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April 6, 2023

Savannah Darr
Historic Preservation Officer
444 S. 5th Street
Louisville, KY 40202

Morgan Ward
Chair of the Historic Landmarks and Preservation Districts Commission
444 S. 5th Street
Louisville, KY 40202

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Re: 2356 Grinstead Drive

Dear Mrs. Darr and Chair Ward:

I am writing today on behalf of LCS Yorktown, LLC, the owner of property at 2356 Grinstead Drive. LCS Yorktown is an affiliate of Louisville Collegiate School, a more than century old independent day school located adjacent to the subject property. The subject property, like the rest of the campus, lies within the Cherokee Triangle National Register District and Cherokee Triangle Local Preservation District (collectively, the "District") The subject property contains three multifamily structures that were constructed in the late 1960's.

LCS Yorktown recently sought to remove the structures on the subject property to replace them with a needed parking area for the school. At the conclusion of the second of two hearings on the proposed demolition, the Cherokee Triangle ARC denied the application and found that the buildings at issue were "contributing" to the District. This finding was material to the ARC's action and was erroneous based on the facts presented to the ARC and the law surrounding historic preservation. For these reasons, we request that this decision be reviewed by the full Historic Landmarks and Preservation District Commission under the appeal procedure set forth in LMCO 32.257 (K).

When the District was created, the period of significance was defined as being between the years of 1875 and 1924. Neither the local nor the national designation has been updated since to expand the period of significance. It is well settled that structures built outside of the period of significance in a National Register District are considered "non-contributing" unless and until the period of significance is updated through a revision to the designation. According to the Kentucky State Historic Preservation Office staff, the buildings on the subject property

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are, based on the fact that they were constructed in the 1960's, currently "non-contributing" for National Register purposes and, thus, not eligible for historic tax credits.

Factually, the review of the ARC that purported to deem the buildings "contributing" was lacking, in that it failed to include a determination of the impact of the particular architectural style at issue, "mid-century colonial revival," on the district as a whole and compare it to the district's existing period of significance and the rationale for the creation of the District in the first place. The findings of significance and integrity, both key to any contributing determination, were not supported by evidence in the record and were directly contrary to the written reports produced by Louisville Metro Historic Preservation staff.

As we have not seen the written findings of the ARC in the form of its minutes, we reserve the right to amend this appeal before the meeting of the Commission. Please contact my office to confirm receipt of this appeal and to schedule the Commission review hearing.

Very truly yours,



Clifford H. Ashburner

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