

**MINUTES FOR THE COURTHOUSE AREA DESIGN
REVIEW BOARD MEETING**
August 17, 2022

- I. **CALL TO ORDER** – Chair Erin Hathaway called the meeting to order at 2:00 p.m. **via video teleconference**. This meeting was held via video teleconference in accordance with KRS 61.826.

II. **ATTENDANCE**

Board members present: Erin Hathaway, Samantha Castro, Jill Leckner and Kenneth Michul were present via video teleconference. Nicole Ware was absent.

Staff members present: Autumn Goderwis and Donna Lewis, Planning Services were present via video teleconference.

- III. **APPROVAL OF MINUTES** – Chair Hathaway called for a motion to approve the minutes from the February 16, 2022 meeting.

Action – A motion was made by Mr. Michul, seconded by Ms. Castro and carried 4-0 (Ware absent), to **approve** the minutes from the February 16, 2022 meeting.

IV. **POSTPONEMENTS AND WITHDRAWALS**

There were no postponements or withdrawals at this time.

V. **APPLICATIONS FOR AUTHORIZATION PERMITS**

Case No. 2022-23: Darren Taylor, 135 W. Short St. - requests to update the building façade including modifications to materials, openings and lighting.

Staff presentation – Ms. Goderwis read the Design Review Officer's report and directed the Board's attention to her screen, which she shared. She displayed an aerial view of the subject property and those surrounding it, as well as a street view of the subject property. Ms. Goderwis explained the application in detail and mentioned that this property was constructed around 1890 and has been significantly altered over time. She displayed photos and architectural drawings of the proposed project, explaining the modifications the applicant wished to make. Ms. Goderwis stated that Staff had consulted with the Office of Historic Preservation and recommended approval of this application for an Authorization Permit for the requested changes to the façade, with the following conditions:

1. The project shall be completed in accordance with the submitted application materials.
2. All necessary permits must be secured from the Division of Building Inspection prior to construction.

Board questions – Mr. Michul asked if Staff recommended approval of this application due to the fact that the façade had been modified several times. He then asked if approval of this authorization would set a precedent for other buildings on W. Short St. whose original façade remained. Ms. Goderwis replied that approval of this application would not set a precedent because Staff considers each parcel on a case by case basis, as well as reviewing the Downtown Inventory document that is available. She added that Staff also consults with the Office of Historic Preservation every time an application for an authorization permit is considered.

Representation – Mr. Darren Taylor, applicant and architect, was present via video teleconference, representing this application. He explained that when they first considered this project, it appeared that the building had been altered in the 1970s or 1980s. Mr. Taylor stated they had looked through archives from 1920 and discovered there had been a significant fire in this block, and some of the buildings had been destroyed. He added that they wanted to create something that looked like it would have existed in this zone of the street.

Board questions – Ms. Hathaway asked if the applicant planned to tint the glass in the windows. Mr. Taylor replied that they did not plan to tint the windows. There was further discussion on the proposed use of the building. Ms. Leckner asked if the applicant was considering a safety guard at the second floor windows as the windows would be extended to the floor level. Mr. Taylor replied that decision had not yet been made. He added that they would work with the Division of Code Enforcement on the issue of the operability of the windows.

Action – A motion was made by Ms. Leckner, seconded by Mr. Michul and carried 4-0 (Ware absent), to **approve Case No. 2023-23: Darren Taylor, 135 W. Short St.** - requests to update the building façade including modifications to materials, openings and lighting, subject to the two conditions recommended by the Staff.

VI. SUMMARY OF STAFF APPROVED AUTHORIZATION PERMITS

Since the February 16, 2022 Courthouse Area Design Review Board meeting, Staff has reviewed and approved the following authorization permits for sidewalk cafés:

2022-5 (Crossings) 117 N. Limestone
2022-6 (Frank and Dinos) 271 W. Short St.
2022-7 (Dudleys on Short) 259 W. Short St.
2022-8 (Seltzer Club SWC) 115 W. Main St.
2022-9 (School Restaurant) 163 W. Short St.
2022-10 (Nic and Norman's) 135 W. Main St.
2022-11 (HC Public House) 112 N. Upper St.
2022-12 (Oscar Diggs) 157 N. Limestone
2022-13 (Bluegrass Tavern) 115 Cheapside
2022-14 (21C) 167 W. Main St.
2022-15 (Horse Jockey) 131 Cheapside
2022-16 (Goodfellas Pizzeria) 110 N. Limestone
2022-17 (Lussi Brown Coffee Bar) 114 Church St.
2022-18 (Side Bar) 147 N. Limestone
2022-19 (Sam's Hotdog Stand) 105 N. Limestone
2022-20 (Molly Brooks) 109 N. Limestone
2022-21 (Roxxy) 269 W. Main St.
2022-22 (Wildcat Saloon) 123 Cheapside

Staff presentation – Ms. Goderwis reported that there had been twenty-one (21) requests for sidewalk cafes within the Courthouse District that were approved by Staff, as they were not required to go before this Board.

Board question – Mr. Michul asked if there was a formula or criteria for restaurants and bars as to the amount of outdoor seating they are allowed to have. Ms. Goderwis replied that she was not sure of the exact details as the Division of Building Inspection reviews the applications for compliance with the Code of Ordinance requirements.

Ms. Hathaway noted that some of the businesses listed above have since closed. She asked if the approvals for sidewalk cafes would carry on with the next tenant, or if the next tenant would be required to seek approval for their own use. Ms. Goderwis replied that it was her understanding that each tenant would be required to seek their own sidewalk café permit. She added that the permits are only good for one year. There was further discussion.

VII. NEXT MEETING DATE – Ms. Hathaway announced that the next meeting is scheduled for November 30, 2022, at 2:00 p.m., in person, in the Council Chambers at 200 E. Main St., Lexington KY 40507.

Ms. Goderwis mentioned that a state law went into effect in mid-July that allowed for virtual meetings to continue to be held. She added that was an option for the Board to consider.

Ms. Castro stated that she preferred virtual meetings for this Board, as the meetings tend to be short in length and it is easy for the applicants to attend on line. Ms. Hathaway agreed. Ms. Leckner agreed, stating that it is very efficient to have these meetings on line. However, she was agreeable to meeting in person as well.

Ms. Hathaway asked Ms. Goderwis if she saw a problem in switching back to in-person meetings in the future, if that was necessary. Ms. Goderwis replied that it was her understanding that the Board could make that determination as the meetings occur. For example, if they received an application that seemed to be of particular interest to the neighbors and would be better suited for an in-person meeting, the Board could decide to have the meeting in person, as long as the change was made in time for it to be published in the legal ad. She added that there could not be a hybrid situation whereas the meeting would be held in the Council Chambers in person, and also available via video teleconference.

VIII. ADJOURNMENT – As there was no further business, Chair Hathaway asked for a motion to adjourn.

Action – A motion was made by Ms. Castro, seconded by Ms. Leckner to adjourn the meeting. The meeting was adjourned at 2:19 p.m.