



Historic Landmarks and Preservation Districts Commission

Report to the Committee

To: Old Louisville Architectural Review Committee
Thru: Savannah Darr, Historic Preservation Officer
From: Katherine Groskreutz, Historic Preservation Specialist
Date: May 03, 2022 *SDarr*

Case No: 21-COA-0166
Classification: Committee Review

GENERAL INFORMATION

Property Address: 1398 S. 2nd St.

Applicant: Steve Fitzgerald, Mag Bar LLC
1398 S. 2nd St.
Louisville, KY 40208
(502) 637-9052
steve@magbarlouisville.com

Owner: Fitzgerald CO. LLC
121 S. Galt Ave.
Louisville, KY 40206
(502) 235-7909
Dwfitzgerald73@gmail.com

Estimated Project Cost: \$2500

Description of proposed exterior alteration:

The applicant requests after-the-fact approval to remove and brick in a historic storefront located on the rear portion of the south side façade facing W. Magnolia Avenue. Two storefront and five transom windows were removed, and the opening was bricked in with the addition of four small, glass block transom windows. The person door remains the same and was not removed. The applicant is proposing to eventually paint the new brick and existing brick facades so they match.

Communications with Applicant, Completion of Application

The application was received on August 4, 2021 and was considered as a Committee level review on August 9, 2021. Staff contacted the applicant to discuss the issue and possible solutions at the time, including the reinstallation of a rebuilt storefront. On March 31, 2022, the applicant submitted a proposal for a recreated faux storefront to be placed on top of the brick. Staff alerted the applicant that a

faux storefront would likely present maintenance and water damage issues over time and suggested that the wall be presented as-is to the ARC for review and discussion of potential mitigation options.

The case is scheduled to be heard by the Old Louisville Architectural Review Committee (ARC) on May 11, 2022 at 5:30 pm at the Metro Development Center, 444 S 5th St. in Conference Room 101.

FINDINGS

Guidelines

The following design review guidelines, approved for the Old Louisville Preservation District, are applicable to the proposed exterior alterations: **Masonry**, **Storefront**, and **Window**. 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 TNZD zoned property is within a Traditional Neighborhood Form District and located on the northwest corner of the intersection of S. 2nd Street and W. Magnolia Avenue. The building is a mostly masonry structure that was originally a 2.5 story Victorian era home with a one-story corner commercial façade addition added in the first half of the 20th century. The remaining storefronts are a mix of picture glass and glass block. The storefront windows that were removed are located further down the side façade that runs along W. Magnolia Avenue and was not the main entrance nor had functioned as separate store entrance for many years. The current tavern use has been in place for decades, with consistent live music since the 1990s. The site is surrounded by historic residential, infill commercial, and a parking lot directly south across W. Magnolia Avenue.

A zoning enforcement case (ENF-ZON-21-000717) was opening on July 22, 2021 and a building enforcement case (ENF-BLD-21-06607) was opened shortly thereafter on August 2, 2021, in which the applicant was informed they required a COA and a building permit for the work that had already taken place.

Conclusions

The project does not meet or only partially meets most of the applicable guidelines for **Masonry**, **Storefront**, and **Window**. The guidelines call for deteriorated windows and storefronts to not be permanently blocked in but rather be replaced with historically compatible materials that accurately recreate the historic storefront, and to not create new masonry features that did not previously exist. The installation of small glass block windows is not historically compatible with the previous picture and transom windows on this particular storefront, but do coordinate with the glass block found elsewhere on the other main storefronts.

Based on previous photographs of the storefront, the lintel could be seen sagging, the wood was deteriorated in multiple locations, and the windows were only plexiglass, having been blocked in from the inside by black painted plywood many

years prior. This storefront has not functioned as an established entrance in decades and is utilized as only as fire exit and band loading/unloading door. The main storefront to the building remains intact and faces the corner of S. 2nd Street and W. Magnolia Avenue. The applicant has also received multiple noise complaints over time and installed the wall to not only shore the lintel but to also create more soundproofing to the neighboring properties. Had the applicant contacted Landmarks staff prior to work being done, staff could have assisted the applicant to identify a solution that addressed the stated issues in a manner that fit within the guidelines and may have been approvable at a staff level.

However, the storefront has now been removed and staff feels reopening the storefront to recreate the previous window configuration may lead to further damage to the surrounding masonry and other historic fabric. Since the brick was not toothed-in to the historic masonry, the outline of the storefront is maintained to show the changes over time. The door has also been retained. Staff consulted with the building inspector regarding the stability of the newly bricked-in opening, and based on a cursory review of the wall, they felt it would likely not require removal and reconstruction to receive a building permit.

As such, staff feels alternative solutions could be discussed to mitigate the loss of the historic storefront. The applicant did present the option to install a faux wood and plexiglass storefront on top of the brick to closely mimic the previous storefront. Staff believes this would lead to maintenance and deterioration issues to the wood and masonry due to water damage over time and would not recommend this option.

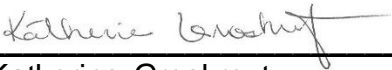
Since most of the one-story level masonry is painted, and the applicant has said they wish to paint the new and previously painted masonry to all match, staff suggests using the opportunity for painting a realistic mural of a storefront where the previous one existed. Staff asked if the applicant would be open to this option, which they stated they would be if the wall as-is could not be approved. If the ARC is amenable to this mitigation option, staff can work the with applicant on the details of an acceptable mural or a final rendering can be presented to the ARC for approval prior to installation. Since the damage has already been done in the unapproved removal of the storefront, Staff feels this would be a preferable solution as a nod to what has been lost and revitalizing this section of the street wall, without having to reopen the wall to recreate a new secondary storefront and potentially cause further damage to the building.

RECOMMENDATION

On the basis of the information furnished by the applicant, staff recommends the application for a Certificate of Appropriateness to leave the bricked-in wall as-is be **denied**.

However, if the ARC determines that the wall can be approved if mitigation efforts take place, staff would recommend the following conditions of approval:

1. The applicant shall work with staff on the details of a potential mural and submit a final mural rendering for approval prior to any painting or installation taking place.
2. The mural shall not have any signage within the design unless applied for through a separate sign permit application.
3. Unpainted masonry sections of the building, aside from the newly bricked in opening, shall remain unpainted.
4. The applicant shall use a "breathable" masonry paint that is compatible with and can create a strong bond with existing paint.
5. The applicant shall obtain any other applicable approvals and building permits.


 Katherine Groskreutz
 Historic Preservation Specialist

05/03/2022
 Date

MASONRY

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
M1	Do not construct new masonry features that are either falsely historical (characteristic of periods prior to the building's actual construction) or are incompatible with the building or historic district in terms of size, scale, material, or color.	-	After-the-fact bricking in of a secondary historic storefront
M2	Do not cut new openings into exterior walls on elevations that can be seen from a public way. Creating an opening for the installation of an air conditioning unit, for example, is not appropriate for a façade that is visible from a public way.	NA	
M3	Photographically document architectural features that are slated for reconstruction prior to the removal of any historic fabric.	+/-	After the fact work, before pictures are available in Google and the case file
M4	Match the existing bonding pattern, coursing, color, size, strength, and pointing mortar of masonry when replacing a section of brick wall. Bricks should always be toothed-in to historic brickwork, to disguise the joint between new and old.	NSI/-	The mortar type used unknown; the brick was not toothed-in to the historic brickwork
M5	Do not remove or rebuild substantial portions of exterior walls if such an action would adversely impact a structure's historic integrity.	-	Secondary storefront system was removed and built in with brick
M6	Make sure that any exterior replacement bricks are suited for exterior use.	+	
M7	Do not replace sections of historic brick with brick that is substantially stronger.	NSI	Brick strength is unknown
M8	Repoint only those joints that are no longer sound. Do not remove all joints, sound and unsound, in an effort to achieve a uniform appearance when repointing. Large-scale removal of mortar joints often results in damage to historic masonry.	NA	

M9	Remove unsound mortar joints carefully with hand tools that are narrower than the mortar joint. Power tools should not be used, because they have the potential to scar adjacent masonry.	NA	
M10	Remove unsound mortar to a depth of two-and-one-half times the width of the joint or to sound mortar, whichever is greater.	NA	
M11	Match historic mortar joints in color, texture, joint size, and tooling when repointing.	NA	
M12	Use a mortar mix that is compatible with historic masonry. Repointing mortar should be equivalent to or softer than the original mortar. When repointing mortar is harder than the surrounding masonry, as is the case with many modern mixtures, moisture cannot escape through the joints. Trapped moisture will crystallize within the walls and fragment surrounding brick and stone.	NSI	Mortar type used unknown
M13	If possible, have your mortar analyzed. In order to determine an appropriate mortar mix for individual historic structures, it is recommended that property owners have a sample of the original mortar sent to a lab for analysis. If this is not feasible, a high lime and low Portland cement content mortar mix (1 part cement, 1 part lime, and 6 parts sand) is frequently acceptable.	NA	
M14	Do not attempt to remove joints that have been repointed using a very hard mortar or in an unworkmanlike manner until natural weathering has begun to weaken and crack them. Removal prior to that time would likely damage the masonry units.	NA	
M15	Do not use synthetic caulking to repoint historic masonry.	NA	
M16	Have realistic expectations of how the cleaned masonry surface will appear. Remember, it is better to underclean than overclean. A "like new" appearance is rarely desirable.	NA	
M17	Make sure that your contractor has a clear understanding of the physical and chemical properties of your masonry before proposing or testing any chemical cleaning treatments. Such treatments, if improperly applied, can result in permanent damage that significantly outweighs any benefits of cleaning.	NA	
M18	Test proposed cleaning treatments in an inconspicuous area of the building to evaluate potential adverse effects to the masonry. Observation over a complete seasonal cycle is preferable, so that long-term effects may be ascertained. If chemical treatments are found to be acceptable, be sure that those applying the treatment follow all manufacturers' instructions.	NA	
M19	Do not use sandblasting or high-pressure water to clean historic masonry. The process of sandblasting or cleaning buildings using water pressure greater than 300 psi removes the tough, outer-protective surface of the brick and loosens mortar joints, accelerating deterioration.	NA	
M20	Do not clean masonry on buildings with deteriorated mortar joints. Such masonry should be properly repointed prior to cleaning to ensure that water does not penetrate the wall during the cleaning process.	NA	
M21	Do not use any type of water- or chemical-based cleaning systems when a possibility for freezing temperatures exists. Masonry cleaning should not be undertaken until the temperature will remain above 50 degrees for 72 hours after cleaning.	NA	
M22	Remove graffiti as soon as possible, beginning with the gentlest means possible and taking care not to inadvertently etch an outline of the graffiti onto the wall.	NA	
M23	Use solvent-based chemical strippers to remove paint from previously-painted masonry only after testing its effectiveness and evaluating its potential to damage brickwork. Testing should be carried out in an inconspicuous location.	NA	
M24	Do not paint masonry or stucco that has never been painted. While one layer of paint may not affect the appearance of the masonry or stucco, accumulated layers will eventually obscure decorative detail.	+/-	The new brick has not been painted, but the building has historically painted brick

M25	Paint previously-painted masonry a color that is close to its existing color, approximates a natural masonry color as approved, or is recommended by staff. Staff is available to consult with you on appropriate colors.	+/-	See conclusions and conditions of approval
M26	Use a "breathable" masonry paint that is compatible with and can create a strong bond with existing paint.	+/-	See conditions of approval
M27	Make sure that areas of patched stucco match the strength, composition, color, and texture of the original to the greatest degree possible.	NA	
M28	When patching stucco, cut back the successive layers to provide a key for the new layers to prevent new cracking.	NA	
M29	Carry out stucco repairs so that the dimension between the surface of the stucco and adjacent finishes remains unchanged.	NA	
M30	Do not install stucco, Dryvit, or permastone-type cladding over historic masonry or wood siding.	NA	
M31	Do not resurface historic masonry with exterior insulation.	NA	
M32	Use a masonry or terra cotta chimney cap if needed. Metal chimney caps are not historically appropriate.	NA	

STOREFRONT

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
SF1	Do not remove historic materials from storefronts. Such materials as wood, cast iron, terra cotta, carrara glass, ceramic tile, and brick contribute significantly to a storefront's architectural character.	-	Historic storefront windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation.
SF2	Use historic materials where historic storefronts must be replaced in part or in whole. Cast iron, limestone, or wood are appropriate materials for storefront replacement.	+	Brick does coordinate with masonry of building
SF3	Retain all historic storefront elements, including later alterations that are historic in their own right. An example is a late nineteenth-century storefront with Art Deco features added during the 1930s.	-	Historic storefront windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation.
SF4	Respect façade alterations that have attained historic or architectural significance in their own right. Work to incorporate such elements into any new storefront design or renovation. Do not attempt to recreate a conjectural historic design if there is insufficient physical or documentary evidence.	-	Historic storefront windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation.
SF5	Do not remove later historically-significant material to restore a building to an earlier period. For example, a 1910 storefront should not be taken back to a conjectural 1850s appearance.	NA	
SF6	Maintain the original scale, proportion, and organization of architectural elements (bulkheads, display windows, transoms, door, piers, and cornices) when renovating historic storefronts.	-	Historic window openings were bricked-in. However, it is a secondary storefront on the side elevation.

SF7	Use the original form and detailing of a storefront as a model, if extensive deterioration requires complete reconstruction. The reconstruction should convey the same visual appearance and use the same material as the original. Under no circumstances should a historic storefront be removed and not replaced.	-	Historic storefront windows were removed and openings bricked-in rather than reconstructed
SF8	Use historic, pictorial, and physical documentation to construct a historic storefront when the original is missing. The design may be an accurate restoration, if sufficient evidence exists, or a new design that is compatible with the size, scale, material, and color of the historic building and district.	NA	
SF9	Keep storefront designs within their original openings. Transitions from one façade to another should be clean and clearly defined.	-	Historic window openings were bricked-in. However, it is a secondary storefront on the side elevation.
SF10	Emphasize the transparent character of storefronts when implementing new designs or renovations. Generally, 60 percent of the wall surface at the sidewalk level should be transparent. Historically, merchandise seen in storefront displays was emphasized to a much greater extent than any ornament on the storefront itself.	-	Historic window openings were bricked-in. However, it is a secondary storefront on the side elevation.
SF11	Do not apply reflective or insulating film to window glass.	NA	
SF12	Do not use smoked, tinted, low-E, or reflective glass on building facades that can be seen from a public way.	NA	
SF13	Use large sheets of clear glass when replacement of storefront display windows is required.	NA	
SF14	Select replacement doors that reflect the storefront's original character. Doors should have large glass panels and be made of wood or painted steel or aluminum. They should not be overly-decorated or possess inappropriate historic features.	NA	
SF15	Do not change or reorient the location of the main entrance of a storefront.	NA	
SF16	Design awnings to complement existing architectural features. They should not overwhelm the façade.	NA	
SF17	Install awnings made out of matte-finish weather-proofed fabric or a traditional form. Fiberglass, metal, plastic, and back-lit awnings that have contemporary shapes are inappropriate and visually intrusive.	NA	
SF18	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.	NA	
SF19	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.	NA	
SF20	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.	NA	
SF21	Install awnings so that the valance is no lower than 7'-6" above the sidewalk.	NA	
SF22	Maintain the commercial character of storefronts, even if they have changed use. Blinds or insulating curtains may be added for privacy and thermal performance.	+/-	Historic storefront windows were removed and openings bricked-in; door remains and was not the main entrance storefront
SF23	Design replacement storefronts that are compatible with and complementary to their historic neighbors, but are recognizable as being of their own era.	+/-	See conclusions and conditions of approval

SF24	Do not add elements to storefronts that have no historic precedent. Common examples of inappropriate alterations include the installation of coach lanterns, false mansard designs, small-paned windows, and inoperable shutters.	-	Small glass block transom windows
SF25	Do not add false fronts, false stories, or pent eaves to the roofs of commercial buildings.	NA	
SF26	Do not use storefront design elements that are historically inappropriate, such as small-pane windows or colonial doors on late-nineteenth and twentieth-century buildings.	-	Small glass block transom windows
SF27	Do not use materials in storefront renovations that were not available at the time of original construction, such as vinyl or aluminum siding, stainless steel, uncoated anodized aluminum, tinted glass, or artificial stone.	+/-	Small glass block transom windows; do match glass block elsewhere on building's main storefronts
SF28	Use historic materials when replacement of bulkheads is required in part or in whole. Wood or stone panels are most appropriate.	NA	
SF29	Do not use rough-textured wood siding or simulated masonry, such as permastone, on storefronts.	NA	
SF30	Use historic materials when cornice replacement is required in part of in whole. Cast iron, wood, or sheet metal area appropriate materials.	NA	
SF31	Do not install inappropriately-scaled signs that obscure or damage surviving storefront features that convey a building's architectural character.	NA	
SF32	Include the following storefront elements when redesigning or renovating a historic storefront: large display windows and doors, transoms, relatively thin framing elements, a cornice element separating the storefront from the upper façade, low bulkheads, and tile entry flooring.	-	Historic storefront windows were removed and openings bricked-in rather than reconstructed
SF33	Photographically document architectural features that are slated for reconstruction prior to the removal of any historic fabric.	+/-	After the fact work, before pictures are available in Google and the case file

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.	+/-	Historic storefront windows openings were removed and openings bricked-in. However, it is a secondary storefront on the side elevation that had plexiglass instead of glass.
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.	-	Historic storefront windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation. Glass blocks remain.
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	-	Historic storefront windows were removed and openings bricked-in. Glass blocks remain.
W5	Do not install contemporary picture, glass block, or jalousie windows in exterior window openings.	+/-	Small glass block windows were installed; they do match existing glass block elsewhere on building's main storefronts
W6	Do not install synthetic replacement windows (vinyl, etc.) on primary facades.	NA	
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.	-	Historic storefront picture windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation.
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 facade elevations.	NA	
W9	Do not apply reflective or insulating film to window glass.	NA	
W10	Do not use smoked, tinted, low-E, or reflective glass on building facades that can be seen from a public way.	NA	
W11	Use large sheets of clear glass when replacement of storefront display windows is required.	-	Historic storefront picture windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation.
W12	Do not block-in or back-paint transoms or sidelights.	-	Historic storefront transom windows were removed and openings bricked-in
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.	-	Historic storefront windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation.
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.	-	Historic storefront windows were removed and openings bricked-in. However, it is a secondary storefront on the side elevation.
W15	Locate any new windows openings that may be required for a new use on a facade that cannot be seen from a public way. Newly-installed windows should be compatible with the overall design of the building.	NA	
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.	NA	
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.	NA	
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.	NA	
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.	NA	
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.	NA	
W27	Install awnings so that the valance is no lower than 7' above the sidewalk.	NA	
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.	NA	