

PLANNING COMMISSION MINUTES
May 7, 2026

PUBLIC HEARING

CASE NO. 25-ZONE-0097

Request: Change in Zoning from M-2 Industrial & C-1 Commercial to C-2 Commercial and a Detailed District Development plan with and binding elements.

Project Name: Hull St. Brew Pub

Location: 524 Baxter Ave.

Applicant: Auckland Land Trust

Representative: Scot Heath

Jurisdiction: Louisville Metro

Council District: 4 – Ken Herndon

Case Manager: Jude Mattingly, Planner II

Notice of this public hearing 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 the Office of Planning, 444 South 5th Street.)

Agency Testimony:

01:05:26 Jude Mattingly provided an overview of the request and presented a PowerPoint presentation. Mattingly responded to questions from Commissioners. (see recording for details)

01:18:09 Jay Lockett responded to questions from Commissioners about what would happen to the proposed plan after the Commission approved the current plan. (see recording for details)

01:20:08 Laura Ferguson discussed the proposed binding element by a member of the public that was in the record. (see recording for details)

The following spoke in favor of the request:

Scot Heath, PO Box 69375 Normandy Heights Road Taylorsville, KY 40071

Eric Claypool, 8801 Hermitage Court Louisville, KY 40242

Wayne Gallavin, 1156 Bardstown Road Louisville, KY 40204

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Summary of those in favor:

01:12:17 Scot Heath spoke in favor of the request. Heath explained how the plan was decided on, and what the developer plans to do with it. Heath responded to questions from Commissioners. (see recording for details)

01:14:43 Eric Claypool spoke in favor of the request. Claypool stated that there wasn't a solid tenant yet, but that the current plan was to square away the zoning and then find a tenant. (see recording for details)

01:32:09 Wayne Gallavin spoke in favor of the request. Gallavin stated that there is a sense of urgency to redevelop the proposed site due to continued vandalism and encampment. Gallavin stated that the intent of the site is to fit in with the existing neighborhood. (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

01:33:07 Planning Commission deliberation

An audio/visual recording of the Planning Commission hearing related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Change in zoning from M-2 Industrial & C-1 Commercial to C-2 Commercial

01:35:01 On a motion by Commissioner Mims, seconded by Commissioner Fischer, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposal would not constitute a non-residential expansion into an existing residential area. The immediate area contains a variety of commercial, industrial, and residential zoning classifications and uses. The subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a Major Arterial roadway, and

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WHEREAS, the Planning Commission finds, the proposal meets Community Form: Goal 2 because appropriate access and connectivity exist to allow the zoning change within the context of the Traditional Neighborhood form district, and

WHEREAS, the Planning Commission finds, the proposal meets Community Form: Goal 3 because no substantial changes to the topography, potential environmental degradation, or disturbance to any natural features has been observed, and

WHEREAS, the Planning Commission finds, the proposal meets Community Form: Goal 4 because while not in a historic preservation district, or overlay district, the subject site is located within a national register district and the existing structure will be preserved, rehabilitated, and renovated, and

WHEREAS, the Planning Commission finds, the proposal meets Mobility: Goal 1 because The subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a Major Arterial roadway, and

WHEREAS, the Planning Commission finds, the proposal meets Mobility: Goal 2 because the there is no access through areas of significantly lower intensity, and

WHEREAS, the Planning Commission finds, the proposal meets Mobility: Goal 3 because the proposed zoning would allow for a mix of possible neighborhood serving uses that encourage utilization of the existing network of sidewalks and public transit options, and

WHEREAS, the Planning Commission finds, the proposal meets Community Facilities: Goal 2 because the subject site is served by existing utilities and located in an area where additional resources could be extended, and

WHEREAS, the Planning Commission finds, the proposal meets Economic Development: Goal 1 because The subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a Major Arterial roadway, and

WHEREAS, the Planning Commission finds, the proposal meets Livability: Goal 1 because no issues with the site being susceptible to severe erosion, impacts on groundwater resources, flow patterns, existing surface drainage, or the floodplain have been observed and MSD has given preliminary approval, and

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WHEREAS, the Planning Commission finds, the proposal meets Housing: Goal 1 because the proposed zoning would allow for housing options that could support aging in place with access to transit routes, and

WHEREAS, the Planning Commission finds, the proposal meets Housing: Goal 2 because the proposed zoning would allow for housing options with access to multi-modal transportation corridors within proximity of amenities providing neighborhood good and services, and

WHEREAS, the Planning Commission finds, the proposal meets Housing: Goal 3 because no current residents are identified to be displaced by this request, now, therefore be it;

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the requested Change in zoning from M-2 Industrial & C-1 Commercial to C-2 Commercial

The vote was as follows:

YES: Commissioners Stuber, Benitez, Mims, Fischer, Lannert, Bond, and Steff

NO: Commissioners Lohan and Sistrunk

ABSENT: Commissioner Cheek

Detailed District Development Plan with proposed binding elements

01:35:42 On a motion by Commissioner Mims, seconded by Commissioner Fischer, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Planning Commission finds, the proposal retains any natural resources present on the subject site. No issues negatively impacting living vegetation, steep slopes, water courses, flood plains, soils, air quality, or scenic views has been observed or are anticipated. While not in a Historic Preservation District or Overlay District, the subject site is located within the “Highlands” National Register District. The proposal revitalized and repurposes the existing structure that the PVA records as having been constructed in the 1930s, and

WHEREAS, the Planning Commission finds, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has

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been provided, and the Department of Transportation and the KYTC have reviewed and approved the preliminary development plan, and

WHEREAS, the Planning Commission finds, there are no open space requirements pertinent to the current proposal. If the property were redeveloped in the future the subject site will be required to meet Land Development Code requirements, and

WHEREAS, the Planning Commission finds, MSD has reviewed and approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community, and

WHEREAS, the Planning Commission finds, the overall site design and land uses are compatible with the existing and future development of the area, and

WHEREAS, the Planning Commission finds, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code except for where the waiver is requested, now, therefore be it;

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Plan **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:

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- a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.

4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

5. Prior to requesting a certificate of occupancy for any use of the subject site, the curb cuts along Baxter Ave and Hull Street shall be closed, the asphalt tapers removed, and curbing restored as necessary. All sidewalks adjacent to the site shall be repaired per ADA, KYTC and Louisville Metro Department of Transportation requirements.

6. There shall be no outdoor music (live, piped, radio or amplified) or outdoor PA system permitted on the site after 10 p.m.

7. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

8. The hours of operation are Sunday through Thursday 8 a.m. to 11 p.m. and Friday through Saturday 8 a.m. to 12 a.m.

The vote was as follows:

YES: Commissioners Stuber, Benitez, Mims, Fischer, Lannert, Bond, and Steff

NO: Commissioners Lohan and Sistrunk

ABSENT: Commissioner Cheek

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APPROVAL OF MINUTES

APRIL 23, 2026, PLANNING COMMISSION MEETING MINUTES

01:37:03 Laura Ferguson suggested that the Commission continue the approval of the April 23, 2026, minutes to the next meeting. (see recording for details)

01:37:11 On a motion by Commissioner Steff, seconded by Commissioner Benitez, the following resolution, based on the suggestion of legal counsel, was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** the approval of the Minutes of its meeting conducted on April 23, 2026, to the May 21, 2026, meeting.

The vote was as follows:

YES: Commissioners Mims, Steff, Lannert, Bond, Fisher, Lohan, Stuber, Benitez, and Sistrunk

ABSENT: Commissioner Cheek