhood in

### NEIGHBORHOOD EVENTS

Bardstown Road Aglow	Saturday, Dec. 2 5 — 10 p.m. Bardstown Road
Holiday Home Decorating Judging To take place	Dec. 15 — 17
CTA Mid-winter Potluck Dinner	Saturday, Jan. 20 2018 7 to 9 p.m. Collegiate School Invitations to be Mailed

## MESSAGE FROM THE CTA PRESIDENT DAVE DOWDELL

As usual there is a lot of activity in and around our neighborhood. The city continues to evaluate public art pieces including the Castleman Statue (see Councilman Coan's article). Jefferson Development Group is moving through the public charrette design process on the Lexington/Grinstead high-rise development, and short-term rental activity (such as Airbnb) continues to increase in the Triangle (see Deirdre Seim's article).

In addition to the quarterly newsletter the Cherokee Triangle's Blog via email is a great way to receive information on events pertaining to the neighborhood and community. You can subscribe at the bottom of the Blog page on the website. The link to the neighborhood association's website is <https://cherokeetriangle.com/blog/>

If you would like to comment on any issues in person, the CTA meets the 3<sup>rd</sup> Monday of the month at 7 p.m. in the Highlands Shelby Park Library Branch in Mid City Mall. You can also send an email to [cherokeetriangle@bellsouth.net](mailto:cherokeetriangle@bellsouth.net). Thank you for staying involved.

## CTA KICKS OFF NEIGHBORHOOD STEWARDS PROGRAM

Do you enjoy walking in the Triangle? The Alley, Streetscape & Preservation Committee (ASP) of the CTA is looking for volunteers to periodically walk a section of our neighborhood to act as Neighborhood Stewards. Volunteers will serve as the "eyes and ears" for the ASP and help to keep the committee up to date on changes in the streetscape.

Each volunteer will be asked to stroll a section of the neighborhood every two or three weeks. Volunteers will be trained on how to identify "trouble spots" and then report these to the ASP Committee or directly to Metro Call 311.

The Committee has laid out sections of the neighborhood so volunteers can choose an area they are most familiar with.

The program will be an important contributor to sustaining and preserving the Cherokee Triangle. Join us! One volunteer orientation has been held and another

*CONTINUED ON PAGE 3*

## MESSAGE FROM LOUISVILLE METRO COUNCILMAN, DISTRICT 8 BRANDON COAN

Winter greetings, Cherokee Triangle! As always, I begin my message by asking you to please subscribe to District 8 eNews, my bi-weekly (Tuesdays) electronic newsletter that includes self-authored reports on public works, development and crime, as well as commentary on other issues, a calendar of meetings and events and more: <https://tinyurl.com/subscribeD8>

Beginning in 2018, I'll be cutting back on the number of articles that I write for District 8's 19 neighborhood associations and home rule cities, so I hope you'll take advantage of eNews and all the other opportunities that exist to stay connected and informed.

Now, let's talk about the Castleman statue. On August 13, one day after Charlottesville (and the statue being vandalized), Mayor Fischer directed the Louisville Commission on Public Art to review all city art that can be interpreted to honor bigotry, racism or slavery, in preparation for a community conversation about their display. On August 15, the Administration unveiled an online form to accept public comment, and COPA announced that a series of public meetings would be held to gather further input. (Also in August, the statue saw a number of protests and the Administration had the monument cleaned.)

As of this writing, however, there has only been one public meeting, September 6. According to COPA (October 20), there are "ongoing efforts in the Mayor's Office to organize a series of community conversations. The initiative will include public art, but also a broad range of topics related to equity. Schedule and overview will be announced in the coming weeks."

I appreciate the Administration's careful, deliberate and comprehensive approach to examining this citywide issue. However, as a result, the conversation in Cherokee Triangle and District 8 around the Castleman statue has stalled. It sort of started and stopped at "should it stay or should it go?" – and public opinion on that is split:

As a credit to Mayor Fischer, the online comment form was extremely well-received, generating nearly 850 submissions. Based on my analysis, respondents from zip code 40204 favored "it should stay" 53-42 (56%-44%); respondents from 40205 favored "it should go" 43-39 (52%-48%); and, together, respondents from the two District 8 zip codes favored "stay" 92-85 (52%-48%). Of course, I also received other direct feedback besides comments submitted via online form; calls to my office favored "go" 15-4 (79%-21%), for example.

No matter the ultimate outcome regarding the Castleman statue, about half of you (and probably about half the city) aren't going to be happy. That means it's time to move past any all-or- *CONTINUED TO PAGE 6*

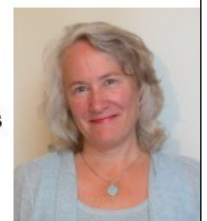
### CHEROKEE TRIANGLE ASSOCIATION NEWSLETTER

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## WHAT'S ON YOUR WISH LIST?

**BY NICK MORRIS**

The Holiday Season is upon us and what better way to get in the spirit than to get out and enjoy Bardstown Road Aglow. This is the 32<sup>nd</sup> annual Aglow and it will take place on Saturday, December 2<sup>nd</sup>, from 5 p.m. till 10 p.m.

The Highlands will be glowing when the many participating shops and restaurants open their doors with special sales and fun-filled events. All along the corridor there will be merriment, music, shopping and dining for this largest event of the year. Adding a festive flair to the area, many businesses will be taking part in the competitive Holiday Decorating Contest – with three winners selected by a panel of celebrity judges.

Santa will be making his first appearance at Wendy's, at the corner of Bardstown Road and Grinstead. Here he will lead the countdown to the lighting of the 30-foot regal spruce tree and get the Aglow started for the evening. Be there between 5:30 and 6 p.m., and enjoy live music by the Voices of Kentuckiana, free hot chocolate from Wendy's and free glow bracelets. Shannon Cogan from WAVE 3 will serve as host for the tree lighting activities.

For his next stop Santa joins the fun at the impressive Polar Palooza - sponsored by Park Community Credit Union. Located at the corner of Bardstown Road and Eastern Parkway, there will be live holiday music, kid's activities such as face painting and festive games. And, of course there will be "selfie's" with Santa and Park's mascot, "Parkie the Dog." Look for the large tent on the Qdoba patio – where you'll find fun for the entire family. The Palooza will take place between 5 and 9 p.m.

A popular activity from last year will continue again - the well-received Maker's Mark Giving Mugs. The local bars and restaurants join in on this event to concoct a unique holiday beverage – offered in a keepsake Maker's Mug – dipped in a festive green wax. A portion of each cocktail sold will benefit a local charity. To help you get to your favorite locations, there will be two trolleys offering free rides, with holiday music and carolers



SANTA BEGINS HIS VISIT AT WENDY'S ON THE CORNER OF BARDSTOWN ROAD AND GRINSTEAD DRIVE AT 5:30 PM HE WILL ALSO STOP AT THE POLAR PALOOZA AT THE CORNER OF BARDSTOWN ROAD AND EASTERN PARKWAY .

on board. The trolleys will continually circulate the entire Aglow route - from the Douglass Loop to Lexington Road.

The Highland Commerce Guild organizes Bardstown Road Aglow and sees it as a great opportunity for all area businesses to reflect the true spirit of the Highlands. There are many sponsors who make the evening possible including Marker's Mark, Park Community and Metro Councilman Brandon Coan.

Whatever may be on your wish list, you are very likely to find it at Bardstown Road Aglow!

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### CTA KICKS OFF NEIGHBORHOOD STEWARDS PROGRAM

er will be scheduled in the near future. If interested, contact Gail Morris (gmorris1314@gmail.com) or a member of the ASP Committee.

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## RECORD OF CASTLEMAN STATUE DEDICATION REFLECTS THOUGHTS AND OPINIONS OF THE DAY

BY JAMES MILLAR

Contemporary reports surrounding the erection of the John Breckinridge Castleman statue — its proposal, fundraising, and construction—can be found in the archives of the Courier-Journal. The newspaper printed a partial record of the speeches given at the dedication ceremony on November 8, 1913. These historical documents offer insights into the stated purpose, reception and meaning of the monument, which Triangle residents may find of interest today as the subject of the homage is re-examined.

Nine months before the statue was unveiled, Jack Woodson wrote an article in the Courier-Journal asking, why honor Castleman? He replies, because Castleman “helped make these parks what they are. Wherefore, appreciative Louisville citizens desire to pay him this tribute.” Woodson states that Castleman was a “critical figure in the purchase of ground for the Louisville Olmsted park system, entertained wealthy men and women who were induced to subscribe large amounts for beautifying Louisville, and gave

### COMMISSION ON PUBLIC ART LAUNCHED A PUBLIC ART DISCUSSION BUT NO ADDITIONAL HEARINGS HAVE YET BEEN SCHEDULED

Following the defacement of the Castleman Statue in August, the Commission on Public Art, invited comment on public art owned by Metro Louisville that could be interpreted as honoring discrimination, bigotry, racism or slavery. There were approximately 80 attending the Sept. 6 meeting.

Many respondents submitted comments. See Brandon Coan's Metro Councilman's District 8 column. Most who spoke at the hearing testified for or against removal of the Castleman Statue.

Commission Chair Anna Tatman said the September meeting would be the first of many meetings the city and that COPA will hold to find the best result for Louisville. No further hearings had been scheduled by either COPA or the city of Louisville as of Nov. 9. As soon as we learn details of an additional hearing we will post the information on the CTA website.

Meanwhile there have been many ideas and opinions offered at the hearings. We are sharing a few of these ideas focusing on thoughts that were held then (when the statue was erected in 1913) and now. Continued on Pages 6 and 7.

to the park fund from time to time from his own purse.” The article details Castleman's endeavor to establish Louisville's parkways, recreation areas, and neighborhood playgrounds.

The monument's inspiration was credited to then former Louisville mayor Charles F. Grainger as well as leading citizens John W. Vreeland and Marion E. Taylor, who wanted to honor “the grand old commander.” Money for the \$15,000 bronze likeness was raised through private funds (donors, local and out-of-state, were listed in the paper) with the purpose of honoring Castleman's public spirit. Testimonials acknowledged his advocacy as Chair of the Board of Parks for over a quarter century and his monument was meant to be placed among the green spaces he helped to create.

The newspaper recounts that at the dedication ceremony there were processions of the city mounted police and the Kentucky National Guard and that “patriotic songs [were] sung by school children.” Louisville Mayor W. O. Head “paid especial tribute to Gen.

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## THEN — VOICES AT THE AT THE STATUE DEDICATION IN 1913

CONTINUED FROM PAGE 4

Castleman's untiring efforts in the interest of Louisville's park system" and "accepted the monument on behalf of the city."

"Lieut. Gov. Edward J. McDermott made the address of acceptance on behalf of the state" and recounted Castleman's military career — his fight on behalf of the Confederacy, his service for the United States during the Spanish-American war in Puerto Rico, and particularly his aid to the Commonwealth during the civil strife following the assassination of Gov. William Goebel when Castleman led a militia in the stand-off between governing factions.

As McDermott closes his speech, he states, "Many a time on our streets when we have seen General Castleman at the head of his soldiers, or of some procession of his fellow citizens, riding superbly some fine horse, we have admired him not only because of his handsome form and his skillful horsemanship but also because we knew that he rode thus once in actual grim war under gallant John H. Morgan or brilliant Basil Duke." McDermott specifically identifies the image of Castleman on horseback with respect for the Confederate cause. He then cues the unveiling of the equestrian monument: "Following Lieut. Gov. McDermott's address the string which held the cloth covering the statue in place was severed by one of 'Kentucky's beautiful women,' Miss Marie A. Speidel."

The Courier-Journal also records letters read from dignitaries who could not be in attendance. Gen. W. B. Haldeman sent an expression of esteem but had to miss the event due to "a previous engagement at the unveiling of a Confederate monument at Hickman, Kentucky" the day previous. Many praised Castleman's gracious and hospitable manner. Gov. James E. Campbell of Ohio wrote that Castleman was "distinctly a true type of the —'old school'— a genuine, antebellum, Southern gentleman."

Castleman compiled newspaper articles about the erection of the statue appearing in the Courier-Journal and Louisville Times and transcripts of orations from the dedication ceremony into the final chapter of his autobiography, *Active Service*. Accounts praise Castleman's devotion to community service. As portrayed in the press, most Louisvillians, like Mayor Head that day, publicly recognized a civic leader specifically for his dedication to the park system.



THE UNVEILING OF THE CASTLEMAN STATUE IN NOVEMBER 1913  
AS DEPICTED IN A CLIPPING IN THE COURIER JOURNAL

The Courier-Journal also points out that the monument was "erected by the people of Louisville, Kentucky and the South." Lt. Gov. McDermott may be the only one on record to tie Castleman's honor to the Southern cause, but his speech carries special significance because McDermott represented the Commonwealth and spoke in the plural "we" for the people.

He accepted the Castleman statue by declaring that in the eyes of the state it was a tribute to the life of an extraordinary cavalier "but also" a monument celebrating the Confederacy.

Despite displaying none of the usual symbolism, the

Castleman statue is found on lists of Confederate monuments because Castleman fought on that side and powerful figures like McDermott wanted that fact remembered.

Castleman concludes his autobiography with McDermott's quote admiring his ride with Morgan's raiders



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## THEN AND NOW, CASTLEMAN STATUE REFLECTIONS: CURRENT LOCATION IS AN APPROPRIATE HISTORICAL SETTING

BY PETER MORRIN

The statue of John Breckinridge Castleman has been in place for 104 years, and should remain in its present location. It does not honor slavery, bigotry or racism. The subtexts for the statue's erection in 1913 were to honor a man thought central to Louisville's civic efforts to overcome post-Civil War sectional differences and to celebrate the new park system.

Three-time Pulitzer Prize winning journalist Arthur Krock noted that "in my young days, Louisville had its quota of distinguished soldiers on both sides. It was these men who, more than anyone else, 'bound the wounds,' of at least this part of the nation and who became fixtures in the city's social and political establishment. Of these soldiers, none was more distinguished or exemplified more the style that gave Louisville its own cachet, than John Breckinridge Castleman...he became one of the earliest of the urban developers in American history, and the creator of the city parks."

Castleman was a meme for reconciliation between north and south: a former Confederate officer and subsequently a general in the United States Army, Cas-

tleman chaired the Reception Committee when Union veterans held a reunion in Louisville in 1895, he participated in a "Tree of Peace" ceremony at that time, and was called upon to speak when the Lincoln Boyhood Home was donated to the federal government, extolling Lincoln as "the man of humble birth whose achievements furnish to all mankind everlasting inspiration."

A second reason for creation of the statue was Louisville's extreme pride in its new park system: at the time Castleman was widely perceived to be the "father of the park system." Contemporary accounts make clear that the statue was seen as an artistic feature, putting Louisville in line with other cities after the 1893 World's Fair that imitated its parks, parkways, traffic rotaries and other public monuments. Dressed in a formal equestrian outfit, Castleman, who was the equestrian champion at the Fair, was a symbol of Louisville's new sophistication.

The statue marked the entrance to Cherokee Park: in 1913 the Cherokee Parkway median was seen as an integral part of the park.

The sculpture is distinguished and in its appropriate historical setting, surrounded by buildings of the same date. The sculptor, Roland Hinton Perry, was well thought of in his day and executed works of art for the Library of Congress and statuary for Gettysburg and Chickamauga battlefields and the Pennsylvania State Capitol.

Regardless of the fate of the statue of General Castleman, the Triangle can do more for racial justice, following the long traditions at Highland Baptist and Highland Presbyterian Churches, among other institutions. Work for a site of conscience at the former slave market at Second and Main, create memorials to the marginalized heroes of the past, and urge the tourism cabinets in Kentucky, Ohio and Indiana to take down the websites promoting "the John Hunt Morgan Trail."

*Written by Peter Morrin, long-time resident of the Cherokee Triangle, Director of the Speed Art Museum, 1986 – 2007, and Director of the Center for Arts and Cultural Partnerships 2007 to present.*

CONTINUED FROM PAGE 1

### ART FAIR MAKES TOP 100 LIST

many ways: support of Willow Park Summer Concert Series, the annual potluck dinner, the annual Fall membership party, the maintenance of the Castleman Statue and its landscaping, upkeep and improvements in Willow Park, donations to the Louisville Free Public Library, the Highland Community Ministries, Olmsted Parks Conservancy and support of the preservation rules for our historic community.

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### METRO COUNCILMAN DISTRICT 8 BRANDON COAN REPORTS

nothing approach to resolving this issue and move forward according to a new set of constructive questions designed to spark creative, productive answers:

If the Castleman statue is to remain in place, under what set of circumstances? If it is to be removed and replaced, where to and by what? Of the best of each of those scenarios, which is the best of the best?

I think most folks – including many who favor the statue to remain in its present location – acknowledge that change, in some form, must be part of the solution.

Indeed, many good suggestions and answers to the questions posed above have already been provided by parties on all sides of the debate – and many more good options are surely out there. Let's bring those options to the forefront of our discussion going forward so that District 8 and the Cherokee Triangle are ready to lead the rest of the city by example once the process is set.

To comment or review comments submitted to date about the Castleman statue, visit: <https://louisvilleky.gov/government/public-art/public-art->

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*"I'll take time to care..."*

## LET'S FIND A NEW SYMBOL FOR OUR ASSOCIATION — AND OUR NEIGHBORHOOD

BY EMILY BINGHAM, PH.D.

(Adapted from comments to the Louisville Metro Committee on Public Art September 6, 2017.)

As a citizen, historian, and descendent of slaveholders, I am compelled to understand America's past. Knowing what is around us and how it came to be enriches our community, especially when it challenges us to look harder at who we were and consider who we want to be.

John B. Castleman was an officer in John Hunt Morgan's Second Kentucky Volunteer Cavalry (C.S.A.).

They were the Rolling Stones of the Confederacy, its baddest boys, flouting orders, executing guerrilla attacks, stealing steamboats, freeing prisoners and, in Castleman's case, fomenting conspiracies deep inside Union territory. He would have been hung as a spy if Union connections hadn't extracted clemency from Lincoln. His life spared, he went into exile.

Pardoned by President Andrew Johnson in exchange for an oath of loyalty, Castleman returned a hero to white Kentuckians. Once heavily pro-Union, by the late 1860s they were alarmed that the Fourteenth and Fifteenth Amendments extended citizenship and voting rights to African-Americans. As one of "Morgan's

Men," he built his Louisville business, his leadership in the Democratic Party machine, and his social status. Castleman led local and regional efforts to "heal" the scars of war between white veterans of both sides, so long as northerners recognized their Reconstruction-era folly in enforcing civil rights and permitted Jim Crow laws, practices, and violence that made a mockery of the new constitutional protections.

Castleman believed the future of democracy depended on Anglo-Saxon racial integrity and disenfranchising most if not all African-Americans. This was not unusual among his social and political cohort. Many among them also enjoyed joking about slaves (as he did in his autobiography) who regretted buying their freedom and begged to go back into bondage. They chuckled at songs like the one he quoted: "We learned to vote, an' read, an' spell/ We learned to taste ob tears./ An' when you gets dat 'sponsible/ De banjo disappears."

Never shy about his accomplishments, Castleman mentioned John Hunt Morgan more than two hundred times in his 1917 memoir, *Active Service*. Louisville's parks come up only four times and Frederick Law Olmsted not at all. The tears

and tragedy slavery wrung from millions of people held as property may never have crossed Castleman's mind.

No, John B. Castleman is not portrayed as a dashing young Confederate in the monument on Cherokee Parkway. And yes, he served the nation in the Spanish-American War and led the Louisville Parks Commission (while paying himself a handsome salary in contradiction to its bylaws). A hundred years ago this man, whose commitment to the Confederacy undergirded his identity, was an ideal symbol of honor for white Louisvillians and residents of our neighborhood.

We have the chance to learn about the past as we reconsider this sculpture as a piece of public art and contemplate what we can to promote racial equality in our institutions and public landscape. Meantime, our cherished historic district deserves emblems that unite us around spectacular architecture and welcoming streets and celebrations. Monuments are not in themselves history; they express the will of those who erected them. We have the power to choose symbols that show our respect for all.

*Emily Bingham is a long-time resident of the Cherokee Triangle, a historian and an author.*

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## NEIGHBORHOOD WAS KEY IN CHEF DALLAS MCGARITY'S LOCATION DECISION FOR HIS FIRST RESTAURANT

By PEGGIE ELGIN

Chef Dallas McGarity arrived in town in 2004, and after working at several Louisville restaurants, developed a signature cooking style that blends Asian and Mediterranean flavors with his native Southern cooking.

McGarity owns the Fat Lamb Modern Kitchen and Bar, with his wife Laura, a commercial interior designer, who has enhanced the restaurant's look. Featuring an open kitchen concept and emphasizing the use of local sources, the restaurant opened for dinner in the Highlands at 2011 Grinstead Dr., Oct. 28, of last year and recently added lunch offerings this October.

McGarity's road to success started in South Carolina. "I grew up in the country in a family that loved cooking," he recalls. "I have memories of sitting on the back porch with my grandmother, shucking green beans."

McGarity worked his way up the restaurant ladder. His first job was washing dishes at the country club in Orangeburg, SC. One day when the staff was short-handed, one of the cooks turned to him to say, "Let me show you how to grill steak." He was on a path to his destiny and has enjoyed every twist and turn. It didn't take long before his country club bosses were encouraging him to become a chef. "They told me I was a natural."

McGarity graduated from Johnson & Wales Culinary School in Charleston, SC. "I had an epiphany cooking that first Sunday at the country club. 'You do 400 diners with a separate roast beef carving station. It was so elegant, like being on a cruise ship. We worked hard and when it was all over, the staff would sit down and have dinner together. It felt like a second family,'" he says.



CHEF DALLAS MCGARITY IS READY TO CREATE A MEAL FROM HIS LATEST MENU, (PHOTO BY JOHN ELGIN)

"I worked lots of cooking jobs in Charleston." One of his most memorable learning experiences came at the Charleston Pizza Grill where everything was made in house — from the crusts to the topping. He got to be very good at throwing the pizza dough. He learned a lot at this and other restaurants on how to work under pressure, how to make decisions and to value showmanship.

McGarity began his Louisville career as sous chef at Volare Restaurant where he met his wife. He then became executive chef at the Wildwood Country Club and later at Z where he refined his fusion culinary style. He was then a partner and execu-

tive chef at Theater Square in downtown Louisville. It was during that time he decided he wanted to become a restaurant owner.

The property located at Grinstead and Bardstown Road came available about the time he was ready to act. "I liked the space. It was clean and efficient. The main cooking area can be viewed by diners. It seats 68 on the restaurant floor and 12 to 16 at the bar."

When he first came to Louisville, McGarity lived in the Round House in the Cherokee Triangle and fond memories "made me want to come back." When he decided he wanted to own his own restaurant he liked the fact that the neighborhood was a walking community. He also knew Louisville was a foodie town that would appreciate and support his efforts.

"The restaurant is a manageable size. You can focus on smaller and unique,"

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## SHORT TERM RENTALS IN THE CHEROKEE TRIANGLE

BY DEIRDRE SEIM

With the implementation of the Short Term Rental ordinance in August 2016, many local homes have become full or part time Short Term Rentals (STRs). A “short term rental” is a residential rental of less than 30 days; often referred to a “vacation home” or an “airbnb”. As of October 18, there are 16 fully permitted STRs in the Cherokee Triangle. Some homes are only STRs for a few nights a year, others are operated as STRs year round. In addition, there are an unknown number of illegally operating STRs in our neighborhood. A list of all currently permitted STRs, metro wide, can be found at <https://louisvilleky.gov/government/planning-design/short-term-rental-information>.

Most STRs are advertised online; Airbnb is the most popular site, but VRBO and TripAdvisor also have extensive listings. There are also a handful of smaller sites that specialize in Kentucky Derby weekend rentals.

For homeowners, an STR offers additional income and perhaps, a chance to show off the Cherokee Triangle and the Highlands to visitors. For neighbors, a poorly managed STR can create disturbances and lessen the sense of a permanent community.

For homeowners considering operating a short term rental, either for just derby weekend or as a year round investment, there are clearly defined laws that must be followed.

STR operators are required to:

1. Obtain a Short Term Rental permit from the Louisville Metro government
2. Register with Louisville Metro Revenue and the Kentucky Tax Cabinet
3. Understand and follow the STR Ordinance rules on number of permitted guests, etc.
4. Calculate the appropriate amount of taxes you must collect with each rental and collect that, in addition to the rent, from your guest (16.07% total; 8.5% Louisville Metro transient tax, 1% KY transient tax and 6% KY sales tax on total including the transient tax). It is the homeowner's responsibility to be in full compliance with the law and ensure that all taxes are collected and remitted. Airbnb currently collects/remits only the Kentucky state taxes, not the Louisville Metro Transient tax. Other platforms, like TripAdvisor and VRBO allow the homeowner to collect all applicable taxes with the rent, but the homeowner is fully responsible for remitting the taxes to the city and state revenue departments.


In addition to legal requirements, there are actions considerate home owners can take to reduce the likelihood that an STR disturbs the neighbors:

1. Reach out to neighbors to let them know of the STR and how they can contact the homeowner or manager if there is a disturbance or other issue.
2. Ensure that renters fully understand the local law and are in compliance. Rental description should include rules about noise, deck usage and other potential issues.
3. Don't advertise the home as a “party pad”, no one wants to live next door to a non stop party. Rental descriptors like “Bourbon Lodge”, “Bachelor Pad” or “Party Palace” attract renters that are likely to upset neighbors with excessive noise, outdoor drinking and unauthorized extra guests.

If you are the neighbor to a Short Term Rental that is causing disruption, you may be able to do to improve the situation with the following actions:


1. Reach out to the property owner and explain the issues that are bothering you. The owner may be unaware that renters are disturbing the neighbors.
2. Many issues that cause neighborhood disturbance are prohibited under the Short Term Rental Ordinance. For example, events, excessive noise and excessive numbers of people are all prohibited. Noise complaints should be reported to the police, other violations should be reported to MetroCall 311.
3. If your neighbor lives at the home and is only renting it out occasionally, a permit and tax collection may be all that is required. If, on the other hand, the home is a year round STR, a Conditional Use Permit is required. All first and second tier neighbors are notified by mail of a CUP application. If you weren't notified, it is possible that the STR is operating illegally. The Office of Planning and Design Services can tell you if a CUP has been granted.
4. For concerns about collection of the Louisville Metro Transient tax or the Kentucky Sales and Transient taxes, contact the Revenue Commission at (502) 574-4860.

CONTINUED ON PAGE 10



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## SHORT-TERM RENTAL LAW IS EVOLVING

CONTINUED FROM PAGE 9

### Resources for Homeowners and Neighbors:

Metro Office of Planning and Design Services  
502-574-6230

Metro Revenue commission 502-574-4860

Louisville Metro Information on STRs:

<https://louisvilleky.gov/government/planning-design/short-term-rental-information>

Report an illegal STR:

<https://dp.louisvillemsd.org/dpcrm8/Views/AgencyLogin.aspx> or Metro 311

### Short Term Rental Ordinance Under Review:

Our metro council representative, Brandon Coan, has organized an official review of the STR Ordinance. The Planning/Zoning, Land Design and Development Committee is conducting the review.

Other committee members are Chair Person Madonna Flood, Vice Chair Glen Stuckel, Bill Hollander, Scott Reed, Robin Engel, and Brent Ackerson.

The committee has met to discuss the STR ordinance three times to date, with additional meetings planned over the next few months.

Meetings are open to the public; dates and locations are posted at <https://louisville.legistar.com/Calendar.aspx>.

The review committee plans to recommend changes to the STR ordinance to the full Metro Council. Some changes under discussion include penalties for violations and more active enforcement.

## CHEF DALLAS MCGARITY FINDS RESTAURANT HOME IN THE HIGHLANDS

CONTINUED FROM PAGE 8

he suggests. "We change the menu frequently, once every month and a half, using foods grown locally."

For his first themed dinner, McGarity focused on vegetarian and vegan, in part, because his wife is vegetarian. "The first offering was a huge success — a seven course meal paired with wines," he said. "We sold 91 seats."

During the time he has been working in Louisville, McGarity has developed a talented staff which allows him the opportunity to participate in cooking events from across the river in New Albany to back to his cooking roots in South Carolina. He does frequent demonstrations and tasting events.

McGarity's second family consists of Brad Menear, his chef de cuisine who has worked with him 9 years.



TEMPTING DESSERT

Brennon Staples, his beverage director "shake-master", and several long-time servers. McGarity has found a restaurant "home" in the Highlands..

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## GOING TO THE DOGS — GOOD BEHAVIOR AND THE NOT SO GOOD THEY CAN'T PICK UP AFTER THEMSELVES

BY LINDA NEELY

Best think twice before allowing dogs to roam in a neighbor's yard or not picking up after a pet. Want to walk with your dog off leash? The outcome might be that you and your pooch are reported to Louisville Metro Animal Services (LMAS).

Chapter 91 of Louisville-Jefferson County Metro Government ordinances (online) pertains to animals – most of its 46 pages -- except for a section on releasing balloons (NOT kidding).

A dog can be reported to Louisville Metro Animal Services (LMAS) if it is bothersome to someone. If it is a nuisance barker or if the dog's waste isn't disposed of in the trash. Owners also are responsible for any personal injury or damage to public or private property.

Of course, the hope is that neighbors will work out differences before any of this ever happens. A problem occurs when a guilty dog owner isn't readily identifiable. Lately, plastic bags for dog waste have been spotted along sidewalks as if a dog owner deliberately or haphazardly dropped the full bag.

Who deposits a full doggie bag into a garbage can along the way? There has been quite a flap about that act on the "Nextdoor Cherokee Triangle" website. Apparently, some think it's a dandy idea while others think it's a breakdown of ethical behavior to dispose of a bag in someone else's garbage can. It's surprising how many residents examine their cans for errant plastic bags. Is it better to put a full bag into a garbage can than leave it in the street, on a lawn



GOOD ADVICE. (PHOTO BY LINDA NEELY)

CONTINUED ON PAGE 12

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## GOING TO THE DOGS — GOOD BEHAVIOR AND NOT SO GOOD

CONTINUED FROM PAGE 11

or a sidewalk? Perhaps, but some residents say it simply is not the best or kindest way to dispose of it. Also, the garbage can is considered private property, according to a lawyer friend.

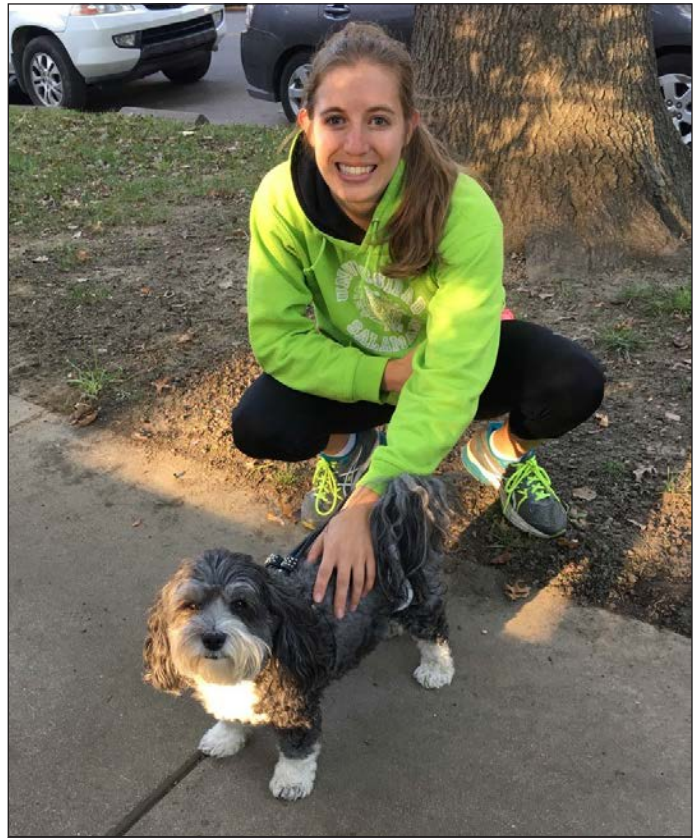
The only Triangle resident excluded from needing to pick up animal waste is someone who is blind, visually impaired and/or disabled.

Except for what are known as “community cats,” dogs and indoor cats in the Cherokee Triangle are required to be restrained, unless they are on or inside the owner’s property. Any animal that is mistreated or perceived to be mistreated, can be reported to Metro.

There will be consequences to owners and pets, if pets are neglected, abused or left in a shelter considered insufficient. Can the dog stay sheltered from heat and sun in summer and freezing conditions in winter? If not, its owner can be reported. Reporting of incidents builds a history for LMAS to consider when citing an owner.

All cats, dogs and ferrets must have an annual license, which can be acquired at LMAS, 3516 Newburg Road. The website is: [Louisville Metro Animal Services@LouisvilleMetroAnimalServices](mailto:LouisvilleMetroAnimalServices@LouisvilleMetroAnimalServices). (Double S is correct.)

By the way, using a chain, choke or pinch collar as a primary collar is prohibited. Check out these and other rules that are public on the web.



TILLI NEELY WITH LEAH DAHLINE. TILLI’S MESSAGE TO OTHER DOG OWNERS. “HELP ME OUT. I CAN’T PICK IT UP MYSELF.” (PHOTO BY LINDA NEELY)

### CORRECTION

In the last newsletter, a person was identified in a photo as a business partner of LovaFare’s proprietor Adriena Dame. Adriena is now in business for herself. LovaFare hours are; Monday through Saturday 10 a.m. — 2 p.m., Sunday 11 a.m. — 2 p.m.

## JOIN THE CTA

It’s membership time for the Cherokee Triangle Association. The Cherokee Triangle Association is a group of neighborhood volunteers dedicated to serving the community we call home.

Neighbors participate in preservation and restoration projects

to enhance the beauty and help preserve the value of the homes in the neighborhood.

The CTA sponsors many events including the Winter Potluck, the Summer Concert Series in Willow Park, Adopt-a-Park and the Annual Membership Party held in the Fall.

There are two ways to join or renew your membership in the CTA. You may complete the membership form found in this issue of the newsletter and mail it to the office or you may join by going to the CTA website, [www.cherokeetriangle.com](http://www.cherokeetriangle.com) and following the directions. You may call the office if you have any questions, 459-0256.

Membership runs from January 1 through December 31 each calendar year.

Membership costs \$25.00 for the following categories — owner annual, renter annual, senior (65+) annual and non-resident annual. Lifetime members costs \$250. Business memberships are also available.



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## FALL MEMBERSHIP GATHERING LAUNCHES THE CHEROKEE TRIANGLE PARTY SEASON



EVERETT AVE. AND DEARING CT. LADIES ENJOY POOLSIDE CONVERSATION.  
(PHOTO BY JOHN ELGIN)



DAVID BARTLEY, (ON THE RIGHT) ONE OF THE HOSTS AND CTA TRUSTEE, GREETES GUESTS.



SISTERS ENJOY FALL FESTIVITIES.  
(PHOTO BY JOHN ELGIN)

The 2017 Cherokee Triangle Association annual Fall Membership Party was held at the home of David Bartley and Curtis Hawkes on a warm September evening.

The lovely park-side home, built in the early 1920s, provided a perfect setting for neighbors to catch up with friends they had not seen for awhile or to make some new friends. Hors d'oeuvres were acquired from popular Ramsi's Restaurant and cocktails were provided by the CTA.

The Cherokee Triangle Association has a current membership of nearly 450 residences.

The Cherokee Triangle Art Fair provides revenue that supports the Willow Park Summer Concert Series and the Fall Family Festival. The CTA sponsors restoration projects, preservation efforts, fund-raising and donations to many local charities. In addition to the annual Membership Party the CTA also offers a Winter Potluck Dinner.



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CATHY MOSS, GARY BARCH AND VICKI DUNCAN FIND CONVIVIALITY AT THE CTA FALL GALA.  
(PHOTO BY JOHN ELGIN)

## TRIANGLE HOLIDAY DECORATIONS TO BE JUDGED

By DEIRDRE SEIM

All residents of the Cherokee Triangle are invited to participate in this year's Holiday Decorating Contest. Once again this year, judges will be strolling the neighborhood on a mid-December weekend looking for the home (house, duplex, condominium or apartment) with the most appealing holiday display.

Only decoration visible from the sidewalks will be judged, including: yard decor, lights, window decorations and interior decor elements that are intended to be visible from the sidewalks (a tree, showcased in a window, for example).

**Eligibility:** All Cherokee Triangle residents with the exception of CTA trustees and the 2016 winners (no home may win two years in succession).

**Judging:** December 15-17

**Criteria:** Visual appeal, Holiday Spirit, Theme and Overall Presentation. Only decorations visible from sidewalk will be judged.

**Prizes:** First Place: \$100 Gift Certificate\*; Runner Up: \$50 Gift Certificate\*.

\* Gift Certificate to be redeemed with CTA winter newsletter advertiser of the winner's choice. Winner may choose any restaurant, retailer, tradesman or other business advertising in current issue of the newsletter.

### CHEROKEE TRIANGLE ASSOCIATION

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BRIAN SHERRY  
WEBMASTER – TIM HOLZ



RENDERING OF THE PROPOSED DEVELOPMENT.

## UPDATE: CHARRETTE (OCT. 24, 2017) JEFFERSON DEVELOPMENT PROJECT TO INCLUDE A 16-FOOT SIDEWALK

By JOHN ELGIN

**Changes:** One of the few changes made to the Jefferson Development Group (JDG) proposal was that the parking was reduced from 2300 spaces to 1698 to get a 16-foot sidewalk along Lexington and Grinstead offering places to eat and walk. The decision to pipe storm water into Willow Pond in Cherokee Park was altered to piping it into Beargrass Creek after Metro Parks disagreed with the decision. Filtering and oil separation will be required for the storm water as well as some "water quality requirements," which have not been set.

**Size and Scope:** The size of the project is not significantly altered.

Apartments and Condos:	743
Hotel Keys	285
Retail Space:	47,750 sq ft
Office Space	158,900 sq ft
Parking Spaces	1698

The parking area will be seven stories with lowest being below grade. There is a six story "podium" building with a five story "wrap building" on top of the six stories. Three towers will be set along the Lexington Road side that will be 34 stories, 32 stories, and 28 stories from the base to the top of each tower.

**Traffic:** A new stop light is proposed at Lexington and Etly to allow exit from the property to north and south Lexington Ave. This is shortly before the stop light at Lexington and Grinstead. The plan calls for two left hand turn lanes at the Lexington and Grinstead junction to allow more traffic to turn. A second stop light is proposed at Etly and Grinstead just a few yards from the one at Cherokee Parkway and Grinstead to allow for exits East or West on Grinstead.

The traffic studies run show at peak traffic the proposed wait time to clear the Lexington and Grinstead intersection is currently 60 seconds and the additional number of cars will increase the wait time by 15 seconds to 75 seconds.

When questioned how these new stop lights will affect the flow, a traffic expert for JDG noted, "Adding stop lights increases the wait time and slows the flow."

The issue of increased pedestrian traffic that would be expected from the size of the plan was covered by adding "ladder" crosswalks across Grinstead to the park and across Lexington to the bike path.

The use of Cherokee Park as a cut-through was not addressed in any of the studies. Current developments in the area that have been built or are under construction were included in the estimates of traffic. Without the stop lights on each end of Etly, the intersections fail to meet standards for access. All other intersections studied had a "pass." Studies were run in March 2016, March 2017 and August 2017 after the Lexington Road "diet plan" was implemented.

**Land Uses:** Besides the restaurant, hotel, office complex, convention area, coffee shop, and other retail, there seems to be a "specialized" grocery to be included. The choice was solely the developer's.

**Building Design:** The addition of 16-foot sidewalks on Lexington and Grinstead are designed to provide for more room for trees and outdoor seating. There is to be more brick, granite, and glass. More stainable materials are to be used. The carbon footprint of the development has not been considered.

The current plan calls for extensive revision of the small parcel at the tip of the property that is owned by Metro Louisville. The design calls for removing the trees and fountain and replacing it with seating on a patio for those using the retail area of the development. There is a raised planter included in the plan. Trees are to be planted in the sidewalk next to Grinstead and Lexington.

**Conclusion:** Many still consider the size and density of the project to be out of scale and will expect more problems with traffic. The number of people in the development higher per acre than in other developments, changing the social environment. The idea that this area is not part of any neighborhood is frequently mentioned, but is not true. It is part of Irish Hill. It also abuts the Lexington Road Neighborhood Association, and is adjacent to Crescent Hill and the Cherokee Triangle.

Final plans are expected to be formally filed by Thanksgiving.

## FALL FAMILY ACTIVITIES IN THE NEIGHBORHOOD — ANIMAL KINGDOM AND HUMANS



A doe and three fawns have frequented the neighborhood since spring.

According to Dave Baker, editor of *Kentucky Afield*, the official publication of the Kentucky Department of Fish and Wildlife, “triplets are not unusual for healthy deer that enjoy a healthy food supply, although twins are far more common.”

“In all honesty, I would not be surprised to learn someone had been feeding the deer. The past winter was mild and many deer came through the coldest months in good condition. This plays a role in the survival rate of the fawns,” says Baker. The number of fawns also speaks to the lack of predators.” (Photo by Leslie Millar)



FAMILY FUN FESTIVAL ACTIVITIES INCLUDED THE LIBRARY TABLE, ABOVE, AND THE MAGICAL SHAPE CHANGING MIRROR, TO THE LEFT.  
(PHOTOS BY JOHN ELGIN)

Cherokee Triangle Association  
PO Box 4306  
Louisville, KY 40204

***Your Dues Are Paid Thru:***

**WINTER  
2017  
ISSUE**



**Cherokee Triangle Association Officers and Trustees (2017—2018)**

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- Jim Gibson—2<sup>nd</sup> VP
- Mark Thompson—Secretary
- Amy Wells—Treasurer

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Susan Frockt ● Zach Fry ● Eric Graninger  
Tim Holman ● Pete Kirven ● Stuart MacLean  
Abe Mulvihill ● Jennifer Schultz ● Deirdre Seim

The CTA holds meetings the 3<sup>rd</sup> Monday of the month (except July and December)  
at 7:00 pm at the Highlands-Shelby Park Library branch in the Mid City Mall.  
All are welcome to attend.