



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

SUNNYSIDE IN SEVIER PARK

## METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES

April 15, 2015

**Commissioners Present:** Vice-chair Anne Nielson, Menie Bell, Rose Cantrell, Sam Champion, Richard Fletcher, Hunter Gee, Aaron Kaalberg, Ben Mosley

**Zoning Staff:** Sean Alexander, Melissa Baldock, Paul Hoffman, Robin Zeigler (Historic Zoning Administrator), Susan T. Jones (City Attorney)

**Applicants:** Mark Robin and Frank May, Craig Greenburg and Brent Houck, Chris Bennish, John Root, Steve Morgan, Mark Sanders,

**Public:** Kenneth Scherzer

Vice-Chairperson Nielson called the meeting to order at 2:12 p.m. and read aloud the process for appealing the decisions of the Metro Historic Zoning Commission and the time limits on presentations.

### I. RECOGNITION OF COUNCILMEMBERS

Commissioner Gee recused himself and left the meeting.

### II. APPROVAL OF MINUTES

a. March 18, 2015

**Motion:**

**Commissioner Cantrell moved to approve the minutes as presented. Commissioner Bell seconded and the motion passed unanimously with Vice-chairperson Nielson voting in favor.**

### III. OVERLAY RECOMMENDATIONS

None

### IV. CONSENT AGENDA

**NOTICE TO THE PUBLIC:** Items on the Consent Agenda will be voted on at a single time. No individual public hearing will be held, nor will the Commission debate these items unless a member of the audience or the Commission requests that the item be removed from the Consent Agenda.

**a. 1510 ORDWAY PL**

Application: New construction-outbuilding; Setback determination

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2033486

**b. 622 FATHERLAND ST**

Application: New construction--Detached accessory dwelling unit; Setback determination.

Council District: 06  
Overlay: Edgefield Historic Preservation Zoning Overlay  
Project Lead: MELISSA BALDOCK  
Permit ID #: 2034108

**c. 1407 HOLLY ST**

Application: New construction--addition  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: MELISSA BALDOCK  
Permit ID #: 2034101

**d. 1825 4TH AVE N**

Application: New construction--addition and outbuilding; Setback determination  
Council District: 19  
Overlay: Salemtn Neighborhood Conservation Zoning Overlay  
Project Lead: MELISSA BALDOCK  
Permit ID #: 2034105

**e. 1720 5TH AVE N**

Application: New construction—addition; Setback determination  
Council District: 19  
Overlay: Salemtn Neighborhood Conservation Zoning Overlay  
Project Lead: MELISSA BALDOCK  
Permit ID #: 2034092

**f. 1515 16TH AVE S**

Application: New construction--addition  
Council District: 17  
Overlay: South Music Row Neighborhood Conservation Zoning Overlay  
Project Lead: SEAN ALEXANDER  
Permit ID #: 2033393

**g. 1515 ELMWOOD AVE**

Application: New construction – addition and outbuilding  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: SEAN ALEXANDER  
Permit ID #: 2034282

**h. 2402 BELMONT BLVD**

Application: New construction-addition and outbuilding  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: PAUL HOFFMAN  
Permit ID #: 2033477

**i. . 503 COFFEE ST**

Application: New construction--addition;  
Council District: 19  
Overlay: Salemtn Neighborhood Conservation Zoning Overlay  
Project Lead: MELISSA BALDOCK  
Permit ID #: 2034089

Staff member, Melissa Baldock, presented the cases for the consent agenda.

2:14 Commissioner Champion arrived.

No one requested that an item be removed.

**Motion:**

**Commissioner Fletcher moved to approve all consent items with their respective conditions. Commissioner Champion seconded and the motion passed unanimously.**

*Commissioner Gee returned to the meeting.*

**V. PREVIOUSLY DEFERRED ITEMS**

The items below were deferred from a previous MHZC meeting at the request of the applicant.

None

**VI. MHZC ACTIONS**

**j. 710 MCFERRIN AVE**

Application: Demolition

Council District: 05

Overlay: Maxwell Heights Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 2034212

710 McFerrin was removed from the agenda at the request of the applicant.

**k. 120 SECOND AVE S**

Application: New construction - infill

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2034268

Sean Alexander, staff member, presented the case for new construction at 120 Second Avenue South.

The new building will have three main components: The first story will have an appropriate pedestrian-scaled composition, with stone bulkheads and pilasters, wide window bays with storefront proportions and transoms, and two clearly-defined entrances. The first-story cornice would be an EIFS type of material, which is not appropriate under the Broadway HP design guidelines, but otherwise this level will be primarily stone.

Above that will be four stories of brick, more utilitarian in design, with pilasters and window patterns continuing the rhythm of the first story.

The uppermost story will be a cap with details and materials repeating those of the first story. Because the details of an upperstory are less visible, Staff finds that the EIFS material will not have an impact on the character of the district. With the exception of EIFS on the first story, Staff finds that the composition of the proposal is consistent with historic commercial architecture.

Together, although the plans are labeled “5-story building”, it adds up to six stories, and it will be eighty-eight feet tall from the sidewalk to the upper cornice.

The height of the new building would be forty feet taller than the four-story building to the right and fifty-eight feet taller than the two story building to the left.

Though the architectural character of the building is appropriate, the height difference is not compatible with adjacent historic buildings on the South of Broadway Block. The severe contrast does not meet the Broadway HP Overlay design guidelines.

The published Staff Recommendations go into greater detail, with the summary and conclusion as follows:

Staff recommends approval of the proposed infill at 120 Second Avenue South with the conditions that:

- 1-The height of the building is reduced to five stories;
- 2-The first-story storefront and cornice material is a traditional masonry instead of a textured acrylic finish or EIFS material; and
- 3-Staff approves the specific material selections and the windows and doors.

With these conditions, staff finds the project to meet the design guidelines for infill construction in the Broadway Historic Preservation Zoning Overlay.

Mark Robin, architect for the project, and Frank May explained that they chose a substitute material for the cornice because it is 18' from the street and the EIFS is a light material, but that they were also open to using metal for the cornice. They also explained that the district does not have a consistent cornice or build-to line. Later buildings are taller than the earlier buildings and the ratio of additional height is 2.91. . The two-story to the left was designed as a carriage building. They are not requesting to build to the maximum number of floors allowed.

Commissioner Gee stated that the applicant makes a compelling argument and the design guidelines are somewhat contradictory or maybe the writers of the design guidelines realized that there is a great deal of variety in height. The design fits into the district well. He is compelled to follow the maximum provided in the design guidelines.

Commissioner Cantrell agreed with Commissioner Gee that there is a variation of building heights in the district.

Commissioner Gee asked if Staff would find a metal cornice to be appropriate and Ms. Zeigler responded that it would.

**Motion:**

**Commissioner Gee moved to approve with the conditions that the first story cornice is metal and Staff approve the specific material selections and the windows and doors. Cantrell seconded and the motion passed unanimously.**

**I. 222 THIRD AVE N**

Application: New construction-addition, Alterations

Council District: 19

Overlay: Second Avenue Historic Preservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 2032961

Robin Zeigler, historic zoning administrator, presented the case for a rooftop addition, new storefronts, a wall sign on Second Ave, a corner sign at the corner of 2<sup>nd</sup> Avenue and the alley, a wall sign at the alley entrance, and alterations to the historic building. Alterations to the alley itself, such as the outdoor seating area and lighting are not a part of this review at this time, as the Downtown Partnership is working on an overall design for the alley. The applicant may return for a new permit for alley alterations once the design of the alley has been finalized.

Staff recommends approval with the conditions that:

- Applicant seeks administrative approval of materials and methods for cleaning and repair of masonry;
- No lighting be integrated into awnings; and
- Applicant seeks administrative approval of materials to replace the materials on the plan shown as EIFS and Krion.

With these conditions, the Staff finds the project meets the design guidelines for additions and alterations in the Second Avenue Historic Preservation Zoning Overlay.

The applicant agrees with all conditions with the exception of the Krypton material on the front ground level and said unless there were questions about other portions of the project, the applicant would like to make a case for the proposed material.

Craig Greenberg, president of 21C Museums, explained the use of the building and the company's dedication to historic preservation. Brent Houck, architect for the project, explained the material requested and where it will be used. He claimed it has a similar feel to stone but is simpler in color and compliments the project. The applicant passed around additional copies of the drawings the Commission received in their packets and a second sample of the material.

Commissioners, Staff and the applicants discussed how the material would meet the existing brick, which is not historic.

Commissioner Champion stated that the material might be appropriate but not in large sheets. Commissioner Fletcher stated that its limited use is appropriate and there is a good balance between historic and modern in the design. Historic structures should be allowed to evolve. Commissioner Kaalberg stated it was appropriate because the area has already been altered.

All agreed that the material is appropriate in this instance because the storefront is not original, the area where it will be used will be recessed, and it will be minimally used.

**Motion:**

**Commissioner Kaalberg moved to approve the project with the conditions that:**

- **Applicant seeks administrative approval of materials and methods for cleaning and repair of masonry;**
- **No lighting be integrated into awnings; and**
- **Applicant seeks administrative approval of materials to replace the materials on the plan shown as EIFS.**

**He found that the Krypton material met the design guideline II.B.F.1 because it is visually compatible with historic buildings, it will be used on a recessed wall and is not dominant and the storefront is not original. Commissioner Champion seconded and the motion passed unanimously.**

**m. 1304 FOURTH AVENUE N AND 1309 THIRD AVENUE N**

Application: New construction-infill

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID#: 2009667

The project is to construct a multi-family complex with minimal commercial use, within the Germantown Historic Preservation Zoning Overlay and outside of the Germantown National Register of Historic Places district. The Commission approved the massing on November 19, 2014 and the applicant is returning for final review of details and materials.

Staff recommends approval with the conditions that:

- The corner of Monroe Street and Fourth Avenue North not exceed four stories;

- Mechanicals, utilities and service areas be located along the alley or on the rooftop with appropriate screening;
- Applicant seeks administrative approval of windows and doors, masonry dimensions and texture, lighting, trim, railings, paving and walkways, awnings/canopies, parking structure, and fences/walls;
- Applicant obtains a Preservation Permit for signage;
- The bike entrance includes stucco rather than lap siding and steel brackets beneath the masonry bay;
- There be a change in materials between the foundation and the upper walls;
- Angled entrances be reoriented to fully face the street; and,
- Any stair wall that exceeds three feet (3') in height be redesigned to prevent a massive wall along the street.

With these conditions, staff finds the project to meet the design guidelines for new construction in an area of little historic context within the Germantown Historic Preservation Zoning Overlay.

Ms. Zeigler stated that the applicant agreed to most of the conditions; and she would not be fully presenting the case unless there were questions. She would present those details that the applicant is asking for.

One, Staff recommends that there be a change in materials between the foundation and the upper walls. This could be done with a different color brick, stone or split-faced CMU. This has been a standard condition required previously, based on the fact that historic buildings typically had a change in materials at the foundation level.

Second, Staff recommends that any stair wall that exceeds three feet (3') in height be redesigned to prevent a massive wall along the street. The applicant has some thoughts on redesigning that element.

Chris Bennish, applicant, explained that the conditions of the staff report were agreed upon prior to the meeting. The 3<sup>rd</sup> Ave stoops have been redesigned not to be side entrances and planter blocks will be used at the corner to soften the wall, an intermediate landing is used on 4<sup>th</sup> Avenue. He showed examples of other projects that have a soldier row at the foundation level rather than a change in material and that is what they would like to do. He showed the material board.

There were no requests from the public to speak.

Commissioner Gee noted that the transformer at the corner of the alley needed screening.

Commissioner Fletcher and Kaalberg stated that the soldier course at the foundation line works in this instance because of the massiveness of the project and to change materials might have too much going on. Commissioner Gee stated that it should have a slight projection similar to the example provided by the applicant.

**Motion:**

**Commissioner Fletcher recommended approval with the conditions that:**

- **The corner of Monroe Street and Fourth Avenue North not exceed four stories;**
- **Mechanicals, utilities and service areas be located along the alley or on the rooftop with appropriate screening and that the transformer at the corner of Monroe and the alley should be screened with an opaque material;**
- **Applicant seek administrative approval of windows and doors, masonry dimensions and texture, lighting, trim, railings, paving and walkways, awnings/canopies, parking structure, and fences/walls;**
- **Applicant obtain a Preservation Permit for signage;**
- **The bike entrance includes stucco rather than lap siding and steel brackets beneath the masonry bay;**
- **That the soldier course at the foundation line have a slight protrusion;**
- **Angled entrances be reoriented to fully face the street; and,**

- **Stair wall that exceeds three feet (3') in height be redesigned to prevent a massive wall along the street.**

**Commissioner Kaalberg seconded and the motion passed unanimously.**

*Commissioner Fletcher left the meeting at 3:28 p.m.*

**n. 1419 HOLLY ST**

Application: New construction-Detached accessory dwelling unit

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2033471

Staff member Paul Hoffman presented the case for 1419 Holly Street, an application for construction of an outbuilding for use as a garage and detached accessory dwelling unit.

The outbuilding will be a story and a half, with a garage on the first floor. The second story will be living space. It meets the design guidelines for lot area, height and scale, character, roof form, details and materials. However, it does not meet the guidelines, or the section of the Metro Code (Chapter 17.16.030.F, section 4), which require that additional access shall be from the alley, and parking accessed from any public street shall be limited to one driveway for the lot with a maximum width of 12 feet. In addition, with the garage doors facing the street as currently proposed, Metro Code requires a minimum setback of 20 feet from the street. Staff recommends that the outbuilding meet this requirement, to be compatible with the context.

Staff's recommendation is for approval of the outbuilding with the following conditions:

- the orientation is changed with the garage doors facing the alley,
- the setback is a minimum of 20 feet from North 15<sup>th</sup> Street, and
- Staff approves windows, doors and garage doors.

John Root, architect for the project, brought some images of the lot and explained the grade issues and the applicant's goals which were the reasons for the design. Turning the building will cause the garage to dominate the property.

There were no requests from the public to speak.

Commissioner Kaalberg explained that there was an existing driveway and that sidewalks are planned for this side of the street.

Ms. Zeigler clarified that the applicant was asking for two things. One was to have a driveway that is wider than what the ordinance allows for and that the Commission does not have the authority to alter that requirement. Second, they were requesting a side-setback of 10' which the Commission did have the authority to grant, if they found it to be appropriate.

Commissioner Gee stated that his company writes design guidelines for communities and this is text book of what they require—that the garage be pushed up to meet the existing house because it helps to define the alley and puts all the service elements hidden behind the garage. In addition, there are many examples in the district of garages and even homes that are closer than 20' to the side street. It is not out of context to have the building aligned but it should be reoriented to have access from the alley. Kaalberg agreed that the proposed setback is appropriate and meets the historic context.

**Motion:**

**Commissioner Gee moved to approve with the conditions the outbuilding is oriented with the garage doors facing the alley and Staff approve the final details, dimensions and materials of windows, doors and garage doors prior to purchase and installation. Commissioner Kaalberg seconded and the motion passed unanimously.**

**o. 1114 CALVIN AVE**

Application: New construction—infill; Setback determination

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 2034103

Staff member, Melissa Baldock, explained that 1114 Calvin Avenue is an application is to construct an infill duplex on a vacant lot at the corner of Calvin Avenue and North 12 Street. The applicant has submitted drawings that meet the staff's conditions regarding breaking up the 12<sup>th</sup> street side façade, recessing the dormers, and ensuring that the front porches are at least 6' deep. The applicant also submitted a revised site plan. Staff is satisfied with the revised drawings and recommends approval of the project with the conditions laid out in the staff recommendation.

The applicant was not present.

Ms. Baldock noted that the Commission received comments from a neighbor on this project, and those comments were forwarded to the Commissioners earlier that week.

The Commission and Staff discussed the site plan.

Kenneth Scherzer lives across the street, and he is concerned with the massing. He is concerned about there being additional foundation height once the building is under construction, as has happened on other projects, pushing the entire building up. He believes the design would be more consistent on Eastland than on Calvin.

Commissioners Gee and Champion as well as staff discussed their concerns over what the foundation height will actually be since the drawings assume a flat lot, which is not likely the case.

**Motion:**

**Commissioner Gee moved to approve the project with the conditions that:**

- **The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- **The left/east façade be broken up with a bay or a significant architectural feature like an inset;**
- **The applicant submit a revised site plan showing the accurate footprint of the house and the footprints of neighboring houses;**
- **The side dormers be inset a minimum of 2' from the wall below;**
- **Staff approve the roof color, a masonry sample for the front porch columns, any front porch railing and the materials of any walkways and driveways;**
- **Staff approve the final details, dimensions and material of windows and doors prior to purchase and installation;**
- **The front porches be a minimum of 6' deep,**
- **The new curb cut be single and no more than 12' wide,**
- **Concrete walkways be added leading from Calvin Street to the front entries**
- **HVAC shall be located behind the house or on either side, beyond the midpoint of the house.**

**Commissioner Cantrell seconded and the motion passed unanimously.**

**p. 301 SOUTH TENTH ST and 1004 FATHERLAND ST**

Application: New construction - infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2034275

Staff member, Sean Alexander presented the project for infill.

The lot is currently vacant. There was originally a house on the lot, but in the years between 1957 and 1960 it was demolished and replaced with a concrete block commercial building. Since that time, much of the surrounding area has also transitioned to commercial, effectively an extension of the Woodland Street Five Points area. That concrete block building has since been demolished as well.

The applicant proposes to develop the lot with three new buildings. Though they will be for office use, the front facades will have a scale and window/door pattern compatible with the surrounding context of traditional commercial buildings.

The project is described in detail in the Staff Recommendations that was published.

In summary:

Staff recommends approval of the proposed infill development with the condition that:

- The elevated bridge between the Fatherland Street facing buildings is eliminated; and
- The material and design of the parking lot pavers, walkways, fences, and dumpster enclosure shall be approved by Staff.

With those conditions, Staff finds that the proposal would meet the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Mark Sanders handed out a revised elevation showing the bridge and he explained the project. He is asking to keep the bridge which will have a tree hiding it. It is to provide a fire escape since the buildings are too narrow to provide two means of ingress/egress within the building. The general contractor for the project stated he was available for questions.

Commissioner Gee stated that the location of the bridge, towards the rear of the buildings, and that it is needed for life-safety issues, makes it appropriate. Commissioner Kaalberg said the only solution was to push the two buildings together but the massing of the two different buildings is more appropriate. Mr. Alexander stated that having one large building would also require more fire conditions that would greatly increase the costs.

**Motion:**

**Commissioner Kaalberg moved to approve the project with the proposed bridge, which meets design guideline II.B.3 as it is a more appropriate rhythm with 2 separate buildings and it doesn't contrast greatly because it is in the rear.**

- **Pedestrian buffers shall be increased to 10' on Fatherland Street and 12' on South 10<sup>th</sup> Street, including a 4' wide planting strip or tree wells on both streets;**
- **The material and design of the parking lot pavers, walkways, fences and dumpster enclosure be approved by staff.**

**Commissioner Gee seconded and the motion passed unanimously.**

**q. 305 SCOTT AVE**

Application: New construction—infill

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2033479

Staff member Paul Hoffman presented this application for construction of a single family residence on this vacant lot. The Commission approved a two-family building here last month. The adjacent houses were not included on the site plan. Staff was unable to verify the setback from Scott Avenue relative to the context, and requests to verify the setback as a condition of approval.

The proposed new construction meets the rest of the relevant design guidelines. Staff recommends that the horizontal window on each side elevation be replaced with a more vertically-proportioned one. This recommendation is in line with the Commission's discussion a few months ago.

With the additional conditions that Staff verify the finished floor height, and approve windows, doors, and roofing, Staff finds that the application meets the design guidelines for the Eastwood Neighborhood Conservation Zoning Overlay.

John Root, architect for the project, stated that he understood that horizontal windows were approved beyond the midpoint of the house. If they are not allowed, they would prefer not to have a window in that location at all.

Commissioner Gee said the intent of the design guidelines is generally that the major windows meet the proportions; however, you do see exceptions historically and since these are beyond the mid-point they are appropriate.

Commissioner Kaalberg agreed that the one greatly recessed was appropriate and there are instances where the horizontal windows are appropriate. Commissioner Bell noted that it is also not a corner lot, making them less visible.

**Commissioner Cantrell moved to approve with the conditions that:**

- **The front setback is in line with that established by adjacent houses;**
- **The finished floor heights shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- **Staff approve the final details, dimensions and material of windows and doors prior to purchase and installation;**
- **Staff approve the color of the roofing material.**

**Commissioner Bell seconded and the motion passed unanimously.**

#### **VII. PRELIMINARY SP REVIEW**

None

#### **VIII. ADMINISTRATIVE ACTIONS**

None

#### **IX. OTHER BUSINESS**

- a. Administrative Permits Issued for Prior month

Ms. Zeigler informed the Commission about the Tennessee Preservation Trust conference to be held in Chattanooga.

RATIFIED BY COMMISSION ON MAY 20, 2015