

RESOLUTION NO. _____, SERIES 2018

A RESOLUTION OVERTURNING THE DECISION OF THE LANDMARKS COMMISSION DESIGNATING THE PROPERTY LOCATED AT 3700 DUTCHMANS LANE IN LOUISVILLE METRO AS A LOCAL LANDMARK (CASE NO. 17DESGNATION1002)

SPONSORED BY: COUNCILWOMAN BARBARA SEXTON SMITH

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has considered the evidence presented at a public hearing held by the Landmarks Commission on March 22, 2018 and the record reviewed at the public meeting held by the Council’s Planning, Zoning and Annexation Committee on July 17, 2018; and

WHEREAS, the Landmarks Commission voted five in favor and four opposed with four Commission Members absent, and the Chairman of the Commission is included in those voting in opposition to approve the designation; and

WHEREAS, this designation petition was approved over the objection of the property owner in an internal dispute within the Anshei Sfard Congregation; and

WHEREAS, pursuant to LMCO § 32.260(G), the Council disagrees with the decision of the Landmarks Commission dated March 22, 2018 designating 3700 Dutchmans Lane as a local landmark and makes the following findings of fact:

(1) As the Landmarks Commission itself found with respect to LMCO 32.260(E)(1)(a), these property/structures do not possess any character, interest, or value as part of the development or heritage of Louisville Metro, Jefferson County, Kentucky, or the United States. Nothing in the record indicates that these property/structures played any particular role in this community. Virtually all religious institutions (churches, schools, synagogues, etc.) locate near to their populations. There is nothing significant or unique

about Anshei Sfard in this regard. If this criteria were used to justify these property/structures as a landmark then just about every church, school, synagogue, mosque, etc. outside of the Watterson Expressway would qualify.

(2) As the Landmarks Commission has found with respect to LMCO 32.260(E)(1)(b), “[d]ue to changes in the surrounding context over time, however, the associations with setting, feeling, and association have diminished over time.” Mid-Century architecture is ubiquitous in this community. The front yard setback of the structures, while arguably a design feature of the Mid-Century Modern architectural style, does not warrant a designation. Such setbacks are common in suburban development.

(3) With respect to LMCO 32.260(E)(1)(e), the Landmarks Commission found that only one of the two structures displays distinguishing characteristics of the Mid-Century Modern architectural style. This is not adequate to justify designation of both structures and the site. The characteristics of the “simplicity” of the site have been lost with the development of a large apartment building to the south (Shalom Towers) and the institutional complex to the west (Jewish Community Center).

(4) Despite Joseph & Joseph being acknowledged as a well-known architectural firm, particularly for its use of the Beaux-Arts style, the Commission’s own findings with respect to LMCO 32.260(E)(1)(f) state that there has been no evaluation of the firm’s influence on Mid-Century Modern design in Louisville, the Commonwealth or the nation.

(5) The Council agrees with the Landmarks Commission that the property/structures do not meet Guidelines 32.260(E)(1)(c), (d), (g), (h), and (i).

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: The March 22, 2018 decision of the Landmarks Commission designating the property at 3700 Dutchmans Lane in Louisville Metro as a local landmark is overturned and set aside.

SECTION II: This Resolution shall take effect upon its passage and approval.

H. Stephen Ott
Metro Council Clerk

David James
President of the Council

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

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