

Historic Landmarks and Preservation Districts Commission Minutes

June 20, 2019

A meeting of the Louisville Metro Historic Landmarks and Preservation Districts Commission was held on Thursday, June 20, 2019 at 9:00 a.m. at the Old Jail Building located at 514 W. Liberty Street, Louisville, Kentucky.

Commission Members present:

Chris Hartman
Jay Stottman
Robert Kirchdorfer
Emily Liu
Stefanie Buzan
Ashlyn Ackerman
Amin Omidy

Commission Members absent (Excused):

Christopher Fuller
Tamika Jackson
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, Planning & Design Coordinator
Becky Gorman, Historic Preservation Specialist
Anthony Schneider, Historic Preservation Specialist
John Carroll, Legal Counsel
Sue Reid, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

MAY 9, 2019 HISTORIC LANDMARKS AND PRESERVATION DISTRICTS COMMISSION MEETING MINUTES

00:01:50 On a motion by Commissioner Kirchdorfer, seconded by Commissioner Stottman, 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 May 9, 2019.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Hartman, Stottman, Buzan, and Liu

Abstain: Commissioners Omidy, and Ackerman

Absent: Commissioners Weeter, Jones, Fuller, and Jackson

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NEW BUSINESS

Clifton_ARC_Appt_Murphy

Request:	Clifton ARC Appointment
Project Name:	Jessica Murphy
Location:	Louisville Metro
Owner:	Louisville Metro Government
Applicant:	Louisville Metro Government
Representative:	Louisville Metro Government
Jurisdiction:	Louisville Metro Government
Council District:	9- Bill Hollander
Case Manager:	Cynthia Elmore, Historic Preservation Officer

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 obtain a copy.

Agency Testimony:

00:02:30 Cynthia Elmore stated Jessica Murphy could not be here today, but she has requested to be reappointed to the Clifton ARC (see recording for detailed presentation).

00:03:45 Commissioner Stottman spoke in support of Jessica Murphy's reappointment. Commissioner Stottman stated Ms. Murphy is very active in the Clifton ARC and has been an invaluable member of the ARC (see recording for detailed presentation).

00:04:01 On a motion by Commissioner Omidy, seconded by Commissioner Liu, the following resolution was adopted:

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **RECOMMEND FOR APPROVAL** to Metro Council the reappointment of Jessica Murphy to the Clifton Architectural Review Committee.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Hartman, Stottman, Buzan, Liu, Omidy, and Ackerman

Absent: Commissioners Weeter, Jones, Fuller, and Jackson

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NEW BUSINESS

Clifton_ARC_Appt_Vetter

Request:	Clifton ARC Appointment
Project Name:	Pam Vetter
Location:	Louisville Metro
Owner:	Louisville Metro Government
Applicant:	Louisville Metro Government
Representative:	Louisville Metro Government
Jurisdiction:	Louisville Metro Government
Council District:	9- Bill Hollander
Case Manager:	Cynthia Elmore, Historic Preservation Officer

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 obtain a copy.

Agency Testimony:

00:04:21 Cynthia Elmore stated Pam Vetter could not be here today, but she has been a very active member on the Clifton ARC (see recording for detailed presentation).

00:04:59 Commissioner Stottman spoke in support of Pam Vetter's reappointment. Commissioner Stottman stated Pam really brings a great neighborhood experience and perspective to the ARC, so she is invaluable with the experience she brings (see recording for detailed presentation).

00:05:13 On a motion by Commissioner Omidy, seconded by Commissioner Buzan, the following resolution was adopted:

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **RECOMMEND FOR APPROVAL** to Metro Council the reappointment of Pam Vetter to the Clifton Architectural Review Committee.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Hartman, Stottman, Buzan, Liu, Omidy, and Ackerman

Absent: Commissioners Weeter, Jones, Fuller, and Jackson

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NEW BUSINESS ARC_Appointments

Request: Architectural Review Committee (ARC) Appointments
Project Name: Landmarks Commissioners ARC Appointments
Location: Louisville Metro
Jurisdiction: Louisville Metro
Council District: 1-26
Case Manager: Cynthia Elmore

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 obtain a copy.

Agency Testimony:

00:05:34 Cynthia Elmore stated Ashlyn has decided to serve on the Individual Landmarks ARC as well as the Limerick ARC (see recording for detailed presentation).

00:06:08 Ashlyn Ackerman stated in terms of Individual Landmarks she thinks it is going to be helpful to her to get to know different historic places in our city, and she was specifically interested in Limerick because it is very close to the Edison Center project near the Old Louisville neighborhood. Ms. Ackerman stated she spent a lot of time working with that neighborhood when the project was coming online and they are really invested in seeing the whole area succeed (see recording for detailed presentation).

00:06:38 On a motion by Commissioner Hartman, seconded by Commissioner Omidy, the following resolution was adopted:

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **APPROVE** the appointment of Ashlyn Ackerman to both the Individual Landmarks and Limerick ARC's.

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NEW BUSINESS

ARC_Appointments

The vote was as follows:

Yes: Commissioners Kirchdorfer, Hartman, Stottman, Buzan, Liu, and Omidy,

Abstain: Commissioner Ackerman

Absent: Commissioners Weeter, Jones, Fuller, and Jackson

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NEW BUSINESS

DDRO_Appointment

Request: DDRO Appointment
Project Name: Landmarks Commission DDRO Appointment
Location: Louisville Metro
Jurisdiction: Louisville Metro
Council District: 1-26
Case Manager: Cynthia Elmore

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 obtain a copy.

Agency Testimony:

00:07:14 Cynthia Elmore stated Ashlyn has also volunteered to serve on the DDRO (see recording for detailed presentation).

00:07:34 Ashlyn Ackerman stated she is a downtown resident as well, so personally invested in the health and vitality of our downtown. Ms. Ackerman stated a lot of her work projects are there as well (see recording for detailed presentation).

00:08:02 On a motion by Commissioner Stottman, seconded by Commissioner Liu, the following resolution was adopted:

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission does hereby **APPROVE** the appointment of Ashlyn Ackerman to both the Downtown Development Review Overlay Committee.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Hartman, Stottman, Buzan, Liu, and Omidy,
Abstain: Commissioner Ackerman
Absent: Commissioners Weeter, Jones, Fuller, and Jackson

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NEW BUSINESS

CASE NUMBER 19COA1026

Request: Appeal of Cherokee Triangle ARC Decision for Case 19COA1026 regarding the replacement of windows
Project Name: 1014 Everett Avenue Windows
Location: 1014 Everett Avenue
Owner: Glenn Wright
Applicant: Glenn Wright
Representative: Glenn Wright
Jurisdiction: Louisville Metro Government
Council District: 8-Brandon Coan
Case Manager: Anthony Schneider, Historic Preservation Specialist

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 obtain a copy.

Appellant Testimony:

00:09:24 Glenn Wright spoke in favor of the appeal and showed a PDF presentation. Mr. Wright stated they replaced windows on the side and rear of the house. Mr. Wright stated there were things they knew they could and could not do, they just didn't know the process in which to do those. Mr. Wright stated he worked with Anthony to fill out the application for the COA, which was a piece they did not know they needed to do. Mr. Wright stated they did not change the façade of the house; they put in windows that were the same size as the opening. Mr. Wright stated the COA that they're appealing states that they were unable to verify that they kept the same size of the openings. Mr. Wright stated he did some measurements on the interior of the house, which is part of his appeal that if ARC wanted access to the interior of the house they should just ask for that instead of accusing them of changing the size of the openings. Mr. Wright spoke in regard to the deterioration of the windows and the damage that was causing to the home. Mr. Wright showed his presentation and reviewed the various photographs of the property (see recording for detailed presentation).

Agency Testimony:

00:26:14 Anthony Schneider presented the case and showed a Powerpoint presentation. Mr. Schneider reviewed the decision of the Cherokee Triangle ARC and the Condition of Approval, which was to remove four synthetic windows on the first floor portions of the historic structure as visible from Everett Avenue

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NEW BUSINESS

CASE NUMBER 19COA1026

and reinstall them with wood or clad-wood windows in consultation with staff. Mr. Schneider stated the only thing he would note is that, under W-1, the condition of the historic windows is indeterminable as the historic fabric was removed without a Certificate of Appropriateness; documentation of the historic fabric was not recorded prior to the removal and reinstallation of the new windows, so they were unable to determine whether or not they met W-1 for severely deteriorated. Mr. Schneider responded to questions from the Commissioners (see recording for detailed presentation).

00:28:35 Glenn Wright responded to questions from the Commissioners (see recording for detailed presentation).

00:30:14 Anthony Schneider responded to questions from the Commissioners regarding after-the-fact COA's (see recording for detailed presentation).

REBUTTAL:

00:32:21 Glenn Wright spoke in rebuttal and responded to questions from the Commissioners (see recording for detailed presentation).

00:37:52 Anthony Schneider responded to questions from the Commissioners (see recording for detailed presentation).

00:38:44 Mr. Wright responded to questions from the Commissioners (see recording for detailed presentation).

00:41:23 Commissioners' deliberation

00:41:24 Commissioner Hartman reminded the Commissioners of their legal obligation during an appeal (see recording for detailed presentation).

00:42:18 Mr. Wright responded to comments made by Commissioner Stottman (see recording for detailed presentation).

00:44:11 Commissioner Stottman spoke in regard to after-the-fact approvals, as well as ARC procedures (see recording for detailed presentation).

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NEW BUSINESS CASE NUMBER 19COA1026

00:54:46 Mr. Schneider responded to questions from the Commissioners (see recording for detailed presentation).

00:55:56 The Commissioners continued to discuss the case (see recording for detailed presentation).

01:09:36 On a motion by Commissioner Kirchdorfer, seconded by Commissioner Ackerman, the following resolution was adopted, based upon additional facts that were discussed here today; that the windows did fit the openings, the testimony by the applicant that the windows were deteriorated, and the fact that it was not clearly discussed that the building had been altered with the vinyl siding on the side, alterations to the back of the building, so it had lost some of the historical factors to the building on that side façade; also the lack of information about precedent in the neighborhood; also the fact that the windows don't appear to be all that visible from the public view.

01:13:28 **Commissioners discussed the motion.**

RESOLVED, the Louisville Metro Historic Landmarks and Preservation Districts Commission in Case Number 19COA1026 does hereby Uphold the Appeal, and OVERTURN the decision by the Cherokee Triangle Architectural Review Committee and APPROVE the original application. The Commission further finds that the Cherokee Triangle ARC was clearly erroneous to the findings of fact, in that there was lack of information regarding precedent in the neighborhood and that the windows are not clearly visible from the street.

The vote was as follows:

Yes: Commissioners Kirchdorfer, Stottman, Buzan, Ackerman, and Omidy

No: Commissioner Liu

Abstain: Commissioner Hartman

Absent: Commissioners Weeter, Jones, Fuller, and Jackson

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The meeting adjourned at approximately 10:21 a.m.

Chairman

Division Director