



# Louisville Metro Government

## Legislation Details (With Text)

**File #:** R-136-18      **Version:** 2      **Name:**  
**Type:** Resolution      **Status:** Passed  
**File created:** 7/20/2018      **In control:** Metro Council  
**On agenda:** 8/9/2018      **Final action:** 8/9/2018  
**Title:** 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) (AMENDMENT BY SUBSTITUTION).  
**Sponsors:** Barbara Sexton Smith (D-4)

**Indexes:**

**Code sections:**

**Attachments:** 1. R-136-18 V.2 FABS 080918 Overturn Landmark Designation at 3700 Dutchmans Ln 17DESGNATION1002.pdf, 2. R-136-18 PROPOSED FABS 080918 Resolution to Overturn Landmarks Designation at 3700 Dutchmans Lane(amend by sub)(8-8-18).pdf, 3. 17DESGNATION1002.pdf, 4. R-136-18 V.1 072618 Overturn Landmark Designation at 3700 Dutchmans Ln 17DESGNATION1002.pdf, 5. RES 119 2018.pdf

Date	Ver.	Action By	Action	Result
8/9/2018	1	Metro Council	approved	
8/9/2018	1	Metro Council	adopted as amended	Pass
7/31/2018	1	Planning, Zoning and Annexation Committee	recommended for approval	Pass
7/26/2018	1	Metro Council	assigned	

**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) (AMENDMENT BY SUBSTITUTION).**

**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 (the “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 Commission found that the petition did partially meet four of the nine criteria (LMCO 32.260(E)(1)(a), (b), (e), and (f)), and also found that the petition did not meet five of the nine criteria (LMCO 32.260(E)(1)(c), (d), (g), (h), and (i)); 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 Commission dated March 22, 2018 designating 3700 Dutchmans Lane as a local landmark and makes the following findings of fact:

(1) Anshei Sfard, like all religious congregations, is highly valued in our community and certainly is a part of the community's collective heritage. However, as the Commission itself found with respect to LMCO 32.260(E)(1)(a), these particular property/structures "[do] not appear to be individually distinctive for the development of the City, Commonwealth, or the United States."

(2) As the Commission has found with respect to LMCO 32.260(E)(1)(b), "[d]ue to changes in the surrounding context over time . . . the associations with setting, feeling, and association have diminished." 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 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 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 Joseph & Joseph's influence on Mid-Century Modern design in Louisville, the Commonwealth or the nation.

(5) The Council agrees with and accepts the finding of the Commission that the

property/structures do not meet Guidelines 32.260(E)(1)(c), (d), (g), (h), and (i), and therefore the Council finds that, on balance, the property/structures did not satisfy the criteria for local landmark designation.

**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 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.

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H. Stephen Ott  
Metro Council Clerk

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David James  
President of the Council

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

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