



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
Telephone: (615) 862-7970
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November 19, 2014

Commissioners Present: Chair Brian Tibbs, Vice-chair Anne Nielson, Menie Bell, Hunter Gee, Ben Mosley
Zoning Staff: Sean Alexander, Paul Hoffman, Robin Zeigler (Historic Zoning Administrator), Tim Walker (Executive Director), Susan T. Jones (City Attorney)
Applicants: David Baird, Dale Stover, Thomas Smith, Paul Stanley and Emily Dyer, Lynn Taylor, Drew Sloss, John Zelenak, Ben Whitehouse, Mona Hodge, Van Pond, Chris Bennish and Monty
Public: Brett Withers, Michael Emrick, Jimmy Rawlings, William Hollings, Lance Bloom

Chairperson Tibbs called the meeting to order at 2:09 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

II. APPROVAL OF MINUTES

a. October 2014

Motion:

Vice-chairperson Nielson moved to approve the October 2014 minutes. Commissioner Gee seconded and the motion passed unanimously.

III. CONSENT AGENDA

b. 3715 PRINCETON AVE

Application: New construction-addition
Council District: 24
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 2008974

c. 3814 RICHLAND AVE

Application: New construction-addition
Council District: 24
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 2008896

d. 1410 WOODLAND ST

Application: New construction-outbuilding

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #:2001994

e. 3105 OVERLOOK DR

Application: New construction-addition

Council District: 18

Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 2008437 *Metro Historic Zoning Commission Agenda November 19, 2014*

f. 1517 ELMWOOD AVE

Application: New construction-outbuilding

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2009649

g. 3533 CENTRAL AVE

Application: New construction-addition and outbuilding; Setback determination

Council District: 24

Overlay: Richland-West End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2009653

h. 1804 LAKEHURST DR

Application: New construction-outbuilding

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2009661

Staff member, Sean Alexander presented the cases for the consent agenda.

Motion:

Vice-chair Nielson moved to approve all consent items with their applicable conditions. Commissioner Gee seconded and the motion passed unanimously.

IV. PREVIOUSLY DEFERRED ITEMS

There were no deferred items to be discussed.

V. MHZC ACTIONS

i. 1013 PETWAY AVE

Application: New construction-infill

Council District: 05

Overlay: Greenwood Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER
Permit ID #: 2009642

Mr. Alexander, staff member, stated that the applicant agreed to the conditions; therefore there will be no staff presentation unless requested.

David Baird stated that they agreed with all the conditions. There were no requests from the public to speak.

Motion:

Commissioner Mosely moved to approve the project with the condition that Staff reviews and approves the final selection of windows and doors, roof color, brick color and texture. Vice-chairperson Nielson seconded and the motion passed unanimously.

j. 3927 CAMBRIDGE AVE

Application: New construction-addition, Setback determination
Council District: 24
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay
Project Lead: ROBIN ZEIGLER
Permit ID #: 2009120

This a very simple project that is a partially-screened rear porch that meets the design guidelines in all ways except for its location, which is fully within the rear setback area.

The design guidelines require that the massing of new construction, in relation to open spaces, be compatible. Staff is concerned that since a lot of this depth is typical for this portion of the district, a precedent could be set allowing for multiple properties to have up to a five foot (5') rear setback which could result in a dramatic change to the open space of these rear yards, especially since there is no rear alley to provide additional buffer and a garage is already constructed in a portion of the rear setback area.

The project does not meet the Commission's policy for granting rear setback determinations that are different than bulk zoning. The policy allows for appropriate side or rear setbacks to be based on existing setbacks seen historically, the shape of the lot, alley access, or lack thereof, and the proximity of adjoining structures and property lines. Since there is no rear alley, there is no opportunity to provide an additional buffer between this property and the one behind it. The lot is approximately one hundred and two feet deep, which is similar to other lots in the immediate vicinity. Staff did not find that the request met the Commission's requirements of unusual conditions and finds that it could set a precedent for similar neighboring lots.

Staff recommends disapproval finding that the project does not meet the Commission's policy for determining rear setbacks that are different from bulk zoning or the design guidelines for open space, and because approval could set a precedent for fully building out the rear setback areas of other properties nearby. In summary, the project does not meet Sections II.B.b and II.B.2 for scale, location of an addition, and setbacks.

Dale Stover, contractor for the applicant, explained the project and the reason for it. There is no other area for a screened porch. According to Mr. Stover, almost all of the lots shown could accommodate a similar size porch and keep an appropriate rear setback. Four and a half feet of the existing building will be used because existing stairs will be removed.

There were no requests from the public to speak.

Commissioner Gee and Mosely and Chairman Tibbs asked for clarifications from staff.

Commissioner Gee said staff made the correct recommendation based on policy and design guidelines; however, the existing houses are already close to the rear property lines so there is no opportunity to have an outdoor covered area in the setback area. Understands question of precedent. It doesn't appear to negatively affect the neighbors. Vice-chair Nielson stated that she agreed with staff recommendation.

Motion:

Vice-chairman Nielson moved to disapprove the project. Commissioner Gee seconded with Commissioner Mosley in opposition and Chairman voting in favor of the motion. Motion passed with four concurring votes.

k. 1625 FATHERLAND ST

Application: New construction-addition; Setback determination

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2009658

Staff member Sean Alexander presented the case for an addition to 1625 Fatherland.

This is an application to construct a rear addition to an historic house. The house is a pyramid-roofed cottage type with four gabled projections, one to each side. The house also has what looks like an early rear addition and rear porch that has been enclosed (it appeared on the 1914 Sanborn drawing).

The new addition would be aligned flush with an original side wall of the house on the left side, and flush with the wall of the early enclosed porch on the right side. Typically new additions would be required to sit in at least one foot from the sides of an historic house in order to distinguish the historic construction from the new. If the addition were to sit in from the sides of the house before stepping back flush with the side walls, Staff finds the addition would be compatible in scale as it matches the height and width.

The known materials of the addition will be generally compatible with those of the house: wood siding, fiberglass shingle roof, matching concrete block foundation. However, the plans show a portion of the original side walls being re-sided with decorative batten siding. Staff finds that this type of siding would not be appropriate as it is not in keeping with the character of the house and would destroy original features.

With the condition that unknown materials are approved by staff and that original portions of the house retain the original clapboard appearance, staff finds that the materials of the addition would meet the design guidelines.

In conclusion, Staff recommends approval of the proposed addition with a condition that the addition sit in from the sides of the house before stepping back out, and that the original portion of the house not be re-sided with a square batten siding. Meeting those conditions, Staff finds that the proposed addition would meet the design guidelines for the Lockeland Springs East End Overlay.

Thomas Smith stated that he agreed with recommendation for the inset on the right side but asked that it not sit in on the left side because the left back corner of the house is a 1914 bathroom and they need to keep it during construction and there are other properties that don't have the setbacks for additions.

Commissioner Gee and Mosley asked for clarifications of the project from staff and the applicant. Mr. Alexander provided additional drawings to explain existing conditions. Commissioner Gee stated there are two options, one is to create the offset from the existing house with the shed-roof addition or create the notch at the time that bathroom is being demolished. Mr. Alexander explained that staff had explored those options with the applicant but that he did not prefer those options.

Vice-chairperson Nielson noted that there was another existing bathroom in the house.

There were no requests from the public to speak.

Commissioner Gee asked staff if the inset was a policy or a design guideline. Ms. Zeigler explained that it was a clarification of the design guidelines that the Commission has used for many years.

Commissioner Mosley stated that although the use of the existing bathroom is important to the applicant it may be secondary to their charge to apply the design guidelines in a consistent manner.

Commissioner Gee stated that the intent of the design guidelines is to recognize the original structure and with the current plans you cannot make that determination; however, he also recognizes there is a sequencing issue for construction for the applicant. He pointed out that the design guidelines state that there should be distinction between the old and the new but maybe there are ways, other than the offset, to accomplish that.

Motion:

Commissioner Gee Motion moved to approve with the conditions that the addition sit in from the sides of the house before stepping back out, and that the original portion of the house not be resided with a square batten siding. Vice-chairman Nielson seconded and the motion passed unanimously.

l. 1514 ELMWOOD AVE

Application: New construction-outbuilding

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 2008435

The project was removed from the agenda at the request of the owner, prior to the start of the meeting.

m. 517 WILSON BLVD NORTH

Application: New construction-outbuilding

Council District: 24

Overlay: Richland-West End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2008899

Staff member Paul Hoffman presented the case for 517 N Wilson, an application for construction of a new outbuilding. The outbuilding will be located at the rear of the lot, accessed via the alley. It meets setback requirements and the design guidelines for location and driveway access. The overall size and height of the structure are acceptable for the context and meet the design guidelines for height and scale. However, the eave height of the outbuilding, drawn at 12 feet, 11 inches, is not subordinate to the house, which has 10 foot eaves at the rear. To meet the design guidelines, Staff recommends the eave height be brought down to 10 feet or less. In addition, the dormer sits directly over the wall beneath it. According to the guidelines for Roof, dormers should sit back from the exterior wall by 2 feet, and Staff requests this as a condition of approval. In conclusion, staff recommends approval of the proposed new outbuilding with these conditions:

- That the eave height be reduced to 10 feet or less,
- The dormer be moved back to 2 feet from the exterior wall,
- That lap siding have a 5 inch reveal,
- And Staff have final approval of windows, doors and garage doors.

Owner, Paul Stanley, said that his goal is to keep everything as historic as possible. He disagrees with lowering the eaves, as staff has recommended, because it lessens his second floor space. They would rather have a small footprint with additional space upstairs, rather than increase the footprint of the garage or add on to the house.

Emily Dyer, designer, showed where she got the design inspiration for the proposed building.

There were no requests from the public to speak.

Commissioner Mosley and Gee asked for clarifications of the project. Commissioner Mosley noted that the applicants have sought not to push the maximum but if you look at the project as a whole, it does not meet the requirements that were recently agreed upon. Commissioner Gee stated that this style of house has a low eave which is not typical for the neighborhood; therefore, he feels that the garage meets the design guideline for being subordinate. Commissioner Bell noted that the garage is far away from the house, which increases the perception that it is subordinate.

Staff member, Mr. Hoffman, stated that the applicant would like to request a dormer on the opposite side of the building.

Vice-chairperson Nielson stated her concern with changing the guidelines they just adopted last month. She understood the argument for the high eave height but not for the larger dormers.

Commissioner Gee asked if the applicant would be willing to provide for a greater overhang to bring down the perception of the eave height. The applicant stated that they agreed as long as that didn't interfere with the setback requirements.

Motion:

Commissioner Gee moved to approve the project with the condition that the eave height be reduced to 12' or less; that the dormer be moved back to 2 feet from the exterior wall; the lap siding have a 5 inch reveal, and Staff have final approval of windows, doors and garage doors. Vice-chairman Nielson seconded and the motion passed unanimously.

Commissioner Mosley clarified for the record that the ridge is 2' less than the ridge of the house and when you look at the house the center point of the cross-gable compared to what is proposed for the outbuilding that it is subordinate to the principle dwelling.

n. 1410 LILLIAN ST

Application: New construction-infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2009145

Mr. Hoffman, staff member, stated that the applicant agreed to all conditions; therefore there will be no staff presentation unless requested.

Van Pond, applicant, stated that he agreed with staff recommendations.

There were no requests from the public to speak.

Motion:

Commissioner Gee moved to approve the project with these conditions:

- **that the width be reduced to thirty-six feet (36') to be compatible with recently-approved infill;**
- **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;**
- **Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation; and,**
- **Staff approve the roof color and masonry color, dimensions and texture.**

Vice-chairman Neilson seconded and the motion passed unanimously.

o. 404 S 16TH ST

Application: New construction-infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 2009116

Historic zoning administrator, Robin Zeigler, stated that the applicant agrees with all the conditions and has already submitted revised drawings; therefore, she will not be presenting the case.

Lynn Taylor and Drew Sloss confirmed that they agreed with all conditions. There were no requests from the public to speak.

Motion:

Vice-chair Nielson moved to approve the project with the conditions:

- **Staff approve the final details, dimensions, and materials of windows and doors prior to purchase and installation;**
- **All the railings have an open design;**
- **All siding have a maximum reveal of five inches (5") unless used as an accent material;**
- **Staff provide final review of metal color and materials for walkways, driveways, and retaining walls as well as the unknown material on the front of the middle house;**
- **The drawings for the alley house be revised to either all show a corner porch or not;**
- **The HVAC shall be located behind the houses or on either side, beyond the mid-points of the houses;**
- **Staff approve the roof color and masonry color, dimensions and texture;**
- **All windows on the street-facing facades have a vertical orientation rather than a horizontal; and**
- **The porch sides have larger openings.**

Commissioner Bell seconded and the motion passed unanimously.

p. 1010 GRANADA CT

Application: New construction-infill

Council District: 05

Overlay: Greenwood Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2008984

Mr. Hoffman stated that the applicant agrees with all conditions; therefore, the case will not be presented unless requested.

Lynn Taylor, applicant for the project stated that she agreed with the conditions and have made the requested changes.

There were no requests from the public to speak.

Motion:

Vice-chairperson moved to approved the project with the conditions:

- **that a walkway be built to connect the front porch of the house to the street;**
- **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;**
- **staff approve the color of roofing, as well as final details, dimensions and materials of windows and doors prior to purchase and installation.**

Commissioner Gee seconded and the motion passed unanimously.

q. 318 51ST AVE N

Application: New construction-infill and outbuilding

Council District: 24

Overlay: Park and Elkins Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2009644

Sean Alexander, staff, presented the case for new construction and outbuilding at 318 51st Avenue North.

This is an application to construct a new house on a vacant lot. A non-contributing house was recently demolished with Staff approval.

The house will be one and one-half stories tall, consistent with the heights of surrounding historic houses. However, Staff finds that the proposed width at 36 feet would be wider than is typical of historic houses nearby, the majority of which are 26-32 feet wide. There is one house at the south end of the block that is 36', but it is on a wider than average lot, and Staff finds is not indicative of the context.

Staff found that the materials that are known (including cement-fiber siding, asphalt shingle roof, split-faced block,) will meet the applicable design guidelines.

The window proportion and rhythm, and the known materials, the material of the windows and doors and roof color need to be approved by staff, but.

It will have a side gabled roof with a pair of gabled dormers on the front. Both of these dormers will be set in from the first story walls, as is the typical requirement of the Commission.

The form of the house will similar to that of a Craftsman bungalow, a very common type of historic house in the district.

In conclusion, Staff recommends approval of the proposed new construction at 318 51st Avenue North with the condition that the width is reduced to 33', and that the windows, doors, and roof color are approved by staff, finding the proposal to meet the applicable design guidelines for the Park & Elkins NCZO.

John Zelenak, architect and developer stated because of the easements and because there is a wider home in the area, although it is on a wider lot, that he would like to request the width of the house as presented.

Commissioner Mosley stated that they have had situations where the column base isn't constructed correctly because the additional depth of the stone veneer and he asked that they pay close attention to that during construction. He also requested a water table or skirt board at the foundation line. The trim under the eave is 1x8 but they could add a frieze board. He offered an 8 or 12" trim at the second floor too.

There were no requests from the public to speak to the case.

Commissioner Gee stated that the scale of the house is appropriate for the context and the easement and unimproved alley makes it feel like it is on a larger lot. Commissioner Gee and Bell noted that the original house was not centered on the lot. Staff member, Sean Alexander, noted that the house could be moved 2' to the left without requiring a setback determination.

Motion:

Mosely moved to approve that project with the conditions that a new site plan be submitted that shows the house moved to the north by approximately 2'; a skirt board be added to the foundation line; a 1 x 10 fascia be added below the eaves on the side of the house; and that the windows, doors, and roof color are approved by staff. Commissioner Gee seconded and the motion passed unanimously.

r. 3109 ACKLEN AVE

Application: New construction-infill
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 2008925

Mr. Hoffman, staff member, stated that the applicant agreed to the conditions and he would not present.

Applicant, Ben Whitehouse, agreed with the conditions.

There were no requests from the public to speak.

Motion:

Vice-chairperson Nielson moved to approve 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; Staff approve the final details, dimensions and materials of windows, doors and garage doors prior to purchase and installation; HVAC and other utilities shall be located behind the house or on either side, beyond the mid-point of the house; and Staff approve the roof color and a brick sample for color, dimensions and texture. Commissioner Bell seconded and the motion passed unanimously.

s. 406 RUDOLPH AVE

Application: New construction-infill
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 1991702

Mr. Hoffman, staff member, stated that the applicant agreed to the conditions; therefore there will be no staff presentation unless requested.

Applicant, David Baird, agreed with the conditions.

Brett Withers, stated that he spoke to the neighborhood association president, and they were both pleased with the results and appreciate the applicant's efforts to make the buildings fit into the neighborhood.

Motion:

Vice-chairperson Neilson moved to approved the project with the conditions that a walkway be added to connect each unit to Rudolph Avenue; the dormers be reduced in width to fifty percent (50%) or less of the roof width, to be more compatible with historic dormers; a six inch (6") inset be added on each side at the material break, to break up the flat plane there; the porch roofs be brought upward to engage the primary roof plane; 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; Staff approve the roofing color, windows and doors prior to purchase and installation; and HVAC be located behind the house or on either side, beyond the mid-point of the house. Commissioner Bell seconded and the motion passed unanimously.

t. 1419 CALVIN AVE

Application: New construction-infill and outbuilding
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 2009665

The project was removed at the owner's request.

u. 1511 LILLIAN ST

Application: New construction-infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2009672

Commissioner Gee stated that he would abstain.

Mr. Alexander, staff member, stated that the applicant agreed to the conditions and he would not present.

Applicant, Mona Hodge, agreed with the conditions and there were no requests from the public.

Motion:

Commissioner Mosley moved to approve with the conditions that: the height of the finished floor level be consistent with adjacent houses; Staff shall approve the foundation material, front porch floor, step and walkway material, porch column trim, brick color, roof color, and the final selection of the windows and doors; Staff approve the location of the HVAC unit; and final drawings showing all corrections and revisions are provided to Staff. Chairperson Nielson seconded. Motion passed with a total of four concurring votes and one abstention.

v. 1907 BENJAMIN ST

Application: New construction-infill and outbuilding

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID# 2001985

Paul Hoffman presented the case for 1907 Benjamin, an application for construction of a new residence on this vacant lot. The proposed new structure will be 45 feet wide, 44 feet deep, and will have a maximum height of 28 feet from grade. The height is within the range of the context, which is up to 30 feet. The width is pushing the range of homes nearby, one foot wider, but Staff's analysis is the irregularly shaped lot is sufficient justification for the extra foot of width, and the proposal meets the design guidelines for height and scale.

The proposed new residence also meets the design guidelines for materials, orientation, and utilities.

On the north elevation, Staff has requested the wall dormer on the north side be redesigned to a roof dormer.

In order to meet the guidelines for rhythm of openings, Staff also recommends a window be added in the expanse of wall area toward the front, which is currently 16 feet.

In the staff recommendation, there is an error in the section on orientation, stating that the walkway to the house would be in the approximate location of this existing curb cut but in fact, the curb cut is on the adjacent property, and the walkway will be about 20 feet to the left.

The house will meet the design guidelines for setbacks and rhythm of spacing. The outbuilding meets the guidelines for everything except location. In the section of the guidelines on setbacks and site requirements, there should be 20 feet between the principal structure and an outbuilding. Currently the outbuilding is 5 feet from the house. The presence of a sewer easement at the rear of the lot does restrict the possible locations for an outbuilding, and the applicant will speak to that.

In conclusion, staff recommends approval of the proposed new construction with these conditions:

- Finished floor height will be consistent with that of adjacent historic homes;
- Staff approve windows, doors and a brick sample;
- A window be added to the north elevation;
- The dormer on the north side be redesigned as a roof dormer, and
- The outbuilding be relocated to be no closer than 20 feet to the house.

Van Pond, architect for the project, handed out drawings to show the alternative locations and how it would not be possible to construct the building where it should be because of the easement. His applicant requested option B, if the first proposal, option A, is not approvable.

Brett Withers, representative for the neighborhood, stated that the lot is unique due to its dimensions and the rear easement so the neighborhood supports the current location. The neighborhood also likes that the large door doesn't face the alley where it will be highly visible, how the massing is broken up, and the detailing of the building.

Commissioner Mosley stated that it is important that the neighborhood supports the design and understands the constraints. It is also more appropriate to have a rear facing garage than one of the other options.

Motion:

Commissioner Mosley moved to approved the project with the conditions

- **that the finished floor height be consistent with that of adjacent historic homes;**
- **Staff approve windows, doors and a brick sample;**
- **a window be added to the north elevation;**
- **and the dormer on the north side be redesigned as a roof dormer.**

Vice-chairperson Nielson seconded and the motion passed unanimously.

w. 1727 4th AVENUE NORTH

Application: New construction-infill

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID#

Please see discussion and motion under 1729 4th Avenue North.

x. 1729 4TH AVENUE NORTH

Application: New construction-infill

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID#

Ms. Zeigler, staff member, stated that the applicant agreed to the conditions; therefore there will be no staff presentation unless requested.

John Root stated that he agreed with all the conditions.

Motion:

Vice-chairman Nielson moved to approve both 1727 and 1729 4th Avenue North with the following conditions:

- **that the height be lowered by ten inches (10");**
- **Staff approve the windows and doors, shingle color, metal roof color, trim, fence, and rear porch materials;**

- the HVAC units be located on the rear façade, or on a side façade beyond the midpoint of the house;
- all paired windows have a 4” to 6” mullion; and,
- 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.

Commissioner Bell seconded and the motion passed unanimously.

VI. PRELIMINARY SP REVIEW

y. 1304 4th AVENUE NORTH AND 1309 3RD AVENUE NORTH

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 that is located adjacent to the National Register of Historic District’s boundaries. At this time, the applicant is seeking approval of the massing and layout of the project and if approved, will return for final approval of the details of the project.

Although the development abuts historic context, generally the Commission has used the guidelines for properties “without historic context” when they are outside of the National Register boundaries, which this one is.

The project includes demolition of all buildings and appurtenances on these two lots. The buildings are recent commercial and industrial buildings and do not contribute to the historic character of the neighborhood. Staff finds demolition to meet the requirements for appropriate demolition; thereby meeting section 7.0 of the design guidelines.

The site layout, setbacks, orientation meet the design guidelines.

Typically, new construction within the central portion of the district should be no more than three stories and thirty-five feet (35’) in height. The design guidelines allow for additional height on Third Avenue North because it is an arterial street passing through the eastern part of the District connecting downtown to Metro Center and for additional height where there is little historic context.

For large lots, the large massing should be mitigated and this is accomplished by keeping the development at four stories along Third Avenue North (approximately 45’ from grade) and bringing the development down to three-stories (approximately 31’ from grade) as it transitions towards the border of the National Register District.

On Third Avenue North, the project is primarily five stories (approximately 54’ from grade) on Monroe Street and wrapping around Third Avenue, which is appropriate because four to six stories are possible for portions across the street on Third Avenue North. The massing is mitigated by pushing back the fifth level in the middle of the project (approximately 40’ from grade), facing Third Avenue North and transitioning down to three stories (approximately 32’ from grade) as the project approaches two historic buildings, just outside of the National Register boundary.

Staff recommends approval of demolition of existing buildings and structures, finding the action to meet the design guidelines for appropriate demolition.

Staff recommends approval of a recommendation to the Planning Commission of the massing, finding that the project meets the design guidelines for new construction within an area with little historic context and with the understanding that the applicant will return for final approval of façade articulation and all details of the project.

Commissioner Mosley stated that he met with the applicant and staff, at staff's request, but did not feel that affected his ability to review the project.

Chris Bennish, with Price Development Group, explained the background of the company and the process of designing the project in communication with all Metro development related departments. They met with the neighborhood and understand that the height is a concern. He explained the reasoning behind the height as presented—the project lowers in height as it transitions to the historic buildings, the guidelines allow for additional height along Third Avenue North.

Michael Emrick, representing the neighborhood association passed out additional information. PDG only showed the neighborhood a couple of images and not all the additional images that are a part of the staff recommendation. The discussion was largely favorable with the exception of the height that exceeds three stories, which has been the norm throughout the neighborhood. Formal comments were submitted to staff via letter and attached to the staff recommendation. He provided the history of the neighborhood's creation of the design guidelines, the overlay and rezoning to a mixed use. The neighborhood takes issue with extending the height on the Fourth Avenue side which should be no more than three stories to be in keeping with the design guidelines and all other projects approved to date within boundaries they understood would have three stories.

Jimmy Rawlings, 1311 Fourth Avenue North, lives across the street and agrees that Fourth Avenue should not exceed three stories and the Fourth Avenue side should not exceed four stories, as it is too excessive for the neighborhood.

William Hollings, 1237 Sixth Avenue North, stated that approval will set a precedent for another large lot that hasn't yet been developed and push this additional height into the center of the neighborhood.

Lance Bloom, 900 20th Avenue, spoke in favor of the project noting that the Cumberland Machine property is only .06 of an acre and too small for a large project. He does not live in the neighborhood, but his best friend does.

Commissioner Mosley stated that the design guidelines were developed with a sophisticated knowledge of the realities of the neighborhood in terms of future development and the areas with little historic context. As he and staff worked with the applicants, they tried to provide feedback that met the design guidelines.

Commissioner Mosley noted that additional comments were received via email.

Vice-chairperson Nielson asked if the three-story maximum was something that the neighborhood discussed when the design guidelines were created. Commissioner Mosely stated that a specific number of stories can be found in the design guidelines for properties within the NR boundaries, but not those outside.

The applicant stated that they met with the Germantown neighborhood on November 3, and have met with other individual residents and business owners since October. Planning Commission approved the project on second reading and the third reading at Council was deferred until they had a recommendation from MHZC.

Chairman Tibbs noted that the bridge takes away from the character in the district as sky bridges keep people off the street. Commissioner Mosley explained that the bridge was really to connect the private parking garage with the second half of the development and not for general neighborhood use.

Commissioner Bell spoke in favor of a three-story maximum because of the context of the neighborhood and the other developments approved.

Commissioner Gee stated that the massing is appropriate on Third Avenue, the sky bridge is necessary for garage access and others have been approved, but that on Third Avenue, the height should step-down to three stories until closer to Monroe Street, to better address the properties within the National Register boundaries. Four stories may be appropriate along Monroe Street.

Commissioner Mosley and Gee noted that the garage may extend beyond the roof if the project is brought down to three stories but would likely not be visible.

Applicant was invited back for rebuttal.

Monte Wendler, with PDG, stated that the neighborhood concern seems to center around the height along Fourth Avenue. They are willing to amend the project to extend the three-story section, along Fourth Avenue to the B1 unit in blue and then keep the four-story section along Monroe to the alley because otherwise it would look too choppy.

Motion:

Commissioner Gee moved to approve the staff recommendation with the additional condition that the massing on Fourth Avenue be limited to three stories along the Fourth Avenue façade, recognizing that the garage may rise above that. Commissioner Bell seconded and the motion passed unanimously. 100%

VII. ADMINISTRATIVE ACTIONS

z. Approve change to Rules of Order and Procedure

The Commission did not have any discussions regarding changes to the Rules of Order and Procedure due to time constraints.

Meeting adjourned at 5:07 p.m.

RATIFIED BY THE COMMISSION ON DECEMBER 17, 2014.