

# CAPITAL OF KENTUCKY

January 31, 2023

To: Architectural Review Board

Re: Upcoming Architectural Review Board Work Session

The Frankfort Architectural Review Board will hold a special meeting at 5:00 P.M. on Tuesday, February 7, 2023 in the Council Chambers at City Hall, 315 West Second Street. The following items are on the agenda for discussion:

## **ROLL CALL**

## **NEW BUSINESS:**

1. Design Review Considerations and Historic Districts Overview
2. Recap of 2022 historic preservation accomplishments
3. Development of 2023 Work Plan, including subcommittee assignments
4. Certified Local Government grant application recommendation
5. Certified Local Government Annual Report
6. Review of select case outcomes from 2021/2022

## **ADJOURN**

Staff reports for these items may be available seven (7) days prior to the meeting at <http://www.frankfort.ky.gov/AgendaCenter>. As this is a work session, opportunity for public comment will not be on the agenda.

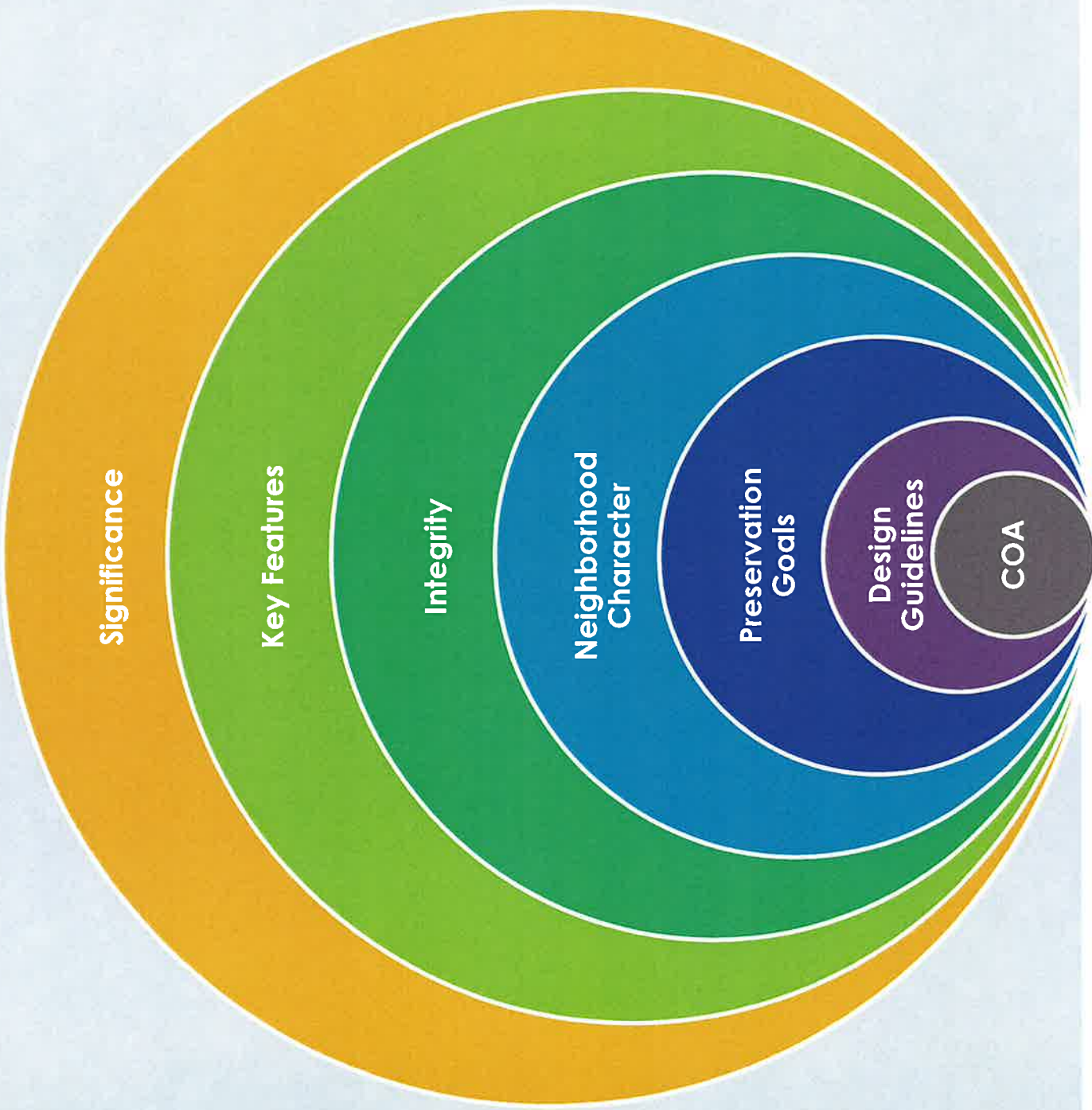
315 W Second Street, Frankfort KY 40602  
502-875-8500  
[www.frankfort.ky.gov](http://www.frankfort.ky.gov)

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Layne Wilkerson, Mayor

Kelly May, Commissioner  
Katrisha Waldrige, Commissioner  
Leesa Unger, Commissioner  
Kyle Thompson, Commissioner



**Significance**

**Key Features**

**Integrity**

**Neighborhood  
Character**

**Preservation  
Goals**

**Design  
Guidelines**

**COA**



CAPITAL OF KENTUCKY

**Layne Wilkerson, Mayor**

Kelly May, Commissioner

Kyle Thompson, Commissioner

Leesa Unger, Commissioner

Katrishia Waldrige, Commissioner

## ARCHITECTURAL REVIEW BOARD

### 2022 Annual Work Plan

1. Participate in the update of the Special Capital Design Guidelines. [This project is underway; ARB has participated in public engagement; ZUC review in 2023.](#)
2. Seek Memorandum of Agreement, subscription, or other way to obtain all Frankfort's Historic and Architectural Survey Forms, as well as GIS Shape files for National Register listings/districts, from the Kentucky Heritage Council. [Staff has received word from KHC that these forms will be made available to CLGs in 2023.](#)
3. Participate in the update of the Frankfort/Franklin County Comprehensive Plan. [Brittany Sams, Advisory Committee; Plan Development will continue into 2023.](#)
4. Promote awareness of the African American Historic Context report and recommend National Register nominations as appropriate. [Report Completed Aug. 2022.](#)
5. Participate in Preservation Month and Heritage Week, May 8-14, 2022. [AA Context Virtual Presentation](#)
6. Partner with Preservation Kentucky and Kentucky Trust to host real estate historic preservation training. [Still waiting on confirmation from Preservation Kentucky that this is feasible.](#)

## ARCHITECTURAL REVIEW BOARD

2023 Annual Work Plan - **DRAFT**

1. Participate in Zoning Update Committee meetings when the agenda includes items relevant to the ARB. 2023 ZUC meetings will include the review of potential updates to Short-Term Rental regulations and the review of the draft of the Special Capital Design Guidelines .
2. Continue to participate in the update of the Frankfort/Franklin County Comprehensive Plan.
3. Promote awareness of the African American Historic Context report and recommend National Register nominations as appropriate.
4. Participate in Preservation Month and Heritage Week, May 7-13<sup>th</sup>.
5. Explore potential opportunities for a Public Archaeology event.
6. Partner with Preservation Kentucky and Kentucky Trust to host real estate historic preservation training.



# CAPITAL OF KENTUCKY

TO: ARB Members

FROM: Vicki Birenberg, Historic Preservation Officer

RE: ARB Resolution to Support a 2023 CLG Grant Application Recommendation

DATE: January 31, 2023

## INTRODUCTION

Staff requests the support of the ARB in the form of a resolution (to be voted on at the February 21 regular meeting) to support the application for a Certified Local Government grant in the amount of \$12,000 to hire a professional consultant/consulting firm to develop a National Register nomination for the Green Hill Cemetery before the February 27 regular meeting of the Board of Commissioners, who must vote to authorize the application and match funding.

## BACKGROUND

The City's recently completed African American Historic Context Report identified a number of historic resources in Frankfort that are eligible for listing on the National Register of Historic Places. The National Register is the federal government's official list of places worthy of preservation. The Green Hill Cemetery was identified as an eligible resource. Being listed on the Register is honorary, however; it confers several benefits, including benchmark eligibility for preservation funding from the federal Historic Preservation Fund. The National Park Service administers several different grant programs to preserve different types of historic resources with this funding, but all of them must be listed on the National Register. By using a Certified Local Government grant to get the nomination process started, the Cemetery will be well-positioned to be a competitive applicant for an NPS preservation grant down the road.

## BUDGET IMPACT

We plan to request a cash match of \$8,000.00 to meet the matching requirements. This will result in a total project budget of \$20,000.00. The funding will be used for required physical and archival documentation and research, the development of the Narrative Description and Statement of Significance sections of the report, editing and redrafting as required, final presentations to two separate review bodies, and any post-review editing required before the nomination is sent to the Keeper of the National Register in Washington, DC.

## RECOMMENDATION

City staff met internally to discuss, and the Historic Preservation Officer and Museum and Historic Sites Supervisor also met with members of the Green Hill Cemetery Board. All participants in these discussions endorse bringing the proposal to the Board of Commissioners, and staff recommends authorization. Staff would like to present a resolution from the ARB in support of this grant application to the Board of Commissioners before their February 27 Regular Meeting.

Attachments: Executive Summary in Support of Application  
Draft Resolution

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## National Register Nomination for the Green Hill Cemetery

Proposed Certified Local Government Grant-Funded Project



### Executive Summary

Frankfort recently completed an African American Historic Context Report, funded by a Certified Local Government subgrant from the Kentucky Heritage Council. This report included several recommendations for eligible listings to the National Register of Historic Places. While Frankfort has



many historic districts and some individual resources listed on the National Register, very few are listed for their association with Frankfort's African American Heritage.

The African American Context Report recommended the Green Hill Cemetery, established in 1865, as eligible for listing on the National Register. Currently only the Colored Soldier's Monument, located within the cemetery and erected in 1924, is listed (1997). The monument contains the names of 142 Black soldiers from Franklin County who fought in the Civil War. It is one of only five such monuments in the United States. The Green Hill Cemetery Board has struggled over the years to acquire necessary funds to maintain and preserve this historically significant cemetery.

## Congress Created a New Grant Program

At the end of 2022, Congress passed legislation to authorize the National Park Service to establish an annual grant program to assist with the preservation of African American Cemeteries. The initial funding for this program was set at \$3 million annually. This new grant program will complement several other historic preservation grant programs under NPS purview, including Save America's Treasures, African American Civil Rights, Paul Bruhn Historic Revitalization, History of Equal Rights, Semiquincentennial, HBCU, Underrepresented Communities, and more. The City of Frankfort has recently completed applications to two of these grant programs to assist with historic preservation efforts.

These grant programs administered by the National Park Service are all funded by the federal Historic Preservation Fund, which was established in 1977 to provide financial assistance to carry out activities related to preservation. Funding is provided from Outer Continental Shelf oil and gas lease revenues, not tax dollars, and an amount is appropriated annually by Congress. Awards from the HPF are made to States, Tribes, Territories, local governments, and nonprofits. **The funding for the Certified Local Government subgrant program also comes from HPF**, but it is awarded and administered by the State Historic Preservation Office (The Kentucky Heritage Council). HPF Funding is directed only to historic properties that are eligible for or already listed on the National Register, and the designation for unlisted properties must be completed before a grant can be closed.

## Acting Now to List the Cemetery May Make Future Grant Funding More Effective

Applying now for a CLG subgrant to list the Green Hill Cemetery will better position that resource to potentially receive a grant from the new African American Cemetery Preservation grant program in the future. The cemetery's designation will already be underway when the new grant program is rolled out, which is expected in mid/late 2023 at the earliest. This CLG-funded project would accomplish getting a National Register designation by September 2024. Potential future grant funds would not have to be directed toward getting the property listed on the National Register - it could instead be directed 100% to preservation activities at the cemetery.



THE KENTUCKY HERITAGE COUNCIL  
does hereby accept and approve

FRANKFORT, KENTUCKY

as a

CERTIFIED LOCAL GOVERNMENT



JAN 23 1985

KY. HERITAGE  
COUNCIL

Having met the program requirements of the Kentucky Heritage Council Certified Local Government Program as specified by KRS 67.083 (3)(y), the National Historic Preservation Amendment Act of 1980 and the Final Rule 36 CFR Part 61, FRANKFORT, KENTUCKY, hereby accepts the responsibilities that are included in this certification designation.

Those responsibilities are:

1. To conduct (or cause to be conducted) a continuing survey of cultural resources in the community
2. To recommend for designation local landmarks and historic districts to the local governing body
3. To carry out the review and nomination of properties to the National Register of Historic Places
4. To establish and use written guidelines for the conservation of local landmarks and historic districts
5. To advise other officials and departments of local government regarding the protection of local cultural resources
6. To act as a liaison to individuals and organizations in historic preservation matters
7. To work toward continuing education of citizens in historic preservation issues and concerns
8. To follow program guidelines and specifications as outlined in the Historic Preservation Certified Local Government Kentucky Program Manual.

  
\_\_\_\_\_  
David L. Morgan, Director and State Historic  
Preservation Officer

9-30-85

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
James L. Burch, Mayor

1-23-86

\_\_\_\_\_  
Date



**Certified Local Government Annual Report**  
**City of Frankfort, Kentucky**  
**Annual Report of the Architectural Review Board**  
**For the Federal Fiscal Year 10/1/21-9/30/22**

**Please insert the relevant data after each question, or attach as numbered answers:**

- 1) An updated copy of your local preservation ordinance, if there were changes made in the fiscal year. **There were no updates this fiscal year.**
- 2) Verification that you have access to professionally qualified historic preservation staff within your local government, either by employment, contract, or letter of agreement. The CLG Program requires each local government to have access to staff with a professional/educational background in historic preservation, history, architectural history, architecture, archaeology, or a closely related field. **Please see Attachment #2**
- 3) Minutes from (4) of your review board/commission meetings. Please also include one staff report that corresponds to an application at each meeting. **Please see Attachment #3**
- 4) The number of Certificate of Appropriateness applications reviewed. Please indicate the number of applications that were reviewed and approved by staff (if applicable) as well as the number forwarded on for review by your board/commission. For board reviews, indicate how many were approved, denied, and appealed. Also, indicate separately how many were for demolition of a historic structure (no need to report the demo of noncontributing structures, non-historic secondary structures, or additions to a historic structure. We are only tracking demolitions of significant historic resources in each CLG).

From October 21, 2021 – September 30, 2022

Certificate of No Exterior Effect (staff approvals): 92

Certificate of Appropriateness – ARB Review: 27 total reviews

Approved: 25 approved

Denied: 1; also one tie vote resulted in an unapproved application; still waiting on resubmittal

Appealed: 0

Demolitions: 1

- 5) If you updated (or developed new) design guidelines (without the assistance of a CLG grant) provide a copy (or link) to the update. **An update to our Special Capital Historic Zoning District Design Guidelines is underway, and we expect them to be finished in 2023.**
- 6) Any new local district (i.e., zoning overlays or historic zoning classifications) or landmark designations. For districts, include a map. For landmarks, include a name and address. **No new designations during the reporting period.**
- 7) A list of any National Register nominations reviewed by your board during the period. **No new National Register nominations during the reporting period.**
- 8) The number of properties that have been added to your survey/inventory during the time period. (If existing survey records were updated, include that as a separate number). **No new survey completed during the reporting period.**
- 9) A list of your current board/commission members, along with their term expirations. Indicate which members meet preservation-related professional qualifications. Indicate which members

have been added in the most recent reporting period, and include resumes for new members. See Attachment #9 Attached evidence (such as a newspaper clipping or website screen shot) to show that you attempted to fill empty seats with professionally qualified members. Per our ordinances, it is the prerogative of the mayor to appoint all Board members. The current mayor asks the Historic Preservation Officer for recommendations before making appointments. Our latest appointment, Rebecca Turner, has a master's degree in historic preservation and is a seasoned professional in the field with many years' experience. She currently works as a consultant for a cultural resources management firm. All seven positions on the ARB are currently filled, and the board exceeds the CLG requirements for review boards with 3 members that hold full-time jobs in the field of historic preservation.

- 10) A list of training/educational sessions/webinars, etc., completed by your commission members. This includes attendance at historic preservation – related conferences. I have sent a number of webinar links and opportunities to each of you throughout the year. All commission/review board members are required to participate in annual training that has been approved/endorsed by KHC. It is a bonus if staff also participated in professional development, and I'd love to hear about that, too. Please see Attachment #10. The Historic Preservation Officer provides training on the design review at the annual ARB Work Session. Some members attended the virtual and in-person presentations associated with the publication of our African American Historic Context Report. A number of board members and staff took advantage of webinar opportunities, and one board member and the HPO attended the NAPC conference in Cincinnati.
- 11) A list of action items completed during the period that show you are meeting the minimum duties and requirements outlined in your CLG Agreement. This includes any preservation incentives you may currently be offering, recommendations for new districts/landmarks, advisory action/liaison roles taken with regard to preservation issues in your community, and public education and outreach. Please see Attachment #11.
- 12) A description of activities carried out to promote Historic Preservation Month (May). Please see Attachment #12. Also, the city participates in Frankfort Heritage Week: <https://frankfortheritageweek.com/events>
- 13) Links to your community's historic preservation website, social media pages, and other means of electronic communication with the public. <http://www.frankfort.ky.gov/164/Historic-Preservation> This link leads to the main historic preservation page, and there are additional links to the left to educational videos and more information.
- 14) Your commission's/board's work plan or list of goals developed during the time period. Remember that this is a good time for reflection on whether previously adopted goals and objectives were met. I encourage all of you to have a work session in 2021 that allows the review of your decisions over the past year and discussions about how to improve your local preservation programs and meet your responsibilities to the CLG program moving forward. Remember to report your activities and accomplishments to your City Commission/Council and build support in the community for the important work you do. Please see Attachment #14 for the ARB 2022 Work Plan. We have scheduled a special Work Session on February 7, 2023, to review 2022 plan accomplishments and develop a new plan for 2023, as well as get a refresher on the design review process and discuss the staff recommendation for our CLG Grant application.

Federal Fiscal Year	Historic District Applications Reviewed	Approved by Staff	Reviewed by ARB	Approved by ARB	Denied by ARB	Percentage of Approved Applications	Percentage of ARB Approvals
10/1/21-9/30/22	92	65	27	25	1	98	93
10/1/20-9/30/21	111	76	35	34	1	99	97
10/1/19-9/30/20	101	75	26	24	2	98	92
10/1/18-9/30/19	108	78	30	30	0	100	100
10/1/17-9/30/18	108	90	18	18	0	100	100
10/1/16-9/30/17	97	80	17	16	1	99	94
10/1/15-9/30/16	87	74	13	13	0	100	100
10/1/14-9/30/15	76	59	17	15	2	97	88
10/1/13-9/30/14	88	71	17	16	1	99	94
10/1/12-9/30/13	73	60	13	12	0	98	92
10/1/11-9/30/12	85	69	16	14	2	98	88

One application during the 2021-2022 period failed due to a tie vote  
 One application was tabled and subsequently withdrawn during 2012-2013 period

### **Frankfort's List of Certified Local Government Action Items for the period 10/1/21-9/30/22**

1. The City received three responses to our request for proposals for the African American Historic Context project, and we hired Carolyn Brackett of Cultural Heritage Works in Nashville, who partnered with Robbie Jones of Richard Grubb & Associates for the architectural survey portion of the project. This was a fantastic project that resulted in a 300+ page report documenting local black history and the built resources associated with it. It has received a great response from the community. The State Journal has been publishing articles on different sections of the report (3 so far). And the City is working with the African American community to determine which recommendations from the project should receive priority. Completing this project has positioned the city very well to work with constituents/organizations to apply for NPS grant funds relating to black heritage, civil rights, and HBCUs. It has also helped to raise awareness of the importance of the city's African American heritage. Two public events were held to present findings and recommendations in the report: the first was a virtual meeting during Historic Preservation Month/Frankfort Heritage Week; the second was a public meeting at the Paul Sawyer Public Library in June 2022. This is the link to the final document:  
[https://www.frankfort.ky.gov/DocumentCenter/View/3037/Frankfort-African-American-Historic-Context-FINAL-07-28-22\\_compressed](https://www.frankfort.ky.gov/DocumentCenter/View/3037/Frankfort-African-American-Historic-Context-FINAL-07-28-22_compressed)
2. The City applied for a Certified Local Government grant to conduct an economic impact study to quantify the benefits of historic preservation to our local economy. We received an award of \$24,999 and obtained a match from our general fund of \$20,001 for a total project budget of \$45,000. We received one response to our RFP from PlaceEconomics during the reporting period, and have executed a contract since that time. This project is underway, and we expect that it will provide us with compelling data that can be used to promote advancing historic preservation initiatives and increase interest in incentives such as the Kentucky Historic Rehabilitation Tax Credit.
3. We conducted a Work Session in February 2022, which included training for our ARB members. This was conducted via Zoom and livestreamed so that the public could watch.
4. The City of Frankfort has entered into a contract with Designing Local in Columbus, Ohio to update our design guidelines for the Special Capital Historic Zoning District. This update is underway, and we expect it to be completed and adopted in late 2023. Several public engagement meetings have taken place. A virtual public educational session was also provided by Nancy Recchie, subconsultant on the project. This was recorded and is available for public viewing on YouTube. It was viewed by ARB members. The link to the video is on the City's historic preservation website page: <https://www.youtube.com/watch?v=Tw0YGoCmcew>
5. The Historic Preservation Officer has been instrumental in providing support to both our elected officials and other departments during this reporting period with regard to several high-profile projects with historic preservation components, particularly the development of an MOA to address adverse impacts to the 1969 YMCA building that will be demolished in conjunction with the construction of an FTA grant-funded Transit Center and Parking garage and the adjacent planned development. This project also received guidance with regard to public art components

that were proposed for the Transit Center building. Other projects with federal involvement include an engineering assessment and rehabilitation plan for the City's Singing Bridge. A consultant team has been hired and this project is just getting underway.

6. The City has continued to provide education to the community during this period through streaming our board meetings and developing slides for each application to explain the details, staff analysis, facts of the case and any conditions for approval. We are working hard to show the decision-making that the ARB does in a positive light, as transparently as we can, with staff recommendations supported by an analysis of each case that is available for viewing by the public.





# CITY OF FRANKFORT

## PROCLAMATION

**Whereas** *Historic preservation is an effective tool for economic development, sustainability, revitalizing neighborhoods, fostering local pride, and maintaining community character; and*

**Whereas** *Historic preservation is relevant for communities across the Commonwealth and nation and for Americans of all ages, walks of life and all ethnic backgrounds; and*

**Whereas** *It is important to celebrate, honor, and promote Frankfort's heritage, both tangible and intangible, to increase community pride, identity, and sense of place for current and future residents of our great city; and*

**Whereas** *The Frankfort community continues to demonstrate its commitment to preservation, as it grows and develops, through the protection of its historic neighborhoods, public outreach programs for citizens, the identification, designation, and rehabilitation of historic properties; and by partnering with the National Park Service and the Kentucky Heritage Council through the Certified Local Government Program.*

**Therefore** *I, Layne Wilkerson, Mayor of the City of Frankfort, Kentucky, do hereby proclaim the month of May 2022 as HISTORIC PRESERVATION MONTH and May 8-14 as HERITAGE WEEK.*

### ***"Historic Preservation Month & Heritage Week"***

  
*[Signature]*  
City Clerk

**Done in the Municipal Building, in  
the City of Frankfort, Kentucky**

this 25 day of April  
two thousand and Seventy-Two

*[Signature]*  
Mayor





**ANDY BESHEAR**  
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET  
KENTUCKY HERITAGE COUNCIL  
THE STATE HISTORIC PRESERVATION OFFICE**

**MIKE BERRY**  
SECRETARY

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**CRAIG A. POTTS**  
EXECUTIVE DIRECTOR  
& STATE HISTORIC  
PRESERVATION OFFICER

January 30, 2023

Vicki Birenberg  
Historic Preservation Officer  
City of Frankfort  
315 W. 2nd Street  
P. O. Box 697  
Frankfort, KY 40601

RE: Annual Report for CLG FY2022

Dear Vicki,

We have received your completed annual report for the Frankfort CLG Program's 2022 Federal Fiscal Year. In addition to the report itself, we have received 4 sample copies of the staff reports and minutes for your Preservation Commission meetings during the fiscal year, and a list of those serving the board as preservation specialists, in fulfillment of NPS/HPF requirements.

Thank you for your prompt completion of this annual ritual. We at the KHC are proud of your city's participation in the Certified Local Government Program, and your commitment as CLG staff. Thank you.

With Best Regards,

**Orloff Miller**  
Certified Local Government Coordinator  
The Kentucky Heritage Council