

Historic Landmarks and Preservation Districts Commission Minutes

December 1, 2017

A special meeting of the Louisville Metro Historic Landmarks and Preservation Districts Commission was held on Friday, December 1, 2017 at 9:00 a.m. at the Metro Development Center located at 444 S. 5th Street, Louisville, Kentucky.

Commission Members present:

Jay Stottman
Milton Haskins, Jr.
Reba Doutrick
Amin Omidy
Brandon Coan
Emily Liu
Robert Kirchdorfer
Christopher Fuller

Commission Members absent:

Bob Vice, Chair
Tamika Jackson
Chris Hartman
Joanne Weeter
Carrye Jones

Staff Members Present:

Dave Marchal, Deputy Director, Develop Louisville
Joe Haberman, Planning & Design Manager
Cynthia Elmore, Historic Preservation Officer
Savannah Darr, Historic Preservation Specialist
Becky Gorman, Historic Preservation Specialist
Burcum Keeton, Architectural Projects Coordinator
Sue Reid, Management Assistant

The following matters were considered:

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The Commissioners, by general consensus, appointed Commissioner Stottman to serve as Pro-tem Chair to preside over today's meeting.

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APPROVAL OF MINUTES

Approval of the minutes of the November 16, 2017 Historic Landmarks and Preservation Districts Commission meeting.

00:02:31 On a motion by Commissioner Kirchdorfer, seconded by Commissioner Doutrick, 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 November 16, 2017.

The vote was as follows:

Yes: Commissioners Stottman, Coan, Haskins, Fuller, Doutrick, Omidy, Liu, and Kirchdorfer

Absent: Commissioners Jones, Jackson, Hartman, Weeter, and Chair Vice

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NEW BUSINESS

NR_1003_17

Request: National Register Nomination
Project Name: Louisville & Interurban Railway Co. High Street Power Station
Applicant: Maison Young
Jurisdiction: Louisville Metro
Council District: 5 – Cheri Bryant Hamilton
Case Manager: Cynthia Elmore

The draft report prepared for this case was incorporated into the record. The Commission members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The draft report is part of the case file maintained at Planning and Design Services offices, 444 South 5th Street.)

An audio recording of the Historic Landmarks and Preservation Districts Commission meeting related to this case is available. You may contact the Customer Service staff to obtain a copy.

Agency testimony:

00:03:24 Dave Marchal provided an update on this case. Mr. Marchal reminded the Commissioners that this case was continued from the last meeting because the property owner (LG&E) had just received the paperwork and felt unprepared and asked the Commission to defer its review of this National Register Nomination. Mr. Marchal stated we were able to continue to today, keeping within the sixty days the state allows the local government before it proceeds on to the state and national levels for processing. Mr. Marchal stated we have been in talks with LG&E over the past two weeks. Mr. Marchal stated this is a little unusual in that we have a nomination prepared by somebody who is not the owner, or represented by the owner. Mr. Marchal stated the owner is going to be filing an owner objection, which is allowed in the National Register process and is considered at the state level and beyond. Mr. Marchal stated this doesn't relate to today's review, but relates to the rest of the process (refer to recording for detailed presentation).

00:07:01 Commissioner Coan asked for clarification on the application being withdrawn by the applicant (refer to recording for detailed presentation).

00:07:16 Dave Marchal stated we have been advised that the preparer of the nomination paperwork has withdrawn their participation. Mr. Marchal stated we've been in contact with Marty Perry at the National Register Program and he

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advises us that even if the preparer of the nomination pulls himself out of the process the nomination goes on (refer to recording for detailed presentation).

00:07:52 Commissioner Coan stated given the fact that the application has been withdrawn for all intents and purposes and that the owner objects, he is going to abstain no matter what we do here, if we decide to move forward, he doesn't know if that is the best use of our time (refer to recording for detailed presentation).

00:08:32 Commissioner Kirchdorfer stated he would agree with Commissioner Coan (refer to recording for detailed presentation).

00:08:51 Commissioner Stottman stated he's going to disagree because we don't have to act on any of these. Commissioner Stottman stated we give our two cents worth because we have the opportunity to do that. Commissioner Stottman stated the other part is that it doesn't hurt if we don't do anything or if we do something, but it does help if we do something. Commissioner Stottman explained it does help in that if this goes through the process it does help future owners and it doesn't hurt anything (refer to recording for detailed presentation).

00:10:37 Commissioner Liu asked if there was a time limit in which we have to make a recommendation (refer to recording for detailed presentation).

00:10:43 Dave Marchal stated we have sixty days from the date that we are notified and that sixty days runs out on Monday (refer to recording for detailed presentation).

00:11:05 Commissioner Liu stated in the past we've always made the recommendation to the state, but what happens if there is no recommendation (refer to recording for detailed presentation).

00:11:16 Dave Marchal stated it will still go on. Mr. Marchal stated even if someone makes a motion to not even consider it today (refer to recording for detailed presentation).

00:11:28 Commissioner Doutrick asked if we vote no today if we'll be finished with it (refer to recording for detailed presentation).

00:11:31 Dave Marchal stated you'll be finished either way at the local level, but it will still continue on to the state level (refer to recording for detailed presentation).

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00:11:35 Commissioner Liu asked after sixty days what happens, and Mr. Marchal stated the state just takes it up (refer to recording for detailed presentation).

00:11:40 Cynthia Elmore stated the reason we're doing this is because we are a Certified Local Government so that gives us opportunity and access to the State Preservation Office that a lot of communities don't have. Ms. Elmore stated this is one of our duties back to the State Preservation Office is to review the National Register Nominations at the local level because they're affording us that opportunity to make comment on it. Ms. Elmore stated we do get grants for being a Certified Local Government and other technical advice from the State Preservation Office, so in thinking about our relationship with the Preservation Office that it's a good faith effort that we do our reviews. Ms. Elmore stated we've had nominations that had owner objection and the Commission went ahead and reviewed it because we know that that owner objection is filed at the state level and goes on to the federal level (refer to recording for detailed presentation).

00:13:00 Commissioner Stottman stated this is really part of the process to get local community input, so if we voted no that would carry some weight at the state level, although it certainly wouldn't kill it (refer to recording for detailed presentation).

00:13:31 Ms. Elmore stated we're looking at the eligibility of the building and what the historic facts are in the nomination, are they supported, so we're looking at it in that lens (refer to recording for detailed presentation).

00:13:52 Commissioner Coan stated he can see a distinction in moving forward over a known owner objection, but the owner objection plus the fact that the application has been effectively withdrawn, or the presenter recusing themselves, that's like saying they don't even want to consider it anymore (refer to recording for detailed presentation).

00:14:12 A motion was made by Commissioner Coan, seconded by Commissioner Kirchdorfer, that the Commission NOT REVIEW Case Number NR_1003_17, National Register Nomination, Louisville & Interurban Railway Co. High Street Power Station, because the preparer has removed themselves from the process.

DISCUSSION: Commissioner Omidy stated he would like to hear from everybody because it is kind of an interesting situation, but he thinks it is also an

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interesting opportunity. Commissioner Omidy stated this is a partnership we have with the state and a way to add our voice to that process. Commissioner Omidy stated just as a point of keeping our participation active in the state review, he would submit that this is worthy of our time to actually review and submit comments. Commissioner Kirchdorfer stated his other thing is that the person that submitted it is not here to answer any questions if we have any dispute of what's been submitted. Commissioner Kirchdorfer stated we have staff here who can try and answer the best they can, but that person is not here if we wanted to question anything. Mr. Marchal stated questions and comments can be passed on. Commissioner Stottman stated whatever we say or ask does go with the process (refer to recording for detailed presentation).

The vote was as follows:

Yes: Commissioners Coan, Kirchdorfer, and Haskins

No: Commissioners Omidy, Liu, Fuller, Doutrick, and Stottman

Absent: Commissioners Jackson, Weeter, Hartman, Jones, and Chair Vice

Agency Testimony:

00:18:43 Cynthia Elmore reviewed the case and showed a Powerpoint presentation. Ms. Elmore stated this nomination is being nominated under Criteria A, and it's in the area of industry and development of our interurban transportation system. Ms. Elmore stated its significance relates to our streetcar interurban system. Ms. Elmore responded to a question as to whether the nomination was for just the building or the entire property; Ms. Elmore stated it was for the entire property. Ms. Elmore responded to further questions from the Commissioners.

00:23:22 The Commissioners discussed the property and the nomination. Commissioner Liu asked if we know why LG&E objected. Mr. Marchal stated they just didn't want it listed. Commissioner Stottman stated he thinks from a business point of view he can see why anyone would want minimum restrictions (refer to recording for detailed presentation).

00:29:14 On a motion by Commissioner Omidy, seconded by Commissioner Fuller, the following resolution was adopted:

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RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission, in Case Number NR_1003_17, does hereby **RECOMMEND FOR APPROVAL** the National Register Nomination of Louisville & Interurban Railway Co. High Street Power Station, to be reviewed by the National Register State Review Board.

The vote was as follows:

Yes: Commissioners Omidy, Fuller, and Stottman

No: Commissioner Doutrick

Abstain: Commissioners Coan, Kirchdorfer, Liu, and Haskins

Absent: Commissioners Jackson, Weeter, Hartman, Jones, and Chair Vice

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NEW BUSINESS

NR_1007_17

Request: National Register Nomination
Project Name: Adams House
Applicant: Jeffrey T. Reibel
Jurisdiction: Louisville Metro
Council District: 9 – Bill Hollander
Case Manager: Cynthia Elmore

The draft report prepared for this case was incorporated into the record. The Commission members received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The draft report is part of the case file maintained at Planning and Design Services offices, 444 South 5th Street.)

An audio recording of the Historic Landmarks and Preservation Districts Commission meeting related to this case is available. You may contact the Customer Service staff to obtain a copy.

Agency testimony:

00:34:33 Jeffrey Reibel presented the case and showed a Powerpoint presentation. Mr. Reibel reviewed the architecture of the house. Mr. Reibel responded to questions from the Commissioners (refer to recording for detailed presentation).

00:49:42 On a motion by Commissioner Coan, seconded by Commissioner Haskins, the following resolution was adopted:

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission in Case Number NR_1004_17, does hereby **RECOMMEND FOR APPROVAL** the National Register Nomination of Adams House, to be reviewed by the National Register State Review Board.

The vote was as follows:

Yes: Commissioners Coan, Haskins, Fuller, Doutrick, Stottman, Omidy, Liu, and Kirchdorfer

Absent: Commissioners Jackson, Weeter, Hartman, Jones, and Chair Vice

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Prior to adjournment, Dave Marchal reminded the Commissioners to mark their calendars for the next Landmarks meeting, which will be January 18, 2018. There will be no further meetings of the Landmarks Commission in December. Mr. Marchal stated the sub-committee will be meeting next week.

Mr. Marchal stated that Commissioner Coan mentioned there was discussion of the Moore-Dunn house last night at Metro Council. Mr. Marchal stated Commissioner Coan has added some urgency to that discussion, and Commissioner Coan mentioned there is a committee actively working on approving the Ordinance.

Commissioner Coan stated he did everything he could to defend the Landmarks Commission's actions in committee hearings and full Metro Council hearings. The Commissioners discussed the process and the work of the sub-committee. Commissioner Coan passed out some revised drafts of an Ordinance he has been working on that basically tries to postpone the wrecking of affected structures until the last minute (refer to recording for detailed presentation).

The meeting adjourned at approximately 10:02 a.m.

Chairman

Division Director