

***Historic Preservation Commission  
Agenda  
February 18, 2019***

**REGULAR MEETING  
Council Chambers, 2<sup>nd</sup> floor of City Hall  
City Hall, 749 Main Street  
6:30 – 9:00 PM**

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes - January 14<sup>th</sup>
- V. Public Comments on Items Not on the Agenda
- VI. Probable Cause Determination
  - 1200 Jefferson
- VII. Discussion/Direction - Historic Preservation Fund Reauthorization
- VIII. Items from Staff
  - Alteration Certificates/Demolition Updates
  - Upcoming Schedule
- IX. Updates from Commission Members
  - Saving Places Conference
- X. Discussion Items for future meetings
- XI. Adjourn

# ***Historic Preservation Commission***

## ***Meeting Minutes***

**January 14, 2018  
City Hall, Council Chambers  
749 Main Street  
6:30 PM**

**Call to Order** – Chairperson Haley called the meeting to order at 6:30 PM.

**Roll Call** was taken and the following members were present:

Commission Members Present: Chair Lynda Haley  
Caleb Dickinson  
Chuck Thomas  
Michael Ulm  
Hannah Parris  
Andrea Klemme  
Gary Dunlap

Commission Members Absent: None.

Staff Members Present: Rob Zuccaro, Dir of Planning & Building Safety  
Felicity Selvoski, Planner I  
Amelia Brackett, Planning Clerk

### **APPROVAL OF AGENDA**

Thomas made a motion to approve the January 14, 2018 agenda. Dickinson seconded. Agenda approved by voice vote.

### **APPROVAL OF MEETING MINUTES**

Ulm made a motion to approve the December 17, 2018 minutes. Thomas seconded. The minutes were approved as written by voice vote.

### **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

Haley welcomed the two new commissioners, Gary Dunlap and Andrea Klemme.

### **DISCUSSION/DIRECTION/ACTION**

**721 Grant Avenue Loan Request: A request to approve a loan in the amount of \$69,000 from the Historic Preservation Fund for approved work for 721 Grant Avenue.**

- Owner & Applicant: Caleb and Katie Dickinson

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#### ***City of Louisville***

*Planning Department*    749 Main Street    Louisville CO 80027  
303.335.4592 (phone)    303.335.4550 (fax)    www.ci.louisville.co.us

721 Grant Avenue  
Louisville, CO 80027

- Case Manager: Felicity Selvoski, Planner I

Dickinson recused himself due to a conflict of interest.

Selvoski explained that 721 Grant had been landmarked, granted an alteration certificate, and a grant of \$73,436.50. In 2017, there was an alteration certificate update and a structural assessment was completed in 2016. Requested work covered by the loan included work on the siding, roof, gutters, windows, doors, porch, and deck, all of which are part of the landmarked portion of the property and addressed by previous alteration certificates. The current balance of the Fund at the end of 2018 was \$2,044,259. The applicant has used other funding sources under the Fund. The *Wall Street Journal* prime rate at the time when the applicant submitted their paperwork was 5% and it is currently 5.5%.

Staff recommends that the HPC approve the loan in the amount of \$69,000 and payment of the \$400 loan processing fee.

Zuccaro noted that Dickinson could not represent himself due to the conflict of interest and he did not have an architect to represent him.

Haley asked if the \$400 would be paid by the applicant or by the Fund.

Zuccaro stated that the relevant resolution was unclear, but it seemed to leave it open to a Council decision and staff felt it was appropriate to pay it out of the Fund.

Parris asked if the requirement to pursue other funding options included options available outside Louisville.

Selvoski responded that staff considered other options to be limited to those available through the City of Louisville.

Dunlap observed that he thought the \$400 was meant to come out of the Fund.

Zuccaro and Selvoski confirmed that was staff's interpretation, but it would ultimately be up to Council.

Thomas stated that he did not have an objection to including the \$400 as part of the fund amount, due to the applicant's financial dedication to the project as already proven.

Haley asked if the Commission had decided on a new percentage rate for loans.

Selvoski responded that the Commission had not made a decision for the updated fund amounts, but as written the percentage interest was based on the *Wall Street Journal* prime rate at the time of application.

Thomas stated that it seemed reasonable to discount that rate by a percentage point for the fund renewal, but they did not have that option in this case. He suggested that they might be able to make a specific rate recommendation for Council to approve.

Haley added that it felt strange for the Commission to decide a specific percentage rate, but she felt the fund percentage should be competitive so that people would come to the City for loans.

Klemme asked for clarification on the prime rate percentage issue.

Haley responded that the current resolution was written as prime, but last month the Commission had discussed other options to change the resolution itself.

Klemme stated that the rate should be competitive.

Dunlap noted that the issues of changing the resolution and considering the application at hand were different issues.

Ulm asked if the Commission was tied to what was already written.

Selvoski replied that the Commission could make a different recommendation based on extraordinary circumstances or some similar language.

Thomas suggested going with the percentage rate as written.

Haley noted that if the Commission later went with a different, higher rate for the fund renewal, it might seem like the Commission was being subjective and unfair.

Thomas and Ulm asked if the applicant could appeal or refinance later on if the policy changed to a lower rate.

Zuccaro stated that there might be opportunities for refinancing if the City changes its policy significantly, but he was not sure if there would be fees attached or if it would be possible.

Ulm asked if the applicant knew the circumstances as they stand.

Zuccaro and Selvoski confirmed.

Ulm noted that he thought the criterion to look for other funding options should be rigorous from the applicant in the future. There were other options besides the City for preservation funding, especially for bigger loan requests.

Dunlap asked if anyone knew the prime rate for a residential loan like this.

Thomas responded that in his experience as a loan officer, they priced it at prime plus 1.

Dunlap asked if the Commission considered the City's financial reserves of the Fund in their determinations. He suggested that there may be a way to do a survey of probable loans to forecast demand.

Haley replied that the Commission did take the budget into account, but they did not have a specific forecast formula. She added that so far there had not been a run on the loan program or the grant program.

Haley asked if everyone felt comfortable with the rate as proposed, which was 5%.  
General agreement.

Thomas moved to approve the loan request with payment of the \$400 from the Fund at the proposed percentage rate. Voice vote. All in favor.

Haley asked if the application had to go to Council.

Selvoski confirmed.

### **UPDATES FROM STAFF ON 2018 PROJECTS**

Dickinson returned.

Selvoski presented the following completed or underway projects:

1. First phase of Miner's Cabins relocations
2. Blue Parrot sign acquired
3. Historic contexts
4. Interpretive signs
5. Historic Preservation Fund Resolution Update (in progress)

Selvoski presented the following projected items for 2019:

1. Amend 15.36 – Demolition process and alteration certificate criteria
2. Historic Preservation Fund Resolution
3. Architectural Survey
4. Miner's Cabins Relocation
5. Blue Parrot Sign Relocation
6. Outreach Event Opportunities

Potential Projects

1. Engage and educate realtors

Selvoski asked for comment from the Commission.

Dunlap stated that after the survey it might make sense to do a budget forecast.

Ulm added that he thought there would be several projects that would come out of the survey.

Dickinson noted that the additional funds for museum projects should also be on the Commission's radar.

Thomas suggested conducting an end-of-year report on the Historical Commission's activities with the Fund.

Zuccaro confirmed that they were receiving the funds as of 2019 and they were planning to use the funds for two part-time staffing positions immediately.

## **ITEMS FROM STAFF**

### **Posting Locations**

The Historic Preservation Commission must acknowledge the following by acclamation: Establish the following locations for posting of agendas:

- City Hall
- Library
- Recreation/Senior Center
- Police Department/Municipal Court
- Web site: [www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)

### **Open Government Pamphlet**

Commissioners received a copy of the 2019 Open Government Pamphlet in their staff packets.

Thomas moved to approve the posting locations and open government pamphlet as presented. Dickinson seconded. Voice vote. All in favor.

### **Meeting Dates and Locations**

Regular meetings are held at 6:30 p.m. on the 3<sup>rd</sup> Monday of every month in Council Chambers (2<sup>nd</sup> floor of City Hall, 749 Main Street.) January 14<sup>th</sup> is a special meeting date.

### **Election of Officers, Historical Commission Liaison**

The officer positions are Chairperson, Vice-Chairperson, and the Historical Commission Liaison.

Ulm nominated Haley for chair renewal. Thomas seconded. Voice vote. All in favor.

Dickinson volunteered for Vice-Chair. Dunlap moved to approve Dickinson as Vice-Chair. Thomas seconded. Voice vote. All in favor.

Thomas volunteered to continue his position as liaison to the Historical Commission. Dickinson moved to approve Thomas in the post. Klemme seconded. Voice in vote. All in favor.

### **Alteration Certificate Updates**

Selvoski updated the Commission on the release of the permit at 816 McKinley to add a chimney. The subcommittee judged that the change was minor, reversible, and the material would match that of the roof.

### **Upcoming Schedule**

#### January

15<sup>th</sup> – City Council Study Session – Historic Context presentation

#### February

4-7<sup>th</sup> – Saving Places Conference, Sheraton Downtown Denver

18<sup>th</sup> – Historic Preservation Commission, Council Chambers, 6:30 p.m.

#### March

18<sup>th</sup> - Historic Preservation Commission, Council Chambers, 6:30 p.m.

#### April

15<sup>th</sup> - Historic Preservation Commission, Council Chambers, 6:30 p.m.

### **UPDATES FROM COMMISSION**

None.

### **DISCUSSION ITEMS FOR NEXT MEETINGS**

Ulm asked when the Commission would hear back about the Fund.

Selvoski responded that staff planned to have it on the February agenda.

Parris asked if there would be another subcommittee for events and public outreach.

Thomas suggested having a discussion about outreach at the next meeting.

Dunlap noted that he would not be attending the next meeting.

### **Adjourn:**

Thomas moved to adjourn. Dickinson seconded. The meeting was adjourned at 7:10 PM.

**ITEM:** 1200 Jefferson Ave. Probable Cause Determination

**APPLICANT:** Kathleen Urbanic and Ted Barber  
1200 Jefferson Avenue  
Louisville, Colorado 80027

**OWNER:** Kathleen Urbanic and Ted Barber  
1200 Jefferson Avenue  
Louisville, Colorado 80027

**PROJECT INFORMATION:**

**ADDRESS:** 1200 Jefferson Avenue  
**LEGAL DESCRIPTION:** W ½ Lots 37-38, W ½ Lot 39 less N 11', Nicolas DiGiacomo subdivision  
**DATE OF CONSTRUCTION:** 1900, relocated in 1930

**REQUEST:** A request to find probable cause for a landmark designation to allow for funding of a historic structure assessment for 1200 Jefferson Avenue.



**SUMMARY:**

The applicant requests a finding of probable cause for landmark designation to allow for funding of a historic structure assessment for 1200 Jefferson Avenue. Under Resolution No. 2, Series 2014, a property may be eligible for reimbursement for a historic structure assessment (HSA) from the Historic Preservation Fund (HPF) if the Historic Preservation Commission finds “probable cause to believe the building may be eligible for landmarking under the criteria in section 15.36.050 of the Louisville Municipal Code.” Further, “a finding of probable cause under this Section is solely for the purposes of action on the pre-landmarking building assessment grant request, and such finding shall not be binding upon the HPC, City Council or other party to a landmarking hearing.”

**HISTORICAL BACKGROUND:**

*Information from Bridget Bacon, Museum Coordinator*

Records show that Rocco DeSantis purchased the lots on Jefferson Avenue in 1929 and in 1930 moved the original part of this house from the Gorham Mine in Marshall, Colorado to the property. Records indicate that the house was built circa 1900. The Rocco and Rose DeSantis family owned the property for nearly 70 years, until 1998. It was the family home for most of that time.

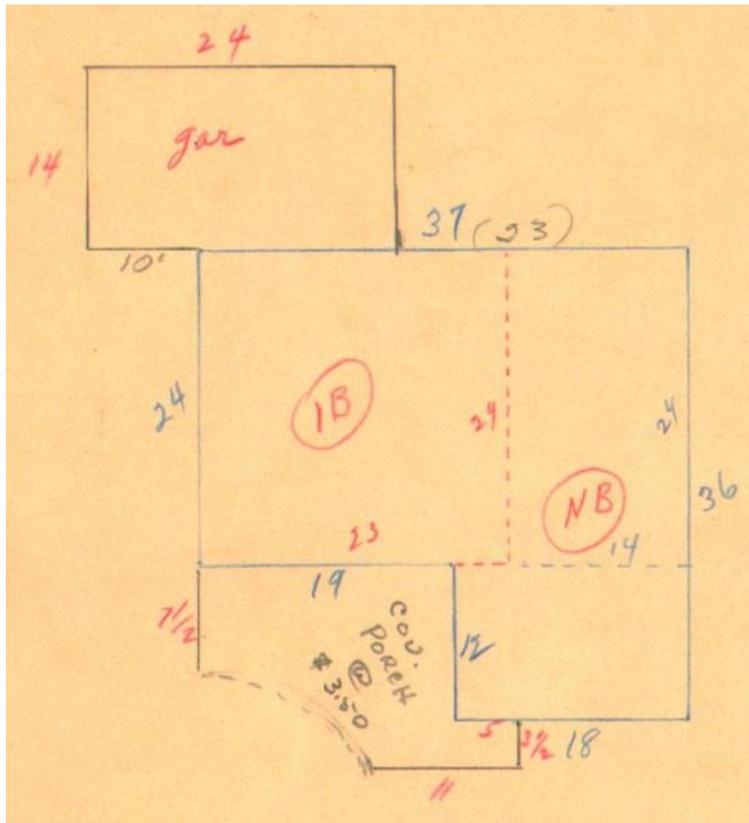
Rocco DeSantis (1904-1997) was born in Italy and came to the United States in about 1920. He worked as a coal miner and carpenter in the Louisville area, then as a locksmith. He married Rose DiPietro (1884-1966) in 1927. She was born in Louisville to Italian parents. Rocco and Rose DeSantis had three children: Carmen (1927-1998), Carmelita (1930-2004), and Virginia (born 1935).

48	36
47	35
46	34
45	33
44	32
43	31
42	30
41	29
40	28
39	27
38	26
37	25





1200 Jefferson Avenue – 1958 Assessor Photo



1200 Jefferson Avenue layout – 1958 Assessor Card



*1200 Jefferson Avenue, northwest view – Current Photo*



*1200 Jefferson Avenue, west view – Current Photo*



*1200 Jefferson Avenue, south view – Current Photo*



*1200 Jefferson Avenue, southeast view – Current Photo*

### ARCHITECTURAL INTEGRITY:

The house at 1200 Jefferson Avenue was constructed in 1900 and moved to Louisville in 1930. It is an early twentieth century wood frame residential structure. The primary façade faces south to Caledonia Street. The original portion of the residence has a square plan, approximately 24' x 24', with a hipped roof. Additions to the north (garage) and southeast were added prior to 1961. The southeast addition also has a hipped roof, while the garage addition has a gable-front roof. Because the additions are more than 50 years old, they are historically significant. Based on the 1958 assessor's photo, the home shows a moderate degree of architectural integrity. Window placement and size appears to have been retained following the additions to the home, but prior to that are unknown.

The following primary changes occurred over time:

- Additions to the north and southeast of the original house (circa 1956)
- Windows and roof replaced (unknown);
- Siding replaced (unknown);
- Porch and trellis added to the south entrances (unknown).

### HISTORICAL SIGNIFICANCE ANALYSIS AND CRITERIA FOR FINDING PROBABLE CAUSE FOR LISTING AS LOCAL LANDMARK:

Under Resolution No. 2, Series 2014, a property may be eligible for reimbursement for a historic structure assessment (HSA) from the Historic Preservation Fund (HPF) if the Historic Preservation Commission finds "probable cause to believe the building may be eligible for landmarking under the criteria in [Louisville Municipal Code 15.36.050](#)." Further, "a finding of probable cause under this Section is solely for the purposes of action on the pre-landmarking building assessment grant request, and such finding shall not be binding upon the HPC, City Council or other party to a landmarking hearing."

Staff has found probable cause to believe this application complies with the following criteria:

<i>CRITERIA</i>	<i>FINDINGS</i>
<i>Landmarks must be at least 50 years old</i>	The principal structure at 1200 Jefferson Avenue, constructed in 1900 and moved to Louisville in 1930, is 119 years old and meets this criteria.
<i>Landmarks must meet one or more of the criteria for architectural, social or geographic/environmental significance</i>	Architectural Significance - <i>Exemplifies specific elements of an architectural style or period.</i> <ul style="list-style-type: none"><li>• The structure at 533 Lincoln Avenue is a vernacular structure with a modest form typical of early 20<sup>th</sup> century Louisville.</li></ul> <b>Staff finds the style and integrity of the structure has probable cause to meet the criteria for architectural significance.</b>

	<p>Social Significance - <i>Association with a notable person or the work of a notable person.</i></p> <ul style="list-style-type: none"> <li>• The structure at 1200 Jefferson Avenue is associated with the DeSantis family. Rocco DeSantis (1904-1997) was born in Italy and came to the United States in about 1920. He worked as a coal miner and carpenter in the Louisville area, then as a locksmith. He was married to Rose DiPietro who was born in Louisville in 1884.</li> <li>• Rocco DeSantis purchased a house located at the Gorham Mine in Marshall in 1930 and had it moved to a parcel that is now 1200 Jefferson. He built the additions to the house in approximately 1956 and lived in there until he died in 1997, having owned the property for 68 years.</li> </ul> <p><b>Staff finds that the former residents were longtime members of the community and there is probable cause to meet the criterion for social significance.</b></p>
<p><i>Landmarks should meet one or more criteria for physical integrity</i></p>	<ul style="list-style-type: none"> <li>• The house adds character and value to Old Town Louisville. The house is connected to the mining history of the area, and was moved to Louisville in 1930. The relocation of mining homes is a unique characteristic of Louisville and does not detract from the integrity of the property.</li> <li>• The additions to the original structure are more than 50 years old and have gained historical significance. Integrity of design is somewhat compromised by alteration.</li> </ul> <p><b>Overall staff finds probable cause that the structure meets the criteria for physical integrity.</b></p>

**FISCAL IMPACT:**

The finding of probable cause allows for a grant of up to \$900 for a Historic Structure Assessment from the Historic Preservation Fund.

The current balance of the Historic Preservation Fund as of 01/31/2019 is approximately \$2,111,446 with 2019 revenues into the HPF estimated at \$616,280. Budgeted expenditures from the HPF for 2019 are estimated to be \$549,270.

**RECOMMENDATION:**

Staff recommends that the HPC finds there is probable cause for landmarking 1200 Jefferson Avenue under the criteria in section 15.36.050 of the LMC, making the properties eligible for up to \$900 for the cost of a historic structure assessment.

**ATTACHMENTS:**

- 1200 Jefferson Avenue History Report



## **1200 Jefferson Ave. History**

**Legal Description:** West ½ of Lots 37 & 38 and West ½ of Lot 39 less the north 11 feet, Block 2, Nicola Di Giacomo Addition, Louisville, Colorado.

**Date of Construction:** circa 1900

**Summary:** Records show that Rocco DeSantis in 1929 purchased these lots and in 1930 moved the original part of this house from the Gorham Mine in Marshall, Colorado to the lots. The Rocco and Rose DeSantis family owned the property for nearly 70 years, until 1998. It was the family home for most of that time.

### **Development of the Nicola Di Giacomo Addition**

This area of Louisville is called the Nicola Di Giacomo Addition, having been platted by Nicola Di Giacomo in 1907. Nicola Di Giacomo farmed this area before filing the plat for a subdivision. This addition consists of 4 ½ blocks that stretch across the north end of Old Town of Louisville. (On the 1909 Drumm's Wall Map of Louisville, Nicola DiGiacomo is also shown as the owner of the additional property where Louisville Middle School is now located, and of the residential area that now extends behind the school and north of it up to South Boulder Road.) DiGiacomo was born in Italy in 1852 and immigrated to the US in about 1882.

A 1908 warranty deed shows the transfer of a number of lots in this addition from Nicola Di Giacomo to Domenico Rotolo. They included 18 blocks in Block 2, including the ones that 1200 Jefferson is located on, plus 36 lots on other blocks. Domenico Rotolo then resold a number of lots, County records show.

### **Ownership of Parcel until 1929; Discussion of Date of Construction**

Prior to the current house being located at 1200 Jefferson, owners of the 1200 Jefferson parcel between 1908 and 1929 included David Foulks, Harley Fletcher, and Anthony Kilker. The parcel at that time included all of Lots 37, 38, 39, and 40, and it today includes the addresses of 1200

Jefferson, 1208 Jefferson, and 713 Caledonia. Evidence indicates that there was not a residence on the property prior to 1930.

A warranty deed recorded in 1929 shows that Anthony Kilker sold these four lots to Rocco DeSantis in 1929. In 1930, a bill of sale was recorded with Boulder County showing the purchase a house by Rocco DeSantis from Rocky Mountain Fuel Company for \$125. The house was described as being “formerly located approximately Five Hundred (500) feet east of the portal of the Gorham Mine at or near the east side of the Town of Marshall.” The house was further described as being 24 x 24 feet in size and being plastered, with four rooms.

Rocco DeSantis then relocated this mine house to the parcel at 1200 Jefferson, which he had just purchased the year before. It was common practice to relocate buildings in the Louisville area between the late 1800s and the mid-1900s. (This practice is further described in the lead article of the Fall 2011 issue of *The Louisville Historian*, entitled “Here Today and There Tomorrow” by Heather Lewis and accessible here:

<http://www.louisvilleco.gov/home/showdocument?id=1114>.) The DeSantis family then moved into the house.

Boulder County gives the date of construction of the original part of this house as being 1900. This date appears on the current Boulder County website; no construction dates appear on the two County Assessor card for this address. Since Boulder County records are sometimes in error with respect to the construction dates of historic buildings in Louisville, other evidence must also be looked to. In this case, given that the house was relocated, this date of construction is believed to represent an estimate of when the house was originally constructed at the Gorham Mine. The Gorham Mine was in operation in Marshall from 1898 to 1939, according to the U.S. Geological Survey (map i-2735). Since the mine was open before 1900, it is possible that the house that was moved to 1200 Jefferson was built in 1900. Therefore, the construction date is assumed to be circa 1900.

This photo from the Louisville Historical Museum shows the Gorham Mine area in Marshall in the early 1900s:



### **Ownership of Property by DeSantis Family, 1929-1998 (69 years)**

As described above, Rocco DeSantis in 1930 purchased a house located at the Gorham Mine in Marshall and had it moved to a parcel that he had purchased in 1929 and that included what is now 1200 Jefferson.

Rocco DeSantis (1904-1997) was born in Italy and came to the United States in about 1920 (according to his 1930 census record). He worked as a coal miner and carpenter in the Louisville area, then as a locksmith. He married Rose DiPietro (1884-1966) in 1927. She was born in Louisville to Italian-born parents. Rocco and Rose DeSantis had three children: Carmen (1927-1998), Carmelita (1930-2004), and Virginia (born 1935).

In the mid-1930s, with a growing family, Rocco began to construct a house at 1208 Jefferson, just to the north of 1200 Jefferson. The family then moved into 1208 Jefferson. In 1943, Rocco transferred ownership of the overall parcel he owned to both himself and Rose as joint owners. By 1944, they also acquired Lot 41, which became part of 1208 Jefferson.

According to Rocco and Rose's daughter, Virginia, a few different people then rented the house at 1200 Jefferson, which was still the original four-room house, but it continued to be owned by the DeSantis family.

If there was a 1948 County Assessor card done for this building as was done for most other properties in Louisville, it could not be located among the digitized cards from the Carnegie Library for Local History in Boulder.

In 1952, the DeSantis family had a house built to the back of 1200 Jefferson. This now has the address of 713 Caledonia. It was built so that more DeSantis family members, such as son Carmen and, later, daughter Carmelita, could live close by. (713 Caledonia has the following legal description: the East ½ of Lots 37 & 38 and East ½ of Lot 39 less the north 11 feet, Block 2, Nicola Di Giacomo Addition.)

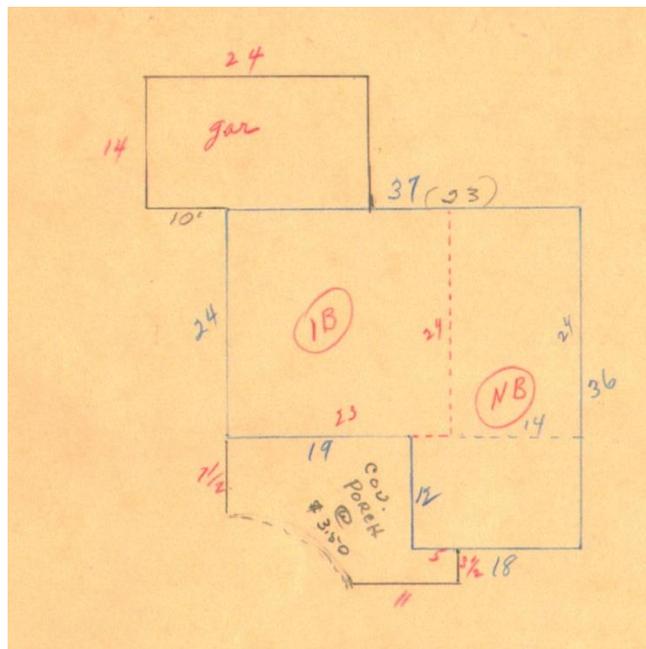
Daughter Virginia DeSantis married Richard Milano in August 1953. They then lived at 1200 Jefferson, which Virginia's parents still owned, for two years, until about 1955. At that time, the house still consisted of the original four-room, approximately 24' x 24' house that had been relocated from Marshall. Virginia recalls that it didn't have an indoor bathroom, so she and her husband would use the bathroom in her parents' house next door at 1208 Jefferson. She remembers it as being a "darling" house that consisted of a front room, kitchen, and two bedrooms.

According to Virginia, her father then worked on 1200 Jefferson to add an addition to it in about 1956. He added to the east and southeast of the original house. In a phone interview,

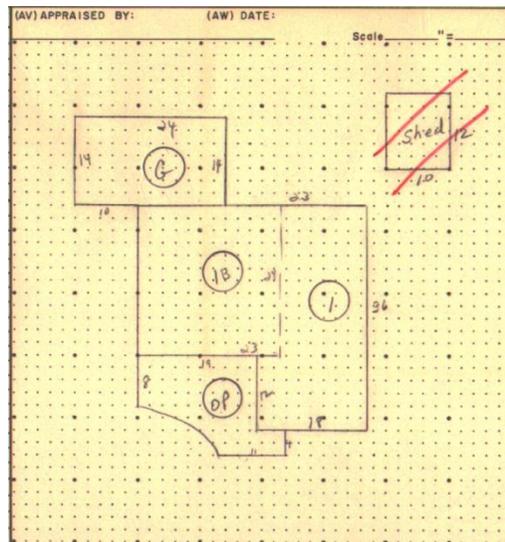
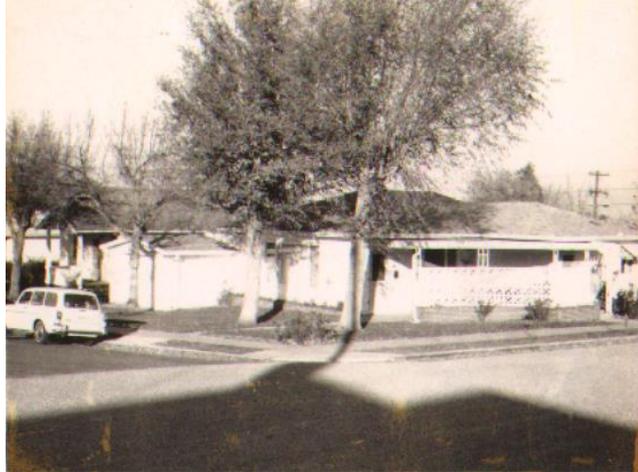
Virginia stated that he may have also added the attached garage to the north of the house at that time. According to the first of two County Assessor cards available for this property, both the attached garage and the patio were finished in 1961.

In 1957, Rocco and Rose DeSantis sold 1208 Jefferson and moved back to 1200 Jefferson.

The following photo of the house and a ground layout sketch are from the Boulder County Assessor card that is dated 1958, with additional pencil markings added to the sketch in 1961.



The following photo of the house and a ground layout sketch are from the Boulder County Assessor card that is dated 1977.



Rose DeSantis passed away in 1968. Rocco continued to live in the house at 1200 Jefferson and he died in 1997. Son Carmen DeSantis, as personal representative for his father's estate, sold 1200 Jefferson in 1998.

### Later Owners

Ted Thulin, Tara Thulin, and Charles Thulin purchased 1200 Jefferson in 1998 from the estate of Rocco DeSantis. Charles Thulin conveyed his interest to Ted Thulin and Tara Thulin, who sold to Miles and Susan Jones in 1999. In 2002, they sold 1200 Jefferson to Neil and Kristen Kearney. In 2005, the Kearneys sold to Ron Evans and Ellen Toon. In 2018, they sold 1200 Jefferson to Theodore Barber and Kathleen Urbanic. They are the current owners of record.

The preceding research is based on a review of relevant and available online County property records, census records, oral history interviews, Louisville directories, and Louisville Historical Museum maps, files, obituary records, and historical photographs from the collection of the Louisville Historical Museum.

**SUBJECT: DISCUSSION/DIRECTION – HISTORIC PRESERVATION FUND  
REAUTHORIZATION**

**DATE: FEBRUARY 18, 2019**

**PRESENTED BY: FELICITY SELVOSKI, PLANNING AND BUILDING SAFETY DEPT**

**SUMMARY:**

At the December 18, 2018 Historic Preservation Commission (HPC) meeting, commissioners gave staff direction regarding revisions to the preservation program. The following report outlines and summarizes revisions to the Historic Preservation Fund as part of the reauthorization process. The steps necessary to complete this evaluation and produce a new resolution are:

1. Staff provides more information to the Commission based on June 2018 meeting requests.
2. HPC makes recommendations based on additional information.
3. Staff and subcommittee draft a resolution.
4. Staff brings final resolution back to HPC for approval, followed by first and second readings in Council.

Staff requests that the HPC respond to the resolution revisions described below.

**BACKGROUND:**

At the December 2018 HPC meeting, staff presented a list of issues for the Commission to consider that included:

1. What are the maximum grant amounts for:
  - a. Historic Structure Assessments?
  - b. Flexible/focused (preservation) grants?
2. Will there be an initial financial incentive for landmarking?
3. If the flexible/focused grant categories are eliminated, how will the categories be structured?
  - a. Will there be a matching requirement for all or some of this work?
4. What structure/limitations will the new grant process have regarding:
  - a. Time limit?
  - b. Type of work allowed (rehabilitation/preservation vs. routine maintenance)?
  - c. Heritability of grant money 'left on the table'?
  - d. Whether properties landmarked before reauthorization have access to new funds?
5. What language will be used for new construction and/or alteration certificates?
6. Will there be any changes to the interest rate for HPF loans?

7. What changes will there be to overall timeline of process, if any?

The Commission discussed the above issues and provided feedback on each, resulting in the draft resolution wording included with this report. Program changes are summarized below.

GRANTS

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**HISTORIC STRUCTURE ASSESSMENT GRANTS**

Existing Resolution	Proposed Resolution
The current grant amounts for historic structure assessments (HSAs) are \$900 for residential properties and \$6,000 for commercial properties.	Grant amounts for historic structure assessments are increased to allow reimbursements of up to \$5,000 for residential properties and \$10,000 for commercial properties.

**INITIAL LANDMARK INCENTIVE**

Existing Resolution Language	Proposed Resolution Language
The current landmarking incentive provides \$1,000 to homeowners who landmark their residential property, and \$10,000 to commercial property owners who landmark their property.	<b>REMOVED</b>

**PRESERVATION GRANTS**

Existing Resolution Language	Proposed Resolution Language
<p>Current grants are divided into two categories. Flexible grant funds are available for 18 months after a property is landmarked. Flexible grant funds do not require matching.</p> <ul style="list-style-type: none"> <li>I. \$5,000 for residential properties</li> <li>II. \$65,000 for commercial properties</li> </ul> <p>Focused grant funds have no time limit for use. Focused grant funds require a 100% match.</p>	<p>Flexible and focused grant types are eliminated.</p> <p>Residential and commercial landmarked properties are eligible for grant funding for 36 months from when a property is declared a landmark. Grant agreements specify a timeframe in which the grant can be used based on the proposed work and anticipated project timeline.</p>

<p>I. \$15,000 for residential properties II. \$100,000 for commercial properties</p> <p>Owners of property on which new commercial structures or additions to existing commercial structures are proposed are eligible for grants of up to \$75,000 total from the Historic Preservation Fund in order to limit mass, scale, and number of stories; to preserve setbacks, to preserve pedestrian walkways between buildings; and to utilize materials typical of historic buildings, above mandatory requirements.</p>	<p>Residential properties with landmark status or an established conservation easement are eligible for a total of \$50,000 in grant funding:</p> <p>I. \$10,000 unmatched grant II. \$40,000 matching grant</p> <p>Commercial properties with landmark status or an established conservation easement are eligible for \$200,000 in grant funding:</p> <p>I. \$75,000 unmatched grant II. \$125,000 matching grant</p> <p>\$75,000 for eligible new commercial construction that limits mass, scale, and number of stories, preserves setbacks, preserves pedestrian walkways between buildings, and protects the historic integrity of the property and its environment by differentiating the new work from the old.</p>
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*Comments: For planning purposes, having an unlimited timeframe makes management of the Historic Preservation Fund difficult. Under the proposed language, a property owner has a maximum of three years to apply for grant funds, potentially an additional two years to use those funds, and could, based on project circumstances, apply for a grant extension if there are extraordinary circumstances. Staff feels that this timeline is reasonable for property owners and provides an adequate incentive for landmarking while still allowing for responsible management of the Historic Preservation Fund.*

## STRUCTURE AND PROCESS

### NEW CONSTRUCTION CRITERIA

Existing Resolution Language	Proposed Resolution Language
<p>Owners of property on which new commercial structures or additions to existing commercial structures are proposed are eligible for grants of up to \$75,000 total from the Historic Preservation Fund in order to limit mass, scale, and number of stories; to preserve setbacks, to preserve pedestrian walkways between buildings; and to utilize materials typical of</p>	<p>Owners of landmarked property or property with an established conservation easement on which new commercial structures or additions to existing commercial structures are proposed are eligible for grants of up to \$75,000 for new commercial construction that limits mass, scale, and number of stories, preserves setbacks, preserves pedestrian walkways between buildings,</p>

historic buildings, above mandatory requirements.	and protects the historic integrity of the property and its environment by differentiating the new work from the old.
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*Comments: Staff is asking for feedback on the potential expansion of the new construction grant category to residential properties. Homeowners who landmark their property could be eligible for a grant towards an addition, encouraging the preservation of historic residential structures.*

**TYPE OF WORK ALLOWED**

Existing Resolution Language	Proposed Resolution Language
<p>Flexible grant funds can be applied towards preservation, restoration, rehabilitation, and predevelopment work.</p> <ul style="list-style-type: none"> <li>• Sustaining the existing form, integrity, and materials, including preliminary measures to protect and stabilize the property</li> <li>• Up to 10% may be used for routine maintenance including painting, refinishing, and exterior cleaning</li> <li>• Upgrading of mechanical, electrical, and plumbing systems</li> <li>• Restoration to a specific, significant point in history</li> <li>• Pre-development including assessments of past and present historical features</li> </ul> <p>Focused grant funds can be applied towards:</p> <ul style="list-style-type: none"> <li>• Preservation and restoration based on the priority list created by the HSA</li> <li>• Sustaining the existing form, integrity, and materials</li> </ul>	<p>Grants are available for the following purposes:</p> <ul style="list-style-type: none"> <li>• Preservation: Preservation is the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.</li> <li>• Rehabilitation: Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. Rehabilitation acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.</li> <li>• Restoration: Restoration is the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and</li> </ul>

	<p>reconstruction of missing features from the restoration period.</p> <p>Approved work will be based on the completed structural assessment.</p>
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**REVOLVING LOAN FUND**

Existing Resolution Language	Proposed Resolution Language
The loan program as currently written ties the interest rate on the loan to the Wall Street Journal Prime Rate (currently 5.25%).	Interest rates shall be equal to 1% below the Wall Street Journal Prime Rate as reported on the date of city acceptance of a complete application.

*Comments: The Wall Street Journal Prime Rate is used to set interest rates for home equity loans and lines of credit. To make our revolving loan fund appealing to borrowers, the subcommittee recommends setting an interest rate below prime.*

**DISCUSSION QUESTIONS:**

1. What timeframe should be applied to the new grant process?
2. Will there be residential new construction grants to encourage homeowners to landmark their properties? If so, what grant amount would be reasonable?
3. Will the revolving loan interest rate be changed to 1% below the Wall Street Journal Prime Rate?
4. Are there additional changes or adjustments that need to be made?

**ATTACHMENTS:**

1. 2019 Draft Resolution Language
2. Resolution No. 20, Series 2009
3. Resolution No. 20, Series 2010
4. Resolution No. 2, Series 2012
5. Resolution No. 2, Series 2014
6. Resolution No. 4, Series 2014
7. Resolution No. 21, Series 2016

**RESOLUTION NO. 20  
SERIES 2009**

**A RESOLUTION ENACTING PROVISIONS RELATED TO ADMINISTRATION AND USES OF THE HISTORIC PRESERVATION FUND, AND ESTABLISHING REQUIREMENTS AND PROCEDURES APPLICABLE TO THE FUNDING OF INCENTIVES FOR HISTORIC PRESERVATION PURPOSES**

**WHEREAS**, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter; and

**WHEREAS**, at the November 4, 2008 election, the voters approved a ballot issue to levy an additional one-eighth of one percent (1/8%) sales tax, collected for a ten-year period commencing January 1, 2009, with the net proceeds of such one-eighth percent sales tax to be collected, retained and spent exclusively for historic preservation purposes within historic Old Town Louisville; and

**WHEREAS**, by Ordinance No. 1544, Series 2008, the City established the historic preservation fund as a special revenue fund to account for revenues derived from the historic preservation tax; and

**WHEREAS**, City Council by this resolution desires to enact additional provisions related to administration and uses of the historic preservation fund; and

**WHEREAS**, City Council by this resolution further desires to establish requirements and procedures applicable to the funding of incentives for historic preservation purposes; and

**WHEREAS**, the City of Louisville Historic Preservation Commission has reviewed at public meetings the provisions hereof regarding the historic preservation fund and funding of historic preservation incentives, and has recommended adoption of such provisions;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

In order to facilitate the purposes of 2008 Louisville Ballot Issue 2A and Ordinance No. 1544, Series 2008, the following provisions shall be enacted:

**Section 1. Historic Preservation Fund:** There exists a “Historic Preservation Fund” (“HPF”) in the City of Louisville, as established by Ordinance 1544, Series 2008.

- a. The HPF shall be funded by:

- i. Proceeds from the 1/8% sales tax established by 2008 Louisville Ballot Issue 2A and Ordinance 1544, Series 2008;
  - ii. Private and public donations, bequests, grants and funding from other sources made to the City for historic preservation purposes;
  - iii. Interfund loans from the City of Louisville; if approved by ordinance; and
  - iv. Earnings on such amounts as may be deposited in the HPF.
- b. The City of Louisville Historic Preservation Commission (HPC) shall make recommendations regarding expenditures from the HPF, but final action shall be taken by City Council by resolution. The HPF should be managed to achieve maximum preservation of historic structures and the character of historic Old Town Louisville.
- c. The HPC shall submit an annual statement of goals and recommendations to City Council, and may supplement, modify or update this document throughout the year as necessary.
- d. As further detailed in Sections 2-5 below, the HPF shall consist of the following four categories of funds:
- i. Administrative;
  - ii. Incentives for Historic Preservation, to Preserve Character, and for New Construction;
  - iii. Acquisitions; and
  - iv. Contingency/Emergency Reserve.
- e. As used in this resolution, “resources” shall include, but not be limited to, primary structures, accessory structures, outbuildings, fences, existing or historic landscaping, archaeological sites, and architectural elements of structures.

**Section 2. Administrative Funds:** Administrative Funds shall be used for purposes consistent with the establishment of the HPF, and shall include, but not be limited to:

- a. Historical building surveys, other site surveys or reconnaissance-level or intensive-level historic and architectural surveys;

- b. Staff to support HPC and City activities in administering programs funded by the tax, including, but not limited to, interns, preservation planners, staff to conduct research for the HPC's demolition review functions and to assist vendors in conducting historic preservation surveys, and other support staff;
- c. Plaques or other designations to honor structures that are landmarked or add to the character of historic Old Town Louisville;
- d. Public outreach and education efforts; and
- e. Funding of public-private partnerships for preservation of buildings of historic significance.

**Section 3. Funds for Incentives for Historic Preservation, to Preserve Character, and for New Construction:**

- a. All incentives shall be applied for and given on a voluntary basis. Property owners are encouraged to participate in these programs to preserve their historic resources and the character of Louisville.
- b. Funding for incentives for historic preservation or to preserve the character of historic Old Town Louisville shall be used for purposes consistent with the establishment of the HPF, and shall include, but not be limited to:
  - i. Grants to fund the restoration or rehabilitation of existing resources. Grants may be given in installments upon the satisfactory completion of portions of the project, or given in total upon the satisfactory completion of the project. Conditions for the satisfactory completion of the project shall be given when the grant is awarded. Grants may be revoked if the conditions are not met. Grants given prior to the beginning of a project may be given only in suitable situations, as recommended by the HPC and approved by City Council;
  - ii. Low-interest loans to fund the restoration or rehabilitation of existing resources. The loans shall be administered by the City or a designee appointed by City Council, with loan payments returning to the HPF. Loans shall be evidenced by a loan agreement, guaranteed by the borrower (with individual guarantees as the City may in its discretion require), and secured by a lien on the property. The loan may provide for default and acceleration of the loan if the completed work is not as contemplated by the conditions of the loan. Further, if the work is not completed in compliance with the conditions of the loan, the loan amount shall be returned forthwith, with interest. Any costs in collecting the loan upon default shall be charged to the HPF;

- iii. Reimbursements of City taxes or fees, to be given after the completion of work as outlined by the conditions of the incentives. Reimbursements might be for the sales taxes paid on materials purchased for the project, a portion of property taxes for a given time, inspection fees related to the project, or other taxes or fees.
- c. While preservation is the primary purpose of this resolution, new structures may also qualify for the incentives outlined in section 3.b to preserve the character of historic Old Town Louisville. The purpose of these incentives is to limit mass, scale, and number of stories, to preserve setbacks, to preserve pedestrian walkways between buildings, and to utilize materials typical of historic buildings, above mandatory requirements. Review by the HPC of these projects for eligibility for incentives is not a substitute for City planning processes, but applications for incentives for new construction should be submitted to the HPC at the earliest possible point in the planning process. As part of its review, the HPC may make recommendations for variances from City codes that would provide incentives for preserving the character of historic Old Town Louisville, irrespective of whether its recommendations include HPF funding.
- d. Except as noted below, to be considered for incentives funding, the owner must complete an application and submit it to the HPC, together with sufficient building plans, if appropriate. Applications may be submitted at any time. Applications shall initially be reviewed by HPC staff, followed by a recommendation to the HPC. The HPC shall make a recommendation to City Council for final action. Any recommendation by the HPC may be to grant some, all or none of the requested incentives. If the HPC recommendation is to grant the requested incentives in whole or part, it shall also forward recommendations regarding the terms of an agreement which must be met for receipt of the incentives. Priority shall be given to requests for loans, then rebates, then grants. All recommendations are subject to approval, rejection and/or modification by City Council, and City Council may return recommendations for further information or review. All incentives are subject to budgetary requirements and considerations, including review of amounts currently and foreseeably available in the HPF and appropriation in the discretion of City Council. Additions to existing structures may qualify for incentives if so recommended by the HPC and approved by City Council.
- e. In all cases, receipt of incentives funding shall be conditioned on an agreement between the property owner and the City of Louisville that if eligible, the structure shall be landmarked pursuant to Louisville Municipal Code Chapter 15.36 and if not eligible, the owner shall grant the City a conservation easement to preserve the outside appearance of the structure or other historical attributes of the structure or site. If the property is subject to a mortgage, the City may condition incentive funding on provision of lender consent to the creation of the conservation easement. If the structure is

landmarked, then future alterations to the structure shall be determined in compliance with Louisville Municipal Code Chapter 15.36. The divestment by the City of any conservation easement granted to it shall require an affirmative vote of at least two-thirds (2/3) of the entire City Council. No divestiture may be approved prior to 15 years after the granting of the easement.

- f. In the first year of the existence of the HPF, 50% of the incentives funds shall be set aside for residential projects. Any allocations thereafter shall be as determined by City Council. The HPC may provide recommendations on allocations of incentive funds on an annual basis.

**Section 4. Acquisitions Funds:** Use of Acquisition funds of the HPF shall include, but not be limited to:

- a. The purchase of historic properties or properties which contribute to the character of historic Old Town Louisville. These properties, if eligible, shall be landmarked pursuant to Louisville Municipal Code Chapter 15.36 and if not eligible, shall have a conservation easement placed upon them to preserve the outside appearance of the structure or other historical attributes of the structure or site. Prior to the purchase of any property, a financial risk analysis shall be conducted, although City Council may base its approval on considerations other than financial. The City may perform any restoration or rehabilitation work necessary on properties the City acquires, subject to availability of funds therefor, and may then sell the properties unless retained for a municipal purpose. A conservation easement for historic preservation purposes may be placed on the property prior to or in connection with any sale. Any loss and any costs resulting from the acquisition, rehabilitation and sale of the property shall be charged to the HPF, while any profits shall be deposited to the HPF; and
- b. The purchase of conservation easements to protect the appearance of structures that contribute to the character of historic Old Town Louisville. Easements funded by the City may be held solely by the City or jointly with another governmental entity or a third-party non-profit preservation organization.

**Section 5. Contingency/Emergency Reserve Funds:** In the first year of the existence of the HPF, 20% of the funds of the HPF shall be placed in a Contingency/Emergency Reserve. On an annual basis, the HPC and City Council shall reevaluate how much should be allocated to this Reserve. These funds shall be accessed only for incentives or acquisitions that become necessary due to exigent circumstances, upon the recommendation of the HPC and approval of City Council. “Exigent circumstances” for purposes of this section shall mean that the HPC has determined, with concurrence of City Council, that without urgent action, significant damage will be done to the historic fabric or character of Louisville.

**Section 6.** Nothing in this resolution is intended or shall be construed to require any appropriation of City funds.

PASSED AND ADOPTED this 2<sup>nd</sup> day of June, 2009.



Nancy Varra  
Nancy Varra, City Clerk

Charles L. Sisk  
Charles L. Sisk, Mayor

**RESOLUTION NO. 20, SERIES 2010**

**A RESOLUTION ESTABLISHING ADDITIONAL INCENTIVES FOR THE HISTORIC PRESERVATION FUND TO ENCOURAGE LANDMARK DESIGNATIONS OF HISTORIC PROPERTIES IN THE CITY OF LOUISVILLE**

**WHEREAS**, historic properties in the City of Louisville (the "City") are a major contributor to the character and quality of life of our City; and,

**WHEREAS**, the City Council, pursuant to the City Charter, established a Historic Preservation Commission to assist it in the preservation and landmarking of these properties; and,

**WHEREAS**, when properties are locally landmarked they are preserved for future posterity and enjoyment and continue to contribute to the unique character of our City; and

**WHEREAS**, at the November 4, 2008 election, the voters approved a ballot issue to levy one-eighth of one percent (1/8%) sales tax for purposes of historic preservation purposes within Historic Old Town Louisville; and,

**WHEREAS**, City Council by Ordinance No. 1544, Series 2008, imposed the tax approved by the voters and established the Historic Preservation Fund; and

**WHEREAS**, the City Council by Resolution No. 20, Series 2009, created provisions related to the administration and uses of the Historic Preservation Fund; and

**WHEREAS**, Resolution No. 20, Series 2009, authorizes the creation of grants programs to assist property owners in the rehabilitation and restoration of historic properties;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

In order to facilitate the implementation of Resolution 20, Series 2009, the following provisions shall be enacted:

**Section 1. Incentive program to encourage owners of historic homes to seek landmark designations:**

- a. An incentive of \$1,000 shall be awarded to property owners whose properties are declared landmarks pursuant to Chapter 15.36 of the Louisville Municipal Code, with the attendant protections for landmarks pursuant to that chapter.
- b. While property owners are encouraged to enhance and preserve the historic character of their property, incentives made under this section have no attached conditions and shall be approved by the City Council in conjunction with its approval of a landmark designation.

**Section 2. Grant program for preserving, restoring, rehabilitating, or protecting landmarked property:**

- a. Grant categories. Grants of up to \$5,000 will be made available to owners of properties that have been declared landmarks pursuant to Chapter 15.36 of the Louisville Municipal Code, if applied for within one year of the landmark designation. These grants are available for the following purposes:
  - i. Preservation and restoration. These projects include measures directed towards sustaining the existing form, integrity, and materials of a historic property, including preliminary measures to protect and stabilize the property.
  - ii. Rehabilitation. These projects include measures directed toward adapting a property to make efficient contemporary use of it while sensitively preserving the features of the property, which are significant to its historical, architectural, and cultural values. Sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make the property functional is appropriate within a preservation project. This category also includes the restoration of a property to a specific, significant point in its history.

Routine maintenance is an allowable expense as a project. Routine maintenance includes painting, refinishing and exterior cleaning.
  - iii. Pre-development. These projects include assessments of past and present historical features of a property for the purpose of properly and adequately documenting these characteristics. This includes assessing the physical condition of any existing historic features. Grants for this

purpose will be available to individuals desiring to do restoration and renovation projects.

Only proposals for projects to be completed on landmarked portions of a property will be considered.

Properties will still need to apply for and receive an Alteration Certificate from the Historic Preservation Commission prior to beginning work on the property.

- b. The Historical Preservation Commission (HPC) will review all grant applications and make recommendations to the City Council for approval or disapproval. The City Council may approve, deny or return a proposal to the HPC for further information.
- c. Grants may be given in installments upon the satisfactory completion of portions of the project, or given in total upon the satisfactory completion of the project. Conditions for the satisfactory completion of the project shall be given when the grant is awarded. Grants may be revoked if the conditions are not met. Grants given prior to the beginning of a project may be given only in suitable situations, as recommended by the HPC and approved by City Council.
- d. Grants awarded pursuant to this Resolution do not preclude the award of other incentives from the Historic Preservation Fund.
- e. In addition to the procedures outlined herein, the administration of grants shall be in compliance with all applicable procedures in Resolution No. 20, Series 2009.

PASSED AND ADOPTED this 20<sup>th</sup> day of April, 2010.



*[Handwritten signature]*  
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Charles L. Sisk, Mayor

*[Handwritten signature: Nancy Varra]*  
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Nancy Varra, City Clerk

**RESOLUTION NO. 2  
SERIES 2012**

**A RESOLUTION ESTABLISHING ADDITIONAL INCENTIVES FROM THE HISTORIC PRESRVATION FUND TO ENCOURAGE HISTORIC LANDMARK DESIGNATIONS AND NEW BUILDINGS OF CHARACTER FOR RESIDENTIAL AND COMMERCIAL PROPERTIES IN THE CITY OF LOUISVILLE AND TO FACILITATE THE ASSESSMENT OF PROTECTED STRUCTURES**

**WHEREAS**, historic properties and buildings of character in the City of Louisville (the "City") are major contributors to the City's economic prosperity and quality of life; and,

**WHEREAS**, the Louisville City Council, pursuant to the City Charter, established a Historic Preservation Commission to assist it in the preservation and landmarking of these properties; and,

**WHEREAS**, when properties are locally landmarked they are preserved for future posterity and enjoyment and continue contribution to the unique character of the City; and

**WHEREAS**, at the November 4, 2008 election, the voters approved a ballot issue to levy one-eighth of one percent (1/8%) sales tax for purposes of historic preservation purposes within Historic Old Town Louisville; and,

**WHEREAS**, City council by Ordinance No. 1544, Series 2008, imposed the tax approved by the voters and established the Historic Preservation Fund; and

**WHEREAS**, the City Council by Resolution No. 20, Series 2009, created provisions related to the administration and uses of the Historic Preservation Fund; and

**WHEREAS**, Resolution No. 20, Series 2009, authorized the creation of a grant program to assist property owners in the rehabilitation and restoration of historic properties and new buildings of character;

**WHEREAS**, Resolution No. 20, Series 2010, authorized the creation of incentives to assist property owners in the rehabilitation and restoration of historic properties;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

In order to further facilitate and enhance the implementation of Resolution 20, Series 2009, and Resolution No. 20, Series 2010 the following provisions shall be enacted:

**Section 1.** Incentive program to encourage owners of historic structures and buildings of character to seek designations as landmarks or structures of merit:

- a. An incentive of \$10,000 shall be awarded to commercial property owners whose properties are declared landmarks pursuant to Chapter 15.36 of the Louisville Municipal Code, with the intended protections for landmarks pursuant to that chapter.
- b. An incentive of \$10,000 shall be awarded to commercial property owners whose properties are designated a Structure of Merit and who grant a conservation easement approved by the Louisville City Council. A property subject to a conservation easement is also subject to requirements for alteration certificates.
- c. While property owners are encouraged to enhance and preserve the historic character of their property, incentives made under this section have no conditions other than landmark status or designation as a structure of merit.

**Section 2.** Grant program to conduct structural assessments of protected structures:

- a. Any structure that is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code, or which is declared a Structure of Merit by the Historic Preservation Commission, shall undergo a building assessment to develop a preservation plan to establish priorities for the maintenance of the property.
- b. For a period of 18 months from when a property is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code, or declared a Structure of Merit by the Historic Preservation Commission, the owner of the property shall be eligible for a grant from the Historic Preservation Fund in the amount of up to \$900 for residential properties or up to \$6,000 for commercial properties. Such grants shall be used solely to offset a portion or all of the cost of conducting a building assessment as described in this Section.
- c. The assessment shall be conducted by a qualified consultant under contract with the City, or by a qualified consultant of the owner's choosing.

- d. An exception to the requirement for a building assessment may be granted by the Historic Preservation Commission for good cause.

**Section 3.** Flexible grants for preserving, restoring, rehabilitating, or protecting landmarked property:

- a. For a period of 18 months from when a property is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code the owner of the property shall be eligible for a grant from the Historic Preservation Fund in the amount of up to \$5,000 for residential structures and up to \$65,000 for commercial structures. These grants are available for the following purposes:
  - i. Preservation and restoration: These projects include measures directed towards sustaining the existing form, integrity, and materials of a historic property, including preliminary measures to protect and stabilize the property. Up to 10% of a grant may be used for one-time actions considered routine maintenance. Routine maintenance includes painting, refinishing and exterior cleaning.
  - ii. Rehabilitation: These projects include measures directed toward adapting a property to make efficient contemporary use of it while sensitively preserving the features of the property, which are significant to its historical, architectural, and cultural values. Sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make the property functional is appropriate within a rehabilitation project. This category also includes the restoration of a property to a specific, significant point in its history.
  - iii. Pre-development: These projects include assessments of past and present historical features of a property for the purpose of properly and adequately documenting these characteristics. This includes assessing the physical condition of any existing historic features. Grants for this purpose will be available to individuals desiring to do restoration and renovation projects.
- b. Grant funding may only be expended for the activities listed in this section for landmarked portions of a property.

**Section 4.** Incentive grants to encourage conservation easements on properties which contribute to the character, historical or architectural merit in Downtown Louisville and which are not eligible to be landmarked:

- a. For a period of 18 months from when a property is designated by the City Council as a structure of merit, the owner of the property shall be eligible for a grant from the Historic Preservation Fund in the amount of up to \$50,000. These grants are available for:
  - i. Preserving, rehabilitating, restoring or protecting the property.
  - ii. Offsetting costs of preserving the structural merit of a building that is being expanded pursuant to Section 17.16.280 and 17.28.050 of the Louisville Municipal Code.
- b. Grant funding may only be expended for the activities listed in this section for those portions of a property designated to be a structure of merit.

**Section 5.** Focused preservation and/or restoration grants with matching funding requirements:

- a. In addition to being eligible for the grants listed elsewhere in this Resolution, a property declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code is eligible for a grant from the Historic Preservation Fund in the amount of up to \$100,000 for commercial structures and up to \$15,000 for residential structures activities described in this Section, or a series of grants totaling \$100,000 for commercial structures and up to \$15,000 for residential structures.
- b. In addition to being eligible for the grants listed elsewhere in this Resolution, a property designated by the City Council as a structure of merit is eligible for a grant from the Historic Preservation Fund in the amount of up to \$75,000 for commercial structures activities described in this Section.
- c. Grants specified in this section may only be used for preservation and/or restoration projects: These projects include measures directed towards sustaining the existing form, integrity, and materials of a historic property. None of the funding awarded pursuant to this section may be used for any actions considered routine maintenance. Routine maintenance includes painting, refinishing and exterior cleaning.
- d. All grants authorized under this Section shall be conditioned on the applicant matching at least one hundred percent (100 %) of the

amount of the grant with expenditures or an equivalent value of approved in-kind services that are integral to the project that is deemed eligible for a grant from the Historic Preservation Fund.

**Section 6. New construction grants:**

Owners of property on which new commercial structures or additions to existing commercial structures are proposed are eligible for grants of up to \$75,000 total from the Historic Preservation Fund in order to limit mass, scale, and number of stories; to preserve setbacks, to preserve pedestrian walkways between buildings; and to utilize materials typical of historic buildings, above mandatory requirements.

**Section 7. Maximum grant amounts and procedures:**

- a. The maximum combined amount of incentive and grant funding from the Historic Preservation Fund that any property may receive is limited to the following:
  - i. \$21,900 per property for a landmark residential structure
  - ii. \$181,000 per property for a landmark commercial structure
  - iii. \$141,000 per property for a designated commercial structure of merit
  - iv. \$75,000 for any new commercial construction project that limits the mass, scale, and number of stories; preserves setbacks, preserves pedestrian walkways between buildings; and utilizes materials typical of historic buildings, above mandatory requirements.
- b. These limitations may be exceeded upon recommendation of the Historic Preservation Commission and approval by City Council upon a showing of extraordinary circumstances. Any grant exceeding the above limitations shall be conditioned on the applicant matching at least one hundred percent (100%) of the amount of the grant with expenditures or an equivalent value of approved in-kind services that are integral to the project that is deemed eligible for a grant from the Historic Preservation Fund.
- c. The Historic Preservation Commission will review all grant applications and make recommendations to the City Council for approval or disapproval. The City Council may approve, deny or return a proposal to the HPC for further information.

- d. Grants may be given in installments upon the satisfactory completion of portions of the project, or given in total upon the satisfactory completion of the project. Conditions for the satisfactory completion of the project shall be given when the grant is awarded. Grants may be revoked if the conditions are not met. Grants given prior to the beginning of a project may be given only in suitable situations, as recommended by the HPC and approved by City Council.
- e. In addition to the procedures outlined herein, the administration of grants shall be in compliance with all applicable procedures in Resolution No. 20, Series 2009.

PASSED AND ADOPTED this 3<sup>RD</sup> day of January 2012.



Nancy Varra  
Nancy Varra, City Clerk

Robert P. Muckle  
Robert P. Muckle, Mayor

**RESOLUTION NO. 2  
SERIES 2014**

**A RESOLUTION ESTABLISHING ADDITIONAL INCENTIVES FROM THE  
HISTORIC PRESRVATION FUND TO ENCOURAGE LANDMARK  
DESIGNATIONS AND PRESERVATION OF HISTORIC RESIDENTIAL AND  
COMMERCIAL PROPERTIES IN THE CITY OF LOUISVILLE AND TO  
FACILITATE THE ASSESSMENT OF PROTECTED STRUCTURES**

**WHEREAS**, historic properties and buildings of character in the City of Louisville (the "City") are major contributors to the character and quality of life of our City; and

**WHEREAS**, the City Council, pursuant to the City Charter, established a Historic Preservation Commission to assist it in the preservation and landmarking of these properties; and

**WHEREAS**, when properties are locally landmarked they are preserved for future posterity and enjoyment and continue to contribute to the unique character of the City; and

**WHEREAS**, at the November 4, 2008 election, the voters approved Ballot Issue 2A to levy a one-eighth of one percent (1/8%) sales tax for purposes of historic preservation purposes within Historic Old Town Louisville; and

**WHEREAS**, City Council by Ordinance No. 1544, Series 2008, imposed the tax approved by the voters and established the Historic Preservation Fund (HPF); and

**WHEREAS**, the City Council by Resolution No. 20, Series 2009, Resolution No. 20, Series 2010, and Resolution No. 2, Series 2012, adopted provisions related to the administration and uses of HPF, and established grant programs and incentives to assist property owners in the rehabilitation and restoration of historic properties and new buildings of character; and

**WHEREAS**, a core value of the City in the 2013 Comprehensive Plan promotes: *"A Connection to the City's Heritage . . . where the City recognizes, values, and encourages the promotion and preservation of our history and cultural heritage, particularly our mining and agricultural past"* and enhancing the allowed historic preservation incentives strengthens the City's connection to its heritage; and

**WHEREAS**, a second core value of the City in the 2013 Comprehensive Plan promotes: *"Unique Commercial Areas and Distinctive Neighborhoods . . . where the City is committed to recognizing the diversity of Louisville's commercial areas and neighborhoods by establishing customized policies and tools to ensure that each maintains its individual character, economic vitality, and livable structure"* and expanding the allowed historic preservations incentives will promote and strengthen the unique individual character of Downtown and Old Town Louisville; and

**WHEREAS**, the City Council by this Resolution desires to amend Resolution No. 2, Series 2012 to authorize grants for building assessments conducted prior to landmarking and the application of certain in-kind work as a credit against grant matching requirements, each in specified circumstances;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

**Section 1.** Section 2 of Resolution No. 2, Series 2012 is hereby amended to revise subsection 2.c and add a new subsection 2.e, reading as follows (words added are underlined):

**Section 2.** Grant program to conduct structural assessments of protected structures:

- a. Any structure that is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code, or which is declared a Structure of Merit by the Historic Preservation Commission, shall undergo a building assessment to develop a preservation plan to establish priorities for the maintenance of the property.
- b. For a period of 18 months from when a property is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code, or declared a Structure of Merit by the Historic Preservation Commission, the owner of the property shall be eligible for a grant from the Historic Preservation Fund in the amount of up to \$900 for residential properties or up to \$6,000 for commercial properties. Such grants shall be used solely to offset a portion or all of the cost of conducting a building assessment as described in this Section.
- c. The assessment shall be conducted by a qualified consultant under contract with the City, or by a qualified consultant of the owner's choosing. The City shall be provided a copy of any assessment for which grant funds are awarded, irrespective of whether the structure subject to the assessment is landmarked or declared a Structure of Merit.
- d. An exception to the requirement for a building assessment may be granted by the Historic Preservation Commission for good cause.
- e. Upon application of the owner of the property, grant funding for a building assessment as described in this Section may be awarded prior to landmarking in accordance with this Subsection e. Prior to receiving such a grant, the property owner must request a building history be completed. At a regular meeting of the Commission, the HPC shall review the building history, application, and any other relevant information to determine whether there is probable cause to believe the building may be eligible for landmarking under

the criteria in section 15.36.050 of the Louisville Municipal Code. If probable cause is not found by the HPC, a pre-landmarking building assessment grant will not be issued. If probable cause is found by the HPC, the owner of the property shall be eligible for a pre-landmarking building assessment grant in an amount up to the limits set forth in this Section. Such grant shall be used solely to offset a portion or all of the cost of conducting the building assessment, and the amount awarded shall be deducted from the overall grant amount available at the time of or as a result of landmarking. A finding of probable cause under this Section is solely for purposes of action on the pre-landmarking building assessment grant request, and such finding shall not be binding upon the HPC, City Council or other party to a landmarking hearing. The HPC shall report to the City Council its action taken on each pre-landmarking building assessment grant request.

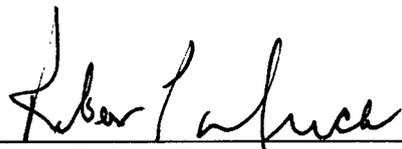
**Section 2.** Section 5 of Resolution No. 2, Series 2012 is hereby amended to add a new subsection 5.e, reading as follows (words added are underlined):

**Section 5.** Focused preservation and/or restoration grants with matching funding requirements:

- a. In addition to being eligible for the grants listed elsewhere in this Resolution, a property declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code is eligible for a grant from the Historic Preservation Fund in the amount of up to \$100,000 for commercial structures and up to \$15,000 for residential structures activities described in this Section, or a series of grants totaling \$100,000 for commercial structures and up to \$15,000 for residential structures.
- b. In addition to being eligible for the grants listed elsewhere in this Resolution, a property designated by the City Council as a structure of merit is eligible for a grant from the Historic Preservation Fund in the amount of up to \$75,000 for commercial structures activities described in this Section.
- c. Grants specified in this section may only be used for preservation and/or restoration projects: These projects include measures directed towards sustaining the existing form, integrity, and materials of a historic property. None of the funding awarded pursuant to this section may be used for any actions considered routine maintenance. Routine maintenance includes painting, refinishing and exterior cleaning.
- d. All grants authorized under this Section shall be conditioned on the applicant matching at least one hundred percent (100 %) of the amount of the grant with expenditures or an equivalent value of approved in-kind services that are integral to the project that is deemed eligible for a grant from the Historic Preservation Fund.

- e. An applicant may request that the value of stabilization, restoration or preservation work completed on the structure prior to landmarking be considered as a credit against the matching requirement of this Section. Credit for such previously completed work is at the discretion of the City Council and may only be considered under the following circumstances:
- i. The work previously performed was for stabilization, restoration or preservation of the historic structure. No landscaping or site work may be considered for potential credit against the matching requirement.
  - ii. No interior work, except for structural work, sensitive upgrading of mechanical, electrical, and plumbing systems, and other code-required work to make the property functional, may be considered for potential credit against the matching requirement.
  - iii. Only work completed within five years prior to the effective date of landmarking may be considered for potential credit against the matching requirement.
  - iv. Consideration for credit against the matching requirement may only be given to costs of previously completed work which is documented by paid receipts or invoices. The applicant shall provide the City with complete copies of all such receipts or invoices together with proof of payment, and shall also provide any available supporting documentation upon City request. The request for consideration of previously completed work shall also be accompanied by applicant's written certification that the work for which credit is requested was completed and the costs thereof were incurred and paid, and that the information in such request is true and accurate to the best of applicant's knowledge and belief. The value of in-kind services completed by the applicant shall not be considered.
  - v. The amount of credit given for any previously completed work shall be determined by the City Council with input from the HPC, considering such factors as the nature, extent and useful life of the work, the time it was completed, the appreciated or depreciated value of the work, and such other factors as determined relevant.

**PASSED AND ADOPTED** this 17<sup>th</sup> day of January, 2014.

  
\_\_\_\_\_  
Robert P. Muckle, Mayor



*Nancy Varra*  
\_\_\_\_\_  
Nancy Varra, City Clerk

**RESOLUTION NO. 4  
SERIES 2014**

**A RESOLUTION ESTABLISHING A REVOLVING LOAN PROGRAM  
WITHIN THE HISTORIC PRESERVATION FUND TO ENCOURAGE  
LANDMARK DESIGNATIONS AND REHABILITATION OF HISTORIC  
PROPERTIES IN THE CITY OF LOUISVILLE**

**WHEREAS**, historic properties in the City of Louisville (the "City") are a major contributor to the character and quality of life of the City; and

**WHEREAS**, the City Council, pursuant to the City Charter, established a Historic Preservation Commission to assist it in the preservation and landmarking of these properties; and

**WHEREAS**, when properties are locally landmarked they are preserved for future posterity and enjoyment and continue to contribute to the unique character of the City; and

**WHEREAS**, at the November 4, 2008 election, the voters approved Ballot Issue 2A to levy a one-eighth of one percent (1/8%) sales tax for historic preservation purposes within Historic Old Town Louisville, including a provision for low-interest loans to preserve and rehabilitate eligible properties; and

**WHEREAS**, City Council by Ordinance No. 1544, Series 2008, imposed the tax approved by the voters, established the Historic Preservation Fund, and codified the financial incentives set forth within Ballot Issue 2A that may be funded by revenues from the tax, including low-interest loans to preserve and rehabilitate eligible properties; and

**WHEREAS**, the City Council by Resolutions No. 20, Series 2009, No. 20, Series 2010, and No. 2, 2012, created provisions related to the administration and uses of the Historic Preservation Fund; and

**WHEREAS**, revolving loan funds have been used effectively nationwide for the preservation of historic structures and neighborhoods; and

**WHEREAS**, the establishment of a revolving loan to encourage the landmarking and rehabilitation of historic structures serves the public purpose of increasing the quality, integrity and permanence of the City's stock of historic landmarks for the enjoyment and benefit of present and future generations of citizens of the City by making available to the owners of properties which are landmarked or subject to a conservation easement

for historic preservation a source of funding for rehabilitation of such structures; and

**WHEREAS**, the utility and life of the Historic Preservation Fund will be extended by a revolving loan program;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

In furtherance of the purposes of Louisville Ballot Issue 2A approved in 2008 and Ordinance No. 1544, Series 2008, the following provisions shall be enacted:

**Section 1. Creation of a Revolving Loan Program**

- a. There is hereby established within the Historic Preservation Fund a revolving loan fund program, utilizing funds from the Historic Preservation Fund as supplemented by private and public donations and grants, interfund loans, and any other appropriate sources of funds, all as from year-to-year appropriated for such purposes.
- b. The historic preservation revolving loan program shall be used to provide low-interest loans for the purposes of preservation, restoration, rehabilitation and protection of properties which are landmarked pursuant to Louisville Municipal Code Chapter 15.36 or subject to a conservation easement to preserve the character of Historic Old Town Louisville.
- c. The City Manager is authorized to issue requests for proposals and enter into contracts for entities to administer the loans from this program.
- d. City staff and the Historic Preservation Commission shall develop applications, informational brochures and other materials necessary to develop and administer the revolving loan program. The City Manager is authorized to adopt written rules for the administration of the loan program, the provisions of which shall be consistent with Ballot Issue 2A and City ordinances and resolutions.

**Section 2. Loans from the Revolving Loan Fund**

- a. Loan applications shall be submitted to City staff and shall be reviewed by the Historic Preservation Commission at a public meeting. The Commission shall provide its recommendation on the application before final action is taken by City Council.
- b. Loan applications may be submitted and considered in conjunction with grants from the Historic Preservation Fund, respecting the grant limitations established in City Council Resolution No. 2, Series 2012. The Historic Preservation Commission may

- recommend a mixture of loans and grants from the Historic Preservation Fund even if the applicant requested only one type of assistance, and also may recommend one type of assistance where a mixture is requested. City Council may also decide to approve any one or a mixture of loans and grants regardless of the number or types of assistance requested in the application.
- c. Loans shall be in an amount of at least \$500. There is no specific loan limit established in this Resolution, but the Historic Preservation Commission and City Council shall consider the following in setting an amount:
    - i. Current amount of funds in the Historic Preservation Fund and the needs of other projects;
    - ii. The necessity of the work to be performed for the preservation or rehabilitation of the structure and how the proposed work fits into the overall preservation plan for the structure;
    - iii. The availability of other funding sources.
  - d. Interest rates shall be equal to the Wall Street Journal Prime Rate as reported on the date of city acceptance of a complete application. The interest rate may be increased or decreased by City Council at the time of initial approval upon a showing of extraordinary circumstances. Any fees for loan processing shall also be established at the time of the award. The loan repayment schedule shall also be established at the time of the award; provided, however, that all loans shall include a due-on-sale clause providing that any outstanding balance on the loan shall be paid in full upon sale or transfer of the property.
  - e. As provided by Section 3.b.ii of City Council Resolution No. 20, Series 2009:
    - i. All loan payments shall return to the Historic Preservation Fund.
    - ii. A loan agreement is required for all loans, with a guarantee by the borrower and individual guarantees as the City in its discretion may require.
    - iii. The loan agreement may include a provision for default and acceleration if the completed work is not as contemplated by the conditions of the loan.
    - iv. The loan agreement may further provide that if the work is not completed in compliance with the conditions of the loan, the loan amount shall be due forthwith, with interest.
    - v. Payment under the loan agreement shall additionally be secured by a lien filed against the subject property.
    - vi. Costs of collecting any loan shall be charged to the Historic Preservation Fund.

- f. In connection with the processing of loan requests, the City may require such information as is reasonably necessary to determine the state of title to and encumbrances upon the subject property, the creditworthiness of the proposed borrower(s), and other matters relevant to loan award and repayment criteria. The City or loan program administrator may require applicants provide written consents to obtain such information.
- g. Receipt of any loans, grants or other incentives shall require that the structure be landmarked pursuant to Louisville Municipal Code Chapter 15.36, or if not eligible for landmarking, that the owner grant the City a conservation easement to preserve the outside appearance of the structure or other historic attributes of the structure or site.
- h. Loans are available for the following purposes:
  - i. Preservation and restoration: These projects include measures directed towards sustaining the existing form, integrity, and materials of a historic property, including preliminary measures to protect and stabilize the property. Up to 10% of a loan may be used for one-time actions considered routine maintenance. Routine maintenance includes painting, refinishing and exterior cleaning.
  - ii. Rehabilitation: These projects include measures directed toward adapting a property to make efficient contemporary use of it while sensitively preserving the features of the property, which are significant to its historical, architectural, and cultural values. Sensitive rehabilitation or upgrading of mechanical, electrical, and plumbing systems and other code-required work to make the property functional is appropriate within a rehabilitation project. This category also includes the restoration of a property to a specific, significant point in its history.
  - iii. Pre-development: These projects include assessments of past and present historical features of a property for the purpose of properly and adequately documenting these characteristics. This includes assessing the physical condition of any existing historic features. Loans for this purpose will be available to individuals desiring to do restoration and renovation projects.
  - iv. Loan funds may not be used for interior improvements other than for protection, stabilization, or code-required work specified in items i or ii above.
- i. A structural assessment shall be required pursuant to Section 2 of Resolution No. 2, Series 2012, before an applicant may apply for a loan.
- j. Loan funds may be awarded only for projects to be completed on landmarked portions of a property.
- k. When required by Louisville Municipal Code Chapter 15.36, and as a condition of loan approval, an alteration certificate shall be

obtained prior to the start of any work on the project for which loan funds are awarded.

**Section 3. Loan Program Funding**

- a. All loans shall be funded solely from those funds held within the Historic Preservation Fund for such purposes, and all loans shall be expressly contingent upon the availability of funds.

**PASSED AND ADOPTED** this 21<sup>ST</sup> day of January, 2014.



Nancy Varra  
Nancy Varra, City Clerk

Robert P. Muckle  
Robert P. Muckle, Mayor

**RESOLUTION NO. 21  
SERIES 2016**

**A RESOLUTION AMENDING RESOLUTION NO. 4, SERIES 2014, A RESOLUTION  
ESTABLISHING A REVOLVING LOAN PROGRAM WITHIN THE HISTORIC  
PRESERVATION FUND TO ENCOURAGE LANDMARK DESIGNATIONS AND  
REHABILITATION OF HISTORIC PROPERTIES IN THE CITY OF LOUISVILLE**

**WHEREAS**, the City has previously adopted Resolution No. 4, Series 2014, a resolution establishing a revolving loan program within the Historic Preservation Fund to encourage landmark designations and rehabilitation of historic properties in the City of Louisville; and

**WHEREAS**, the Louisville Historic Preservation Commission has forwarded to the City Council recommended amendments to Resolution No. 4, Series 2014 as set forth herein in order to implement the City's revolving loan program.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF LOUISVILLE, COLORADO:**

**Section 1.** Subsections a, b, c and j of Section 2 of Resolution No. 4, Series 2014 are hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

**Section 2. Loans from the Revolving Loan Fund**

a. Loan requests ~~applications~~ shall be submitted to City staff and shall be reviewed by the Historic Preservation Commission at a public meeting. The Commission shall provide its recommendation on the application before final action is taken by City Council.

b. Loan requests ~~applications~~ may be submitted and considered in conjunction with grants from the Historic Preservation Fund, respecting the grant limitations established in City Council Resolution No. 2, Series 2012. The Historic Preservation Commission may recommend a mixture of loans and grants from the Historic Preservation Fund even if the applicant requested only one type of assistance, and also may recommend one type of assistance where a mixture is requested. City Council may also decide to approve any one or a mixture of loans and grants regardless of the number or types of assistance requested in the request application.

c. Loans shall be in an amount of at least \$2,500 ~~\$500~~. There is no specific loan limit established in this Resolution, but the Historic Preservation Commission and City Council shall consider the following in setting an amount:

- i. Current amount of funds in the Historic Preservation Fund and the needs of other projects;

- ii. The necessity of the work to be performed for the preservation or rehabilitation of the structure and how the proposed work fits into the overall preservation plan for the structure;
- iii. The availability of other funding sources.

. . . [Section 2 d. to stay the same].

e. As provided by Section 3. b. ii of City Council Resolution No. 20, Series 2009:

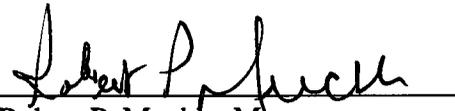
- i. All loan payments shall return to the Historic Preservation Fund.
- ii. A loan agreement is required for all loans, with a guarantee by the borrower and individual guarantees as the City in its discretion may require.
- iii. The loan agreement may include a provision for default and acceleration if the completed work is not as contemplated by the conditions of the loan.
- iv. The loan agreement may further provide that if the work is not completed in compliance with the conditions of the loan, the loan amount shall be due forthwith, with interest.
- v. Payment under the loan agreement shall additionally be secured by a promissory note and deed of trust or similar instruments acceptable to the City establishing a lien against the subject property.
- vi. Costs of collecting any loan shall be charged to the Historic Preservation Fund.

. . . [Section 2 f. – i. to stay the same].

j. Loan funds may be awarded only for projects to be completed on landmarked portions of a property or for projects for which a conservation easement will be granted over the site or structure (or portion thereof) of historical significance.

[Remainder of Section 2 to stay the same].

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of May, 2016.

  
Robert P. Muckle, Mayor

ATTEST:

  
Carol Hanson, Acting City Clerk



## MEMORANDUM

**To:** Historic Preservation Commission Members  
**From:** Department of Planning and Building Safety  
**Subject:** Staff Updates  
**Date:** February 18<sup>th</sup>, 2019

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### Alteration Certificate Updates

Following the hailstorm on June 18, Planning staff and two HPC members reviewed requests for roof replacements for landmarked properties. The following landmarked properties had alteration certificates approved:

925 LaFarge Avenue (1/15/2019)

- Rationale: The replacement roofing materials are a reasonably good match to the current materials and will not alter the general appearance of the project.

### Upcoming Schedule

#### February

18<sup>th</sup> – Historic Preservation Commission, Council Chambers, 6:30 pm

19<sup>th</sup> – City Council, 721 Grant Ave. Loan Request, 7:00 pm

#### March

18<sup>th</sup> – Historic Preservation Commission, Council Chambers, 6:30 pm

#### April

11<sup>th</sup> – Museum Program, Louisville Photographs, Library, 7:00 pm

15<sup>th</sup> – Historic Preservation Commission, Council Chambers, 6:30 pm