

## **Historic Landmarks and Preservation Districts Commission Minutes**

**October 15, 2015**

A meeting of the Louisville Metro Historic Landmarks and Preservation Districts Commission was held on Thursday, October 15, 2015 at 8:30 a.m. at the Old Jail Building located at 514 W. Liberty Street, Louisville, Kentucky.

### **Commission Members present:**

Robert Vice, Chair  
Emily Liu  
Chris Hartman  
Reba Doutrick  
Robert Kirchdorfer  
Joanne Weeter  
Amin Omidy  
Tamika Jackson  
Steve Magre  
Carrye Jones

### **Commission Members absent:**

Milton Haskins, Jr.  
Bob Bajandas  
Jay Stottman

### **Staff Members Present:**

Bob Keesaer, Urban Design Supervisor  
Cynthia Johnson, Historic Preservation Officer  
Becky Gorman, Preservation Specialist  
Jessica Wethington, Communications Manager  
John Carroll, Legal Counsel  
Sue Reid, Management Assistant

The following matters were considered:

**00:01:15** A motion was made by Commissioner Doutrick, seconded by Commissioner Hartman, that the absence of Commissioners Bajandas, Haskins and Stottman from today's meeting be **EXCUSED**. The motion carried by a unanimous vote.

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## **APPROVAL OF MINUTES**

### **APPROVAL OF THE MINUTES OF THE MEETING HELD ON September 17, 2015.**

**00:02:34** On a motion by Commissioner Liu, seconded by Commissioner Hartman, 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 September 17, 2015.

**YES: Commissioners Kirchdorfer, Doutrick, Magre, Weeter, Omidy, Jackson, Hartman, Liu and Chairman Vice.**

**NO: No one.**

**NOT PRESENT AND NOT VOTING: Commissioners Haskins, Bajandas, Stottman and Jones.**

**ABSTAINING: No one.**

**NOTE: Commissioner Jones arrived at approximately 9:21 a.m.**

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## 15DESGNATION1002

Request: Proposed Landmark Designation  
Project Name: Louisville Water Company Building  
Location: 435 S. Third St.  
Owner: Louisville Metro Government  
Applicant: Neighborhood Planning & Preservation, Inc.  
Representative: Martina Kunnecke  
Jurisdiction: Louisville Metro Government  
Council District: 4-David Tandy  
Case Manager: Cynthia Johnson, Historic Preservation Officer

**00:03:00** Chairman Vice explained that this Public Hearing is being held following receipt of a petition received on September 4, 2015 and subsequently verified on September 10, 2015.

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.

**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 view the recording or to obtain a copy.**

**00:05:35** Cynthia Johnson stated that staff has reviewed the petition which was received on September 4, 2015 to determine that they contain at least 200 signatures of Louisville Metro residents with at least 101 names being residents or property owners of District 4 as required by the Ordinance or the combination of the boundary around the District. Cynthia stated per Section 32.260 D2, the Commission Chair directed staff to prepare a Draft Designation Report on September 10, 2015. Cynthia stated that staff has drafted preliminary findings concerning the Louisville Water Company building's qualifications for designation. The Draft Designation Report was prepared and published on the Planning and Design website within 18 days of the petition submittal. The report was published on September 15, 2015. The pre-hearing conference, which is in Section 32.260 D2 was waived by the property owner on September 10, 2015. The published Notice of this Public Hearing also included an address for Louisville Metro Planning and Design Services website which posted information on the following subjects: Local Preservation Districts and Individual Landmarks Design Guidelines; National Register Districts and National Historic Landmarks, and Applications for Certificate Of Appropriateness. Additionally, the home page link provided in electronic form a Notice of the Public Meeting and the Draft Designation Report prepared in accordance with the Local Landmark

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Designation Provisions of the Louisville Metro Code of Ordinances. A written copy of the staff's findings was mailed or emailed to each Commissioner prior to this meeting.

**00:07:35** Cynthia Johnson presented the case and showed a PowerPoint presentation (see recording and Draft Designation Report for detailed presentation).

**00:32:58** John Carroll, Assistant Jefferson County Attorney, commented that the nine guidelines or standards that govern the Commission's decision are in the Draft Report beginning on page 13 and Cynthia has reviewed them. Mr. Carroll stated that the Draft Report was accepted by the Committee of this Commission for the purposes of this hearing. He stated the Draft Report has not been approved, but again those standards guide the Commission's decision.

### **The following spoke on behalf of the applicant:**

Martina Kunnecke, President of Neighborhood Planning & Preservation, Inc., 313 Northwestern Parkway, Louisville, KY

### **Summary of testimony on behalf of the applicant:**

**00:33:55** Martina Kunnecke spoke on behalf of the applicant (see recording for detailed presentation).

### **The following spoke on behalf of the owner:**

Kenneth Bohnert, Conliffe, Sandmann & Sullivan, PLLC, 325 W. Main Street, Louisville, KY 40202

Jeff Mosley, Deputy Chief of Louisville Forward, 444 S. 5<sup>th</sup> Street, Louisville, KY

### **Summary of testimony on behalf of the owner:**

**00:50:34** Kenneth Bohnert spoke on behalf of Louisville Metro Government Office of Economic Growth & Development in opposition to this request (see recording for detailed presentation).

**01:05:00** Jeff Mosley spoke of behalf of the owner (see recording for detailed presentation).

### **The following spoke in support of the request:**

Scott Kremer, 3258 Ruckreigel Pkwy., Louisville, KY 40299

Debra Harlan, 1734 Chichester Avenue, Louisville, KY 40205

Cherise Williams, 1923 Quarry Street, Louisville, KY 40206

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### **Summary of testimony of those in support:**

**01:10:56** Scott Kremer spoke in support of this request (see recording for detailed presentation).

**01:15:00** Debra Harlan spoke in support of this request (see recording for detailed presentation).

**01:20:19** Cherise Williams spoke in support of this request (see recording for detailed presentation).

### **The following spoke in opposition to the request:**

C. Edward Glasscock, Frost Brown Todd, 3760 Upper River Road, Louisville, KY 40207

Karen Williams, President of the Louisville Convention Bureau, Louisville, KY 40205

Brett Antle, Commonwealth Economics, 120 Cambridge, Nicholasville, KY

Joe Wise, Greater Louisville Building and Construction Trades Council, 9143 Cranesbill Trace, Louisville, KY 40059

Doug Owen, 7316 New Lagrange Road, Louisville, KY 40222

### **Summary of testimony of those in opposition:**

**01:23:50** Edward Glasscock spoke in opposition to this request (see recording for detailed presentation).

**01:28:31** Karen Williams spoke in opposition to this request (see recording for detailed presentation).

**01:31:42** Brett Antle spoke in opposition to this request (see recording for detailed presentation).

**01:35:24** Joe Wise spoke in opposition to this request (see recording for detailed presentation).

### **The following spoke neither for nor against the request:**

Annette Smith, 21 North Depot Street, New York (formerly 1930 Bishop Lane, Louisville, KY)

John Owen, 620 N. 28<sup>th</sup> Street, Louisville, KY

**01:40:56** Annette Smith spoke neither for nor against this request (see recording for detailed presentation).

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**NOTE:** Doug Owen requested to speak in **OPPOSITION** to the request. His speaker form was inadvertently placed with “Other Speakers”. Chairman Vice allowed Mr. Doug Owen to speak at this time.

**01:43:55** Doug Owen spoke in **opposition** to this request (see recording for detailed presentation).

**01:48:40** John Owen spoke neither for nor against this request (see recording for detailed presentation).

**02:06:58** Cynthia Johnson read into the record a statement from Keith Runyon, Healthy Urban Design. Mr. Runyon could not be present today (see recording for detailed statement).

**02:08:50 Public Hearing Concluded**

**02:09:00 Commissioners’ deliberation** (see recording for comprehensive discussion).

**Note:** John Carroll reminded the Commissioners they must state the reason for any motion that is made, and they are bound by those nine guidelines.

**Note:** Commissioner Magre left the meeting at approximately 9:25 a.m. and returned at approximately 11:45 a.m. and, based on the recommendation of Mr. Carroll, did not vote on the case since he had missed portions of the public hearing.

**02:35:18** On a motion by Commissioner Doutrick, seconded by Commissioner Jackson, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **DENY** 15DESGNATION1002 Proposed Landmark Designation, based on the fact that it does not meet six of the nine criteria required for a landmark designation.

**02:36:13 Discussion of Motion**

A general discussion of the motion included the issue of whether there is a specific number of criteria necessary to landmark the building, and the evaluation of integrity for the designation request. (see recording for comprehensive discussion).

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**02:48:30 Roll Call Vote**

**The vote was as follows:**

**YES: Commissioners Doutrick, Kirchdorfer, Jackson, Hartman, Liu and Chairman Vice.**

**NO: Commissioners Weeter, Omidy and Jones.**

**NOT PRESENT AND NOT VOTING: Commissioners Haskins, Stottman, Bajandas and Magre.**

**ABSTAINING:**

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**The meeting adjourned at approximately 12:00 p.m.**

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**Adjournment**