

PLANNING COMMISSION MINUTES

April 24, 2025

PUBLIC HEARING

CASE NO. 24-ZONE-0133

Request: Change in zoning from OR-1 office residential to C-1 Commercial with a Revised Detailed District Development Plan with Revisions to Binding Elements and a Waiver.

Project Name: Texas Avenue Rezoning

Location: 1325 Texas Avenue

Applicant: Albert Johns Property Holdings, LLC.

Representative: Albert Johns Property Holdings, LLC.

Jurisdiction: Louisville Metro

Council District: 15 – Jennifer Chappell

Case Manager: Molly Clark, Planner II

Notice of this public hearing appeared in The Courier Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

03:04:30 Molly Clark provided an overview of the request and presented a PowerPoint presentation. Clark responded to questions from Commissioners. (See recording for details).

The following spoke in favor of this request:

Tommy Johns, 1116 Mulberry Street, Louisville, KY 40217

Summary of testimony of those in favor:

03:08:10 Tommy Johns spoke in favor of the request and provided an overview of the request. Johns talked about development plan, alcohol sales, operating hours, and patio design. Johns emphasized on managing capacity, minimizing noise, and maintaining neighborhood's character. Johns responded to questions from Commissioners. (See recording for details).

The following spoke in opposition of this request:

Steve Leshar, 1317 Texas Avenue, Louisville, KY 40217

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Dennis Roberts, 1045 Eastern Parkway, Louisville, KY 40217

Michaela A. Roberts, 1043 ½ Wetterau Avenue, Louisville, KY 40217

Clay Cundiff, 1319 Texas Avenue, Louisville, KY 40217

Summary of testimony of those in opposition:

03:19:20 Steve Leshar spoke in opposition and raised concerns about alcohol sales, traffic, and impact on the neighborhood. Leshar also concerned about parking and congestion in the area. Leshar responded to questions from Commissioners. (See recording for details).

03:21:30 Dennis Roberts raised concerns about noise, alcohol consumption, and parking issues. Roberts was concerned about the negative effects on the community and family life. Roberts responded to questions from Commissioners. (See recording for details).

03:23:30 Michaela A. Roberts raised concerns about the potential negative impact on the family-oriented neighborhood, citing issues like litter, noise, alcohol consumption and parking. Roberts responded to questions from Commissioners. (See recording for details).

03:26:30 Clay Cundiff raised concerns about noise, operation hours, alcohol consumption and parking issues. Cundiff also concerned about future uses of rezoning. Cundiff responded to questions from Commissioners. (See recording for details).

Rebuttal:

03:20:20 Tommy Johns stated their intention to have a full bar, alongside the restaurant, emphasizing their desire to strike a balance between their business goals and community concerns. Johns stated to take measures such as limiting the patio's capacity, landscaping for privacy, and using curtains or sound barriers to address noise concerns. Johns mentioned exploring ways to restrict patio use and occupancy. Johns stated to revise operating hours and will find alternatives for parking. Johns responded to questions from Commissioners. (See recording for details).

Deliberation:

03:46:55 Planning Commission deliberation.

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Change in zoning from OR-1 Office Residential to C1 Commercial

03:51:40 On a motion by Commissioner Steff, seconded by Commissioner Cheek, the following resolution, based on the testimony heard today was adopted:

WHEREAS, the Planning Commission finds that the proposal does not meets Community Form: Goal 1, Policy 7 the site is located in a neighborhood with several corner commercial uses. It is also approximately 320 feet from Goss Avenue that functions as a commercial corridor, and

WHEREAS, the Planning Commission finds the proposal does not meet Community Form: Goal 1, Policy 18. To Mitigate adverse impacts of noise from proposed development on existing communities. The proposed plan shows landscape buffers with screening adjacent to residential uses. The applicant will also be subject to a binding element regarding hours of operation to mitigate impacts from noise, and

WHEREAS, the Planning Commission finds the proposal does not meet Community Form: Goal 1, Policy 6: the proposal would not constitute an expansion of non-residential uses into an existing residential area. The structure on the site is commercial in nature and the site has been used commercially in the recent past; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **DENY** the change in zoning from OR-1 Office Residential to C-1 Commercial.

The vote was as follows:

YES: Commissioners Cheek, Lannert, Fischer, Bond, Mims, Steff, and Sistrunk

ABSENT: Commissioner Lohan, Benitez, and Kern