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**Historic Landmarks and Preservation  
Districts Commission**

**Certificate of Appropriateness**

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**To:** Michael O'Leary  
**Thru:** David R. Marchal, AIA- Supervisor  
**From:** Cynthia Johnson, Historic Preservation Specialist  
**Date:** September 14, 2011

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**Case No:** 16414-CL  
**Classification:** Staff Review

**GENERAL INFORMATION**

**Property Address:** 2002 H Payne Street

**Applicant:** Michael O'Leary c/o  
Billy Goat Hill Garden, Inc.  
1963 Payne Street  
Louisville (06)

**Owner:** Kim Thieneman c/o  
Mercy Sacred Heart, Inc.  
2120 Payne Street  
Louisville (06)

**Architect:** NA

**Contractor:** P.A.I.N.T. Producing Art in Neighborhoods Together

**Estimated Project Cost:** \$7500.00

**Description of proposed exterior alteration:**

The applicant proposes to install two geodesic domes as a public art project. The upper dome will be located to the northeast of the existing hoop house. The lower dome will be located in the lower field at the rear of the property at approximately at the southwest corner. Height of each dome will be approximately 8.5 feet. Domes' footprints will be circular with a 16' diameter. The triangles that composed the domes' structure will be almost 5' tall. Materials will be 3/4" galvanized steel struts, steel stakes, galvanized nuts and bolts. The upper dome will have triangular canvas pieces attached to top areas of the dome to

provide shade. The lower dome will have native, non-invasive climbing vines planted at the base to create an organic shaded cover area.

### **Communications with Applicant, Completion of Application**

The application was received on August 25, 2011. The application was determined to be complete and classified as requiring Staff Review on August 29, 2011.

## **FINDINGS**

### **Guidelines**

The following design review guidelines, approved for the Clifton Preservation District, are applicable to the proposed exterior alteration: **Site and Cultural Landscape.**

The following findings are incorporated in this report:

### **Site Context/ Background**

The site is zoned R-6 and is located in a Traditional Neighborhood Form District. The property is currently a vacant field that is part of the Mercy Sacred Heart Village campus. The site slopes to the south toward the I-64 corridor. The field has been developed as a community garden since 2008. Mercy Sacred Heart, Inc. granted a license to Billy Goat Hill Garden, Inc. to operate and maintain the community garden on the property on April 30, 2010.

### **Conclusions**

The public art sculpture project proposed for the site conforms to the applicable Design Guidelines (ST1; ST21; and CL4.3). The domes will be located toward the rear of the site and setback from the Payne Street. The installation is intended to exist for at least two years and is a reversible change to the site. The sculptures will not impede the views through the site. The proposed geodesic domes have an open web construction which reinforces their transparency.

**DECISION**

On the basis of the information furnished by the applicant, the application for a Certificate of Appropriateness for is **approved**.

*The foregoing information is hereby incorporated in the Certificate of Appropriateness as approved and is binding upon the applicant, his successors, heirs or assigns. This Certificate does not relieve the applicant of responsibility for obtaining the necessary permits and approvals required by other governing agencies or authorities.*



Cynthia Johnson  
Historic Preservation Specialist

9/14/11

Date

**Attached Documents / Information**

1. Design Guidelines
2. Application materials

# SITE-CL

## 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
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.	+	Sculpture installation is a reversible change. Sculpture design is very transparent and will not block important views. Locations for both domes are set back from the street on sloping site.
ST2	Retain established property line patterns and street and alley widths. Any replatting should be consistent with original development patterns.	NA	
ST3	Use paving materials that are compatible with adjacent sites and architectural character.	NA	
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.	NA	
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.	NA	No alteration of topography required for installation.
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.	NA	
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.	NA	
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.	NA	

<b>ST12</b>	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	
<b>ST13</b>	Install only historically-compatible iron fencing under 2'-5" in height where there is demonstrable historic precedent.	NA	
<b>ST14</b>	Do not install front-yard fencing where there is no historic precedent.	NA	
<b>ST15</b>	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	
<b>ST16</b>	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. [Note: The prohibition against chain-link fencing does not apply in the Clifton Preservation District.]	NA	
<b>ST17</b>	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.	NA	
<b>ST18</b>	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	
<b>ST19</b>	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	
<b>ST20</b>	Use high-pressure sodium or metal halide lights to create a soft illumination where site or streetscape lighting is desired.	NA	
<b>ST21</b>	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.	+	Domes will be located away from street to the side and rear boundaries on a sloping site.
<b>ST22</b>	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	
<b>ST23</b>	Ensure that all proposed cellular towers and associated fixtures will be properly screened from view.	NA	
<b>ST24</b>	Install utility lines underground whenever possible.	NA	

# CLIFTON CULTURAL LANDSCAPE

## Design Principles (P) and Guidelines (G)

### Land Use And Patterns

- CL1(P)** The *Clifton Neighborhood Plan* (current version), which stipulates the preferred zoning mix within the district (reflecting historical land patterns and usage), should be respected
- CL2(P)** Public open space and gathering places are essential features of the compact and densely settled district because they provide planned or unplanned opportunities to meet, visit, and recreate with neighbors and friends. Existing public open space and gathering places should be maintained and new areas created that are small in scale, informal in character, and of a design that sensitively incorporates historic components such as circulation patterns, vegetation, views and vistas, and site furnishings to preserve the integrity of the historic landscape and historic structures within the district.
- CL3(P)** Although most of the district is a densely settled area characteristic of an urban environment, areas and attributes of the district remain that are distinctly rural or natural in character, including the wooded areas on the south side of the district and the prevalence of barns and other rural outbuildings in rear lots. These areas or attributes of a rural or natural feeling should be preserved and maintained.

### Views and Vistas

- CL4(G)** Key views and vistas within the district, and views identified as significant to the district from outside the boundaries, should be preserved. These views include both pedestrian- and vehicular-oriented vantage points. Key views include, but are not limited to, the following:
- 1) Views into and from Bingham Park, an Olmsted-designed landscape.
  - 2) Views into the campus of the Kentucky School for the Blind.
  - 3) Views into the swale and green space next to Sacred Heart Village on Payne St.
  - 4) Views from all directions, including from below and from above, into the green space and steep slopes along Brownsboro Rd. from State St. to N. Ewing Ave., the west side of N. Ewing Ave., Bickel Rd., and the area south of Payne St. overlooking I-64 from S. Ewing Ave. to Quarry St.
  - 5) Views of the earth berms along Payne St. and views of downtown Louisville from Payne St.
  - 6) Views into or from the quarry walls at the former Henry Bickel quarry.
  - 7) Views along and into the Frankfort Ave. corridor, where one- to two-story buildings predominate.
  - 8) Views along the rail line, including views into downtown Louisville.
  - 9) Views into the district from adjacent transportation corridors, where one- to two-story buildings and tree canopies predominate.
  - 10) Views into or from the Stevenson Ave. and Clifton Park area into downtown Louisville.
  - 11) Views into or along the Sycamore Ave. swale (the "dip").

**Circulation**

- CL5(G)** The integrity of character of original historic surface street arteries within and bordering Clifton—Frankfort Ave., Payne St., and Brownsboro Rd.—should be maintained and preserved. In particular, Frankfort Ave. should remain the primary west-east conduit within the district providing access for a commercial, institutional, and residential mix of facilities. It should also remain as a two-lane road, with one lane in each direction plus spaces for 24-hr. parking on each side. Payne St. should remain a primary west-east conduit within the district that is residential in character.
- CL6(G)** The existing grid of streets, alleys, and highways into, within, bordering, and serving as the boundaries of the district should be maintained in its current configuration of street widths, lanes, and alignments. One-way streets are discouraged.
- CL7(P)** Pedestrian, bicycle, and public transportation access to goods, services, and residences, an historic feature of the district, should be retained and enhanced along all surface streets in the district.
- CL8(G)** A special consideration in this district is the population of visually impaired residents—one of the largest in the U.S.—attributable to the educational and work institutions for the blind whose presence in the district dates to the mid 1800s. Safe and convenient pedestrian access for these residents while in route to work, home, school, worship, shopping, and recreation is paramount. Considerations include access to sidewalks that are unobstructed and in good repair, preservation of waypoints that provide tactile or physical guides to the location of visually impaired pedestrians, safe crossings of streets, minimal size and numbers of curb cuts for parking lots and driveways, and unimpeded access to and within structures.
- CL9(G)** Parking areas throughout the district should be small in scale, informal in character, and of a design that sensitively incorporates historic components such as circulation patterns, vegetation, views and vistas, and site furnishings to preserve the integrity of the historic landscape and historic structures within the district. To minimize the need to provide space for retention basins, which can adversely affect historic properties, the use of water-permeable paving materials that reduce runoff (e.g., paver tiles, compacted gravel surface paving materials) is desirable. All paving materials and

associated parking area components should be selected to relate to the surrounding landscape.

- CL10(G)** Structured parking, in lieu of large surface lots, should be limited in the number of decks and of a design and construction in keeping with the historic components of the district.
- CL11(G)** "Tear downs" of contributing structures to the district for the purpose of providing new residential, commercial, industrial, or institutional parking lots or parking garages should be prohibited.
- CL12(G)** Parking should be provided in rear lots to the extent possible.

**Topography**

- CL13(G)** Steep slopes and cliffs, both natural and human made, should be retained, protected, and preserved, including their shape, slope, elevation, aspect, and contour.
- CL14(G)** Karst and sinkhole features should be retained, protected, and preserved, including their shape and contour.
- CL15(G)** Swales and natural drainage areas should be retained, protected, and preserved, including their shape, flow patterns, slope, elevation, aspect, and contour.

**Small-Scale Features**

- CL16(G)** The removal of existing billboards is encouraged.
- CL17(G)** Contributing human-made features, including, but not limited to, brick streets, alleys, and sidewalks, limestone or granite curbs, iron fences, stone walls, horse-watering trough, hitching post, and the "Chicken Steps," should be maintained, protected, and preserved.
- CL18(G)** Historic nomenclature for streets, places, and areas should be maintained (e.g., Payne St., Angora Court) and new nomenclature selected to reflect historic usage or features (e.g., Franklin School Apartments).

**Vegetation**

- CL19(G)** New landscape elements should be designed to relate to the historic character-defining elements of the district.
- CL20(G)** Mature native hardwood trees, such as those on the campus of the Kentucky School for the Blind, should be retained, protected, and preserved.

- CL21(G)** Wooded areas should be retained, protected, and preserved.
- CL22(G)** Proposed changes to vegetation and landscaping in Bingham Park should be coordinated between Louisville Metro Parks Department, the Landmarks Commission, and the Louisville Olmsted Parks Conservancy.
- CL23(G)** Greenery in the Vernon Ave. right of way (the "Chicken Steps") should be retained, protected, and preserved.
- CL24(G)** The *Clifton Neighborhood Plan* (current version) list of major projects includes a green space inventory. This inventory, which will identify plant species native to the district, should be consulted when planning and planting new or replacement landscaping.