

JOHN COOPER  
MAYOR



**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
3000 Granny White Pike  
Nashville, Tennessee 37204  
Telephone: (615) 862-7970  
Fax: (615) 862-7974

**STAFF RECOMMENDATION**  
**722 McFerrin Avenue**  
**April 22, 2020**

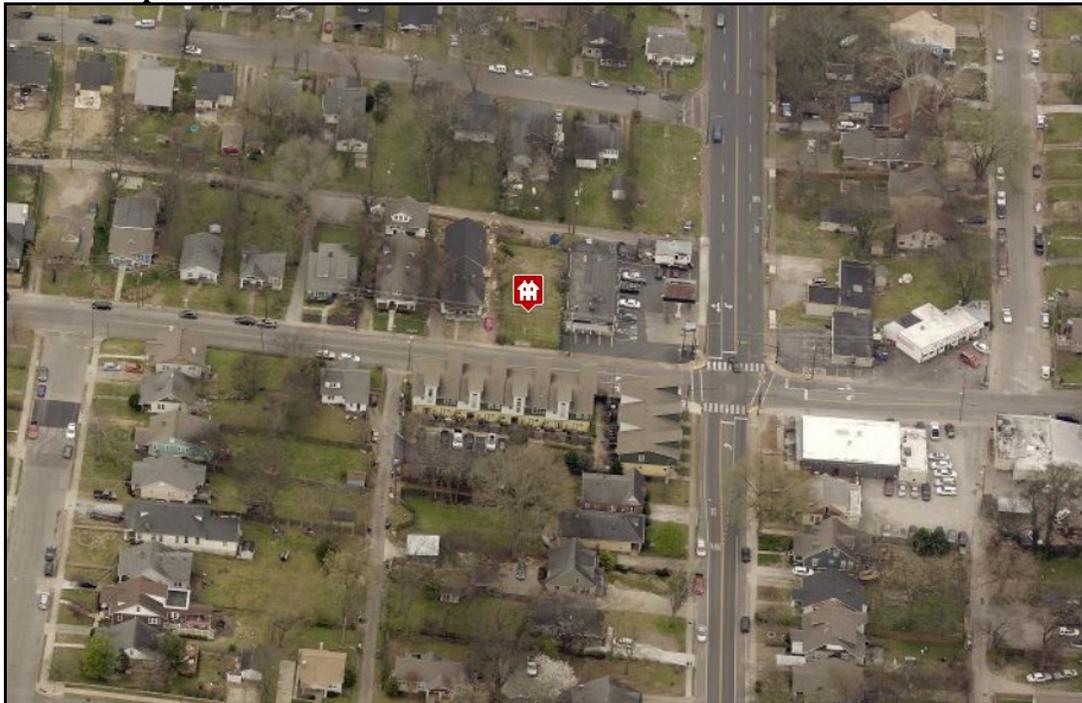
**Application:** New Construction - Infill  
**District:** Maxwell Heights Neighborhood Conservation Zoning Overlay  
**Council District:** 05  
**Base Zoning:** MUN-A  
**Map and Parcel Number:** 082080286  
**Applicant:** Brandon Williams  
**Project Lead:** Jenny Warren, jenny.warren@nashville.gov

<p><b>Description of Project:</b> Application for new construction of a mixed use building.</p> <p><b>Recommendation Summary:</b> Staff recommends denial of the application, finding that the project does not meet the following design guidelines:</p> <ul style="list-style-type: none"> <li>• Sections II.B.1.a.and b for height and scale</li> <li>• Section II.B.1.c for setback and rhythm of spacing</li> <li>• Section II.B.1.e for roof form</li> <li>• Section II.B.1.f for orientation</li> <li>• Section II.B.1.g for proportion and rhythm of openings.</li> </ul>	<p><b>Attachments</b> <b>A:</b> Photographs <b>B:</b> Site Plan <b>C:</b> Elevations</p>
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**Vicinity Map:**



**Aerial Map:**



## **Applicable Design Guidelines:**

### **II.B. GUIDELINES**

#### **1. New Construction**

##### **a. Height**

The height of the foundation wall, porch roof(s), and main roof(s) of a new building shall be compatible, by not contrasting greatly, with those of surrounding historic buildings.

##### **b. Scale**

The size of a new building and its mass in relation to open spaces shall be compatible, by not contrasting greatly, with surrounding historic buildings.

*Foundation lines should be visually distinct from the predominant exterior wall material. This is typically accomplished with a change in material.*

##### **c. Setback and Rhythm of Spacing**

The setback from front and side yard property lines established by adjacent historic buildings should be maintained. Generally, a dominant rhythm along a street is established by uniform lot and building width. Infill buildings should maintain that rhythm.

*The Commission has the ability to determine appropriate building setbacks and extend height limitations of the required underlying base zoning for new construction, additions and accessory structures (ordinance no. 17.40.410).*

*Appropriate setbacks will be determined based on:*

- *The existing setback of the contributing primary buildings and accessory structures found in the immediate vicinity;*
- *Setbacks of like structures historically found on the site as determined by historic maps, site plans or photographs;*
- *Shape of lot;*
- *Alley access or lack thereof;*
- *Proximity of adjoining structures; and*
- *Property lines.*

*Appropriate height limitations will be based on:*

- *Heights of historic buildings in the immediate vicinity*
- *Existing or planned slope and grade*

*In most cases, an infill duplex should be one building, as seen historically in order to maintain the rhythm of the street. Detached infill duplexes may be appropriate in the following instances:*

- *There is not enough square footage to legally subdivide the lot but there is enough frontage design guidelines;*
- *The second unit follows the requirements of a Detached Accessory Dwelling Unit; or*
- *An existing non-historic building sits so far back on the lot that a building may be constructed in front of it in a manner that meets the rhythm of the street and the established setbacks.*

##### **d. Materials, Texture, Details, and Material Color**

The materials, texture, details, and material color of a new building's public facades shall be visually compatible, by not contrasting greatly, with surrounding historic buildings. Vinyl and aluminum siding are not appropriate.

*T-1-11- type building panels, "permastone", E.F.I.S. and other artificial siding materials are generally not appropriate. However, pre-cast stone and cement fiberboard siding are approvable cladding materials for new construction; but pre-cast stone should be of a compatible color and texture to existing historic stone clad structures in the district; and cement fiberboard siding, when used for lapped siding, should be smooth and not stamped or embossed and have a maximum of a 5" reveal. The reveal for lap siding should not exceed 5". Larger reveals may be possible but should not exceed 8" and shall have mitered corners.*

*Shingle siding should exhibit a straight-line course pattern and exhibit a maximum exposure of seven inches (7").*

*Four inch (4") nominal corner boards are required at the face of each exposed corner.*

*Stud wall lumber and embossed wood grain are prohibited.*

*Belt courses or a change in materials from one story to another are often encouraged for large two-story buildings to break up the massing.*

*When different materials are used, it is most appropriate to have the change happen at floor lines.*

*Clapboard sided chimneys are generally not appropriate. Masonry or stucco is appropriate.*

*Texture and tooling of mortar on new construction should be similar to historic examples.*

*Asphalt shingle is an appropriate roof material for most buildings. Generally, roofing should not have strong simulated shadows in the granule colors which results in a rough, pitted appearance; faux shadow lines; strongly variegated colors; colors that are too light (e.g.: tan, white, light green); wavy or deep color/texture used to simulate split shake shingles or slate; excessive flared form in the shingle tabs; uneven or sculpted bottom edges that emphasize tab width or edges, unless matching the original roof.*

*Generally front doors should be 1/2 to full-light. Faux leaded glass is inappropriate.*

#### **e. Roof Shape**

The roof(s) of a new building shall be visually compatible, by not contrasting greatly, with the roof shape, orientation, and pitch of surrounding historic buildings.

*Roof pitches should be similar to the pitches found in the district. Historic roofs are generally between 6/12 and 12/12.*

*Roof pitches for porch roofs are typically less steep, approximately in the 3-4/12 range.*

*Generally, two-story residential buildings have hipped roofs.*

*Generally, dormers should be located on the roof. Wall dormers are not typical in the historic context and accentuate height so they should be used minimally and generally only on secondary facades. When they are appropriate they should be no wider than the typical window openings and should not project beyond the main wall.*

#### **f. Orientation**

The orientation of a new building's front facade shall be visually consistent with surrounding historic buildings.

##### *Porches*

*New buildings should incorporate at least one front street-related porch that is accessible from the front street.*

*Side porches or porte cocheres may also be appropriate as a secondary entrance, but the primary entrance should address the front.*

*Front porches generally should be a minimum of 6' deep, have porch racks that are 1'-3' tall and have posts that include bases and capitals.*

##### *Parking areas and Driveways*

*Generally, curb cuts should not be added.*

*Where a new driveway is appropriate it should be two concrete strips with a central grassy median. Shared driveways should be a single lane, not just two driveways next to each other. Sometimes this may be accomplished with a single lane curb cut that widens to a double lane deeper into the lot.*

#### *Duplexes*

*Infill duplexes shall have one or two doors facing the street, as seen on historic duplexes. In the case of corner lots, an entrance facing the side street is possible as long as it is designed to look like a secondary entrance.*

*In the case of duplexes, vehicular access for both units should be from the alley, where an alley exists. A new shared curb cut may be added, if no alley and no driveway exists, but the driveway should be no more than 12' wide from the street to the rear of the home. Driveways should use concrete strips where they are typical of the historic context. Front yard parking or driveways which end at the front of the house are not consistent with the character of the historic neighborhoods.*

#### *Multi-unit Developments*

*For multi-unit developments, interior dwellings should be subordinate to those that front the street.*

*Subordinate generally means the width and height of the buildings are less than the primary building(s) that faces the street.*

*For multi-unit developments, direct pedestrian connections should be made between the street and any interior units. The entrances to those pedestrian connections generally should be wider than the typical spacing between buildings along the street.*

### **g. Proportion and Rhythm of Openings**

The relationship of width to height of windows and doors, and the rhythm of solids (walls) to voids (door and window openings) in a new building shall be compatible, by not contrasting greatly, with surrounding historic buildings.

*Window openings on the primary street-related or front façade of new construction should be representative of the window patterns of similarly massed historic structures within the district.*

*In most cases, every 8-13 horizontal feet of flat wall surface should have an opening (window or door) of at least 4 square feet. More leniencies can be given to minimally visible side or rear walls.*

*Double-hung windows should exhibit a height to width ratio of at least 2:1.*

*Windows on upper floors should not be taller than windows on the main floor since historically first floors have higher ceilings than upper floors and so windows were typically taller on the first floor.*

*Single-light sashes are appropriate for new construction. If using multi-light sashes, muntins should be fully simulated and bonded to the glass, and exhibit an interior bar, exterior bar, as well as a spacer between glass panes.*

*Four inch (nominal) casings are required around doors, windows and vents on non-masonry buildings.*

*Trim should be thick enough to extend beyond the clapboard. Double or triple windows should have a 4" to 6" mullion in between.*

*Brick molding is required around doors, windows and vents within masonry walls but is not appropriate on non-masonry buildings.*

### **h. Utilities**

Utility connections such as gas meters, electric meters, phone, cable, and HVAC condenser units should be located so as to minimize their visibility from the street.

*Generally, utility connections should be placed no closer to the street than the mid point of the structure.*

*Power lines should be placed underground if they are carried from the street and not from the rear or an alley.*



Figure 1: Vacant lot at 722 McFerrin Avenue.



Figure 2: Proposed front elevation

**Background:** 722 McFerrin Avenue is a vacant lot within the Maxwell Heights Neighborhood Conservation Zoning Overlay. The house that previously stood on this lot was demolished around 1976. Currently, the lot is zoned MUN-A and sits next to a non-contributing corner commercial building on one side and a one-story historic house on the other.

### **Analysis and Findings:**

The application is for the new construction of a mixed-use infill building. The proposed structure is three stories tall with a commercial form and a flat roof. The project incorporates both commercial and residential uses.

### **Form:**

The applicant is proposing to construct a building with a commercial form on a vacant lot. Staff finds that this form is inappropriate to the context. Maxwell Heights is a residential neighborhood that contains primarily one and one-and-a-half story homes with one-story corner commercial buildings, and appropriate new infill should be compatible with that historic context. Regardless of the underlying zoning and intended use of the property, any new construction should be compatible with that historic context in form, as well as in height, scale, materials, setback, etc. A house stood on this lot up until 1976. In fact, a house stood on the neighboring lot at 726 McFerrin as late as 1957. The alley beside this house was widened and turned into Cleveland Street and this house was

replaced with a gas station shortly thereafter. Historically, this street was residential, and although the zoning now allows for a mixed use here, the form should remain compatible with the historic context. Allowing a three-story commercial form here would further erode the residential nature of this block, contrary to the purpose of the overlay.

This property is next door to a corner lot and three of the four corners at this intersection are indeed commercial structures. Each of these (only one of which contributes to the overlay) have commercial forms with flat roofs, and each is only one-story tall, as often found in historic residential districts. In many historic residential districts, commercial buildings are only on corner lots and this is an interior lot. In addition, corner commercial in residential districts is only one-story and the proposal is three-stories. If the Commission determines that a commercial form is appropriate for this lot, only one-story commercial forms are appropriate in this overlay.

#### Height & Scale:



Figure 3: Historic house at 720 McFerrin

The new construction is proposed to be thirty-two feet (32') tall. The historic context includes houses that are between about fifteen and twenty-seven feet (15'-27') tall. Additionally, the historic houses all have a pitched roof, so their heights reflect the peak of the ridge – in other words, only a small portion of the massing of the historic houses are actually this tall. The new construction has a flat roof

form, so the entire building would be a full thirty-two feet (32') high and would sit next to a historic house with a height of about twenty-one feet (21') to the peak of its hipped roof. (Figure 3)

There are non-contributing townhomes across the street (constructed prior to the overlay) that are a bit taller at around twenty-eight feet (28'). The context also includes smaller largely non-contributing commercial buildings which surround the corner of West Eastland and McFerrin. These commercial buildings do have flat roofs, but are all one-story and range in height from about thirteen to about seventeen feet (13'-17'). The non-contributing structures are not used to determine the historic context for infill; but they do serve to illustrate that the proposed height exceeds even the newer non-contributing structures, and that where buildings in this district have a commercial form and flat roof, they are all only one-story tall.

Staff finds that the height is not appropriate for the historic context and should not be taller than about twenty-one to twenty-seven feet (21'-27') – though a smaller structure could also be appropriate.

The building is proposed to be thirty-three feet (33') wide and the lot is fifty feet (50') wide. The historic houses on this block all have similarly sized lots and range in width from about twenty-six to thirty-six feet (26'-36') wide. Staff finds that the proposed width is appropriate for the historic context.

Staff finds that the proposed infill does not meet sections II.B.1.a. and b for height and scale.

Setback & Rhythm of Spacing:

The proposed front setback is one foot, six inches (1'6"). All of the historic houses to the left of the subject lot have consistent setbacks. The infill should match the setbacks of these historic houses, rather than sit on the sidewalk.

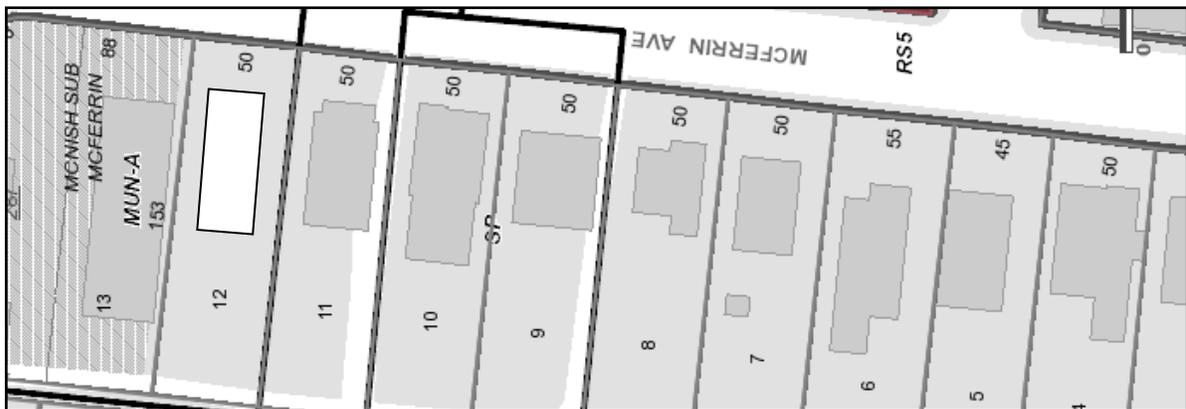


Figure 4: Footprint map showing setbacks from McFerrin. White box indicates approximate appropriate front setback for 722 McFerrin

An exterior stair encroaches on the five foot (5') right side setback, which staff finds to be inappropriate. The setback on the left side is just under twelve feet (12'), allowing room for the driveway on this side. This configuration is appropriate to the context of this block.

On the rear, the building will sit more than seventy feet (70') from the rear property line, which is appropriate.

Staff finds that the project does not meet section II.B.1.c for the front setback.

Materials:

	<b>Proposed</b>	<b>Color/Texture/Make/Manufacturer</b>	<b>Approved Previously or Typical of Neighborhood</b>	<b>Requires Additional Review</b>
<b>Foundation</b>	Brick to grade	Unknown	Yes	X
<b>Cladding</b>	Brick	Unknown	Yes	X

<b>Roofing</b>	Flat roof	Unknown	No	X
<b>Trim</b>	Brick/Not indicated	Unknown	Yes	X
<b>Side stairs</b>	Not indicated	Unknown	No	X
<b>Side stair railing</b>	Not indicated	Unknown	No	X
<b>Windows</b>	Not indicated	Unknown	Unknown	X
<b>Principle Entrance</b>	Full light with transom/side lights	Unknown	No	X
<b>Side/rear doors</b>	Not indicated	Unknown	Yes	X
<b>Driveway</b>	Not indicated	Unknown	Unknown	X

With final staff review and approval of all materials, this project could meet section II.B.1.d

Roof form:

The proposed roof is flat with a parapet. The guidelines state that roofs should have a similar pitch to those found in the district, generally between 6/12 and 12/12. As explained above, under “Height and Scale”: the historic houses all have a pitched roof, so their heights reflect the peak of the ridge – in other words, only a small portion of the massing of the historic houses are actually this tall. The new construction has a flat roof form, so the entire building would be a full thirty-two feet (32’) high and would sit next to a historic house with a height of about twenty-one feet (21’) to the peak of its hipped roof. Additionally, the flat-roofed form uses no eaves to help mitigate the height of the structure.

There are several flat-roofed commercial structures in the overlay. Most of these are non-contributing, and all of them are only one-story tall.

The project does not meet section II.B.1.e for roof form.

Orientation:

The building is oriented to McFerrin Avenue, which is appropriate. Due to the shallow setback and commercial form, there is no front walkway or porch. There is an awning that covers the central entry doors. The historic context consists of houses with front walks, porches, and significant setbacks, the infill should also have these elements in order to meet the design guidelines.

The site plan includes a driveway accessed from McFerrin Avenue, along the left side of the property. This is a common condition on this block and staff finds that maintaining a driveway from McFerrin Avenue is appropriate.

Staff finds that the proposal does not meet section II.B.1.f for orientation due to the front setback, the lack of a porch and the lack of a walkway.

Proportion and Rhythm of Openings:

On the front and rear elevations the window and door openings are twice as tall as they are wide, thereby meeting the historic proportion of openings. On the side elevations, there are very few windows and those that do exist are primarily small horizontal windows. If the form were appropriate, staff would recommend that there be a window every eight to thirteen feet (8'-13') in accordance with the guidelines. The majority of these windows should be twice as tall as they are wide. With the addition of windows to the side elevations, staff finds that the project's proportion and rhythm of openings could meet Section II.B.1.g.

Appurtenances & Utilities:

The proposal includes an exterior staircase on the side elevation, which the Commission has not approved in the past. Exterior stairs are not a historically appropriate features and are typically only approved on rear elevations. The location of the HVAC and other utilities was also not noted. If the form were appropriate, Staff would recommend that the HVAC be located on the rear façade, or on a side façade beyond the midpoint of the infill. The project meets section II.B.1.h.

**Recommendation:**

Staff recommends denial of the application, finding that the project does not meet the following design guidelines:

- Sections II.B.1.a.and b for height and scale
- Section II.B.1.c for setback and rhythm of spacing
- Section II.B.1.e for roof form
- Section II.B.1.f for orientation
- Section II.B.1.g for proportion and rhythm of openings.



Context photograph.

**SITE DATA**

ZONING CLASSIFICATION  
MUN-A: MIXED USE NEIGHBORHOOD

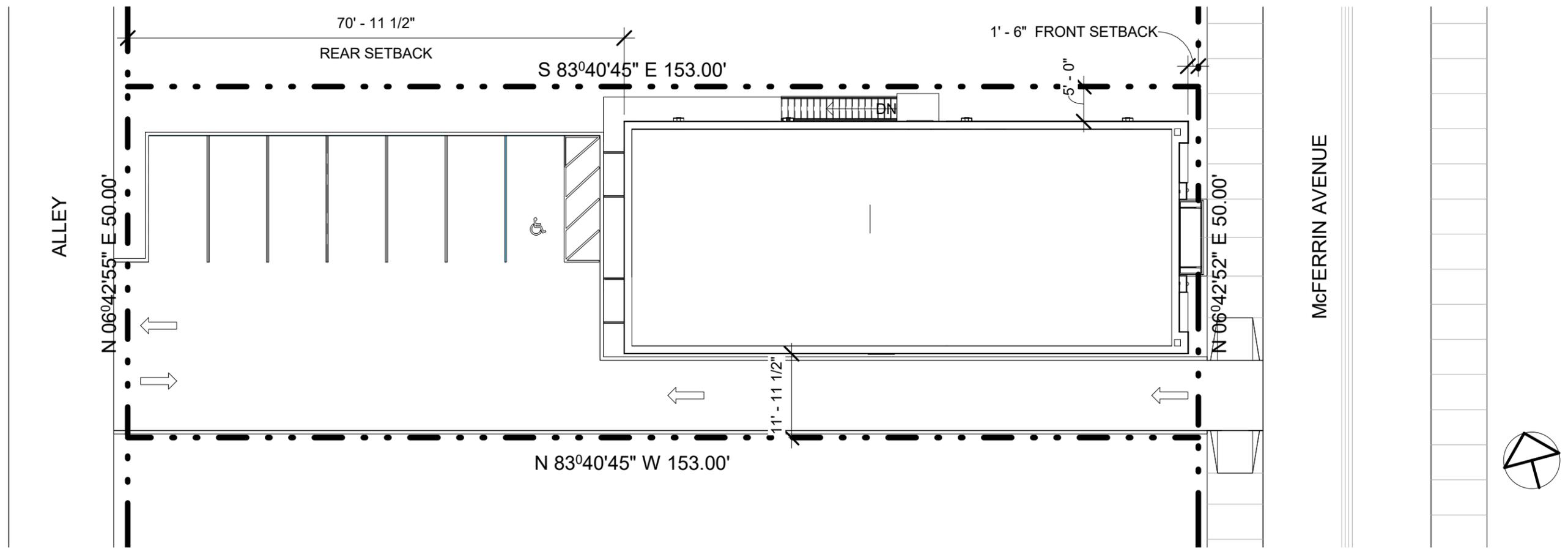
LOT AREA: 0.18 ACRES (7,650 SF)

<u>SPECIFIC REQUIREMENTS</u>	<u>REQUIRED</u>	<u>PROVIDED</u>
FRONT SETBACK	0 - 15' MIN.	1'-6"
LEFT SIDE SETBACK	NONE REQ.	12'-0"
RIGHT SIDE SETBACK	NONE REQ.	5'-0"
REAR SETBACK	20' MIN.	71'-0"
MAX. FAR	60%	7,908 / 7,650 = 103%
MAX. FAR IN UZO DISTRICT	150%	103%
MAX. ISR	80%	6,681 / 7,650 = 87%
BUILDING HEIGHT	4-STORIES MAX.	3 STORIES
BUILDING USE:	MIXED-USE (PERMITTED)	

PARCEL ID: 0286

**BUILDING INFORMATION**

BUILDING HEIGHT	3 STORIES
BUILDING GROSS SQ. FT	<ul style="list-style-type: none"> <li>LEVEL 1 = 2,636 gsf</li> <li>LEVEL 2 = 2,636 gsf</li> <li>LEVEL 3 = 2,636 gsf</li> <li>TOTAL = 7,908 gsf</li> </ul>
TOTAL LEASABLE SQ. FT	5,732 sf
<u>COMMERCIAL SPACE</u>	<ul style="list-style-type: none"> <li>SPACE 1 = 1,148 sf</li> </ul>
<u>RESIDENTIAL SPACES</u>	<ul style="list-style-type: none"> <li>UNIT 1 = 502 sf</li> <li>UNIT 2 = 502 sf</li> <li>UNIT 3 = 560 sf</li> <li>UNIT 4 = 560 sf</li> <li>UNIT 5 = 481 sf + 179 sf = 670 sf</li> <li>UNIT 6 = 481 sf + 179 sf = 670 sf</li> <li>UNIT 7 = 560 sf</li> <li>UNIT 8 = 560 sf</li> <li>TOTAL = 4,584 sf</li> </ul>



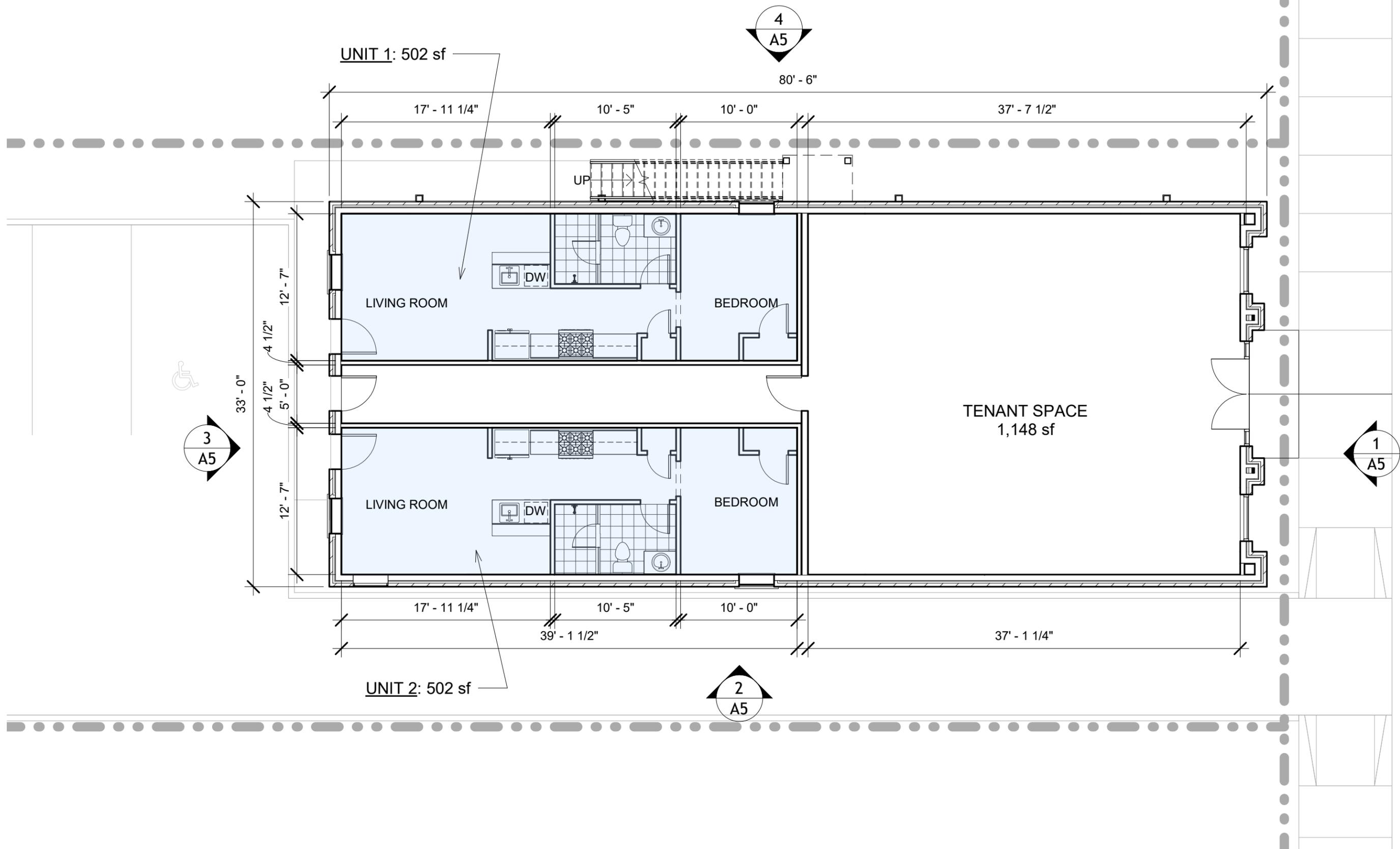
**SITE LAYOUT**

**MIXED-USE RESIDENTIAL: 722 McFERRIN LOFTS**

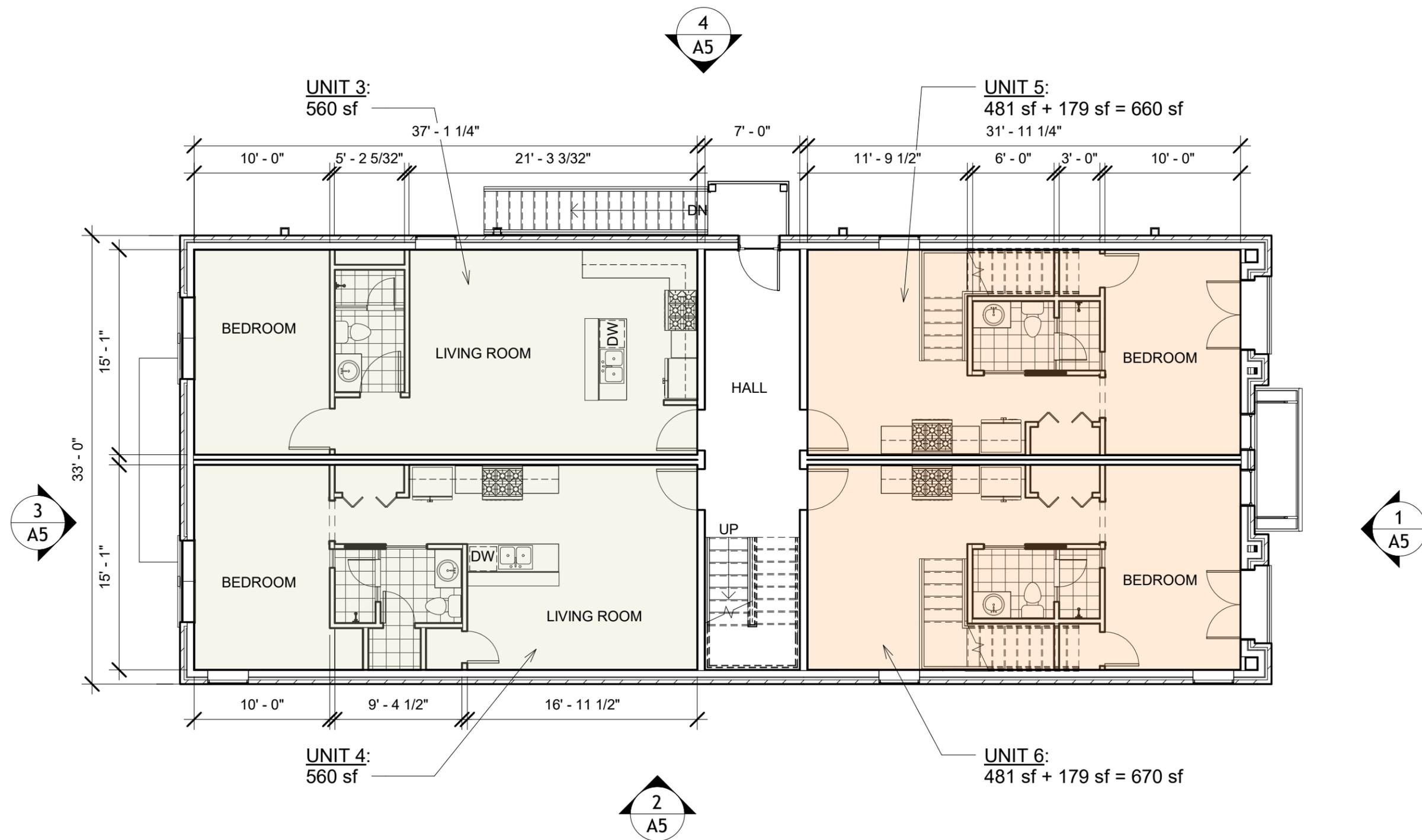
03/16/2020

As indicated

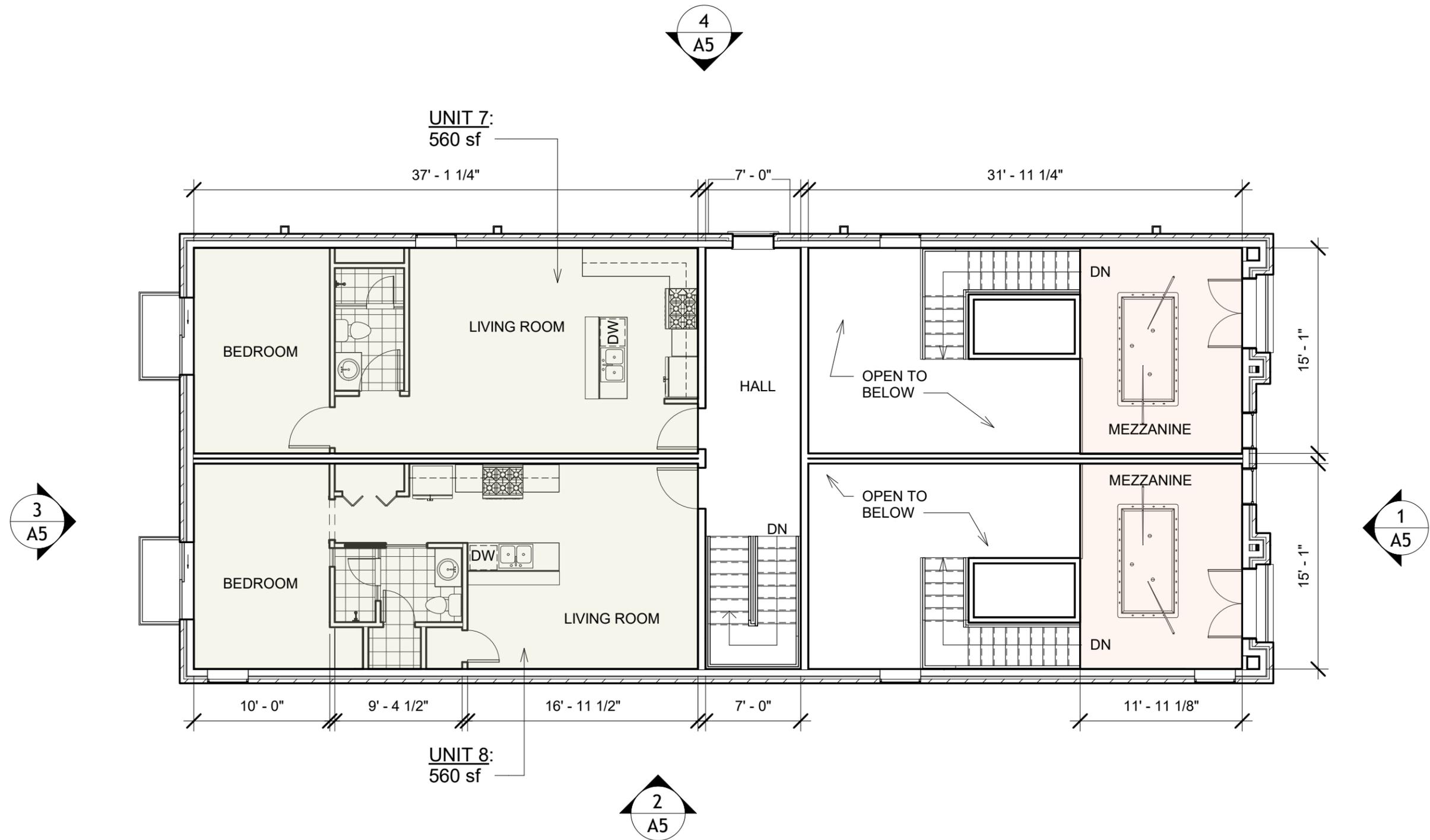




**MAIN LEVEL PLAN**



**SECOND LEVEL**



**THIRD LEVEL**



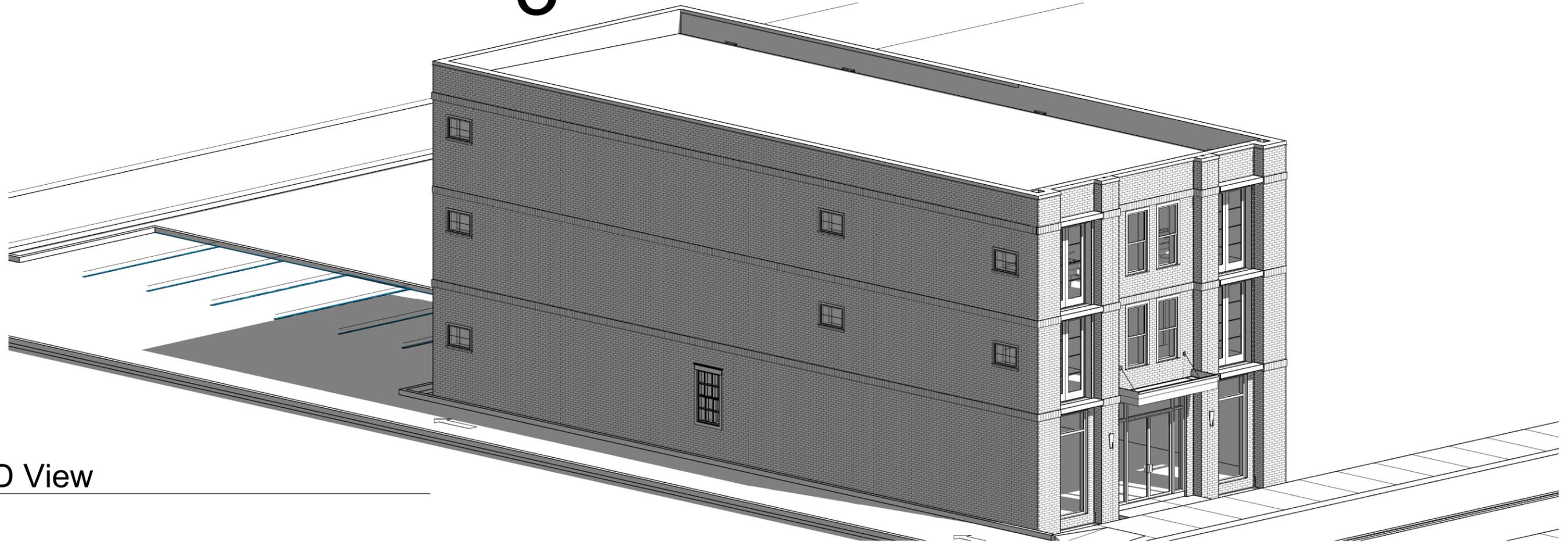
2 3D View - Rear



3 3D View - Front



4 3D View - Right Side

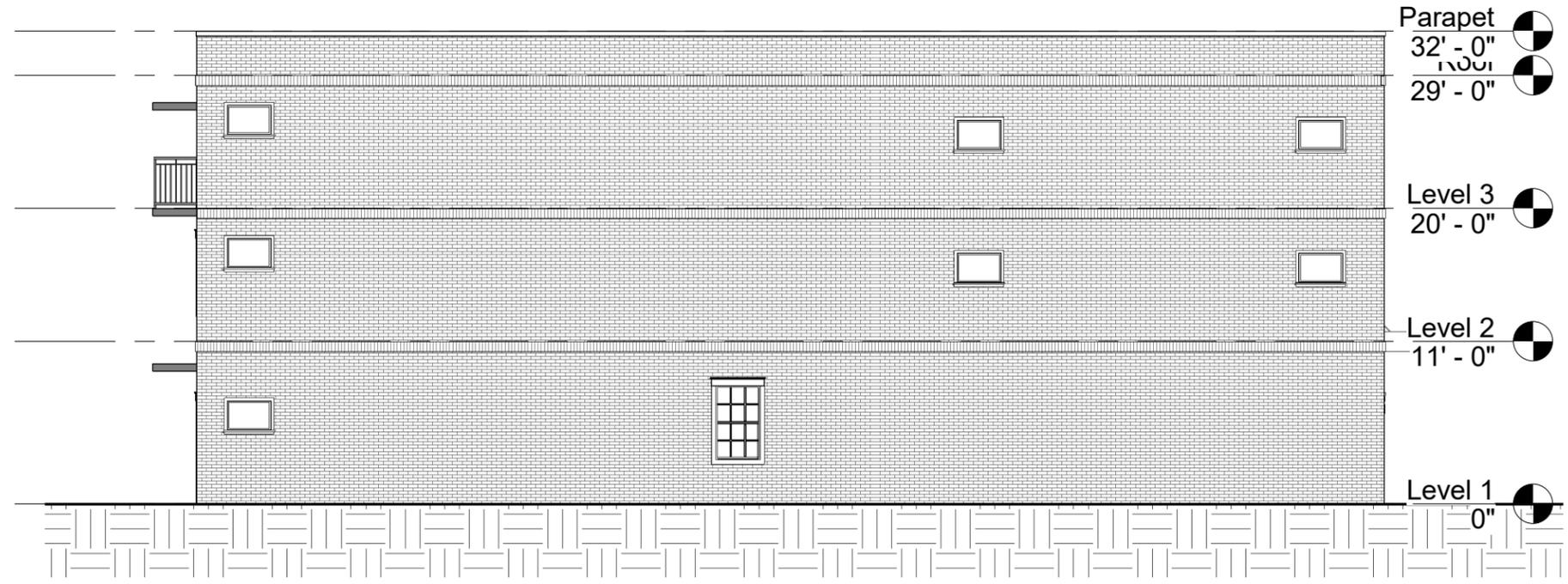


1 3D View

3D - PERSPECTIVE



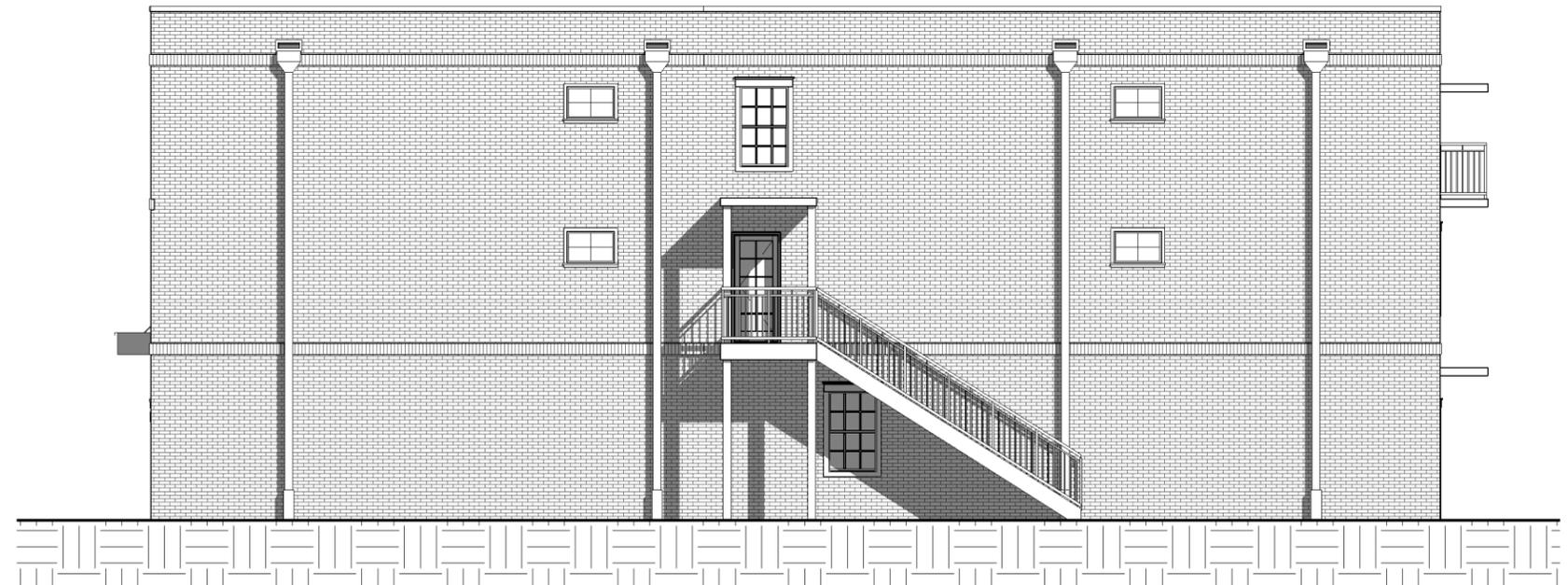
**1** Front Elevation  
3/32" = 1'-0"



**2** Left Side Elevation  
3/32" = 1'-0"

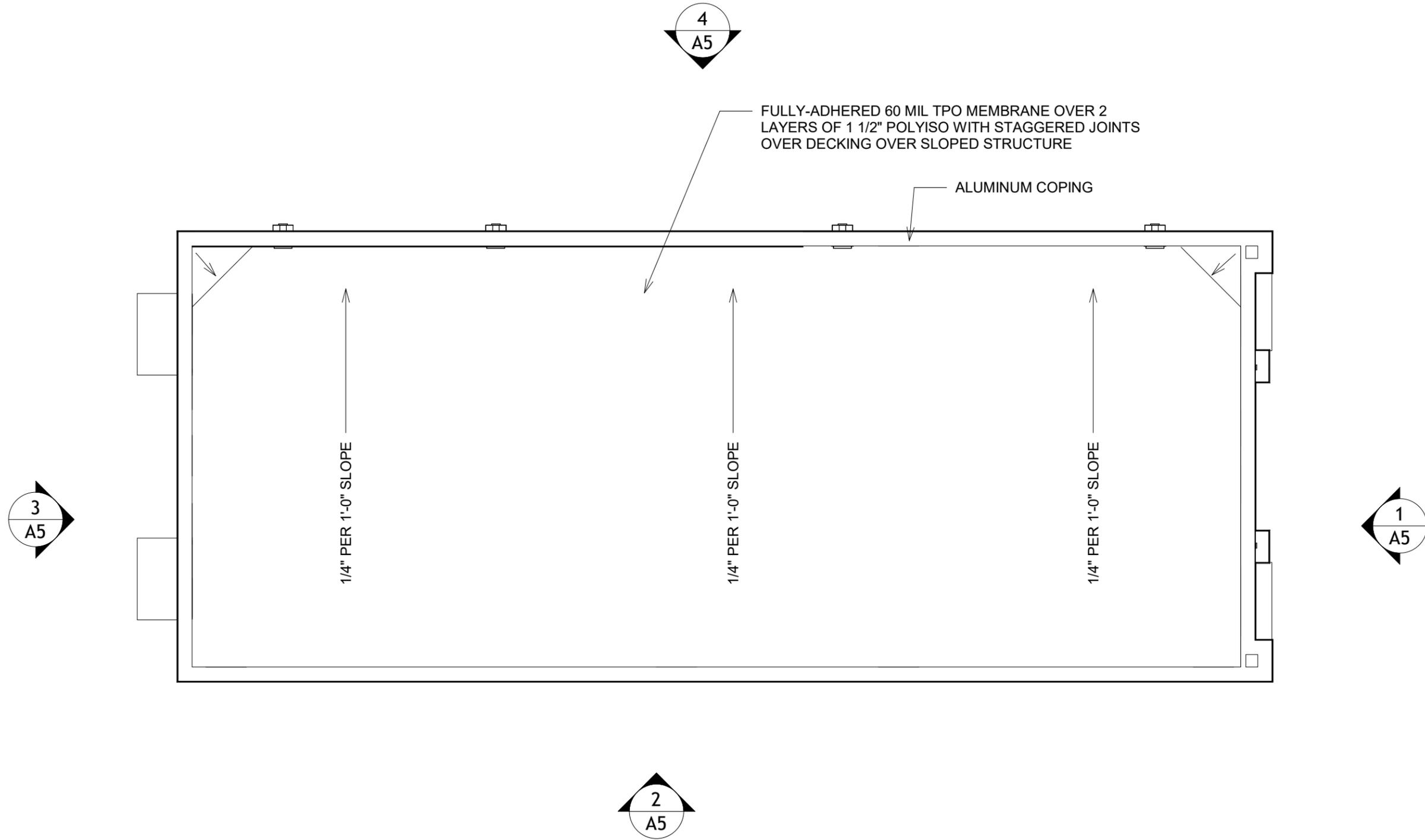


**3** Rear Elevation  
3/32" = 1'-0"



**4** Right Side Elevation  
3/32" = 1'-0"

**EXTERIOR  
ELEVATIONS**



**ROOF PLAN**