

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES

June 21, 2017

Commissioners Present: Chairman Brian Tibbs, Vice-Chair Menié Bell, Kaitlyn Jones, Elizabeth Mayhall, Ben Mosley, Ann Nielson, Cyril Stewart

Zoning Staff: Sean Alexander, Melissa Baldock, Paul Hoffman, Jenny Warren, Robin Zeigler (historic zoning administrator), Macy Amos and Quan Poole (city attorneys), Kelsey Lamkin, intern

Applicants: Mike Carey

Councilmembers: Colby Sledge

Public: Jessica Jarrett, Lucie Becus, Daniel Kee, Carla and Tommy Bolles

Chairman Tibbs called the meeting to order at 2:04 p.m.

I. ADOPTION OF AGENDA

Ms. Zeigler noted changes to the agenda.

II. RECOGNITION OF COUNCILMEMBERS

No councilmembers were present.

III. APPROVAL OF MINUTES

a. May 17, 2017

Motion:

Commissioner Mosley moved to approve the minutes. Commissioner Jones seconded and the motion passed unanimously.

Chairman Tibbs read information about the consent agenda and appeals and provided information about how much time was available for applicant and public comments.

Councilmember Colby Sledge spoke in favor of the Belmont-Hillsboro NCZO expansion. He explained that the area doesn't fall in the UDO and the residents have been interested in some time for some type of design review. It was not physically contiguous with the Waverly-Belmont NCZO but it is with the Belmont-Hillsboro NCZO. There are two neighbors who are in opposition but cannot be removed because of the location of their property; otherwise the support appears to be strong.

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.

- b. 1921 19th AVENUE SOUTH**
 Application: New construction-outbuilding/Detached accessory dwelling unit conversion
 Council District: 18
 Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
 Project Lead: Melissa Baldock

- c. 411 BUSHNELL STREET**
 Application: New construction-addition and outbuilding/Detached accessory dwelling unit
 Council District: 06
 Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
 Project Lead: Melissa Baldock

- d. 1005 GILMORE AVENUE**
 Application: New construction-addition; Setback determination
 Council District: 17
 Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
 Project Lead: Sean Alexander

- e. 1010 LAWRENCE AVENUE**
 Application: New construction-addition and outbuilding, Setback determination
 Council District: 17
 Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
 Project Lead: Sean Alexander

- f. 2306 SUNSET PLACE**
 Application: Demolition
 Council District: 18
 Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
 Project Lead: Paul Hoffman

- g. 1825 5th AVENUE NORTH**
 Application: Demolition
 Council District: 19
 Overlay: Salemtown Neighborhood Conservation Zoning Overlay
 Project Lead: Paul Hoffman

- h. 3613 RICHLAND AVENUE**
 Application: New construction-infill and outbuilding
 Council District: 24
 Overlay: Richland-West End Neighborhood Conservation Zoning Overlay
 Project Lead: Melissa Baldock

- i. 2809 27th AVENUE SOUTH**
 Application: Demolition
 Council District: 18
 Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
 Project Lead: Paul Hoffman

Kelsey Lamkin, intern, read the items for the consent agenda.

Vice-chair Bell asked how they got to the position of approving a DADU when the original request was an outbuilding.

Motion:

Commissioner Mosley moved to approve all items on consent with the exception of 2306 Sunset Place and with all applicable conditions noted in staff reports, finding the projects to meet their applicable design guidelines. Commissioner Nielson seconded and the motion passed unanimously.

V. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

j. BELMONT-HILLSBORO NEIGHBORHOOD CONSERVATION ZONING OVERLAY EXPANSION

Council District: 17

Project Lead: Robin Zeigler

This is for an expansion of the Belmont-Hillsboro NCZO that will cross 12th Avenue South to pick up Gale and Clayton, just south of Sevier Park.

The area includes homes constructed in the same era and styles as those found in the Belmont-Hillsboro National Register of Historic Places and the neighborhood conservation zoning overlay. The Belmont-Hillsboro neighborhood was listed based on the significance of the neighborhood's architectural character. The period of significance is generally from the 1890s to the late 1940s. The portions of Gale and Clayton that are proposed to be included match the historic context found in the National Register district.

The two streets retain a high degree of historic integrity with 68% contributing properties. Because the context is the same as the Belmont Hillsboro neighborhood that is already listed in the National Register of Historic Places, staff finds the two streets are eligible for listing in the National Register of Historic Places and therefore meet criterion 5 of section 17.36.120.A.3 of the ordinance.

The Belmont-Hillsboro neighborhood voted in favor of support for the expansion.

Staff suggests the Commission recommend to Metro Council that the Belmont Hillsboro Neighborhood Conservation Zoning Overlay be expanded and recommends that the Commission adopt the current design guidelines for the additional properties; finding the properties to meet the criteria of section 17.36.120.A.3 of the ordinance.

Jessica Jarrett, 1001 Clayton and Lucie Becus 1007 Clayton spoke against the designation.

Daniel Kee, 1107 Clayton and Carla and Tommy Bolles, 1012 Gale, spoke in favor of the designation.

Councilmember Sledge stated that there was a great deal of support for the overlay.

Commissioner Mosley explained that their role in the process is to determine whether or not the potential overlay is eligible and to create design guidelines, rather than determine if the overlay is popular. He noted that Sevier Park, just to the north, is a Historic Landmark so it is more appropriate than what it might appear in terms of lines on the map.

Commissioner Stewart stated that the frontage of Clayton affects Sevier Park and that this will be a positive step for the neighborhood.

In answer to Commissioner Mayhall's question, Ms. Zeigler explained that the ordinance does not require a vote from property owners but that councilmembers typically want to know whether or not people want it and so will develop some type of system to determine that. The role of the Commission is not to determine whether or not the majority are in favor but to determine whether or not the proposal meets the qualifications of the ordinance. There will be two more public hearings for the public to speak: Planning Commission and Metro Council.

Commissioner Mosley noted that there are some unusual properties but that the design guidelines will allow for some alterations to meet existing conditions.

Motion:

Councilman Stewart moved to recommend to Metro Council that the Belmont Hillsboro Neighborhood Conservation Zoning Overlay be expanded and recommends that the Commission adopt the current design guidelines for the additional properties; finding the properties to meet the criteria of section 17.36.120.A.3 of the ordinance. Commissioner Bell seconded and the motion passed unanimously

VI. PREVIOUSLY DEFERRED ITEMS

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

k. 300 BROADWAY

Application: Signage
Council District: 06
Overlay: Broadway Historic Preservation Zoning Overlay
Project Lead: Robin Zeigler

This request is for signage at 300 Broadway that includes three wall signs, two projecting signs and two painted wall signs. All meet the design guidelines with the possible exception of the front wall sign which covers the historic signage; however the new signage is floating lettering on a Lucite background that allows the original signage to show through—that's the one with the bold border around it.

Staff recommends approval, finding the project to meet the design guidelines for signage in the Broadway Historic Preservation Zoning Overlay.

Applicant Seab Tuck was available for questions but did not present. There was no request from the public to speak.

Commissioner Stewart explained that the creative signage met the Secretary of Interior Standards.

Motion:

Commissioner Stewart moved to approve the project finding that it met the Broadway HPZO for signage. Commissioner Bell seconded and the motion passed unanimously.

VII. VIOLATIONS

None

VIII. MHZC ACTIONS

I. 1402 DOUGLAS AVENUE

Application: New construction-addition
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren

Staff member Jenny Warren presented the case for 1402 Douglas Avenue. This application is for a rear dormer addition. Staff routinely approves rear dormer additions when the side walls of the dormer are inset two feet on either side from the side walls of the house. However, in this case the applicant would like to stack the dormer walls over the main walls of the house. This would require Commission approval.

1402 Douglas is a circa 1930 bungalow that contributes to the Eastwood Neighborhood Conservation Zoning Overlay. The white sided portion of the rear is likely an enclosed porch. The proposed dormer addition terminates above the original exterior wall, which is the recessed yellow brick wall to the right.

The materials noted on the plan include cedar shake siding and 3/1 windows. Staff finds these materials to be appropriate. Staff's only concern regarding the proposal is that the side walls are stacked above the main walls of the house. The guidelines state that "Rear dormers should be inset from the side walls of the building by a minimum of two feet." The intent of this requirement is to keep the massing of rooftop additions modest. The Commission has not previously approved dormers where the walls were not inset.

The two side elevations show that the shed dormer will tie in just below the ridgeline and will therefore not increase the height of the property, or be visible from the street. Staff finds the height and location of the addition to be appropriate. The second story floor plan shows the addition, which will add a bathroom and a craft/office space. Approximately 300 sq. ft. of living space will be added to the existing house, which currently is approximately 1,950 sq. ft. The addition will not change the footprint of the house. Staff finds the addition to be appropriate in terms of size and scale.

In conclusion, Staff recommends approval of the proposed addition, provided that the dormer is inset two feet from each side, and that staff approves the windows, trim and roofing prior to installation. With these conditions, Staff finds that the project meets the design guidelines for the Eastwood Neighborhood Conservation Zoning Overlay.

Greg Griffin, property owner, said that there is a note that rear additions narrower than 30' can have a variance. The addition sits entirely within the footprint of the lower floor. It maintains the alignment and overhang of the building.

There were no requests from the public to speak.

Vice-chairman Bell says the architectural feature

Commissioner Mosley explained that stacking the walls on the existing walls may be easier it is the intent of the design guidelines to lessen the visual impact. He does not advocate changing what they have consistently required. Commissioner Jones expressed concern about the massing being appropriate if the inset is not required.

Motion:

Commissioner Mosley moved to approve the project with the condition that the dormer set in two-feet (2') from each side and the windows, trim and roofing material are approved by staff prior to purchase and installation; finding the project meets Section II.B.2. of the design guidelines for the Eastwood Neighborhood Conservation Zoning Overlay. Commissioner Nielson seconded and the motion passed unanimously.

m. 1126 SHELTON AVENUE

Application: New construction-infill
Council District: 07
Overlay: Inglewood Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander

Deferred at the request of the applicant.

n. 1312 3rd AVENUE NORTH

Application: Signage
Council District: 19
Overlay: Germantown Historic Preservation Zoning Overlay
Project Lead: Kelsey Lamkin, intern

Kelsey Lamkin, intern, presented the case for 1312 3rd Ave North. One monument sign is proposed for 1312 3rd Avenue North. It meets the design guidelines in all ways except that monument signs are only allowed for buildings that set at least 20' from the front property line and this one sets approximately ten feet from the property line. Staff recommends approval since a monument sign will not have a physical impact on the building and the residential design of this firehall doesn't lend itself well to signage locations. In summary, staff recommends approval of the project as proposed.

The applicant was present but did not speak. There were no requests from the public to speak.

Motion:

Commissioner Stewart moved to approve the project, finding the project meets the design guidelines for signage in the Germantown Historic Preservation Zoning Overlay. Vice-chairman Bell seconded and the motion passed unanimously.

o. 933 FATHERLAND STREET

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

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member, Melissa Baldock presented the case for 933 Fatherland Street; an application is to demolish existing outbuildings and to construct a detached accessory dwelling unit (DADU) at the rear of the lot. The structure requires a rear setback determination from twenty feet (20') to thirteen feet (13'), which staff finds to be appropriate. The footprint of the structure is approximately 747 sq. ft., which meets the design guidelines and the DADU ordinance. The height, scale, roof form, and materials all meet the design guidelines and the DADU ordinance.

The applicant is proposing an uncovered balcony that is seven feet (7') wide and four feet (4') deep, or twenty-eight square feet (28 sq. ft.). The balcony is supported by brackets. If this balcony is included in the calculation of the footprint, it would push the DADU's footprint over the allowed seven hundred and fifty square feet (750 sq. ft.). Staff recommends that the Commission consider creating a policy regarding balconies on outbuildings and DADU.

Staff recommends that upper level balconies on outbuildings and DADUs be permitted and not be included in either the footprint square footage allotment or the dwelling unit square footage allotment if they meet the following criteria:

- They are located either facing the principal house or the rear of the lot; they would not be permitted facing the side property lines;
- The outer facing railing meets the base zoning setbacks;
- The footprint is limited to thirty square feet (30 sq. ft.) or less;
- The balcony is uncovered; and
- The balcony does not have posts to the ground.

Staff finds that the proposed balcony meets these criteria, and staff recommends that the Commission approve the balcony as a test case and review it again once constructed. If the Commission finds the balcony to be appropriate, the above criteria could be added to the NCZO design guidelines as italicized information.

Chairman Tibbs asked what the upper level balcony requirements were based on. Ms. Zeigler said it was based on research of what other cities have done.

Commissioner Mosley asked about setbacks and the concern that they will be faced with requests to be close to the alley and not meet the 20' distance between the house and the outbuilding. Ms. Zeigler said that is a good point and they could add that the 20' distance between the two is required.

The applicant, Jacob Hill, was present for questions. There were no requests from the public to speak.

Motion:

Commissioner Stewart 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;**
- **Staff approve the roof shingle color; and**

- **Staff receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuance of a permit; and**
- **The balcony be approved as a test case for a potential policy for outbuildings and DADUs; finding the project to meet Ordinance 17.16.030. G. and Section III.B.2.h. of the Edgefield Historic Preservation Zoning District design guidelines. Commissioner Nielson seconded and the motion passed unanimously.**

p. 1516 ORDWAY PLACE

Application: New construction-infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented the case for 1516 Ordway Place which is an application to construct a mixed-use development on a vacant lot at the corner of 16th Street and Ordway Place. She noted that support for the project from Councilmember Withers was forwarded to the Commission via email. The development of the site is bound by a Specific Plan zoning adopted in 2009. Although the SP allows for up to six residential units with a commercial space, the applicant is only proposing four residential units and a commercial space.

In 2009, the Metro Historic Zoning Commission approved a two-story infill that met the parameters of the SP zoning. That development was never constructed, and the same owner is returning for consideration of a new, similar development.

The site drops significantly down from the sidewalk to both the back and the interior of the lot.

The proposed development will meet the setbacks set forth in the SP zoning. It will sit close to the property line on both Ordway and 16th Street, which is appropriate for a mixed use commercial building. The project will have attached parking at the basement level. The parking will be accessed via the alley. The height of the proposed structure has not changed since 2009 and is approximately 26' at the front. The design's major elements, including the chamfered corner entry to the commercial space, the second story balcony, and the fenestration pattern have not significantly changed from that which was approved in 2009.

The entry to the residential units is on the 16th Street façade. The infill will primarily be clad in brick, and staff recommends approval of a brick sample prior to purchase and installation. The 16th Street entry area will be clad in cement fiberboard panels, and the lintels and sills in the brick portions of the infill will be cast stone. Staff finds the known materials to be appropriate.

The infill will be larger than the historic context. The flat roofed commercial structures across the street are between 16 and 20' tall, compared to the infill which will be 26' tall at the front, but because of the drop in grade will be 33' tall at the rear. The residential structures in the immediate vicinity are largely one and one-half stories in height with gabled or hipped roofs. They range in height from eighteen to twenty-eight feet (18' - 28'). Staff finds that, given the SP zoning, which permits a two-story structure, and given the Commission's previous approval of an infill on the lot with identical height and scale, that the proposed infill's height and scale are appropriate.

Mark West, architect for the project, was present for questions. There were no requests from the public to speak.

Motion:

Commissioner Mosley moved to approve the infill with the following conditions:

- **The finished floor height 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 all windows and doors prior to purchase and installation;**
- **Staff approve a brick sample;**
- **Staff approve a stone sample;**

- Staff approve the awning material;
- Staff approve the railing material and design;
- Staff approve the driveway and walkway materials; and
- MHZC staff approve the location of the HVAC units and other utilities;

finding the project meets Section II.B. of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Nielson seconded and the motion passed unanimously.

q. 909 BENTON AVENUE

Application: New construction-infill
 Council District: 17
 Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
 Project Lead: Sean Alexander

Staff member Sean Alexander presented the case for 909 Benton Avenue. The lot is vacant; previously there was a historic home that was lost to a fire. The applicant proposes to construct a new house.

The house will be a single story, with a front-gabled roof and a partial width porch – a common form similar to many homes in the area.

The height will be approximately 25 feet and the width will be 38 feet – and this is compatible with the scale of historic houses. Infill is typically required to have the foundation and floor height compatible with surrounding houses, so Staff would ask to verify that with an inspection before framing begins.

The materials of the new house will include a brick veneered foundation, cement-fiber siding, and an asphalt shingle roof. These materials are compatible with historic houses. The rhythm and proportion of windows will also be consistent with historic houses.

The submitted site plan depicts a front-yard parking pad. While side yard driveways leading from the street to a rear yard are common, and was the condition of the previous house on the lot, there were no front yard parking pads in the area historically. Staff recommends that the front parking pad is omitted, and that a walkway connecting the front porch to the street is added.

Mike Carey, applicant, stated that the owner plans to live in the home. He is already working on removing the front parking pad and they agree with all conditions.

There were no requests from the public to speak.

Motion:

Commissioner Stewart moved to approve the project with the following conditions:

- The setbacks are verified with a staking inspection prior to construction; and
- The height of the foundation and floor level is verified with an inspection during construction; and
- Unknown materials, including windows, doors, and rear deck, and the color and texture of the roof and brick are approved administratively; and
- The front yard parking pad is omitted; and
- The HVAC and utility connections are behind the midpoint of the structure or on the rear;

finding the project to meet the design guidelines for new construction in the Waverly-Belmont Neighborhood Conservation Zoning Overlay. Commissioner Bell seconded and the motion passed unanimously.

IX. PRELIMINARY SP REVIEW

None

X. OTHER BUSINESS

r. OUTBUILDING & DADU POLICY

Deferred at request of councilmember.

s. REVISION TO RULES OF ORDER & PROCEDURE

Ms. Zeigler presented a possible revision to the Rules of Order and procedure that will allow DADUs that meet all requirements to obtain administratively issued permits and that the appropriate minimum rear setback for any outbuilding or DADU on a property zoned RS or R is five feet (5'), when the garage doors face an alley or three feet (3') when there are no garage doors facing an alley.

Commissioner Mosley clarified that no notice would be given for the outbuildings that had a lesser setback than what the bulk standards allow. Ms. Zeigler explained that the rear setbacks have been routinely approved for several years and to staff's memory, there haven't been any neighbor concerns with rear setbacks. Commissioner Mosley noted that they could always change the Rules of Order again, if it doesn't work.

There were no requests from the public to speak.

Motion:

Commissioner Stewart moved to approve the revisions to the Rules of Order and Procedure. Commissioner Bell seconded and the motion passed unanimously.

t. BUILDING AND SIGNAGE ILLUMINATION

(Discussion only)

Yesterday we hosted a building & signage charrette to specifically discuss colored building illumination and bare bulbs in signage. The following commissioners attended: Vice Chair Menié Bell, Kaitlin Jones, Elizabeth Mayhall, Ben Mosley, Cyril Stewart. There were 5 presenters who provided us with a background on best practices and lighting technology. Approximately 11 members of the public participated.

Commissioner Mayhall wants to be sure that whatever is decided it is fair for everyone on the street. If something is approved for one it should be approved for everyone. She expressed concern about the colored lighting.

Vice-chair Bell said it was helpful to see how other cities have addressed these issues and the requirement to meet the Secretary of Interior Standards. Best practices seem to be in favor of clear light rather than colored light. The context needs to be considered so Printers Alley, for instance, should be dealt with differently from other areas. Commissioner Stewart also found it useful to see what other cities have done; however, our context is different than theirs. Lower Broadway is an opportunity to plow some unplowed ground and be an example for others to follow. Commissioner Stewart explained that in Franklin, they lit up the 2nd and 3rd floors of the building, but that is not the case so far on lower Broadway. Providing lighting on the upper levels is an opportunity. Commissioner Mayhall said that having lived and worked in the area for the last 30 years that she is delighted that the upper levels are starting to be used and that activity alone will provide for some upper level lighting. Commissioner Jones pointed out that the downtown Franklin effort was a concerted effort with some uniformity but is concerned with each building being potentially a different color. She supports the use of bare bulbs on signage. Commissioner Bell also supports bare bulbs since they are a historic design. Commissioner Stewart said that we have seen the power of celebration so colored lights may be allowed in conjunction with a city-wide effort for special occasions.

u. ELECT OFFICERS (CHAIR AND VICECHAIR)

Action Recommended

No action taken. Placed on agenda in error. Election will be in May of 2018.

XI. ADMINISTRATIVE ACTIONS

v. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

Legal Counsel, Macy Amos introduced the Commission's new counsel, Quan Poole.

Meeting adjourned at 3:18

RATIFIED BY COMMISSION ON 7/20/17