

Historic Landmarks and Preservation Districts Commission Minutes

June 16, 2016

A meeting of the Louisville Metro Historic Landmarks and Preservation Districts Commission was held on Thursday, June 16, 2016 at 9:00 a.m. at the Old Jail Building located at 514 W. Liberty Street, Louisville, Kentucky.

Commission Member(s) present:

Bob Vice, Chair (left at approximately 10:38 a.m.)
Jay Stottman
Emily Liu (left at approximately 10:15 a.m.)
Robert Kirchdorfer (left at approximately 10:38 a.m.)
Roberto Bajandas
Milton Haskins Jr.
Reba Doutrick (arrived at approximately 9:10 a.m.)
Chris Hartman
Amin Omidy
Tamika Jackson (arrived at approximately 9:18 a.m.)
Tom Owen

Commission Member(s) absent:

Carrye Jones
Joanne Weeter

Staff Members Present:

Bob Keesaer, Urban Design Supervisor
Joe Haberman, Planning and Design Manager
Savannah Darr, Historic Preservation Specialist
Burcum Keeton, Architectural Projects Coordinator
Anthony Schneider, Planning Technician
John Carroll, Legal Counsel
Sue Reid, Management Assistant

The following matters were considered:

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00:02:50 On a motion by Commissioner Bajandas, seconded by Commissioner Haskins, Commissioner Stottman was **APPOINTED** as **PRO TEM CHAIR** to preside over today's meeting, since Chair Vice noted that he would not be present for the entire meeting.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Liu, Haskins, Bajandas, Hartman, Omidy, Owen and Vice

No: No one

Absent: Commissioners Doutrick, Jones, Jackson and Weeter

Not Voting: Commissioner Stottman

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APPROVAL OF MINUTES

Approval of the minutes of the May 19, 2016 Historic Landmarks and Preservation Districts Commission meeting.

00:04:02 On a motion by Commissioner Hartman, seconded by Commissioner Liu, the following resolution was adopted:

RESOLVED, that the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **APPROVE** the minutes of the meeting conducted on May 19, 2016.

The vote was as follows:

Yes: Commissioners Liu, Doutrick, Haskins, Bajandas, Vice, Hartman, Owen and Pro Tem Chair Stottman

No: No one

Abstain: Commissioners Kirchdorfer and Omidy

Absent: Commissioners Jones, Jackson and Weeter

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NEW BUSINESS

Ken_Maguire_ARC_Appointment

Request: Ken Maguire ARC Appointment – Bob Keesaer
Project Name: ARC-Appointment
Jurisdiction: Louisville Metro Government
Case Manager: Bob Keesaer

An audio/visual recording of the Historic Landmarks and Preservation Districts Commission meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to obtain a copy.

Agency testimony:

00:04:51 Bob Keesaer presented the case (see recording for detailed presentation).

00:05:44 Ken Maguire provided information on his background and qualifications (see recording for detailed presentation).

00:08:21 On a motion by Commissioner Bajandas, seconded by Commissioner Vice, the following resolution was adopted:

RESOLVED, that the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **APPROVE** the appointment of Ken Maguire to the Old Louisville ARC.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Liu, Doutrick, Haskins, Bajandas, Vice, Hartman, Omidy, Owen and Pro Tem Chair Stottman

No: No one

Absent: Commissioners Jones, Jackson and Weeter

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NEW BUSINESS 16COA1055

Request: LMC ARC Appeal of Case #16COA1055, 2213
Patterson Ave-Savannah Darr
Project Name: LMC ARC Appeal of Case #16COA1055
Jurisdiction: Louisville Metro Government
Case Manager: Savannah Darr

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Agency testimony:

00:09:01 John Carroll, Legal Counsel, reminded the Commissioners of the appeal process. Mr. Carroll also stated that any Commissioner who voted on the ARC case cannot vote on these appeals. In response to a question from Commissioner Vice, Mr. Carroll refreshed the Commissioners on their Standard of Review in terms of whether to approve or disapprove the Committee's decision (see recording for detailed presentation).

00:11:17 Savannah Darr presented the case. Ms. Darr noted that Cherokee Triangle ARC Chairman Michael Gross and Member Christopher Quirk were present to address any questions regarding their Finding of Fact. Ms. Darr also noted that the applicant, Mary Jo Zipperle, was also present to address any questions. Ms. Darr responded to questions from the Commissioners (see recording for detailed presentation).

The following spoke in favor of the appeal:

Mary Jo Zipperle, 2213 Patterson Avenue, Louisville, KY
Jack Trawick, 1129 Hilliard Avenue, Louisville, KY

Summary of testimony of those in favor:

00:22:14 Mary Jo Zipperle spoke in favor of the appeal. Ms. Zipperle explained her reasons for constructing the retaining wall. Ms. Zipperle responded to questions from the Commissioners (see recording for detailed presentation).

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NEW BUSINESS 16COA1055

The following spoke in opposition of the appeal:

Michael Gross, 1071 Everett Ave., Louisville, KY
Christopher Quirk, 1275 Willow Ave., Louisville, KY

Summary of testimony of those in opposition:

00:30:16 Michael Gross, Chairman of the Cherokee Triangle ARC, spoke in opposition of the appeal. Mr. Gross discussed the reasons for the decision of the ARC. Mr. Gross responded to questions from the Commissioners (see recording for detailed presentation).

00:35:25 Christopher Quirk, Member of the Cherokee Triangle ARC, spoke in opposition of the appeal. Mr. Quirk further discussed the reasons for the decision of the ARC. Mr. Quirk responded to questions from the Commissioners (see recording for detailed presentation).

NOTE: The appellant was called upon to respond to questions from the Commissioners.

00:40:58 Ms. Zipperle responded to questions from the Commissioners (see recording for detailed presentation).

NOTE: The following testimony was in favor of the appeal:

00:45:37 Jack Trawick spoke in favor of the appeal (see recording for detailed presentation).

Additional Agency Testimony:

00:54:24 Savannah Darr stated she wanted to clarify for everyone that the retaining wall at 2217 Patterson is in violation of their COA and they are being cited with a Code Violation. Ms. Darr and Bob Keesaer responded to further questions from the Commissioners (see recording for detailed presentation).

00:58:19 **NOTE: The Commissioners discussed the case and allowed additional testimony from staff, the appellant and the ARC representatives for the remainder of the presentation of this case (see recording for detailed presentation).**

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NEW BUSINESS

16COA1055

01:31:18 On a motion by Commissioner Vice, seconded by Commissioner Bajandas, the following resolution was adopted:

RESOLVED, that the Louisville Metro Historic Landmarks and Preservation Districts Commission, in Case Number 16COA1055, does hereby **UPHOLD** the decision of the Cherokee Triangle Architectural Review Committee based on the report of that decision and on the additional testimony presented at the Commission's public hearing and based also on a finding there was **NO CLEARLY ERRONEOUS FINDING OF FACT** by the Committee related to whether the retaining wall complied with the applicable guidelines.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Bajandas, Vice, Jackson, Owen and Pro Tem Chair Stottman

No: Commissioners Doutrick and Haskins

Abstain: Commissioners Hartman and Omidy

Absent: Commissioners Liu, Jones and Weeter

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NEW BUSINESS 16COA1076

Request: LMC ARC Appeal of Case #16COA1076, 2228
Patterson Ave.-Savannah Darr
Project: LMC-Appeal of Case #16COA1076
Jurisdiction: Louisville Metro Government
Case Manager: Savannah Darr

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Agency testimony:

01:34:31 Savannah Darr presented the case. Ms. Darr noted that the applicant, Ken Hand, was present to address any questions. Ms. Darr responded to questions from the Commissioners (see recording for detailed presentation).

The following spoke in favor of the appeal:

Ken Hand, 2228 Patterson Avenue, Louisville, KY

Summary of testimony of those in favor:

01:41:24 Ken Hand spoke in favor of the appeal. Mr. Hand responded to questions from the Commissioners (see recording for detailed presentation).

01:46:46 NOTE: Ms. Darr explained the findings of the plus/minus noted in her staff report.

01:47:03 Pro Tem Chair Stottman discussed the types of guideline precedent. Ms. Darr responded to further questions from the Commissioners (see recording for detailed presentation).

01:50:39 Ken Hand continued to speak in favor of the appeal (see recording for detailed presentation).

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NEW BUSINESS 16COA1076

The following spoke in opposition of the appeal:

Michael Gross, 1071 Everett Ave., Louisville, KY

Summary of testimony of those in opposition:

01:58:01 Michael Gross spoke in opposition of the appeal. Mr. Gross addressed questions raised by Mr. Hand (see recording for detailed presentation).

01:59:40 **NOTE: The Commissioners discussed the case and allowed additional testimony from staff, the appellant and the ARC representatives for the remainder of the presentation of this case (see recording for detailed presentation).**

02:31:48 On a motion by Commissioner Bajandas, seconded by Commissioner Omidy, the following resolution was adopted:

RESOLVED, that the Louisville Metro Historic Landmarks and Preservation Districts Commission, in Case Number 16COA1076, does hereby **UPHOLD** the decision of the Cherokee Triangle Architectural Review Committee based on the report of that decision and on the additional testimony presented at the Commission's public hearing and based also on a finding there was **NO CLEARLY ERRONEOUS FINDING OF FACT** by the Committee related to whether the retaining wall complied with the applicable guidelines.

The vote was as follows:

Yes: Commissioners Haskins, Bajandas, Omidy, Jackson, Owen and Pro Tem Chair Stottman

No: Commissioner Doutrick

Abstain: Commissioner Hartman

Absent: Commissioners Kirchdorfer, Liu, Vice, Jones and Weeter

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The meeting adjourned at approximately 11:44 a.m.