



Historic Landmarks and Preservation Districts Commission

Report to the Committee

To: Cherokee Triangle Architectural Review Committee
Thru: Savannah Darr, Historic Preservation Officer
From: Bradley Fister, Planning & Design Coordinator
Date: November 16, 2022 *SDarr*

Case No: 22-COA-0166
Classification: Committee Review

GENERAL INFORMATION

Property Address: 1140 Cherokee Rd.

Owner: 1140 Cherokee Rd., LLC
946 Goss Ave. Apt. 6101
Louisville, KY 40217

Applicant: Paul Whitty
Bardenwerper, Talbott and Roberts PLLC
1000 N Hurstbourne Parkway, second floor
Louisville, KY 40223
paul@bardlaw.net

Representative: Ashley Bartley
QK4
1046 E. Chestnut St.
Louisville, KY 40204
abartley@qky.com

Estimated Project Cost: TBD

Description of proposed exterior alteration:

The applicant seeks approval of the proposed schematic design, that will make the following changes to the church in order to adaptively reuse it as a 19-unit apartment community:

1. Remove and replace two front facing basement level windows on the front façade (facing Cherokee Rd.), with doors that will have transoms above them, to allow for egress.
2. Remove the existing mechanical equipment along the front façade (Cherokee Rd.), and install a 42" black metal rail along the existing concrete well to basement level. The fencing is proposed to be partially screened by landscaping.
3. Add two door openings, and a staircase on the side façade (courtyard facing) of the later addition to the church, one door will access the first floor, and one door will access the

second level. This is proposed to provide code required egress from the building. The staircase is proposed to be partially screened by landscaping

4. Remove 15 of the 18 windows along the Patterson Ave. façade of the later addition, and replace them with larger windows.
5. Excavate along the side façade, of the mid-century addition to the church that fronts Patterson Ave. This will allow for the installation of an ADA accessible ramp to three proposed patio spaces.
6. Remove 3 of the 18 windows along the Patterson Ave. façade of the mid-century addition, which are at the basement level, and replace them with doors that will have awnings above them. This is proposed to provide ADA accessible living units. This area is part of the newly excavated side yard.
7. Construct a below grade retaining wall, to retain the soil after the excavation for the proposed patio spaces and entries along Patterson Ave.
8. Install a 42" metal railing, (similar in height to the existing fence) along the top of the proposed below grade retaining wall along Patterson Ave.
9. Remove the existing rear egress stairs from the mid-century addition along the alley, and reconfigure them with stairs that will exit toward Patterson Ave.
10. Remove the existing rear ADA ramp of the mid-century addition along the alley, and pour concrete stairs to the existing door.
11. Remove 5 of the 7 alley facing windows on the mid-century addition, and replace them with larger windows.
12. Add a basement window at the rear of the building along the alley, similar in style and size to the existing basement windows.

Communications with Applicant, Completion of Application

The application was received on July 18, 2022, the applicant also applied at the same time for a required zone change (22-ZONE-0097) need for the proposed use as well as Overlay Review. Staff contacted the applicant for more information in regard to the proposed exterior changes to better understand the project. Staff met with the applicant's representative and designer on October 24, 2022 to better understand the proposed changes and scope of work. It was decided at that time the application would require committee level review. The case is scheduled to be heard by the Cherokee Triangle Architectural Review Committee (ARC) on November 30, 2022 at 4:30 pm, in-person at 444 S. 5th Street, Room 101.

FINDINGS

Guidelines

The following design guidelines, approved for the Cherokee Triangle Preservation District, are applicable to the proposed exterior alterations: **Site**, **Window**, and **Door**. The report of the Commission Staff's findings of fact and conclusions with respect to these guidelines is attached to this report.

The following additional findings are incorporated in this report:

Site Context/ Background

The R5B zoned property in the Traditional Neighborhood Form District is located on the southwest corner of Cherokee Road, and Patterson Ave. The masonry post Victorian, Gothic Revival Style church, has character defining stain glass windows, encased in obtuse pointed gothic limestone arches,

horizontal concrete banding, a steep gabled roof with parapet walls, gothic arched wood doors with small rectilinear glazing with a two-over-two muntin configuration, encased by obtuse pointed gothic limestone arches in square frames where the spandrels are filled with tracery. There is also a large circa 1960, mid-century style, masonry addition with symmetrically spaced and regularly patterned eight-over-eight double-hung windows, brick pilasters, concrete banding, and a low slope roof.

Conclusions

The proposed site changes are generally complimentary to the overall design, and generally meet the Cherokee Triangle Preservation District design guidelines for **Site**. The proposed changes to the front façade will restore more of the historic design by removing the large mechanical equipment along the existing concrete light well. The addition of a 42" railing along the top of the light well is proposed to be installed to meet code requirements and will be somewhat softened by the proposed landscaping that will be placed in front of it. The two proposed doors and stair cases to be added to the first and second level of the circa 1960 addition, primarily face the courtyard, and will generally not be visible from a primary line of site. The proposed grade change along the Patterson Ave. side of the addition to the building will allow for ADA accessible units to have outdoor egress, via the proposed ramp. The applicant will need to take appropriate precautions to ensure stabilization of the masonry cladding and foundation of the building, prior to beginning the excavation. The proposed side yard retaining wall will generally not be visible from a public way, as it will be recessed below the existing sidewalk. The retaining wall will be constructed to retain earth, per ST-10. The proposed 42" fence along the top of the retaining wall, will generally mimic the existing condition of the fence that runs along the sidewalk, that fronts Patterson Ave. The proposed removal and reconfiguration of the rear metal stair case, the removal of the existing rear ADA ramp, and the proposed replacement concrete stairs are all located at the rear of the building along the alley.

The proposed window changes somewhat meet the Cherokee Triangle Preservation District design guidelines for **Window**. The windows that are in the Cherokee Rd. front facing light well are proposed to be replaced with doors that have transoms above them. Though the design guideline W-14 states not to alter location and size of street facing windows, generally this change will go unnoticed as it subterranean and visually it will read similarly to what is there now. Those two windows specifically, will be generally unseen with the installation of the proposed rail, landscaping, and overall topography of the site. The proposed window replacement / resizing of the 15 windows on the side of the addition facing Patterson Ave., and the four windows facing the alley, generally do not meet the design guidelines. Per W-2 replacement windows should fit the historic openings, and per W-14 altering the size of street facing windows should not be done. Though Patterson Ave. is not a primary façade, and though these are not historic wood windows, they original window openings and are very visible. For these reasons, staff must recommend the existing 19 windows in question be replaced, if necessary, with windows that fit the existing openings, match the same configuration, and function as they do now. The proposed addition of a basement window at the corner of Patterson Ave. and the alley, generally does not meet the design guidelines, because it is street facing too. However, since this is a rear elevation, small in size, and the same configuration as the existing basement level windows, staff recommends approval of the proposed new window.

The proposed entrances generally do not meet the Cherokee Triangle Preservation District design guidelines for **Door**. D-11 specifically states to not create new entrances on facades that can be seen from a public way. However, this particular property is unique in that it is visible on three sides, from

three different roadways. The five proposed entrances allow for the adaptive reuse of a purpose-built building, and three of the entrances will allow for ADA compliant living spaces. Those three will also be the most visible from the public way since they face Patterson Ave. They will be somewhat obscured however, since they will be partially below grade, and landscaped with their proposed patios. The other two doors are proposed to be on the front façade, facing Cherokee Rd. These will be partially below grade, partially hidden by the proposed railing, and partially camouflaged by the proposed landscaping. For these site specific reasons, staff recommends the installation of the five new door openings.

RECOMMENDATION

Based on the information furnished by the applicant, staff recommends the application for a Certificate of Appropriateness be **approved with the following conditions:**

1. The existing window openings shall not be modified for larger windows. All replacement windows shall fit the historic window openings and match the existing windows in design.
2. The new basement window at the rear of the building along the alley, shall be installed in line and in proportion with the existing windows as submitted in the application.
3. The applicant and/or their representative shall submit cut sheets for all windows and doors to staff for review and approval prior to ordering.
4. All metal railings and fencing shall be painted, and the applicant and/or their representative shall submit cut sheets for both to staff for review and approval prior to work taking place.
5. The applicant and/or their representative shall submit details of the proposed retaining wall and awnings to staff for review and approval prior to work taking place.
6. All new concrete shall be of historic concrete mix.
7. The applicant and/or their representative shall take appropriate measures to maintain and preserve the historic brick façade as they excavate the side elevation along Patterson Ave.
8. Trash receptacles shall be screened and stored off the alley.
9. The applicant and/or their representative shall take appropriate steps to place equipment for the building where it is not generally visible.
10. The applicant and/or their representative shall submit to staff for approval any exterior lighting that may be proposed.
11. Storm-water management provisions shall be incorporated into the design to mitigate any potential issues that may come from regrading along the side elevation of the building.
12. If the design or materials change, the applicant and/or their representative shall contact staff for review and approval.

Bradley Fister

Bradley Fister
Planning & Design Coordinator

11-16-2022

Date

SITE

Design Guideline Checklist

+	Meets Guidelines	NA	Not Applicable
-	Does Not Meet Guidelines	NSI	Not Sufficient Information
+/-	Meets Guidelines with Conditions as Noted		

	Guideline	Finding	Comment
ST1	Consider the relationships that exist between the site and structure when making exterior alterations. Changes to one will affect the other. A primary goal should be to maintain a complementary relationship.	+	The proposed changes are generally complementary to the site as a whole.
ST2	Retain established property line patterns and street and alley widths. Any re-platting should be consistent with original development patterns.	NA	
ST3	Use paving materials that are compatible with adjacent sites and architectural character.	+	See conditions of approval
ST4	Restore and reuse historic paving materials for streets and sidewalks such as brick and hexagonal pavers and limestone curbing. Maintain original curbing whenever possible. The historic relationship between the road surface and edging should be preserved. Any replacement should use historic materials. If replacement with original materials is not technically or economically feasible, a substitute material may be used if it duplicates the color, texture, and visual appearance of the original.	NA	
ST5	Maintain brick, stone, or poured concrete steps wherever present. If replacement is required, original materials should be used. New construction should incorporate steps on blocks where they are a character-defining feature.	+	Proposed replacement of the ramp with stairs will be concrete, similar to others on the property.
ST6	Do not harm historic resources through road widening or underground utility repair.	NA	
ST7	Locate driveways, parking areas, and loading docks to the side and rear of properties. Access from alleys is preferred.	NA	
ST8	Maintain original front yard topography, including grades, slopes, elevations, and earthen berms where present. New construction should match the grade of adjacent properties. Do not recontour front-yard berms into stepped terraces, using railroad ties, landscape timbers, or any other historically-inappropriate material for retaining walls.	+	The front yard topography generally will be unchanged. The proposed regrading is on the side façade, though it is visible from the street.
ST9	Do not carry out excavations or regrading within or adjacent to a historic building, which could cause the foundation to shift or destroy significant archeological resources.	NSI	The applicant shall provide staff with a plan as to how the proposed regrading along the side façade will take place.
ST10	Do not install masonry walls in street-visible locations unless they are used to retain earth at changes in grade, screen service areas, or unless a historic precedent exists.	+	The proposed wall will generally not be street visible, and it is to retain the earth.
ST11	Use materials that match existing sections of historic fencing in material, height, and detail when carrying out limited replacement projects. If an exact match cannot be made, a simplified design is appropriate.	+	Applicant shall submit cut sheets for proposed fencing to staff for approval prior to installation.
ST12	Use materials that match the existing character of the original when replacing retaining walls or curbing. If an exact match cannot be made, a simplified design is appropriate.	NA	
ST13	Install only historically-compatible iron fencing under 2'-5" in height where there is demonstrable historic precedent.	NA	

ST14	Do not install front-yard fencing where there is no historic precedent.	+/-	There is proposed railing along the front facade, however it is set back, and is being done to meet code requirements. The railing will also be softened with landscaping.
ST15	Install any rear- or side-yard privacy fencing so that it is set back from the side wall at least two feet and presents the finished side out. Any privacy fencing should be less than seven feet in height. Contact the Department of Inspections, Permits, and Licenses regarding additional restrictions on fencing at corner properties.	NA	
ST16	Do not install chain-link, split-rail, or woven-wood fencing, or concrete block walls in areas that are visible from a public way. Opaque fencing, such as painted or stained pressure-treated wood, may be permitted with appropriate design.	NA	Chain link fencing already exists on the site.
ST17	Use understated fixtures when installing any type of exterior lighting. Fixture attachment should be done so as not to damage historic fabric. Fixtures should not become a visual focal point.	NSI	See conditions of approval
ST18	Do not light parking areas or architectural features in a harsh manner. Generally, an average illumination level of 1.5 to 2.0 foot-candles will be sufficient. Light should be directed down and away from neighboring properties.	NA	
ST19	Parking lots of a certain size should have a portion of the parking area dedicated to plantings that will soften the expanse of paving. See the Jefferson County Development Code - Requirements for Landscaping and Land Use Buffers for specific requirements.	NA	
ST20	Use high-pressure sodium or metal halide lights to create a soft illumination where site or streetscape lighting is desired.	NA	
ST21	Position fixtures, such as air conditioning units, satellite dishes, greenhouse additions, and overhead wiring, on secondary elevations where they do not detract from the character of the site. Try to minimize noise levels to adjacent properties.	NSI	See conditions of approval
ST22	Preserve large trees whenever possible and enhance established street tree patterns by planting additional trees along public rights-of-way. Consult the city arborist to determine what tree species are suitable for placement near overhead wires. Select and place street trees so that the plantings will not obscure historic storefronts once mature. Removal of trees within or immediately adjacent to a public right-of-way or within public open spaces requires review unless directed by the city arborist for emergency or public safety reasons.	NA	Trees have not been proposed to be removed at this time.
ST23	Ensure that all proposed cellular towers and associated fixtures will be properly screened from view.	NA	
ST24	Install utility lines underground whenever possible.	NA	

WINDOW

Design Guideline Checklist

- + Meets Guidelines
- Does Not Meet Guidelines
- +/- Meets Guidelines with Conditions as Noted
- NA Not Applicable
- NSI Not Sufficient Information

	Guideline	Finding	Comment
W1	Replace severely deteriorated historic windows with new windows that convey the same visual appearance. Replacement windows may either be accurate reproductions using historical, pictorial, and physical documentation or be a new design that is compatible with the historic character of the building and the district. Use of vinyl- and aluminum-clad wood window systems on primary elevations may be permissible if the proportion and detail closely match the original.	+	The proposed windows to be replaced have been previously replaced with vinyl windows.
W2	Select windows that match the historic sash dimension, muntin configuration, reveal depths, glass-to-frame ratios, glazing patterns, frame dimensions, trim profiles, and decorative features when repair of original windows is impossible.	+	The windows shall fit the existing window openings, and match the existing configuration.
W3	Evaluate the option of using appropriate salvage materials when replacing windows that are deteriorated beyond repair.	NA	
W4	Do not use replacement sash that does not fit historic window openings. Original openings should never be blocked-in to accommodate stock windows	NA	
W5	Do not install contemporary picture, glass block, or jalousie windows in exterior window openings.	NA	
W6	Do not install synthetic replacement windows (vinyl, etc.) on primary facades.	+	Windows have already been replace with vinyl.
W7	Install replacement windows that operate in the same way as the original windows - double-hung windows are replaced with double-hung, and casement windows are replaced with casements.	+	Windows shall operate in the same manner as the existing windows.
W8	Do not replace multi-pane windows that have true divided lights with thermal glazing windows that have false "snap-in" or applied muntins on primary façade elevations.	NA	
W9	Do not apply reflective or insulating film to window glass.	+	Glass shall be clear
W10	Do not use smoked, tinted, low-E, or reflective glass on building facades that can be seen from a public way.	+	Clear low-e is permissible
W11	Use large sheets of clear glass when replacement of storefront display windows is required.	NA	
W12	Do not block-in or back-paint transoms or sidelights.	NA	
W13	Use surviving prototypes to reconstruct missing window elements, such as architraves, hoodmolds, sash, sills, and interior or exterior shutters and blinds. The reconstructed element should be constructed of materials for which there is a historic precedent or a compatible substitute material if that is not possible.	NA	
W14	Do not alter the number, size, location, or shape of original windows seen from a public way by making new window openings or permanently blocking existing openings. If windows are no longer needed, they should be shuttered if original shutters exist. If shutters do not exist, a temporary closure should be prepared, leaving the window frame intact.	-	The changing of the window sizes are all windows that are street visible.
W15	Locate any new windows openings that may be required for a new use on a façade that cannot be seen from a public way. Newly-installed windows should be compatible with the overall design of the building.	+/-	The proposed new basement window though located on the alley is street visible.

W16	Do not obscure historic window trim with metal or siding material.	NA	
W17	Do not install new floors or dropped ceilings that block the glazed area of historic windows. If such an approach is required, the design should incorporate setbacks that allow the full height of the window to be seen unobstructed.	NA	
W18	Install exterior storm windows that duplicate the shape of the original window. Storm windows should be painted to match the color of the window frame.	NA	
W19	Do not install exterior storm windows or screens that damage or obscure historic windows or frames. Mount storm windows on the blind stop within the window frame. Storm window or screen rails should always match the rails of the windows behind. They should have either wood or narrow, metal frames that are painted to match the color of the building trim.	NA	
W20	Do not install window air conditioning units on a primary façade if installation on a secondary façade can address the same need. If this is not an option, do not alter the window sash to accommodate the air-conditioning unit.	NA	
W21	Install any security bars in such a way that they do not obscure the architectural character of original windows or damage historic fabric. Commercial security grills should retract out of sight during business hours.	NA	
W22	Design awnings to complement existing architectural features. They should not overwhelm the façade.	+	Applicant shall submit awnings proposed for over doors to staff for approval
W23	Install awnings made of weather-proofed canvas of a traditional form. Fiberglass, metal, plastic, and back-lit awnings that have contemporary shapes are inappropriate and visually intrusive.	+	Applicant shall submit awnings proposed for over doors to staff for approval
W24	Select an awning color that complements the building, with solid colors and narrow or wide stripes running perpendicular to the building being the preferred patterns.	+	Applicant shall submit awnings proposed for over doors to staff for approval
W25	Install awnings in a way that does not harm the building. Hardware installation should be limited to that which is required for structural stability and should be driven into mortar joints rather than into masonry.	+	Applicant shall install the proposed awnings to the mortar beds, not the brick.
W26	Attach awnings between the window display area and the signboard or second-floor window sills. Awnings should be attached below the transom line where historic prism glass is present and building scale allows.	+	Applicant shall submit awnings proposed for over doors to staff for approval
W27	Install awnings so that the valance is no lower than 7' above the sidewalk.	+	Applicant shall submit awnings proposed for over doors to staff for approval
W28	Repair shutters with in-kind materials. If damage is so extensive that they cannot be repaired, replacement shutters should match the visual appearance of the originals.	NA	
W29	Install shutters only where there is historic evidence for them. Replacement shutters should be or appear to be operable, measure the full height and width of the windows, and be constructed of a historically-appropriate material. Solid shutters are appropriate for the ground floor, and solid or louvered shutters are appropriate for upper floors.	NA	
W30	Mount replacement shutters so that they partially cover the vertical trim of the window frame. This gives shutters the appearance that they are indeed operable, even if in truth they are not. Shutters should not be applied to the masonry or cladding on either side of the window.	NA	
W31	Do not install aluminum or vinyl shutters.	NA	
W32	Photographically document architectural features that are slated for reconstruction prior to the removal of any historic fabric.	+	Applicant has provided photographs

DOOR

Design Guideline Checklist

- + Meets Guidelines
- Does Not Meet Guidelines
- +/- Meets Guidelines with Conditions as Noted
- NA Not Applicable
- NSI Not Sufficient Information

	Guideline	Finding	Comment
D1	Do not alter the character of entrances by either removing historic elements or through the addition of elements for which there is no historic precedent.	NA	
D2	Photographically document architectural features that are slated for reconstruction prior to the removal of any historic fabric	NA	
D3	Use historical, pictorial, and physical documentation when undertaking the reconstruction of a missing entrance or porch feature. If there is not sufficient information to determine the original design, a new design should be prepared that is compatible with the architectural character of the building and the district. Conjectural or falsely-historical designs are not appropriate.	NA	
D4	Use only those replacement doors that duplicate the design, proportion, and arrangement of paneling and glazing of the original.	NA	
D5	Do not replace historic double leaf doors with a single door.	NA	
D6	Do not alter original openings to accommodate stock doors.	NA	
D7	Install only screen doors or storm doors that are simple with a narrow-frame design that enables the inner door to be seen. Metal screen and storm doors should be painted or finished to match the inner door.	NA	
D8	Install any security bars in such a way that they do not obscure the architectural character of original doors or damage historic fabric. Commercial security grilles should retract out of sight during business hours and preferably be mounted inside the glass. Painting security bars an unobtrusive color is recommended.	NA	
D9	Differentiate between primary and secondary doors, using the detailing of the doors or the articulation of the frame.	NA	
D10	Do not add vestibules to primary facades unless there is a historic precedent. Such additions alter the character, proportion, and massing of the façade.	NA	
D11	Do not create new entrances on facades that can be seen from a public way.	-/+	The 5 proposed new entrances can all be seen from a public way. See conclusions.
D12	Replacement of non-original, non-historic doors with new doors that are appropriate to the period and style of the building and are the size of the original opening is recommended.	NA	