

JOHN COOPER
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
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STAFF RECOMMENDATION
722 McFerrin Avenue
June 17, 2020

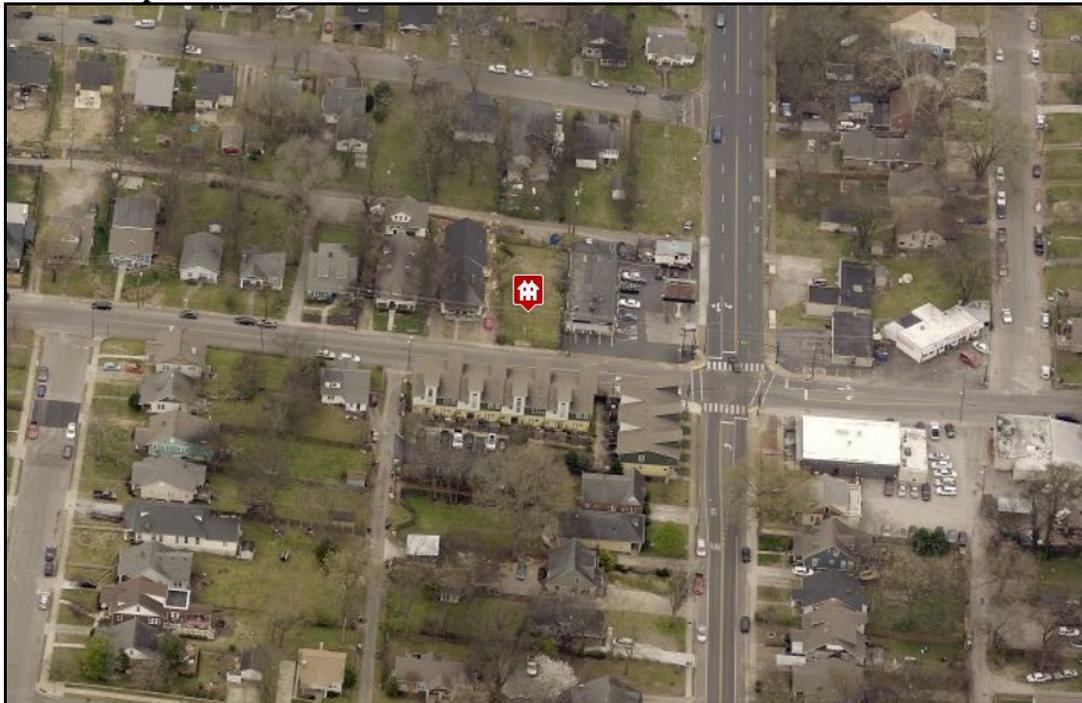
Application: New Construction - Infill
District: Maxwell Heights Neighborhood Conservation Zoning Overlay
Council District: 05
Base Zoning: MUN-A
Map and Parcel Number: 082080286
Applicant: Brandon Williams
Project Lead: Jenny Warren, jenny.warren@nashville.gov

<p>Description of Project: Application for new construction of a mixed use building.</p> <p>Recommendation Summary: Staff recommends denial of the application, finding that the project does not meet the following design guidelines:</p> <ul style="list-style-type: none">• 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.	<p>Attachments A: Photographs B: Site Plan C: 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.

Background: 722 McFerrin Avenue is a vacant lot within the Maxwell Heights Neighborhood Conservation Zoning Overlay. (Figure 1) The house that previously stood on this lot was demolished around 1976. The lot was zoned RS5 until 2017, when it was rezoned MUN-A. The neighborhood conservation zoning overlay does not review how the building is used but does review the form, design and scale of any proposed infill to be certain it is compatible with the historic context.

To the right of the subject property, on the corner of McFerrin and Cleveland Street, is a one-story commercial property (gas station). The applicant owns this property as well and is planning to re-develop it in the near future. Thus, the applicant has included conceptual renderings and elevations for this planned corner redevelopment, for reference. MHZC will ultimately need to review this corner project. However, at this time, the applicant is asking for review of the free-standing building at 722 McFerrin only, the corner property is not a part of the current application.

To the left of the subject property, the street is entirely residential with one and one-and-a-half story houses. Across McFerrin St is a two-story non-contributing town house development, constructed prior to the overlay, and one and one-and-a-half story houses.



Figure 2: Looking south on McFerrin Street, with non-contributing buildings to the left and contributing one and one and one-half story buildings next to the proposed building. The white arrow denotes the location of the proposed three-story commercial building.



Figure 3: Historic residential context to the left of the proposed project. The white arrow shows the location of the proposed three-story commercial building.



Figure 4: Building outlined with dashed lines is the only portion currently under review. The building to the right is a conceptual plan for future development.

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. (There are a few two-story historic houses in the neighborhood, but not within the immediate context of this lot.) See Figures 5-9. 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 the corner house was widened and turned into Cleveland Street and this house was replaced with a gas station shortly thereafter. So the corner commercial use of #726 dates to the 1950s. Historically, this street was residential, and although the zoning now allows for mixed use on this lot, 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.



Figures 5 & 6: 720 and 718 McFerrin, to the left of the subject lot. Both historic 1.5 story houses.



Figures 7 & 8: 716 and 717 McFerrin, to the left and across the street from 722 McFerrin

In many historic residential districts, including Maxwell Heights, low-scaled, one-story commercial buildings are found at intersections, on corner lots. See Figures 9 and 10. The lot at #722 is an interior lot and the proposal is for a three-story building (two stories plus a third ‘mezzanine’ level). This form and height are incompatible with the historic character of the overlay. If the Commission determines that a commercial form is appropriate for this lot, it should be noted that only one-story commercial forms are found in this overlay.



Figure 9: Contributing one-story corner commercial building at 935 W Eastland

This property next door, which is also owned by the applicant, is a corner lot. Three of the four corners at this intersection are commercial structures. See Figure 10. Each of these three (only one of which contributes to the overlay, see Figure 9) have commercial forms with flat roofs, and each is only one-story tall, as often found in historic residential districts. The applicant would like to redevelop both the corner lot, at 726 McFerrin, and the lot at 722 McFerrin, using a commercial form and three story height for both. See Figure 2.

NOTE: Staff agrees that a commercial form is appropriate for the corner lot at #726, and perhaps that some additional height might be appropriate in this location, depending on overall massing and design. However, this corner building as the second phase of the project, is conceptual at this point, and may never be built. In addition, non-contributing buildings are not used for context. The applicant is currently asking for the new structure on the lot at 722 McFerrin, as the first phase, and MHZC is charged with determining whether the proposed design is appropriate to the historic context. The corner design is not under review at this time, and while it may help the Commission to understand the applicant's overall vision, the proposed phase 2 cannot be used as context to evaluate the appropriateness of phase 1.



Figure 10: Looking north on McFerrin. #722 is on the left foreground, behind the fence. One story commercial buildings and larger infill can be seen nearby at the intersection.

Height & Scale:

The new construction is proposed to be twenty-eight feet, six inches (28'6") tall. The historic context includes one and one-and-a-half story houses that are between about fifteen and twenty-seven feet (15'-27') tall. See Figures 5-8. Additionally, the historic houses all have pitched roofs, 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.

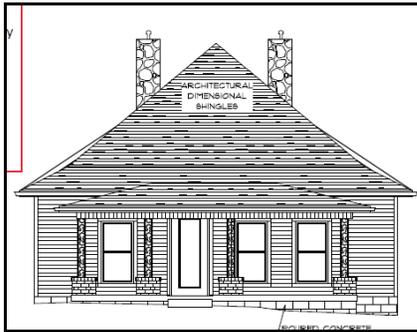


Figure 11: 720 McFerrin Ave



Figure 12: Proposed front elevation at 722 McFerrin

The new construction has a flat roof form, so the entire building would be a full twenty-eight feet, six inches (28'6") 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 11). For reference, the highlighted line across Figure 12 is marked on the plans as twenty feet (20') high. So the peak of the roof at 720 McFerrin (Figure 11) will be just above this line. The right hand eave of 720 is about ten feet (10') high, and the red line on the plan for 722 McFerrin is marked at eleven feet (11'). As a streetscape was not provided, Figures 9 & 10 and been roughly aligned to show the high comparison.

Across McFerrin Avenue are non-contributing townhomes (constructed prior to the overlay) that are two stories tall and around twenty-eight feet (28') high. See Figures 2, 10, 13 and 14.



Figure 13: Non-contributing townhouses across the street

The non-contributing structures are not used as part of the historic context when determining an appropriate height for infill; but since the height is similar to what is being proposed, they are useful in terms of helping to visualize the impact of the proposed height on the streetscape.

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, depending on roof form.



Figure 14: Looking south down McFerrin, the subject lot is indicated by the arrow.

In addition to the height, the proportions of each level are inconsistent with the district, with the upper level appearing to be one additional story when in fact it is two.

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 eight feet (8') from the sidewalk. All of the historic houses to the left of the subject lot have consistent setbacks at approximately twenty feet (20') from the sidewalk. The infill should match the setbacks of these historic house and should be field checked by staff at staking.

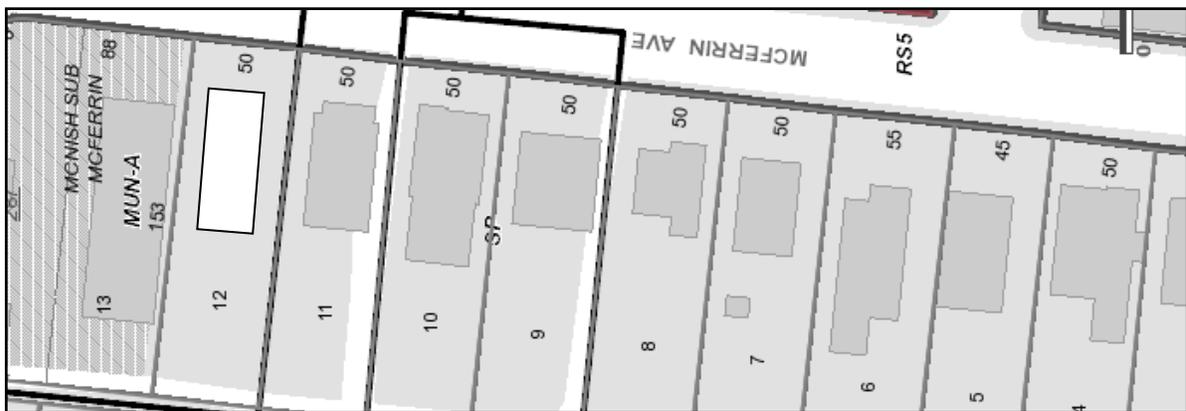


Figure 15: Footprint map showing setbacks from McFerrin. White box indicates approximate appropriate front setback for 722 McFerrin

The setback on the left side is twelve feet (12'), allowing room for the driveway on this side. Although there is a rear alley, driveways are common in this area. This configuration is appropriate to the context of this block. The setback on the right side is five feet (5'), which is also appropriate.

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

Staff finds that with the front setback adjusted to meet that of the historic house next door at 720 McFerrin, the project will meet section II.B.1.c for setbacks.

Materials:

	Proposed	Color/Texture/ Make/Manufacturer	Approved Previously or Typical of Neighborhood	Requires Additional Review
Foundation	Brick to grade	Unknown	Yes	X
Cladding	Brick	Unknown	Yes	X
Roofing	Flat roof	Unknown	No	X
Trim	Brick/Not indicated	Unknown	Yes	X
Windows	Not indicated	Unknown	Unknown	X
Principle Entrance	Full light with transom/side lights	Unknown	No	X
Awnings	Not indicated	Unknown	Yes	X
Side/rear doors	Not indicated	Unknown	Yes	X
Driveway	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 twenty-eight feet, six inches (28’6”) 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. 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 shows a front walkway to the sidewalk. There is no front porch, but there is an awning that covers the central entry doors.

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 with the above-mentioned adjustment to the front setback, the proposal could meet section II.B.1.f for orientation.

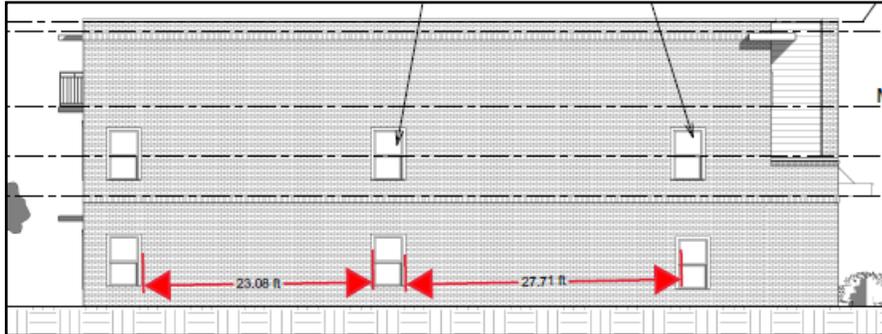


Figure 16. Left side elevation

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 (Figure 16), the windows are vertically oriented but the third level does not include windows. If the form were appropriate, staff would recommend that there be a window every eight to thirteen feet (8'-13'), and on each level, in accordance with the guidelines. The majority of these windows should be twice as tall as they are wide. The project's proportion and rhythm of openings does not meet Section II.B.1.g.

Appurtenances & Utilities:

The location of the HVAC and other utilities was not noted. There is not enough information to analyze 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.

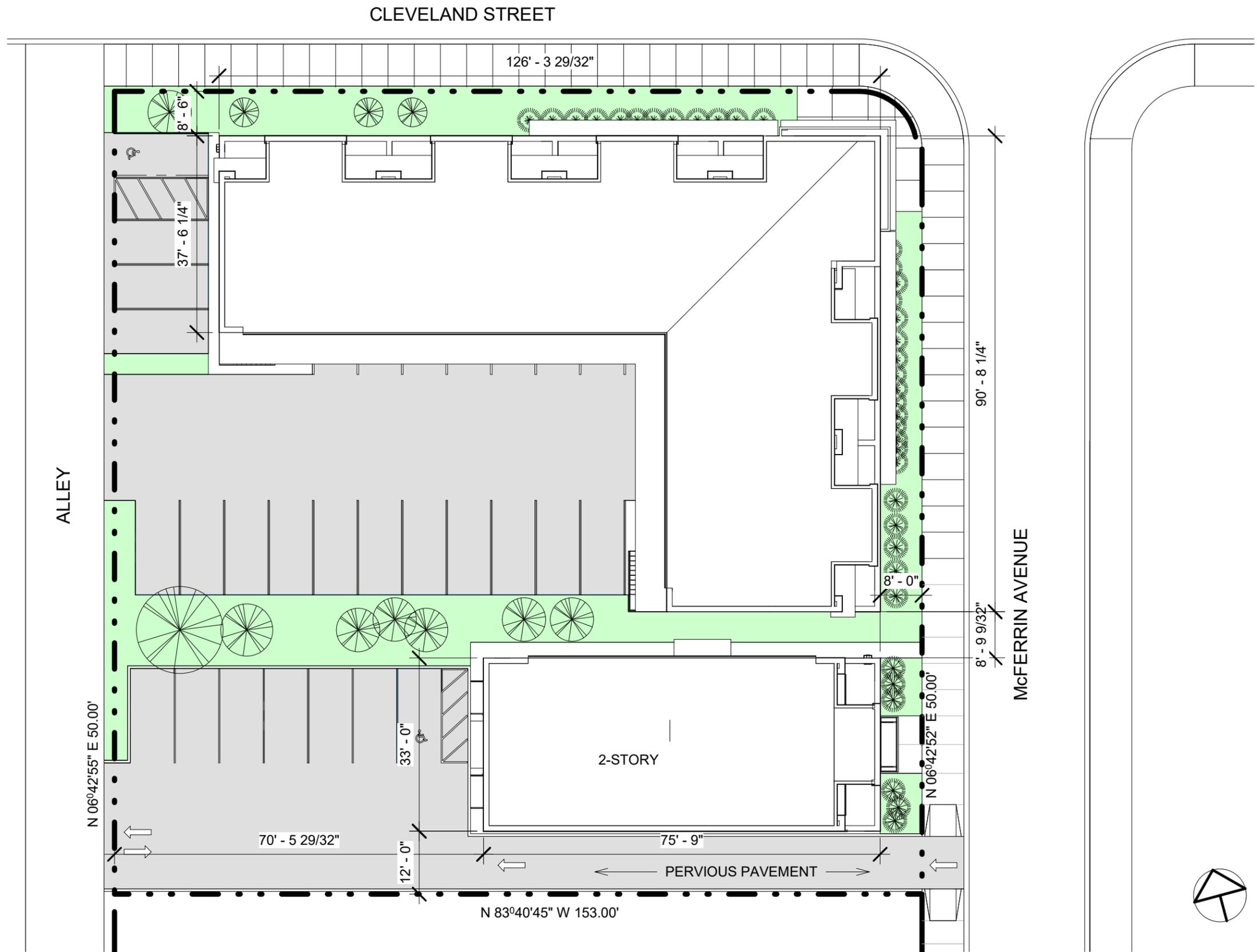


3D - PERSPECTIVE

MIXED-USE RESIDENTIAL: 722 McFERRIN LOFTS

05/29/2020





SITE LAYOUT

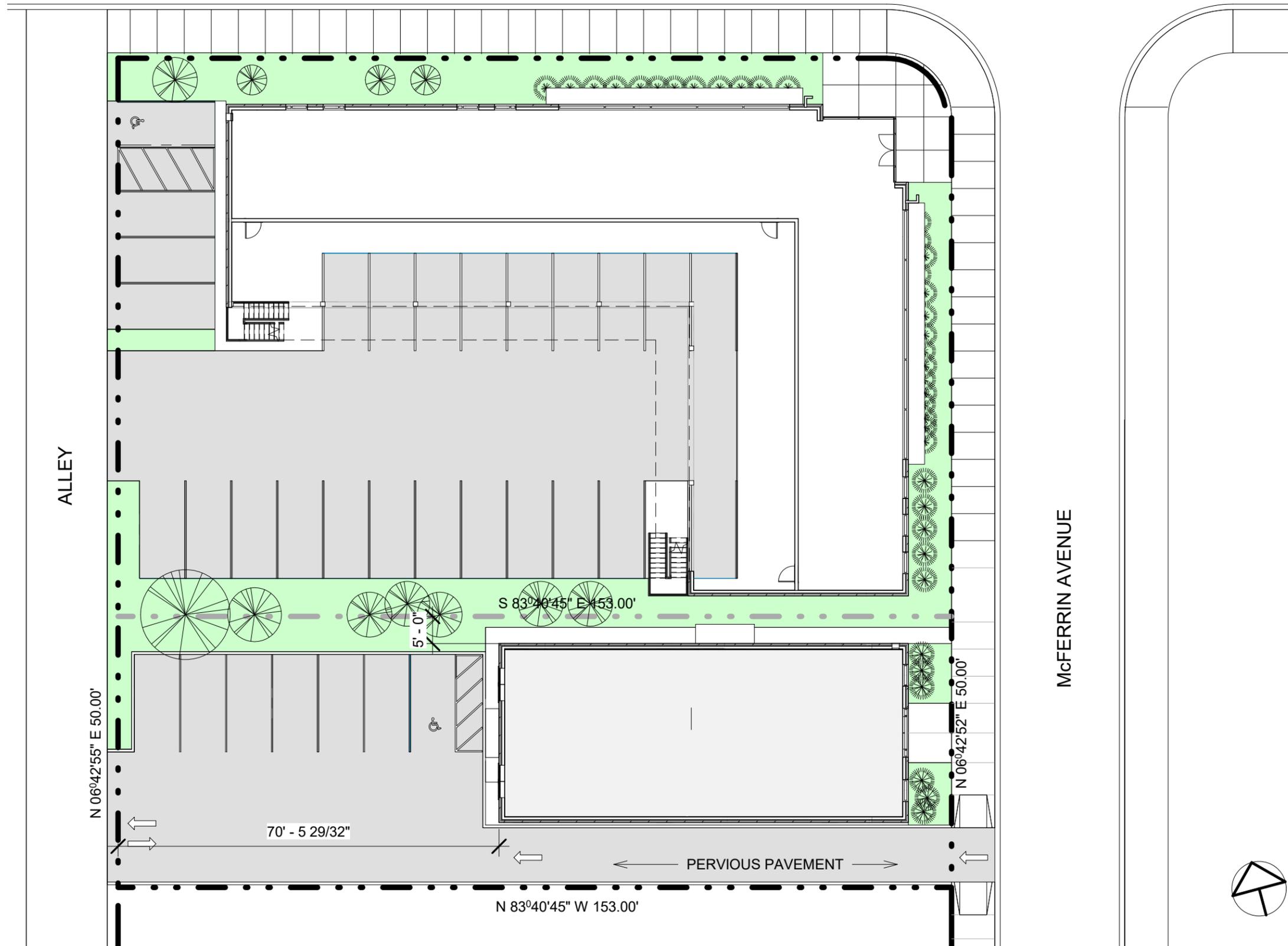
MIXED-USE RESIDENTIAL: 722 McFERRIN LOFTS

05/29/2020

1" = 20'-0"



CLEVELAND STREET



McFERRIN AVENUE

ALLEY

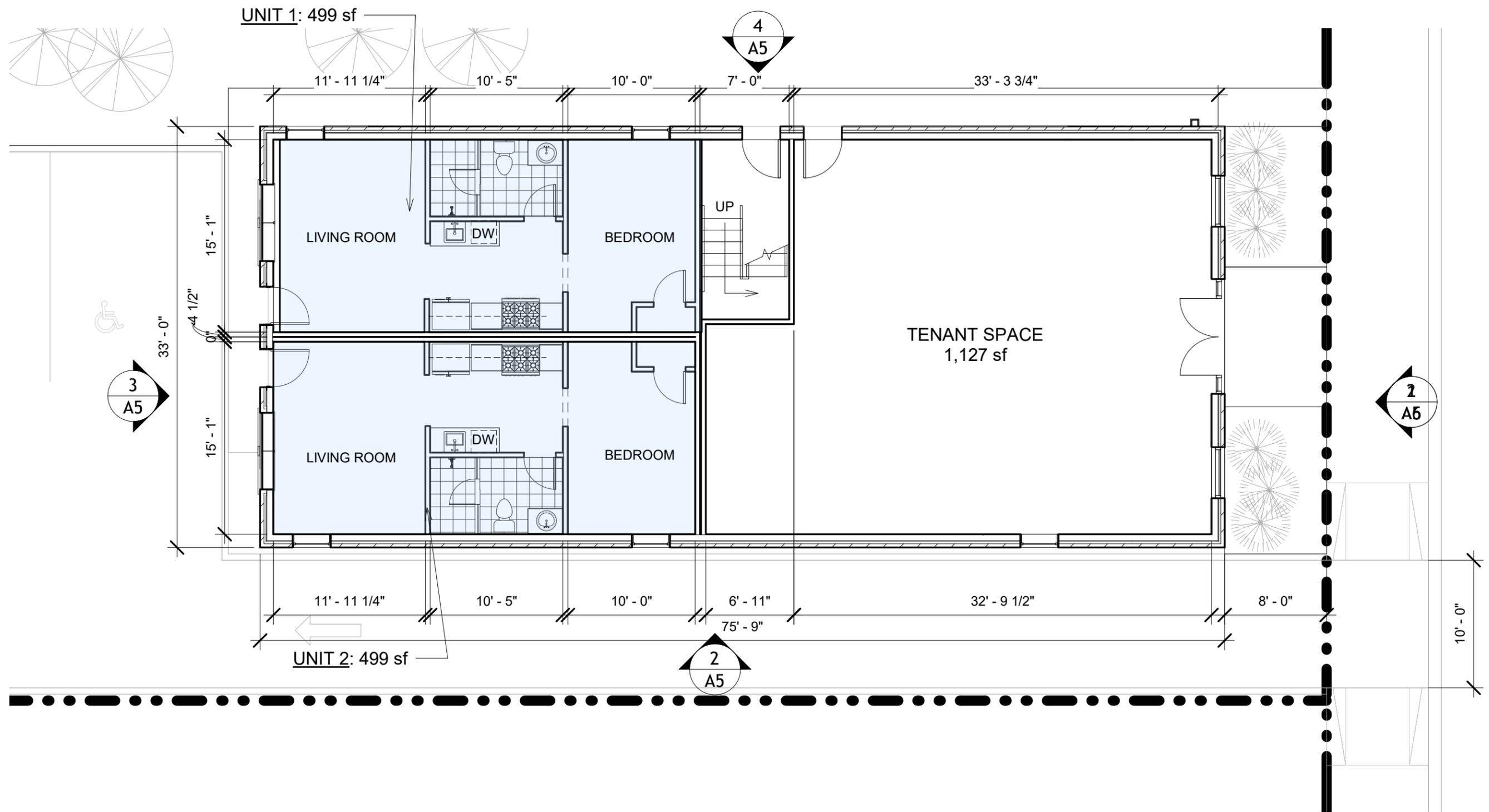
SITE LAYOUT

MIXED-USE RESIDENTIAL: 722 McFERRIN LOFTS

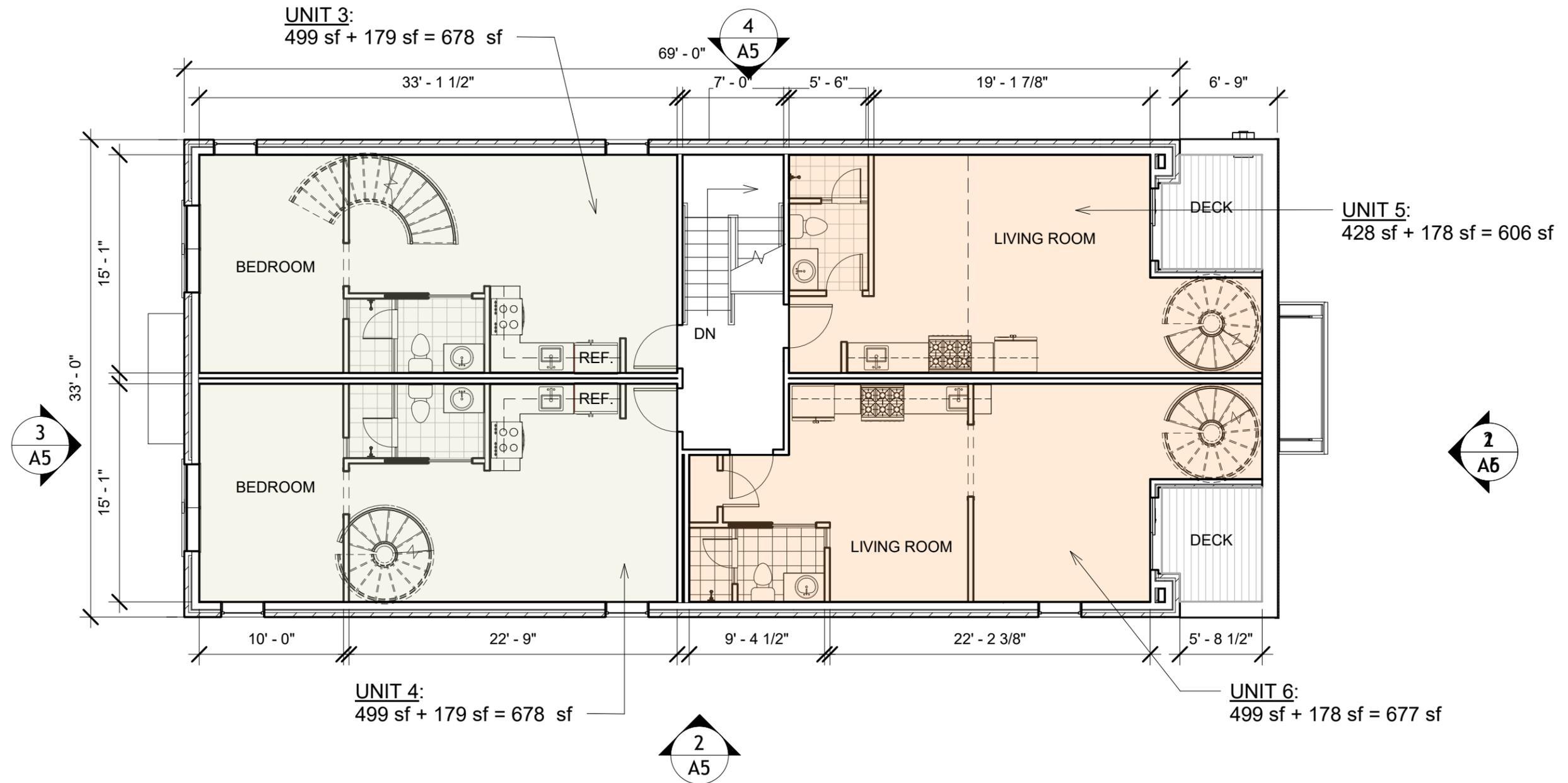
05/29/2020

1" = 20'-0"

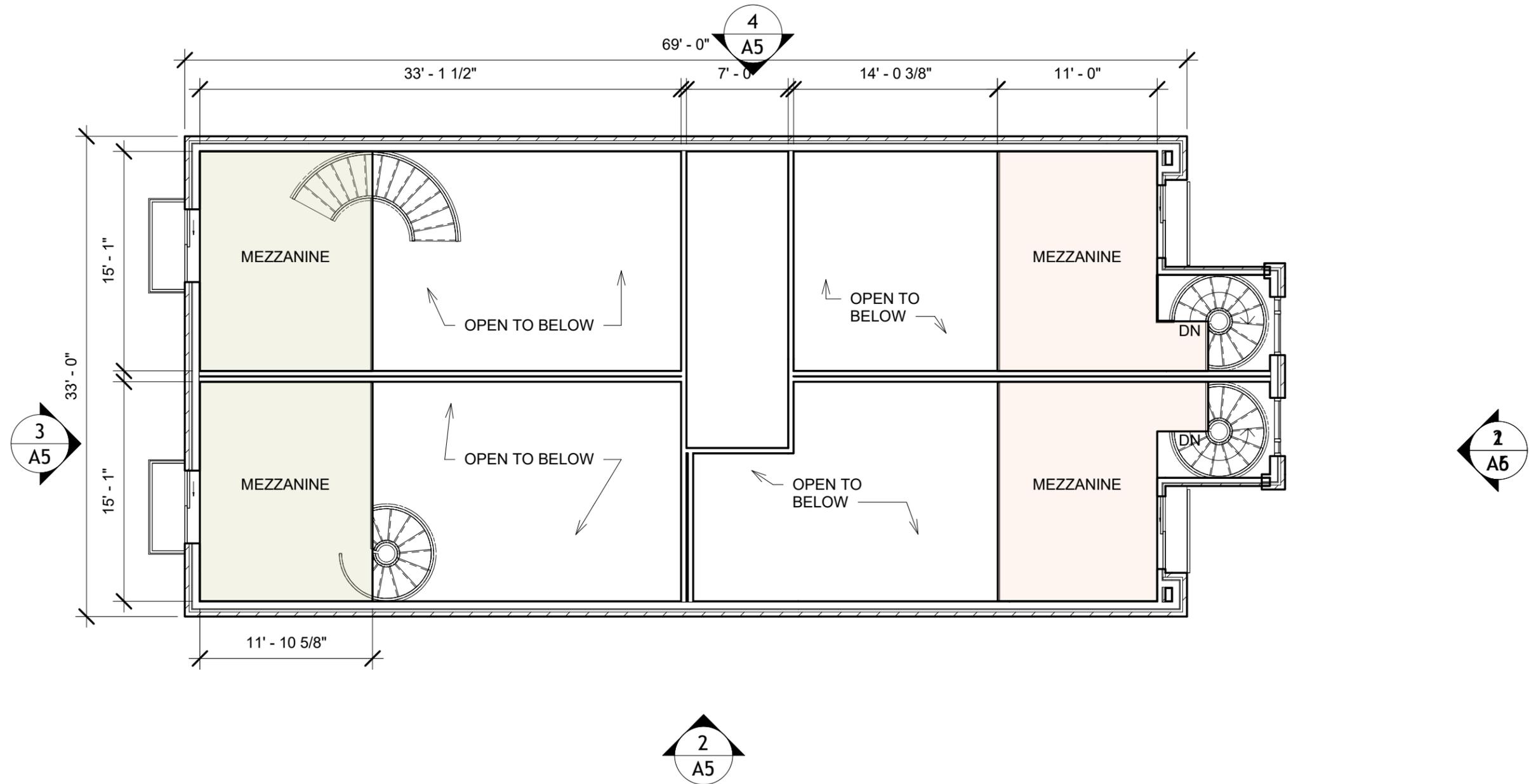




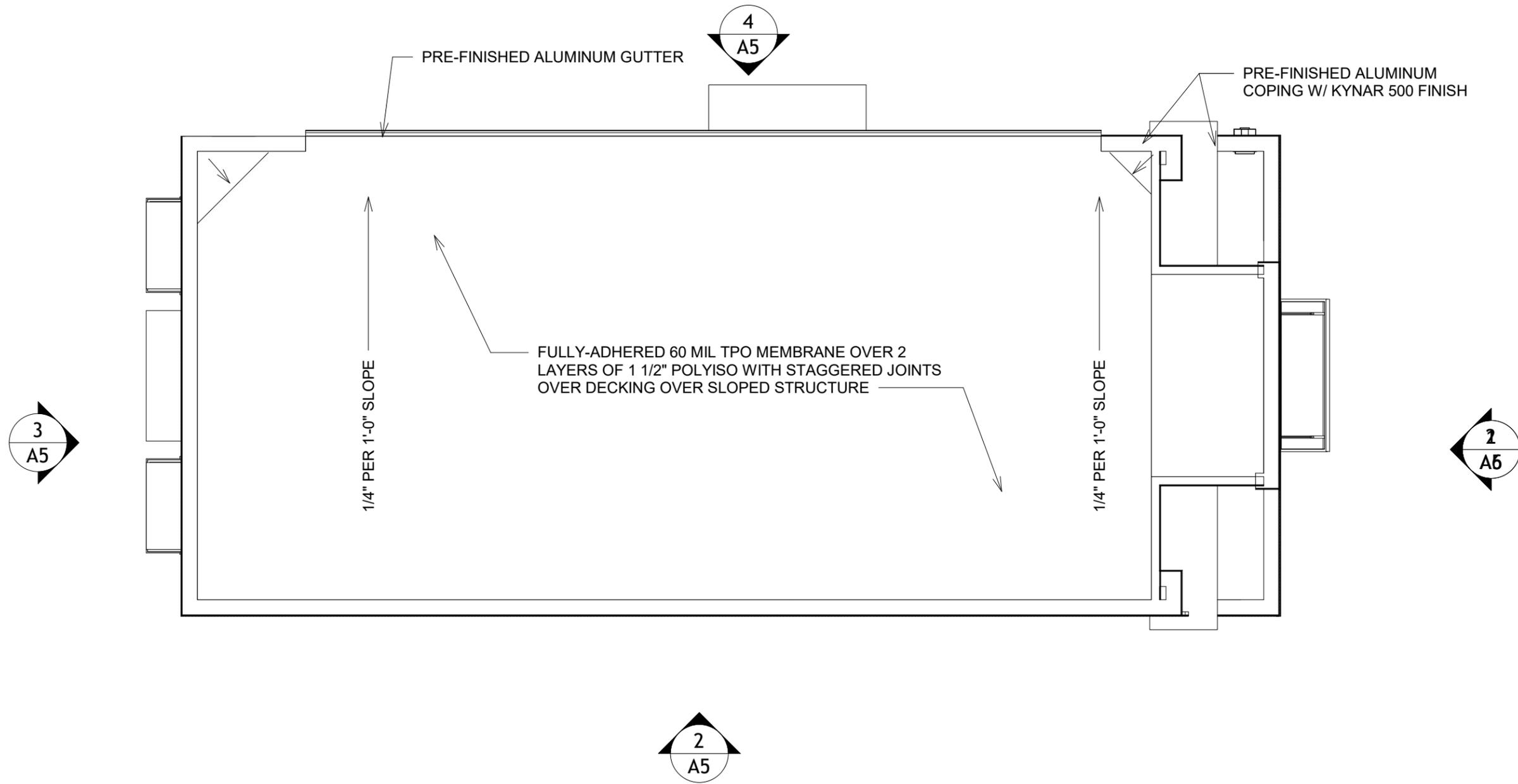
MAIN LEVEL PLAN



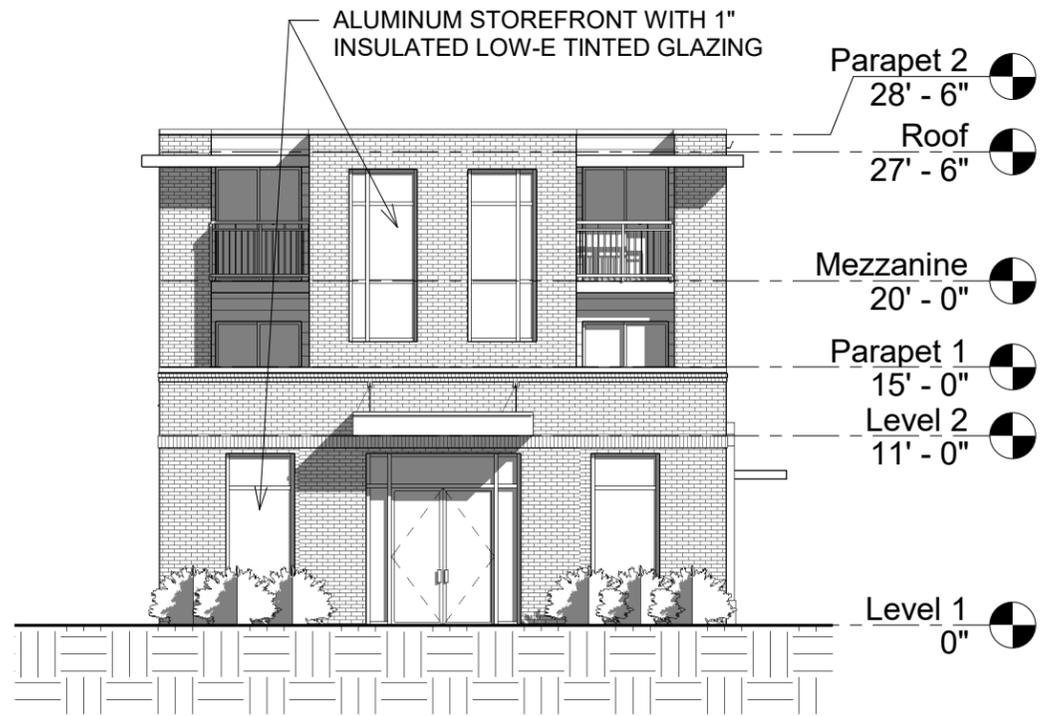
SECOND LEVEL



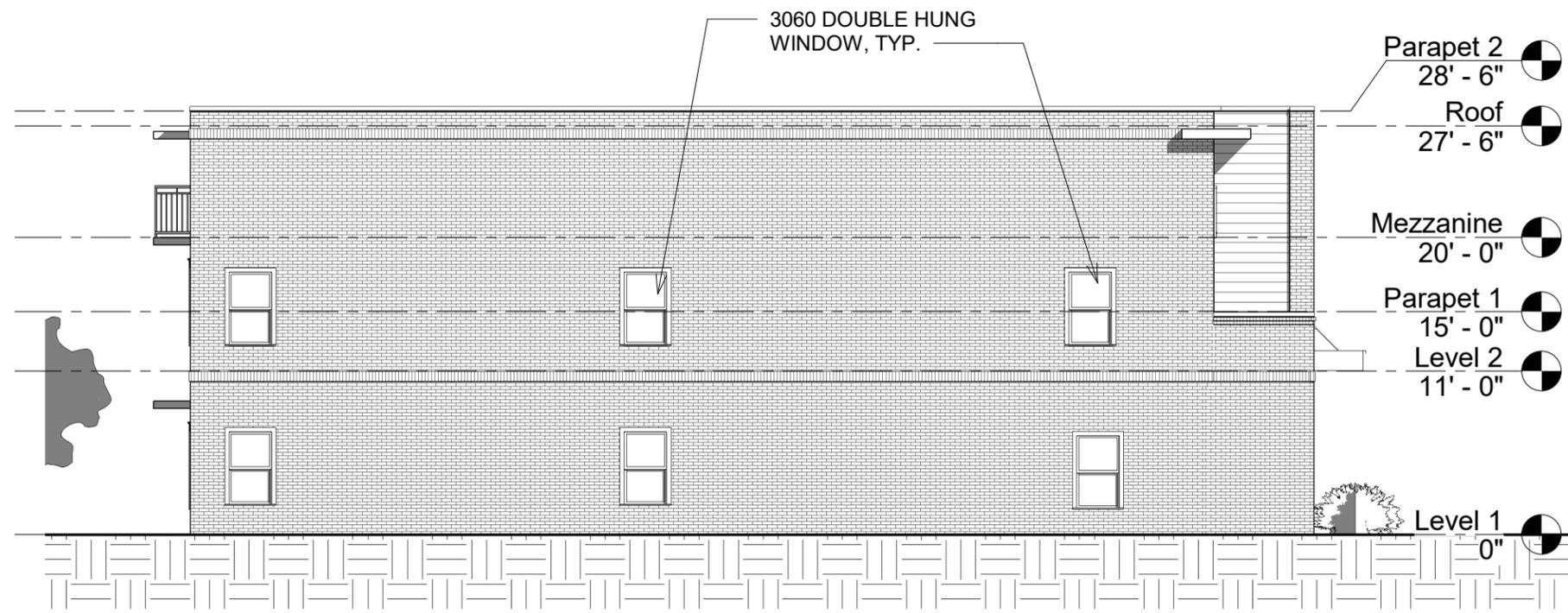
MEZZANINE LEVEL



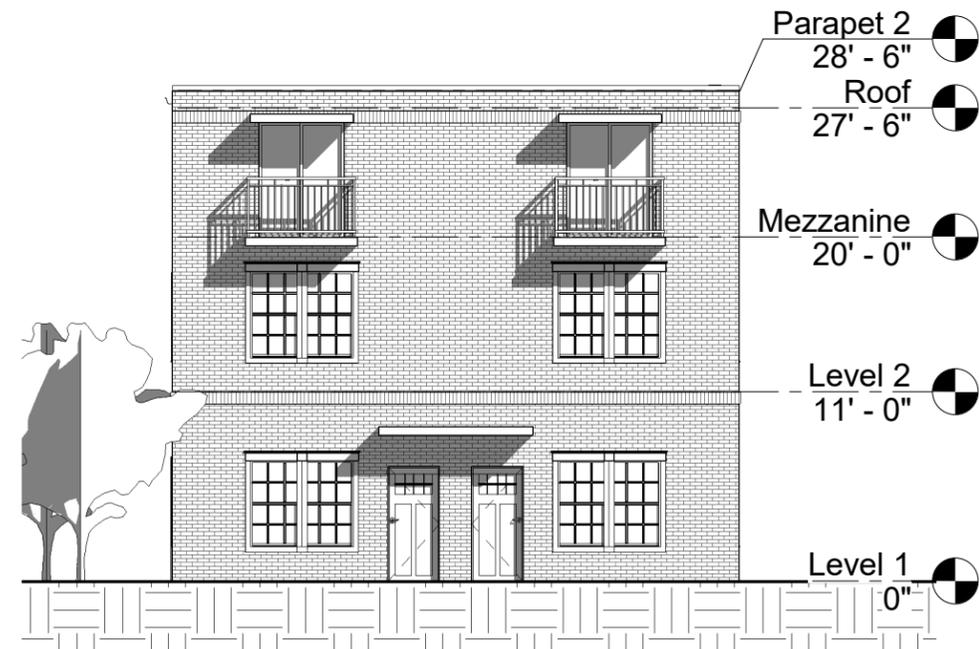
ROOF PLAN



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



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

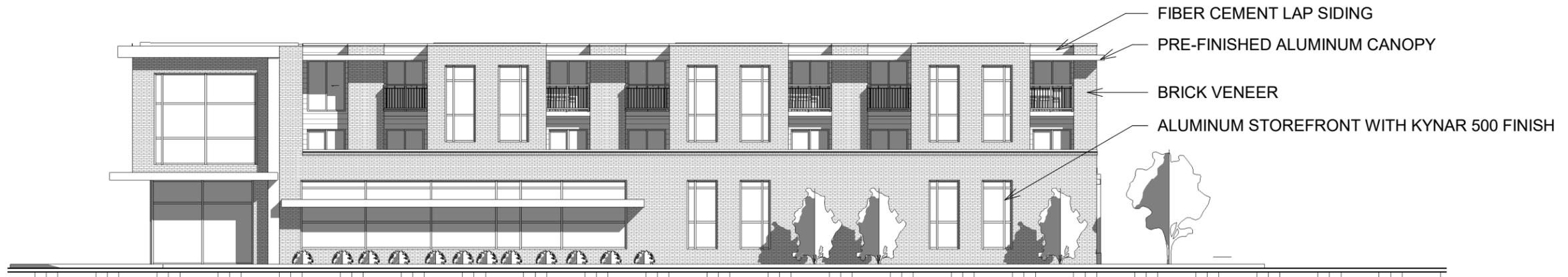


3 Rear Elevation
3/32" = 1'-0"



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

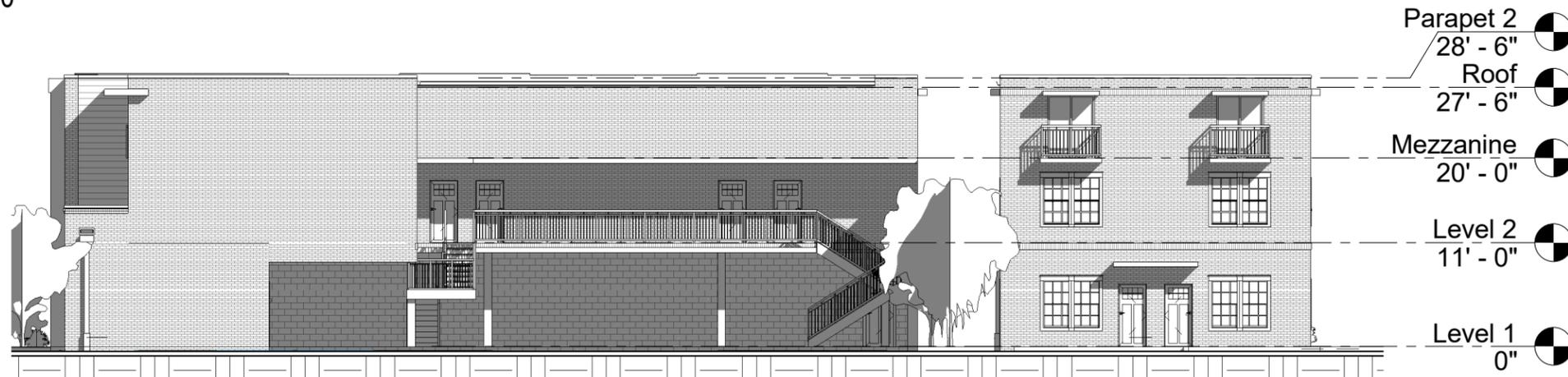
**EXTERIOR
ELEVATIONS**



1 Elev at Cleveland Street
1/16" = 1'-0"



2 Elev at McFerrin Ave
1/16" = 1'-0"



3 Elev at Alley
1/16" = 1'-0"

**EXTERIOR
ELEVATIONS**





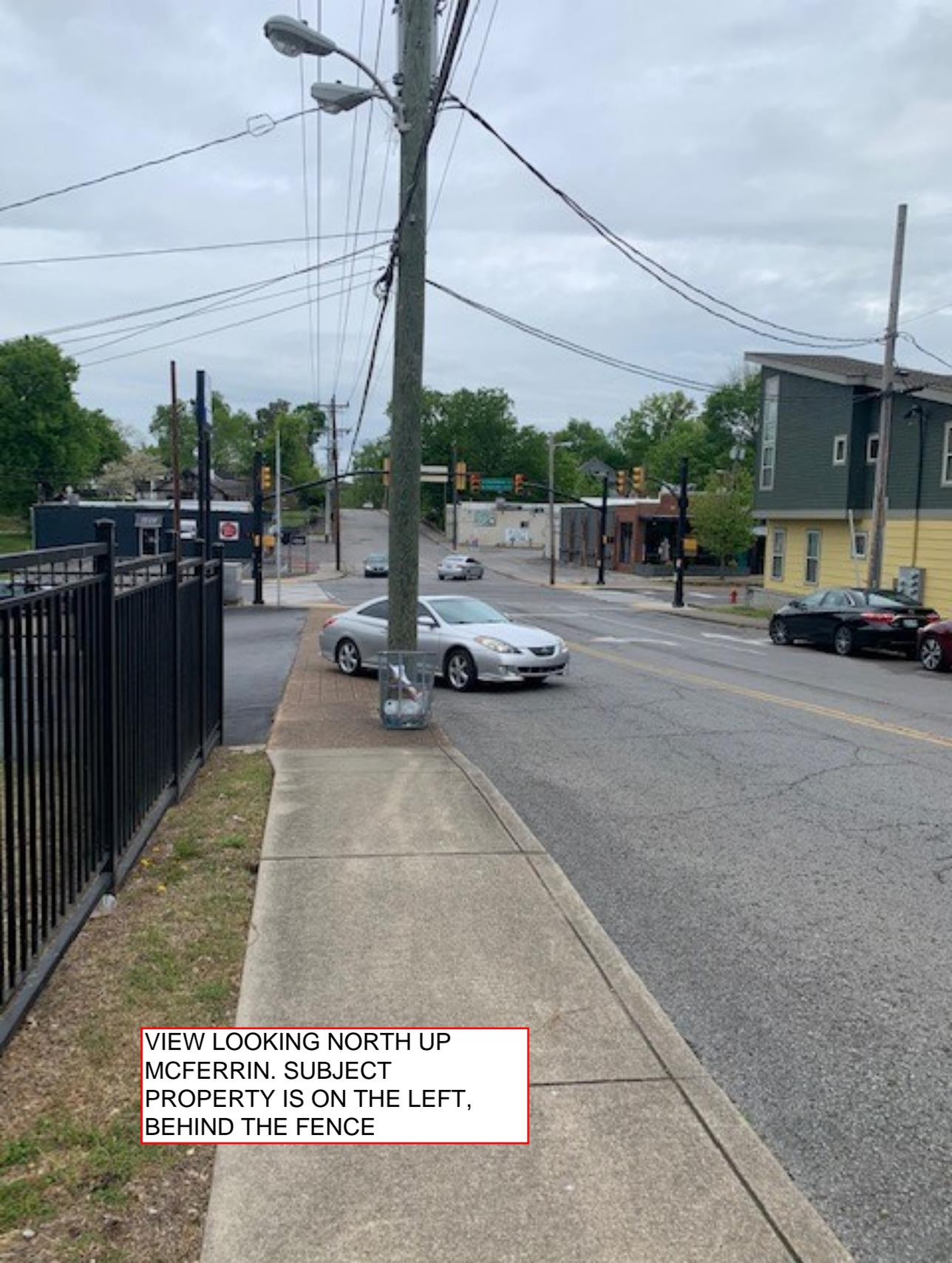
949 Mansfield Avenue (2 stories)



1020 Maxwell Avenue (Height and 3 stories???)

VIEW ACROSS THE STREET,
SHOWING HEIGHT OF INFILL





VIEW LOOKING NORTH UP
MCFERRIN. SUBJECT
PROPERTY IS ON THE LEFT,
BEHIND THE FENCE



LOOKING NORTH FROM WITHIN THE PROPERTY