

**Historic Landmarks and Preservation Districts Commission
Meeting Minutes
August 10, 2023**

A special meeting of the Louisville Metro Historic Landmarks and Preservation Districts Commission was held on Thursday, August 10, 2023 at 9:00 a.m. at the Old Jail Auditorium, located at 514 W. Liberty Street, Louisville, Kentucky.

Commission Members present:

Morgan Ward, Chair
Carrye Jones
Emily Liu
Kate Meador
Amin Omidy
Doug Owen (virtual)
Howard Rosenberg
Lori Stahlgren

Commission Members absent:

Ashlyn Ackerman
Stefanie Buzan
Christopher Fuller
Robert Kirchdorfer

Staff Members Present:

Joseph Haberman, Planning Manager
Savannah Darr, Historic Preservation Officer
Travis Fiechter, Assistant County Attorney
Brad Fister, Senior Planner
Kat Groskreutz, Senior Planner

The following matters were considered:

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APPROVAL OF MINUTES

**JULY 20, 2023 HISTORIC LANDMARKS AND PRESERVATION DISTRICTS
COMMISSION MEETING MINUTES**

On a motion by Commissioner Omidy, seconded by Commissioner Stahlgren, the following resolution was adopted:

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **APPROVE** the Minutes of the meeting conducted on July 20, 2023.

The vote was as follows:

Yes: Commissioners Jones, Liu, Meador, Omidy, Owen, Rosenberg, Stahlgren, and Ward

Absent: Commissioners Ackerman, Buzan, Fuller, and Kirchdorfer

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NEW BUSINESS

Case No. 23-COA-0251

Request: Appeal of Cherokee Triangle Architectural Review
Committee decision
Location: 2354, 2356, 2358 Grinstead Drive
Owner: LCS Yorktown, LLC
Applicant: Louisville Collegiate School
Representative: Cliff Ashburner, Dinsmore & Shohl
Jurisdiction: Louisville Metro
Council District: 8-Ben Reno-Weber
Case Manager: Savannah Darr, Historic Preservation Officer

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

A recording of the Historic Landmarks and Preservation Districts Commission meeting is available online at louisville.legistar.com, or you may contact the Office of Planning to obtain a copy.

Agency testimony:

Savannah Darr presented the staff report and explained the ordinance regulations on appeals of ARC decisions (see recording for detailed presentation).

The following spoke in support of the request as appellant:

Cliff Ashburner, 101 S. 5th Street, Suite 2500, Louisville, KY

Summary of testimony of those in favor as appellant:

Cliff Ashburner spoke in favor of the request and showed a slideshow presentation. Mr. Ashburner provided his perspective on the ARC's decisions and how he concluded that the decisions related to the application of the design guidelines cited to deny the application for a certificate of appropriateness to be erroneous (see recording for detailed presentation).

Public Comment:

The following spoke in support of the request:

Waller Austin, 1435 Willow Avenue, Louisville, KY
Michael Gross, 1071 Everett Avenue, Louisville, KY

The following spoke in opposition to the request:

Emily Skinner, 1401 Goddard Avenue, Louisville, KY
Andrew Gentile, 2408 Glenmary Avenue, Louisville, KY
Tony Curtis, 1612 Almara Circle, Louisville, KY

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Catherine McGeeney, 1912 Alfresco Place, Louisville, KY
Steve Seim, 937 Cherokee Road, Louisville, KY
Deirdre Seim, 937 Cherokee Road, Louisville, KY
Martina Kunnecke, 311 Northwestern Parkway, Louisville, KY
Steve Porter, 2406 Tucker Station Road, Louisville, KY
Cathy Hinko, 1941 Payne Street, Unit 1, Louisville, KY
Sarah Fisher, 423 E. Lee Street, Louisville, KY

The following spoke neutral to the request:

Ashlyn Ackerman, 2625 McCoy Way, Louisville, KY

Note: Commissioner Ackerman was present at the hearing; however did not participate in the meeting as a Commissioner and left before the vote. Pursuant to Louisville Metro Code section 32.257(K), any member of the Commission who voted on the application when it was considered by the ARC shall not vote on the question of whether the decision of the ARC shall be upheld or overturned.

Commissioners' deliberation

Commissioner Stahlgren motioned to uphold the denial decision of the Cherokee Triangle ARC as the Committee's decisions were not clearly erroneous as to a material finding of fact related to whether the proposed demolition and new parking area complied with the design guidelines. Commissioner Omidy seconded.

The vote was as follows:

Yes: Commissioners Jones, Omidy, and Stahlgren

No: Commissioners Liu, Meador, Owen, Rosenberg, and Ward

Absent: Commissioners Ackerman, Buzan, Fuller, and Kirchdorfer

The motion failed due to a lack of majority votes.

On a motion by Commissioner Rosenberg, seconded by Commissioner Jones, the following resolution was adopted:

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **OVERTURN** the denial decision of the Cherokee Triangle ARC as the Committee was clearly erroneous as to a material finding of fact related to whether the proposed demolition and new parking area complied with the design guidelines. It is determined that the buildings are noncontributing and Demolition guideline DE6 is met with the proposed conditions of approval. Thus, the Commission does hereby **APPROVE** 22-COA-0251 with the following conditions:

1. The existing buildings shall not be demolished until all parking lot approvals

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- are issued, and a Kentucky Historic Properties Survey Form has been submitted to staff and the Kentucky Heritage Council.
2. The applicant shall notify staff of an excavation schedule for the site and if/when archaeological discoveries such as artifacts, features, and other archaeological deposits are found during demolition and construction of the parking lot
 3. Final landscaping details shall be submitted to staff for review and approval. The plan must include the parking lot and show proposed and existing trees and landscaping. A copy of the LDC required Landscape Plan will suffice.
 4. Any proposed screening walls, fencing, gates, etc. shall be submitted to staff for review and approval prior to construction.
 5. Prior to installation, final exterior lighting fixture details shall be submitted to staff for review and approval and shall include cut sheets for all exterior lighting fixtures.
 6. Signage was not reviewed as part of this application. Any signage shall be reviewed and approved under a separate application(s) prior to installation.
 7. Historic concrete mix shall be used for all sidewalks, curbing, or apron installed in public view.
 8. The removal of any trees within or immediately adjacent to a public right-of-way or within public open space shall require review, unless directed by the city arborist in cases of emergency or other reasons of public safety.
 9. Once the applicant finalizes the conceptual traffic plan, they shall submit it to staff for review and final approval prior to work taking place. Additional COA applications may be required.
 10. If the design or scope of the project changes in any way, the applicant shall contact staff for review and approval.

The vote was as follows:

Yes: Commissioners Jones, Liu, Meador, Owen, Rosenberg, and Ward


No: Commissioners Omidy and Stahlgren

Absent: Commissioners Ackerman, Buzan, Fuller, and Kirchdorfer

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The meeting adjourned at approximately 11:56 a.m.

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Chairman

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Office of Planning Director