

JOHN COOPER  
MAYOR



## METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park

### METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES November 20, 2019

**Commissioners Present:** Chairman Bell, Vice-chair Stewart, LaDonna Boyd, Leigh Fitts, Kaitlyn Jones, Elizabeth Mayhall, David Price.

**Zoning Staff:** Sean Alexander, Melissa Baldock, Paul Hoffman, Melissa Sajid, Jenny Warren, Robin Zeigler (historic zoning administrator), Susan Jones (legal counsel)

**Applicants:** Blaine Bonadies, Shaw Flippin, Chris Goldbeck, Deirdre Kerr, Emily Kuykendall, Julie Pogorelc, Preston Quirk, Rowland Stebbins, Martin Wieck, Jeff Zeitlin,

**Councilmembers:** Tom Cash, Brett Withers

**Public:** Karin Kalodimos, Jessica McDuffie-Massey, Lindsey Moffett, Pearl Sims, Martha Stinson, John TeSelle,

Chairman Bell called the meeting to order at 2:03 p.m.

Chairman Bell read information about the amount of time people have to speak, the process regarding the consent agenda, and the process for appeals.

#### I. ADOPTION OF AGENDA

**NOTICE TO THE PUBLIC:** Items on the agenda may be removed or moved at this time.

Staff member, Melissa Baldock, requested that the design guideline public hearing be moved to the end of the meeting. She also requested that 300 Broadway be removed from the consent agenda and presented as the last item.

**Motion:**

**Vice Chairman Stewart moved to approve the revised agenda. Commissioner Boyd seconded and the motion passed unanimously.**

#### II. RECOGNITION OF COUNCILMEMBERS

Chairman Bell recognized two Metro Council Members, Tom Cash and Brett Withers, who were in attendance. They requested to hold their comments.

#### III. APPROVAL OF MINUTES

a. October 16, 2019

**Motion:**

**Vice-Chairman Stewart moved to approve the minutes as presented. Commissioner Mayhall seconded and the motion passed unanimously.**

#### IV. CONSENT AGENDA

b. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

**~~e. 300 BROADWAY~~**

~~Application: Signage  
Council District: 19  
Overlay: Broadway Historic Preservation Zoning Overlay  
Project Lead: Melissa Sajid  
PermitID#: T2019068319~~

**d. 3927 CAMBRIDGE AVE**

Application: New Construction--Outbuilding  
Council District: 24  
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Sajid  
PermitID#: T2019068330

**e. 3625 RICHLAND AVE**

Application: New Construction - Infill and Outbuilding; Setback Determination  
Council District: 24  
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren [Jenny.Warren@nashville.gov](mailto:Jenny.Warren@nashville.gov)  
PermitID#: T2019068392 and T2019068396

**f. 133 BOWLING AVE**

Application: New Construction--Outbuildings  
Council District: 24  
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock, [melissa.baldock@nashville.gov](mailto:melissa.baldock@nashville.gov)  
PermitID#: T2019068480

**g. 1005 ACKLEN AVE**

Application: New Construction--Addition and Outbuilding/DADU  
Council District: 17  
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock, [melissa.baldock@nashville.gov](mailto:melissa.baldock@nashville.gov)  
PermitID#: T2019068504

**h. 1704 RUSSELL ST**

Application: Demolition—Partial; New Construction—Addition  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander [Sean.Alexander@nashville.gov](mailto:Sean.Alexander@nashville.gov)  
PermitID#: T2019068678

**i. 1326 4<sup>TH</sup> AVE N**

Application: New Construction – Addition  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Jenny Warren, [jenny.warren@nashville.gov](mailto:jenny.warren@nashville.gov)  
PermitID#: T2019068401

Staff member, Jenny Warren, presented the items on consent, noting that 300 Broadway has been removed from the consent agenda and will be presented.

**Motion:**

**Vice-Chairman Stewart moved to approve the consent items, with the exception of 300 Broadway, with their applicable conditions. Commissioner Price seconded and the motion passed unanimously.**

## **V. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS**

### **j. CONSOLIDATION OF NEIGHBORHOOD CONSERVATION ZONING OVERLAY**

The discussion of the design guidelines consolidation was moved to the end of the agenda.

## **VI. PREVIOUSLY DEFERRED/DECIDED ITEMS**

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

None.

## **VII. PRELIMINARY & FINAL SP REVIEW**

### **k. 1228 4TH AVE N**

Application: New Construction--Infill

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: Melissa Baldock, melissa.baldock@nashville.gov

PermitID#: T2019068483

Staff member Melissa Baldock presented the project at 1228 4<sup>th</sup> Avenue North, a vacant lot in the East Development Zone of the Germantown Historic Preservation Zoning Overlay. The lot is in between City House and Barista Parlor. Across the street are a three to four story apartment and townhouse development.

The applicant seeks a preliminary Specific Plan (SP) review for a townhouse development. The existing zoning is IR. The specific plan request is for three townhouses facing 4<sup>th</sup> Avenue North and three townhouses at the alley, with a garage structure located in the middle of the site. Townhouses are permitted in the East Development district. Staff finds that the proposed setbacks all meet the design guidelines and the historic context. Vehicular access to the site will be via the alley, which is appropriate. The rear units will be connected to the sidewalk with a walkway. Staff recommends that a condition of approval be that the public sidewalks along 4<sup>th</sup> Avenue North be brick to match the historic brick Germantown sidewalks.

The preliminary SP review will cover the development's proposed site plan, orientation, setbacks, height, scale, and roof form. Details like materials, appurtenances, windows, doors, and overall design will be reviewed by the MHZC if Metro Council approves the SP.

The townhouses facing 4<sup>th</sup> Avenue North will be two-stories with a maximum ridge height of thirty-five feet (35') at the front from grade. The height and number of stories meets the maximum allowed by the design guidelines and is similar or less than the immediate context, which includes recently-constructed three- and four-story multifamily houses.

The middle garage structure is one story in height with a maximum height of nineteen feet, eight inches (19'8") from grade. It will have a roof form that is partially gabled and partially flat. The design guidelines state that rooftop decks may be appropriate in the East Development zone of Germantown. Staff recommends that the applicant return to the Commission with the details of any rooftop deck to ensure that it meets Section III.E.9. of the design guidelines.

The townhouses at the rear will have the same ridge and eave heights as the 4<sup>th</sup> Avenue North townhouses. However, their footprint will be slightly smaller. Although rear buildings should generally be subordinate to the primary street-facing buildings, this is an area of low historic-context where dense developments have been found to be appropriate. Staff finds that the two-story townhouses along 4<sup>th</sup> Avenue North and along the alley meet the design guidelines.

In summary, in this preliminary SP review, MHZC is reviewing the overall massing and site plan of the proposed development before it is considered by the Metro Planning Commission and Metro Council. Staff finds that the height, scale, development type, setbacks, and roof forms all meet the design guidelines. Details like materials, window and door placements, and all appurtenances/utilities are not fully developed at this time. Staff therefore recommends that the Commission make a condition of approval be that the applicant return to the Commission with the final approval of the design, materials, window/door placement, and all utilities, mechanicals, and other appurtenances, if the SP is approved by Council.

Staff recommends approval of the project with the following conditions:

1. The applicant returns to the Commission with the final approval of the design, materials, window/door placement, and all utilities, mechanicals, and other appurtenances if the SP is approved by Metro Council;
2. The applicant provides more details on any proposed roof decks in the Commission's final SP review; and
3. A new brick public sidewalk to match the historic brick sidewalks of Germantown be installed in front of the development.

With these conditions, staff finds that the preliminary SP review of the townhouse development meets Section III. of the design guidelines for the Germantown Historic Preservation Zoning Overlay.

The applicant was not in attendance, and the Commissioners agreed with staff's recommendation.

**Motion:**

**Vice Chairman Stewart moved to approve the project with the following conditions:**

- 1. The applicant returns to the Commission with the final approval of the design, materials, window/door placement, and all utilities, mechanicals, and other appurtenances if the SP is approved by Metro Council;**
- 2. The applicant provides more details on any proposed roof decks in the Commission's final SP review; and**
- 3. A new brick public sidewalk to match the historic brick sidewalks of Germantown be installed in front of the development;**

**finding that with these conditions, the preliminary SP review of the townhouse development meets Section III. of the design guidelines for the Germantown Historic Preservation Zoning Overlay. Commissioner Boyd seconded and the motion passed unanimously.**

**I. 1711 5TH AVE N**

Application: New Construction--Infill

Council District: 19

Overlay: Salemtn Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock, melissa.baldock@nashville.gov

PermitID#: T2019068493

Staff member Melissa Baldock presented the project 1711-1713 5<sup>th</sup> Avenue North, an SP development for seven residential structures. The existing house at 1711 5<sup>th</sup> will remain, and six new residences are proposed.

The two lots at 1711 and 1713 5<sup>th</sup> Avenue North combined are ninety-eight feet wide and about one hundred and eighty-nine feet deep (98' X 189'). The two infills proposed to face 5<sup>th</sup> Avenue North are oriented towards the street, which is appropriate. They have six foot (6') deep, full width porches, and are connected to the sidewalk with walkways. The front setbacks of these houses match the front setback of the historic house at 1711 5<sup>th</sup> Avenue North, which is appropriate. Unit 3, the infill closest to the north property line, will be five feet (5') from that side property line. The three houses, including the existing historic house, will have six feet (6') of space in between them.

The rear units will be connected to the sidewalk on 5<sup>th</sup> Avenue North with walkways leading from the sidewalk to the interior courtyard. The four interior units are tucked behind the houses facing 5<sup>th</sup> Avenue North by being no

wider than the houses facing 5<sup>th</sup> Avenue North and by being shorter in height. These four rear units will be oriented towards an interior courtyard, which meets the design guidelines.

Vehicular access to the site will be via the rear alley. There will be ten (10) uncovered parking spaces at the rear of the lot, accessed via the alley. Staff finds that the overall site layout, setbacks, and orientation meet the design guidelines.

On the historic house, the applicant intends to reconstruct the dormer seen in the c. 1968 photo, which is appropriate. The applicant also proposes a two foot (2') ridge raise which meets the design guidelines.

The two infill houses facing 5<sup>th</sup> Avenue North are proposed to be twenty-two feet, six inches (22' 6") wide. They will be two (2) stories tall, with a maximum height of thirty-five feet (35') from grade, which meets the design guidelines. For the infill facing 5<sup>th</sup> Avenue North, staff has three recommendations. First is that the second story of the house not stack on top of the front porch. Recessed front porches for two-story houses are not seen historically in the district and make the infills out of scale. Staff recommends that the second-story wall be pushed back to line up with the wall of the first story so that the porch does not have livable space over it. Second, the left elevation of the middle infill on the ground floor, has a length of twenty-five feet (25') without a window or door opening. Staff recommends that at least two window openings be added in this space. Lastly, staff recommends that the Juliet balconies be made to be real balconies, if desired. They can be uncovered, extending out over the porch.

The two houses located behind the infill are one-and-a-half stories and are proposed to be twenty-nine feet, six inches (29'6") tall from grade. They will be about nine feet (9') lower in height than the infill in front of it. They will match the width of the infill facing 5<sup>th</sup> Avenue North. The houses are oriented towards the interior courtyard and have interior box entries. Staff finds that the two new houses proposed to be located behind the infill house are sufficiently subordinate to the infill facing 5<sup>th</sup> Avenue North.

The two (2) houses located behind the historic house are one-story and are proposed to be twenty feet, six inches (20'6") tall. They will be about two feet (2') lower in height than the historic house, without the ridge raise. They will match the width of the historic house and will have footprints that are approximately nine hundred and fifty (950) square feet. The houses are oriented towards the interior courtyard and have stoop entries. Staff finds that the two new houses proposed to be located behind the historic house are sufficiently subordinate to the historic house.

As this is a preliminary SP review, the materials presented in the application may not be final. Staff recommends that the applicant return to the Commission for the final approval of the designs, including the materials, window and door openings, and utility locations, if Metro Council approves the Final SP.

Staff recommends approval of the project with the following conditions:

1. The applicant returns to the Commission with the final approval of the design, materials, window/door placement, and all utilities, mechanicals, and other appurtenances if the SP is approved by Metro Council;
2. The applicant provides more details on any proposed roof decks in the Commission's final SP review; and
3. A new brick public sidewalk to match the historic brick sidewalks of Germantown be installed in front of the development.

With these conditions, staff finds that the preliminary SP review of the townhouse development meets Section III. of the design guidelines for the Germantown Historic Preservation Zoning Overlay.

The applicant, Preston Quirk, introduced himself and thanked staff for working with them. He agrees with the conditions laid out in the staff recommendation.

**Motion:**

**Commissioner Mayhall moved to approve, with the following conditions:**

1. **The applicant returns to the Commission for final approval of the design—including materials, window and door placement, utility connections, HVAC locations, and appurtenances—if the SP is approved by Metro Council;**

2. **The second story wall of the infills facing 5<sup>th</sup> Avenue North be pushed back to line up with the wall on the first story, and the Juliet balconies be made more substantial to be uncovered decks over the front porch roof; and**
3. **At least two window openings be added to the left façade of Unit 2 on the ground floor; finding that with these conditions, the proposed SP meets Sections III.A. (height), III.B. (scale), III.C. (setback and rhythm of spacing), III.E. (roof shape), III.F. (orientation), III.K. (multi-family developments), and IV. (additions) of the design guidelines. Vice Chairman Stewart seconded, and the motion passed unanimously.**

## **VIII. VIOLATIONS/ ALTERATIONS TO PREVIOUS APPROVALS/ SHOW CAUSE**

### **m. 1022 ACKLEN AVE**

Application: Violation/Show Cause; New Construction – Addition

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren, [jenny.warren@nashville.gov](mailto:jenny.warren@nashville.gov)

PermitID#: 2018038724

Staff member Jenny Warren told the Commission that the applicant is unable to attend the hearing and has asked to defer. She remarked that the Commission is not obligated to accept the deferral.

Legal Counsel Susan Jones clarified that this Show Cause hearing means that the applicants did not follow the preservation permit they received for the project. The item is on the agenda not because the applicant has requested to be on the agenda but because the Commission has asked the applicant to explain why they did not follow the permit. In these cases, the Commission does not have to accept the deferral. If the Commission does accept the deferral request, then the applicant will have to return on the date that the Commission determines.

Vice Chairman Stewart and Commissioner David Price noted that they could support the deferral to give the applicant the opportunity to explain. Ms. Warren noted that the project has largely been completed, so exterior work is not ongoing.

**Motion: Vice Chairman Stewart moved to accept the deferral, requiring the applicant to return to the Commission to discuss the project at the December 18, 2019 MHZC public hearing. Commissioner Mayall seconded, and the motion passed unanimously.**

## **IX. MHZC ACTIONS**

### **n. 1514 CLAYTON AVE**

Application: New Construction—Infill

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Sajid [Melissa.Sajid@nashville.gov](mailto:Melissa.Sajid@nashville.gov)

PermitID#: T2019068353

The house at 1514 Clayton Avenue is a 1950s house that does not contribute to the historic character of the Belmont-Hillsboro neighborhood. Staff issued an administrative permit to demolish the non-contributing structure earlier this month.

The proposed infill is oriented to Clayton Avenue, meets all setbacks, and will be accessed from the alley at the rear. An existing front yard parking pad will be removed as part of the project. The proposed one-and-a-half story form and overall height and width are appropriate for the historic context.

The infill is approximately ninety feet (90') deep. Staff finds that the depth of the infill can be appropriate for several reasons. At one hundred and forty feet (140') deep, the lot is somewhat shallower than the lots that we

typically see, and the infill incorporates a basement-level attached garage that meets the design guidelines. Also, approximately the rear third of the infill is single-story. Furthermore, there are examples of homes with rear additions that are similar in depth to the proposed infill.

There are six windows on this side façade that are not twice as tall as they are wide. Staff finds that the three square windows near the rear can be appropriate since they are not likely to be visible from the street given their location at the rear. The three windows closest to the front, however, will be highly visible, so staff recommends that they be twice as tall as they are wide to meet the historic proportion of openings.

In conclusion, staff recommends approval of the project with the following conditions:

1. 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;
2. The front setback shall be consistent with the buildings to either side, to be verified by MHZC staff in the field;
3. Staff approve the final selections of the roof color, porch floor and steps, porch posts and railings, doors, garage door, walkway, and driveway material;
4. Staff approve a brick sample;
5. The existing parking pad located within the front setback shall be removed;
6. The three windows on the left-side façade near the front shall be twice as tall as they are wide; and
7. Staff shall approve the location of the HVAC and other utilities.

Applicant was not in attendance and there was no public comment.

Vice Chairman Stewart noted that the infill is well-proportioned. He is supportive of the staff's recommended window changes and thinks that a revision should be more consistent with window openings. Commissioner Jones noted that the depth of the addition is appropriate because it is one-story in height.

**Motion:**

**Commissioner Price moved to approve of the project with the following conditions:**

1. **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;**
2. **The front setback shall be consistent with the buildings to either side, to be verified by MHZC staff in the field;**
3. **Staff approve the final selections of the roof color, porch floor and steps, porch posts and railings, doors, garage door, walkway, and driveway material;**
4. **Staff approve a brick sample;**
5. **The existing parking pad located within the front setback shall be removed;**
6. **The three windows on the left-side façade near the front shall be twice as tall as they are wide; and**
7. **Staff shall approve the location of the HVAC and other utilities;**

**finding that with these conditions, the project meets Section II.B of the *Belmont-Hillsboro Neighborhood Conservation District: Handbook and Design Guidelines*. Commissioner Jones seconded and the motion passed unanimously.**

**o. 2121 WESTWOOD AVE**

Application: New Construction: Addition; Setback determination.

Council District: 18

Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock, melissa.baldock@nashville.gov

PermitID#: T2019068473

Melissa Baldock presented the project at 2121 Westwood Avenue. The house was constructed circa 1926 at the back of the lot. The building is listed as a contributing resource to the Hillsboro-West End National Register of Historic Places Historic District, and it contributes to the historic character of the Hillsboro-West End Neighborhood Conservation Zoning Overlay. In September 2019, MHZC disapproved an application to construct infill in front of the historic house. The overall project involves constructing a new front porch addition, enclosing the existing side porch, constructing a rear two-story addition, and reducing the rear and side setbacks.

The applicant proposes to construct a two-story addition behind a one-story house. The addition will be twelve feet (12') taller than the historic house. Its overall height will be approximately twenty-five feet six inches (25'6"). The addition requires a change in the rear setback from twenty feet (20') to two feet (2'). It requires a change in the left side setback from five feet (5') to three feet (3') and the right-side setback from five feet (5') to two feet (2'). Because the addition is no wider than the historic house and because the existing house has similar side setbacks, staff finds that the proposed side setbacks are appropriate and meet the design guidelines.

Base zoning requires a twenty-foot (20') rear setback. The applicant is proposing just two feet (2') for the rear setback. While staff recommends reducing the twenty foot (20') rear setback given the placement of the historic house on the lot, staff finds that two feet (2') is not a sufficient rear setback. Staff is not aware of recent approvals by the Commission where additions have been allowed to be less than five feet (5') from the rear property line. There are logistical reasons why a two foot (2') rear setback is problematic.

A two-story form with an eighteen-foot tall (18') and forty-five feet (45') long wall just two feet (2') from the alley can reduce the visibility along the alley for cars getting in and out of garages and for cars going through the alley. Metro Public Works staff wrote to MHZC staff expressing concern about a two foot (2') setback in this location; the email states that Public Works would not be supportive of a two foot (2') setback, as it could interfere with obtaining Public Works' desired twenty feet (20') of right-of-way (ROW) in the future. A five foot (5') rear setback would be the minimum appropriate setback for an addition of this size. Staff recommends that the rear setback be at least five feet (5'). While the Commission has the ability to set the setbacks, staff cautions against reducing rear setbacks when another Metro agency has stated that they do not support the reduction.

The rear addition will be a two-story form behind a one-story house. The addition will be twelve feet (12') taller than the historic house. Although the design guidelines state that additions can be up to four feet (4') taller when being taller is the only option, staff finds that a two-story addition that is twelve feet (12') taller could be appropriate here because of the constraints of this lot. With just twenty feet (20') of rear yard space, and only fifteen (15') if the Commission requires a five foot (5') rear setback, there is not much room to add square footage to the lot at the rear. A two-story addition provides the best way to add needed square footage while preserving the historic house. The design of the rear addition does preserve the overall roof form of the historic house. That said, staff does recommend two changes to the scale of the house to bring it more into compliance with the design guidelines and the scale of the house.

First, staff recommends that the depth of the rear addition be reduced by three feet (3') in order to have a rear setback of at least five feet (5'). Staff finds that a two-foot (2') setback at the rear is not appropriate, particularly since the addition will have an eighteen foot (18') tall wall that is forty-five feet (45') wide. Second, staff recommends that the two-story portion of the addition not extend behind the side porch/porte cochere, the lowest and most open portion of the existing the house. Staff recommends any addition behind the side porch/porte cochere be one-story in height. This will help to keep the scale of the addition from further overwhelming the scale of the historic house. The two-story portion of the addition is completely separate from the historic house, preserving the house's roof form and overall form, which is appropriate.

The applicant is intending to create a door opening and construct a new front porch. The current house does not have a front entry – one enters from the side porch/porte cochere. It is not unusual for houses of this era to not have front entries, and the Commission in the past has not allowed for new front entries and porches when there is no evidence of one. In this case, however, there is evidence that there used to be both a front porch and a front entry to the house. Both the 1951 and the 1957 Sanborn maps show that the house formerly had a modestly-scaled front porch (the dotted lines on these maps mean that the area is not fully enclosed and conditioned – it implies a covered area that is open). We know there was a porch there from the Sanborn maps and it is highly likely that there would have been a door to the porch.

The Sanborn maps are at a one/one hundredth scale (1"=100'). Using this small scale, staff estimates that the former front porch on the house was between ten and twelve feet (10'-12') wide and four to six feet (4'-6') deep - or a maximum size of 6' X 12'. By contrast, the applicant is proposing a new front porch that will be fifteen feet, one inch (15'1") wide and twelve feet, four inches (12'4") deep. Comparing the Sanborn map to the plan of the proposed porch shows how the proportions of the proposed porch do not match what was there historically.



Staff unfortunately does not have an image of what the porch looked like historically. The roof form and column design are unknown, and as such, the applicant has some leeway in the design of the recreated front porch. However, the general dimensions and scale of the front porch are known from the Sanborn maps, and staff recommends not deviating from them. The Sanborn map clearly shows a modest front porch with a shallow depth. What is proposed introduces a new porch scale that is not based on the documentation available, namely the Sanborn maps. If a new architectural feature is to be reintroduced to the front of the house, the feature should follow, to the closest approximation, the historic conditions and measurements, to the extent that they can be known. For that reason, staff finds that the footprint of the porch, as proposed, is too large. Staff recommends that the footprint of the front porch be reduced so that it is no deeper than six feet (6') and no wider than twelve feet (12'). Staff finds that the porch's roof form and posts are appropriate, but again find that the dimensions are out of scale for the historic house and are not in keeping with what was there historically.

The applicant also intends to enclose the existing attached porte cochere with paneling and screens. Staff finds the enclosure of this side porch or porte cochere to meet the design guidelines.

In summary, staff finds that the two-story addition behind this one-story house could be appropriate, with some changes, because the house is located at the back of the lot, limiting the footprint of any addition. An addition of this size would not be appropriate if the house was located with a typical front setback and a typical rear yard. Staff is recommending three conditions to bring the addition more into scale with the historic house – that the addition be no closer than five feet (5') from the rear property line, that the part of the addition behind the porte cochere be one-story in height, and that the front porch be no larger than six feet by twelve feet (6' x 12') to better match the scale of the porch that was there historically.

Staff recommends approval of the application with the following conditions:

1. The front porch be reduced in size to be no larger than ten to twelve feet (10'-12') wide and four to six feet (4'-6') deep;
2. The rear addition be no closer than five feet (5') from the rear property line;
3. The section of the addition behind the side porch/porte cochere be one-story in height;
4. Staff approve all windows and doors prior to purchase and installation;
5. Staff approve the roof color shingle;
6. Staff approve the foundation material; and
7. Staff approve the material of the driveway and parking pad.

With these conditions, staff finds that the proposed infill meets Sections II.B. and III.B. of the Hillsboro-West End Neighborhood Conservation Zoning Overlay design guidelines.

Chairman Bell complimented the staff and the applicant on working on a solution for this house with an unusual location on the lot.

Vice Chairman Stewart noted that a four to six foot (4'-6') deep front porch does not often allow for adequate space for furniture. He asked if staff would be supportive of an eight foot (8') deep front porch, and Ms. Baldock replied that staff could be supportive of an eight foot (8') deep front porch.

Architect Blaine Bonadies addressed the Commission. He emphasized that because of the unusual location of the house on the lot, every foot of space is critical to making the space usable and practical, particularly when necessary items like stairwells, mechanicals, circulation, and hallways are taken into consideration. He stated that the rear yard setback of two feet (2') is essential for creating a usable addition, as is the second story space behind the porte cochere. He also noted that the addition is the same width of the house, which is the reason for the side setback determinations.

Regarding the front porch, Mr. Bonadies noted that the proposed new front porch sits back one hundred and forty feet (140') from the front and is not highly visible. A larger front porch is needed because the lot has so little back yard. He noted that the larger depth of the porch would not make a big difference visually but makes a big difference functionally.

Owner Rowland Stebbins addressed the Commission. He also emphasized that the front porch size is critical, and that a six-foot (6') depth is not practical for furniture and family life. With no back yard, this will serve as an area for covered outdoor living. Regarding the rear setback, he showed images of the alley, noting that the fence is currently about two feet (2') from the alley. It has been there for over sixteen years and has never been damaged and has not posed a safety issue. He also noted that the curb is elevated, acting as a barrier between the alley and the property. Because of the small area for a rear addition, he noted that every square foot counts and the rear setback of two feet (2') is needed.

Council Member Tom Cash addressed the Commission. He stated he would not speak to specific conditions and issues regarding this case but noted that he appreciates staff working with the owner on this unusual site and thanked the Commission for its flexibility on this project.

Martha Stinson, president of the Hillsboro-West End Neighborhood Association, asked the Commission to approve the project because the site is unusual.

Commissioner Jones stated that she is personally supportive of the two foot (2') rear setback, although the fact that Public Works is not in favor of it does give her pause. She thinks the Commissioners should discuss the setback issue further. She is supportive of the two-story portion behind the porte cochere because it provides symmetry to the addition. She also noted that she finds the front porch dimensions to be appropriate because the porch is located so far back on the lot.

Chairman Bell noted that visibility along the alley and the possibility of alley being expanded in the future makes the proposed rear setback an issue for Public Works.

Commissioner Fitts stated that the lot is unique and unusual, and she commended the owner and architect for working with the existing house. She noted that she is supportive of the front porch dimensions as designed and of the two-story portion behind the one-story portion of the house. Regarding the rear setback, she could be supportive of the setback because it is along an alley and does not directly abut another rear property line. That said, Public Works' position does give her pause.

Historic Zoning Administrator Robin Zeigler remarked that in a conversation with the Historic Commission's director, Tim Walker, Mr. Walker said that when Council first gave the Commission the ability to change setbacks, then Codes Director Sonny West advised that the Commission should never approve less than five feet (5') for property lines along alleys as alleys are not always where they are supposed to be.

Vice Chairman Stewart stated he had driven this alley and remarked that it is not as constrained as other alleys.

Commissioner Price congratulated the applicant and the staff for finding a solution for this unusual house. He stated that he could be supportive of the rear setback because he understands that the applicant needs all the space they can get for the addition. That said, he noted that this is a small, contributing historic house, and he would not want the addition to overwhelm the historic house. He has concerns about the size of the front porch because it is larger than the historic front porch; he would be supportive of a depth of eight feet to ten feet (8'-10'). He also supports staff's condition that the portion of the house behind the porte cochere be one story because he has concerns about the addition overwhelming the historic house in scale.

Commissioner Mayall agreed with the other Commissioners that the site is difficult and that the proposed front porch size is appropriate. She noted that she has concerns about the rear setback.

Commissioner Boyd stated that the proposed addition is a reasonable solution and that she is supportive of the rear setback of two feet (2') and the size of the front porch.

At the request of the Commissioners, Ms. Baldock read aloud the email from the Public Works Department stating that the rear setback of two feet (2') is not recommended by Public Works because Public Works "would want to be able to achieve the MPW [Metro Public Works] standard ST-263 alley section one day. The standard alley section is

twenty feet (20') and...the 2' setback may interfere with obtaining the 20' ROW [right of way]...[Metro Public Works] could support the 5' setback which is standard in other areas of town."

Commissioner Jones noted that Public Works' comments on the rear setback seem perfunctory and do not specifically address safety issues. She thought there could be a compromise and noted that the curb cut and the fact that the alley seems to be more open are noteworthy.

Commissioner Stewart suggested a rear setback of three feet (3'), and the other Commissioners agreed that they could support a three foot (3') rear setback. He also remarked that a four to six foot (4'-6') deep front porch is not practical and suggested a ten foot (10') deep front porch. He further noted that the front porch could be removed in the future without affecting the historic character of the house. The Commissioners agreed that a ten foot (10') deep by fifteen feet (15') wide front porch would be appropriate. They also agreed that the two-story portion behind the porte cochere is appropriate.

**Motion:**

**Commissioner Jones moved to approve the application with the following conditions:**

- 1. The front porch be reduced in size to be no larger than ten feet (10') deep and fifteen feet (15') wide;**
- 2. The rear addition be no closer than three feet (3') from the rear property line;**
- 3. Staff approve all windows and doors prior to purchase and installation;**
- 4. Staff approve the roof color shingle;**
- 5. Staff approve the foundation material; and**
- 6. Staff approve the material of the driveway and parking pad;**

**finding that with these conditions, the proposed infill meets Sections II.B. and III.B. of the Hillsboro-West End Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Boyd seconded and the motion passed unanimously.**

**p. 922 RUSSELL ST**

Application: New Construction—Infill and Outbuildings

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov

PermitID#: T2019019545

Staff member Melissa Sajid presented the case for infill at 922 Russell St. The existing house at 922 Russell Street was constructed circa 1972 and does not contribute to the historic character of the Edgefield neighborhood. Staff issued an administrative permit to demolish the house in April.

The application is to construct a detached duplex infill on a ninety foot (90') wide lot. The project includes two single-story outbuildings. The Commission approved detached duplex infill and two single-story outbuildings at the April 2019 meeting, which have not been constructed. The applicant proposes redesigned detached duplexes and outbuildings with height and scale that are comparable to the previously approved plan.

The infill houses and outbuildings are both oriented to Russell Street and meet all setbacks. Vehicular access is from the alley at the rear. The depth of the infill is approximately five feet (5') shorter than the plan that the Commission approved in April.

The outbuildings are single-story and meet all of the design guidelines.

In conclusion, staff recommends approval of the project with the following conditions:

- 1. 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;**
- 2. The front setback shall be consistent with the buildings to either side, to be verified by MHZC staff in the field;**
- 3. Staff approve the final selections of the trim, roof color, porch floor and steps, porch posts and railings, windows, doors, and driveway material;**

4. Staff approve all materials for the outbuildings prior to purchase and installation;
5. Staff shall approve the location of the utilities; and
6. Staff approve the location, design, and materials of any appurtenances prior to purchase and installation.

With these conditions, staff finds that the project meets Section III.B of the *Edgefield Historic Zoning District Handbook and Design Guidelines*.

Architect Blaine Bonadies noted that this design is tweaking designs previously approved by the Commission.

**Motion:**

**Commissioner Mayhall moved to approve the project with the following conditions:**

1. **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;**
2. **The front setback shall be consistent with the buildings to either side, to be verified by MHZC staff in the field;**
3. **Staff approve the final selections of the trim, roof color, porch floor and steps, porch posts and railings, windows, doors, and driveway material;**
4. **Staff approve all materials for the outbuildings prior to purchase and installation;**
5. **Staff shall approve the location of the utilities; and**
6. **Staff approve the location, design, and materials of any appurtenances prior to purchase and installation;**

**finding that with these conditions, the project meets Section III.B of the *Edgefield Historic Zoning District Handbook and Design Guidelines*. Commissioner Price seconded and the motion passed unanimously.**

**q. 1307 SHELBY AVE**

Application: Demolition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Paul Hoffman; paul.hoffman@nashville.gov

PermitID#: T2019069202

Staff member Paul Hoffman presented the case for demolition based on economic hardship for 1307 Shelby Avenue. The building dates to the 1880s. A porch had been added between the side gables, and a rear addition added, but the footprint from 1889 was largely the same. MHZC staff issued a permit in May of this year for partial demolition of the non-contributing rear addition, and the side porch, for the purpose of rebuilding the porch and preparing for a future addition to the building. The contractor removed the side eaves, work which was not permitted. When work was stopped at that point, the owners asked to pursue full demolition, stating that the structural condition uncovered precluded further work.

The Department of Codes and Building Safety contacted the previous owners in July of this year about several property standards violations, ordering the demolition of the building. The engineer's report on the structure observes that the structural systems are significantly deteriorated and were inadequately designed and built. The load-bearing systems have been damaged by water and termites. The contractors began building new piers and shoring up the structure, until they determined that the extent of the damage was too much. The engineer affirms that the building should be demolished.

Staff inspected the building twice. Our inspections confirmed the condition of the structure. It is staff's review that the building has suffered from deferred maintenance and poor original construction of the structural elements. The building was gutted, leaving it mostly a shell with no original features remaining on the interior. Using the estimates supplied, staff estimated the fair market value of the building if it were rehabilitated, adjusting the estimates for items that may have been overestimated or not required for an economic hardship consideration, but the range of expenditures represents a significant loss in any case. The condition of the building, the amount of demolition that has already taken place, and the amount of replacement materials that would be needed would result in a building that has already lost its integrity.

Staff therefore recommends approval of the application for full demolition, finding that the cost of necessary repairs exceeds the value of the home. The proposed demolition meets Section III.B.2 for appropriate demolition.

Commissioner Mayhall asked if MHZC staff had seen plans for what might replace the historic house, and Mr. Hoffman replied no.

The owner's representative, Deirdre Kerr, introduced herself to the Commission but did not have further comments.

Council Member Withers explained that he hates to lose these old houses in East Nashville, but this one is in bad shape, and has been in a state of ill-repair for a long time. It is unfortunate, but no fault of the current owners. He stated that East End Neighbors are understanding and agree with the staff recommendation. He further noted that this is not the first time where removing the historic siding leads to demolition. He hopes the design consolidation project could help prevent such demolition because of removal of siding in the future.

Commissioner Fitts noted that the situation is unfortunate, but that the current owners did not create the state of the historic house. She believes the owners intend to build a modest infill on the site if the historic house is demolished.

Commissioner Price agreed with Council Member Withers that the previous owner made things worse with the partial demolition and removal of the siding but understands the current situation.

**Motion:**

**Commissioner Price moved to approve the application for full demolition, finding that the cost of necessary repairs exceeds the value of the home. The proposed demolition meets Section III.B.2 for appropriate demolition. Commissioner Fitts seconded and the motion passed unanimously.**

**r. 2516 BELMONT BLVD**

Application: New Construction—Outbuilding; Setback Determination

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander Sean.Alexander@nashville.gov

PermitID#: T2019068963

Sean Alexander presented the application for an outbuilding and setback determination at 2516 Belmont Boulevard.

This is an application to construct a new outbuilding in the rear yard. It will be a two-story outbuilding with a hipped roof. It meets the design guidelines for height, scale and materials. It will be located twenty feet (20') from the back of the house with a rear setback of five feet (5') off the alley. This is an appropriate rear setback.

The right-side setback along Sweetbriar Avenue is proposed to be five feet (5'). The standard setback from the street is ten feet (10'). The Commission has the authority to approve setbacks less than the standard bulk zoning setbacks, but the Public Works department advises maintaining the current setbacks, saying "five foot setbacks can cause a sight distance issue for the motorist seeing around the structure."

Staff recommends approval of the proposed outbuilding with the following conditions:

1. Staff shall approve the brick, window, and door selections prior to purchase and installation; and
2. The right side setback along Sweetbriar Avenue shall be a minimum of ten feet (10').

With these conditions, staff finds that the outbuilding meets Section II.B of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines.

Applicant Blaine Bonadies addressed the Commission and noted that he lives in the neighborhood. He stated that the outbuilding being five feet (5') off of the sidewalk would improve the current visibility of the alley because the fence will be removed. He also remarked a five-foot (5') side street setback is an appropriate landscape buffer, but a ten-foot (10') setback creates a "no man's land" of landscape. He showed examples of garages, relatively recently approved, that have reduced side street setbacks and are located nearby this address. He further noted that they originally oriented the garage to the side street, but at staff's request, they reoriented the outbuilding to the alley,

even though the grade is more difficult at the alley. The proposed five-foot (5') setback from the side street allows for the garage to be perfectly situated between two poles. He thinks the proposed setbacks are in character with where historic outbuildings were located on the lot and that it looks better architecturally. Lastly, the five-foot (5') is critical for the owner's view of their yard from the house/back porch and also may require the relocation of a playset.

Commissioner Price asked Mr. Alexander about the bulk zoning setbacks and if they are one-size fits all. He also asked about the current fence and the visibility. Mr. Alexander pointed out that the fence is not compliant with Metro Codes, which requires that fences be set back ten feet (10') from the property line.

Lindsay Moffatt from the Belmont Hillsboro Neighborhood Association addressed the Commission. She noted that the current fence is also not fifty percent (50%) open, as Codes requires. She stated that she lives on Belmont and that the neighborhood has a lot of pedestrian activity. A ten-foot (10') setback provides a critical safety measure for pedestrians along the side street who might be walking their dog or pushing a stroller. The neighborhood is trying to address safety issues for pedestrians and would want to see a ten-foot (10') setback here.

Vice Chairman Stewart noted that the ten-foot (10') setback is a safety issue and he supports staff's recommendation that the side street setback be ten feet (10'). Commissioner Jones agreed.

**Motion:**

**Commissioner Jones moved to approve the proposed outbuilding with the following conditions:**

- 1. Staff shall approve the brick, window, and door selections prior to purchase and installation; and**
- 2. The right-side setback along Sweetbriar Avenue shall be a minimum of ten feet (10');**

**finding that with these conditions, that the outbuilding meets Section II.B of the *Belmont-Hillsboro Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*. Commissioner Price seconded and the motion passed unanimously.**

**s. 250 HARDING PLACE**

Application: New Construction—Infill and Outbuilding

Council District: 23

Overlay: Belle Meade Links Neighborhood Conservation Zoning Overlay

Project Lead: Paul Hoffman; paul.hoffman@nashville.gov

PermitID#: T2019069204

Paul Hoffman presented the application for infill and an outbuilding on this vacant lot in the Belle Meade Links Triangle Neighborhood Conservation Zoning Overlay. The new building has side setbacks of five feet (5') and fourteen feet (14'). The front setback splits the difference of the neighboring buildings. The rear of the building will be fifty-five feet (55') from the rear property line. It will meet all base zoning requirements and section II.B.c of the design guidelines for setbacks and rhythm of spacing.

The house is one-and-a-half stories with a ridge height of twenty-seven feet, six inches (27'6"). The eave height will be twelve feet (12'), and the foundation height two feet (2'), which are in keeping with the context. It will be forty-one feet (41') wide, which is in the range of other residences on Harding Place, which are between thirty six and forty-six feet (36'-46') in width. The height and scale are compatible and meet sections II.B.1.a and b for massing. It has a stone veneer foundation, brick as the primary cladding. Secondary cladding is fiber-cement and cedar siding in the gables. Staff find that the materials meet section II.B.d and recommends having final approval of a brick sample, roofing color, windows and doors, and the driveway and walkway. The primary roof form is a cross gable with shed dormers. The roof form and pitches are compatible with nearby historic buildings. The new building meets the guidelines for orientation, proportion and rhythm of openings.

There is a six hundred and fifteen (615) square foot outbuilding proposed. The outbuilding is twenty feet (20') tall with nine foot (9') eaves. It has setbacks of three feet (3') and five feet (5'), and there are twenty-one feet (21') between the outbuilding and the residence. The materials are similar to the main building.

In conclusion, Staff recommends approval with these conditions:

1. 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;
2. Staff approve a brick sample, color of roofing, windows, doors and garage doors, walkways and driveway; and,
3. HVAC and utilities shall be located behind the house or on either side, beyond the mid-point of the house.

With these conditions, Staff finds that the proposed infill and outbuilding meet Section II.B for New Construction of the Belle Meade Links Triangle Neighborhood Conservation Zoning Overlay.

Applicant Chris Goldbeck thanked the staff and noted that he is supportive of the staff recommendation.

**Motion:**

**Commissioner Fitts moved to approve with the conditions:**

1. **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;**
2. **Staff approve a brick sample, color of roofing, windows, doors and garage doors, walkways and driveway; and,**
3. **HVAC and utilities shall be located behind the house or on either side, beyond the mid-point of the house;**

**finding that with these conditions, the proposed infill and outbuilding meet Section II.B for New Construction of the Belle Meade Links Triangle Neighborhood Conservation Zoning Overlay. Commissioner Price seconded and the motion passed unanimously.**

**t. 1812 5TH AVE N**

Application: New Construction--Infill and Outbuilding

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander Sean.Alexander@nashville.gov

PermitID#: T2019068705

Sean Alexander presented the case for 1812 5<sup>th</sup> Avenue North, a proposal to construct a duplex on a vacant lot. The building will be two stories, just under thirty-five feet (35') tall with a hipped roof. The Salemtown guidelines are specific in height, and they allow two stories and thirty-five feet (35') in height.

It will be thirty-four feet (34') wide at the front, and after extending back fourteen feet (14'), it will expand to thirty-six feet (36') wide for the remainder of the building. The depth will be sixty-two feet (62') enclosed, with a fourteen foot (14') deep two-level porch at the rear.

The setbacks, materials, window proportions and pattern, roof form all meet the guidelines. There will be a pair of outbuildings in the rear yard. The height and scale of the buildings, and their combined footprints, and their locations and materials are appropriate.

Staff recommends approval of the infill project with the following conditions:

1. The finished floor height be consistent with the finished floor heights of neighboring historic houses, to be verified by MHZC staff in the field;
2. Staff approve the front setback in the field after staking;
3. Staff approve the masonry samples prior to purchase and installation;
4. Staff approve the roof color, windows, doors, trim, porch floors, porch steps, porch railings, and parking pad materials for the infill prior to purchase and installation; and
5. Staff approve the windows, doors, and roof color for the outbuildings prior to purchase and installation.

With these conditions, staff finds that the project meets of the design guidelines for new construction in the Salemtown Neighborhood Conservation Zoning Overlay.

Architect Preston Quirk noted that he agrees with the staff recommendation.

**Motion:**

**Commissioner Price moved to approve the project with the following conditions:**

1. **The finished floor height be consistent with the finished floor heights of neighboring historic houses, to be verified by MHZC staff in the field;**
2. **Staff approve the front setback in the field after staking;**
3. **Staff approve the masonry samples prior to purchase and installation;**
4. **Staff approve the roof color, windows, doors, trim, porch floors, porch steps, porch railings, and parking pad materials for the infill prior to purchase and installation; and**
5. **Staff approve the windows, doors, and roof color for the outbuildings prior to purchase and installation;**

**finding that with these conditions, the project meets of the design guidelines for new construction in the Salemtown Neighborhood Conservation Zoning Overlay. Commissioner Fitts seconded and the motion passed unanimously.**

**c. 300 BROADWAY**

Application: Signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: Melissa Sajid

PermitID#: T2019068319

Melissa Sajid presented the proposed sign for 300 Broadway.

This is a request to install a new projecting sign at 300 Broadway on the 3<sup>rd</sup> Avenue façade. The new sign will be in the location of an existing projecting sign that will be removed as part of the project. The new sign meets the design guidelines for allotment, size, location, materials, and illumination but includes a modification for blinking lights, which is why it is before you today.

The projecting sign incorporates a blinking element on the eye at the top of the sign. Staff finds the proposed blinking element to be a minimal portion of the sign and therefore appropriate. The blinking element is proposed to occur every one second. The design guidelines permit blinking lights as a modification but stipulates that the blink not be less than every three seconds. With the condition that there be at least three seconds between the blinking, staff finds that a modification for these elements could be appropriate.

In conclusion, staff recommends approval of the projecting sign including the modification for the blinking element with the following conditions:

1. There shall be at least three seconds between the blinking lights;
2. The existing projecting sign on the Third Avenue North façade shall be removed; and
3. Staff shall inspect the new sign prior to installation.

With these conditions, staff finds that the sign meets the design guidelines for signage in the Broadway Historic Preservation Zoning Overlay.

Emily Kuykendall of Joslin signs addressed the Commission and said she is in agreement with the staff recommendation.

Shaw Flippin with Ryman Hospitality noted that the proposed sign is replacing an existing projecting sign to reflect a new logo and revamped rooftop area.

Chairman Bell asked about the previous applications at 300 Broadway for lighting. Ms. Zeigler noted that this application is for replacement signage and is a separate issue from the lighting.

**Motion:**

**Commissioner Mayhall moved to approve the project with the following conditions:**



1. There shall be at least three seconds between the blinking lights;
2. The existing projecting sign on the Third Avenue North façade shall be removed; and
3. Staff shall inspect the new sign prior to installation.

finding that with these conditions, the project meets of the design guidelines for signage in the Broadway Historic Preservation Zoning Overlay. Vice Chairman Stewart seconded, and the motion passed unanimously.

## V. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

### j. CONSOLIDATION OF NEIGHBORHOOD CONSERVATION ZONING OVERLAY

Ms. Zeigler explained that the Historic Zoning Commission received funding from the Tennessee Historical Commission for a design guideline consolidation project. The project began in January 2019, and the grant period ended on September 30, 2019. A draft came to the Commission on September 18, 2019 and was deferred until today.

The staff report available online and the Nashville.gov website provides more in-depth information about the project and the process, for anyone that may be unfamiliar with it. Previous meetings where introductory information was given are also available to be viewed on YouTube.

The project was first presented to the Commission in three parts. Part I is a consolidation of all the neighborhood conservation design guidelines into one universal set of design guidelines, with Part II being individual chapters for each district. All the neighborhood conservation design guidelines are already very similar, but the consolidation will provide an opportunity to reorganize and add clarifying language. The third component is to create new design guidelines and a plans book for outbuildings, to provide more flexibility in terms of size and design and clearer guidance.

Staff recommends that Part III, and any references to Part III, be removed from consideration and that Parts I and II be reviewed section by section, between now and March of 2020.

Zeigler provided an overview of the following sections:

Part I, Section I, Introduction  
Part I, Section VIII, Relocation  
Part I, Section IX, Definitions  
Part II

#### Part I, Section 1, Introduction

The Introduction does not include any changes to the design guidelines themselves.

In recent years the National Park Service has made minor alterations to the Secretary of Interior Standards for Rehabilitation. The revision is captured in the September 2019 draft. If the document is not approved, this section will still be revised as it is italicized and therefore not an official part of the design guidelines. At this time, Staff also recommends adding the clarification that if the design guidelines do not directly address a situation, then the Standards can be relied upon to assist with review. This is not a change, since the ordinance already requires that the guidelines be based on the Standards. The existing design guidelines and the draft read as follows.

*By Tennessee state law, all design guidelines for neighborhood conservation zoning overlays must comply with the Secretary of the Interior's Standards for Treatment of Historic Properties:*

Staff recommends the following language with new recommended wording underlined:

*By Tennessee state law, all design guidelines for neighborhood conservation zoning overlays must comply with the Historic Preservation Act of 1966, as amended. The section of the Act which deals specifically with rehabilitation of*

*historic properties is the Secretary of the Interior's Standards for Treatment of Historic Properties. The Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new construction or making alterations. When the design guidelines do not provide guidance for a specific request, the Standards may be relied upon.*

#### Part I, section VIII, Relocation

All the design guidelines have the same wording for the Relocation sections and no revisions were proposed in the September 2019 draft. To date, public comment regarding this section has not been received.

#### Part I, Section IX, Definitions

Definitions are italicized and not an official part of the design guidelines. In addition to the definitions added and changed in the September 2019 draft, Staff recommends adding a definition for rooftop decks as there has been confusion between “upper level decks” and “rooftop decks.” A potential definition follows:

*Rooftop Deck: An uncovered deck projecting from or recessed into the roof form of a building. It is generally located at or above the primary eave of the portion of the roof to which it is attached.*

#### Part II

Staff has not received recommendations for changes to Part II, that have not already been addressed in the September 2019 draft, so no additional changes are recommended at this time.

#### Part III

Part III is recommended for removal from consideration for several reasons. The recommended changes were a major departure to how the Commission has reviewed outbuildings in several ways but mainly in that they would allow for outbuildings to be larger scale than the primary building, in some instances. Staff is not convinced this is the best direction for the design guidelines and has received public, council member, and Commissioner comments to that effect as well. In addition, not all the forms may be appropriate for every district or for every lot. Any changes to the form book would not likely be small tweaks, and since the plan book is based heavily on drawings rather than on text, further changes are likely to be beyond the expertise of staff. The skill of a designer/architect is needed to provide not only the drawings but “real world” recommendations on the dimensions of different forms so that they can reasonably accommodate such things as modern vehicles and stairs. There is no funding available to hire a consultant to create a revision. The contract with Smith Gee Studio and The Nashville Civic Design Center, the consultants who created the September 2019 draft, is complete. They have graciously volunteered to make minor alterations, if needed; however, staff believes the changes needed are significantly greater than minor alterations. For these reasons, staff recommends that the Commission remove Part III from consideration as the public hearings continue and instead, focus on the text guidelines for outbuildings included in Part I.

#### Recommended Schedule of Review for Additional Sections of Part I

Staff recommends the following schedule for the remaining portions of Part I:

- December 18: Part I, Sections II (Principles), III (Demolition), IV (Materials)
- January 15: Part I, Sections V (New Construction-Infill) and VI (New Construction-additions)
- February 19: Part I, section VII (Outbuildings)

This schedule will allow the Commission and staff the ability to continue to accept public comment on the project and make the project easier to follow since it will be broken into pieces. Each meeting will be a public hearing, and the public will be welcome to speak on any portion of the draft they wish, but the schedule will help the Commission to organize its time and focus its discussion. The sections were organized with what staff believes to be the sections with the most changes towards the end of the schedule, allowing maximum time to continue to discuss and revise these sections.

Commissioner Jones thanked the stakeholders, neighbors, and staff for all the work and the meetings that have gone into the design guideline consolidation project. Ms. Zeigler replied that MHZC staff is happy to go to talk to any neighborhood in any type of meeting format they would prefer.

Commissioner Fitts noted that she likes the schedule of breaking the discussion out into manageable chunks and for the future hearings to have a specific focus.

In inviting the public to speak, Chairman Bell noted that the public hearing on the Design Guideline consolidation will be open until March.

Martha Stinson, President of Hillsboro-West End Neighborhood Association, stated that the board voted to disapprove the design guideline consolidation, after lengthy discussion. She stated that they understand the reason behind the consolidation but are concerned about new rules and that the project seems to be more than a consolidation. She asked the Commission what is the overall impact of the changes being proposed, and what can a property owner do today that they cannot do if the consolidation passes. They are concerned that there are a lot more rules, and do not support the consolidation in its current configuration.

John TeSelle, a stakeholder, read a statement, which was submitted in writing to the Commission. He noted that when an overlay is designated, it is a “bottom-up” process whereby the neighbors are heavily involved. He finds that this revision has not been “bottom up,” but it should be. He thinks that implementation of the consolidated design guidelines should be a neighborhood by neighborhood decision.

Lindsay Moffatt noted that the Steering Committee for the Belmont Hillsboro Neighbors voted to reject the proposed design guideline consolidation and plan book. She noted that she and her neighbors are concerned with the number of changes in the design guidelines and what unforeseen or unknown consequences might occur as a result of the consolidation. She specifically noted concern about no longer allowing a ridge raise when an addition is more than fifty percent (50%) of the footprint of the house, which would primarily affect smaller one and one-and-a-half story houses. She also stated that the separate districts are unique and that the consolidation does not adequately allow for districts to be treated differently. She notes that the current process works and that things should not be limited further.

Jessica McDuffie-Massey, Board President elect of Hillsboro-West End Neighborhood Association, finished John Teselle’s comments, which were cut short due to time. She noted that they do not find one set of guidelines for all the conservation overlays to be appropriate because each district is different. They want to keep the individual sets of design guidelines. Both she and John Teselle support the timeline proposed by MHZC staff. They ask that the Commission make the consolidated design guidelines a proposal offered to each individual conservation overlay that the neighborhoods can choose to adopt with majority support.

Council Member Brett Withers noted there has been more public involvement with this project than any project he has ever seen come before Council. He stated that he likes the consolidated guidelines with the individual chapters for each district, as this format can accommodate each district’s unique character. He believes that the districts in East Nashville have participated in the process adequately. He encouraged the Commission to keep moving forward, but also to listen to neighborhood concerns.

Karin Kalodimos from Edgehill noted that she is happy that Part III, the Outbuilding plan book, will be dropped from consideration. She pointed out that in the consolidation the individual chapters for each district would take priority over the consolidated portion of the guidelines so that might alleviate fears about the loss of individual chapter guidelines.

Ms. Zeigler noted that the impetus for this project was that staff and the Commission have been hearing from neighbors that what has been approved, primarily for infill and additions, has been too large. The consolidation was a way to address those concerns the Commission has heard and to address items, like rooftop decks, that were not foreseen when the guidelines were first written. She clarified that ridge raises were not part of most of the original design guidelines. Ridge raises were intended to allow people with smaller houses to give extra second-level space without having to expand the footprint substantially, perhaps providing a cheaper option. However, these days, the ridge raise is more than just a dormer off a back but now is regularly used as part of a much larger addition. The

idea for limiting the size of additions when ridge raises are used was intended to bring ridge raises back to their original intent.

Ms. Zeigler also addressed the myth that making italicized language in the document non-italicized will provide less flexibility. She noted that the guidelines can be interpreted by the Commissioners based on the peculiarities of the site no matter if the language is italicized or not italicized. Staff's perspective is that more information provided in the guidelines helps applicants better understand what to expect from the Commission's decisions. Finally, she noted that the Commission today heard from three of the twenty-three (23) conservation overlays. She noted that most of the other districts have indicated that they are fine with the proposed changes.

Commissioner Fitts thanked the public for their input. She noted that she has read all the comments received so far and encourages the public to be specific in the comments about what they like, and they do not like in the consolidation. In response to a question from Commissioner Fitts, Ms. Zeigler noted that items like the ridge raise limitations could be addressed in the individual chapters if certain neighborhoods did not want that limitation. She also noted that the staff will be looking at proposed changes to the guidelines based on the comments so far.

Commissioner Jones reiterated that the Commission would like to hear specifics about what the public likes and does not like about the consolidation, as the only specific issue raised today was the limitation on ridge raises.

Commissioner Mayall noted that she attended one community meeting and the impression she got was that the neighborhoods worked very hard to get support for the conservation overlays and there is concern that there are now changes to the guidelines. She remarked that the comments were general, but more specific comments would be helpful.

Addressing the proposed changes to Section I., regarding the Secretary of the Interior's Standards, Commissioner Price remarked that the proposed changes were a wise course of action and that he supports those changes.

Addressing Section VIII. Relocation, which does not have any proposed changes, Commissioner Fitts stated that she found the language to be appropriate and straight forward.

Addressing Section IX. Definitions, Commissioner Fitts recommended adding a definition for overhangs.

Ms. Zeigler noted that for the Part II. Individual Chapters, few substantive changes have been made. A few districts have revised histories, Belmont-Hillsboro have added language that new two-story infill have hipped roofs, and Greenwood has new language limiting infill to one-a-half-stories, which was something the neighborhood requested.

Addressing the proposed removal of Part III, the outbuilding plan book, Commissioner Jones noted that the plans were well presented, and she liked the idea of it, but she was not comfortable with all of the sizes and scales allowed for outbuildings in the plan book. Commissioner Fitts remarked that removing the outbuilding plan book, which was not widely supported by the public, shows that the staff and the Commissioners are listening to the feedback.

Ms. Zeigler emphasized that the Commission will not be voting on the individual issues each month, just discussing. Commissioner Price noted that he supports the proposed timeline.

Motion:

**Commissioner Jones moved to defer the combined design guideline project until March 18, 2020, the MHZCs regularly scheduled public hearing, with the goal of deliberating on specific sections of the design guidelines at each public hearing between now and the March meeting. The schedule of topics is:**

- **December 18: Part I, Sections II (Principles), III (Demolition), IV (Materials)**
- **January 15: Part I, Sections V (New Construction-Infill) and VI (New Construction-additions)**
- **February 19: Part I, section VII (Outbuildings)**

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

## **v. ADMINISTRATIVE ACTIONS & UPDATES**

Ms. Zeigler provided several updates for the Commissioners. She noted that she expects the Marathon Village Historic Preservation District will come before the Commission in early 2020. She has also been invited to meet with the neighborhood associations in Haynes Heights and Hillhurst to introduce the idea of potential overlays. She will also be attending the Richland-West End neighborhood association meeting on November 21<sup>st</sup>.

Ms. Zeigler congratulated Leigh Fitts and Hastings Architecture for being named #3 Architecture Firm in the United States by *Architect Magazine*.

Ms. Zeigler also noted that the Historic Zoning Commission now has a Metro agency page on NextDoor.com, allowing staff to use the platform to get information out to specific neighborhoods.

Ms. Zeigler updated the Commissioners on the tax incentive legislation proposed by Council Member Jeff Syracuse. The legislation will follow state enabling legislation and is a property tax abatement. Ms. Zeigler noted that if Council approves the legislation, the details of how the program will work will come to the Commission for review. All tax abatement projects will go through the Commission. Commissioner Price asked logistical questions and Ms. Zeigler answered with information from the draft, but explained that the final program outline will come to the Commission for adoption.

Chairman Bell acknowledged legal counsel Susan Jones, who has long served Metro and the Historic Zoning Commission and who is leaving Metro. All of the Commissioners thanked Ms. Jones for her service.

The meeting adjourned at 5:06 pm.