

**FRANKLIN HISTORIC ZONING COMMISSION
MINUTES
September 10, 2018**

The Franklin Historic Zoning Commission its regular scheduled meeting on Monday, September 10, 2018, at 5:00 pm in the City Hall Boardroom at 109 Third Avenue South.

Members Present: Susan Besser
 Jim Roberts
 Ken Scalf
 Mike Hathaway
 Kelly Baker-Hefley
 Mary Pearce
 Lisa Marquardt

Staff Present: Amanda Rose, Planning & Sustainability Department
 James Svoboda, Planning & Sustainability Department
 Joey Bryan, Planning & Sustainability Department
 Tiffani Pope, Law Department
 Randall Tosh, BNS Department

**Item 1:
Call to Order**

Chairwoman Besser called the September 10, 2018 meeting to order at 5:04 pm.

**Item 2:
Minutes: August 13, 2018**

Mr. Hathaway moved to approve the August 13, 2018 meeting minutes. Ms. Pearce seconded the motion, and the motion carried 7-0.

**Items 3:
Staff Announcements.**

Ms. Rose stated the Downtown Franklin National Register Historic District nomination has been submitted to the State for consideration. Ms. Rose stated there has been a slight delay getting through the Federal review process and that she hopes to get an update soon.

Ms. Rose stated the City has received two grants from the Tennessee Historical Commission, one of which assist with an update to the Hincheyville National Register Historic District documentation, and other for assistance with window restoration at the Hayes House at Harlinsdale Farm.

Ms. Rose stated there will be a DRC meeting on Monday, with a very short agenda.

Ms. Rose thanked the commissioners for attending the City-led legal training.

Discussion ensued on more training.

Item 4:

Consideration of Requests to place non-agenda emergency items on the agenda.

No one requested to add any non-agenda items.

Item 5:

Citizens Comments on Items Not on the Agenda

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Historic Zoning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Historic Zoning Commission consideration at a later date.

No one requested to speak.

Item 6:

Consideration of Alterations to Previously-Approved New Construction at 249 4th Ave. N.; 906 Studio Architects, Applicant.

Mr. Hathaway recused himself from this item.

Ms. Rose stated the applicant is requesting approval for alterations to the previously-approved new construction at 249 4th Ave. N. Ms. Rose stated the proposed alterations are as follows:

- The enclosure of the previously-approved porch areas along the street-facing facades of the building;
- The removal of the stairs along the street-facing facades of the building;
- The raising of the entry lobby and elevator areas; and
- The addition of an accessibility ramp along the 4th Ave. N. façade, at the location of a previously-approved porch.

Ms. Rose stated the applicant appeared before the Design Review Committee to discuss the portions of the proposal at its August 20, 2018 meeting. Ms. Rose stated it is recommended that the Historic Zoning Commission deny the proposed alterations to the previously-approved new construction with the following:

1. The *Guidelines* recommend that new construction be compatible with the architectural features of the adjacent structures (p.66, #4). As previously approved, the building was designed to appear as three distinct buildings with individual entry points to create the perceived residential massing of the transitional neighborhood. The proposed removal of the entrance points lessens the residential qualities of the overall building form and does not coordinate with the original design intent or the intent of the *Guidelines*, as the three individual masses should have the appearance of individual entrances.
 - Staff recommends that the applicant consider the placement of an entrance and stoop onto the first gabled form along the 4th Ave. N. façade (the brick mass). Further, since the third mass along the 4th Ave. N. side features a working porch, staff recommends that the applicant explore the possibility of adding a stair element at that location to create the appearance of an entrance. Staff also recommends that the applicant consider wrapping the porch around to the N. Margin St. façade to enhance the residential character of the side elevation.
 - Staff recommends that the applicant reintroduce the use of the lattice work to enclose portions of the foundation, so as to further delineate the three building masses.

2. If issued a COA, the required site plan amendment must be approved by the City of Franklin, and the application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any changes to the approved plans must be returned to the Historic Zoning Commission for review and approval.

Ms. Pearce stated she wanted to disclose she did look at this project with Mr. Jay Franks and the developer.

Mr. Brandon Priddy of 906 Studio Architects stated he would be representing this item. Mr. Priddy showed renderings to the Commission. Mr. Priddy stated the ramp was a big discussion at DRC and that they were able to reconfigure that. Mr. Priddy stated they want a central point of entry instead of separate entrance points and explained. Mr. Priddy stated they feel like they have met the guidelines. Mr. Priddy stated having the overhang balcony was to bring a distinct piece to the building. Mr. Priddy stated FEMA guidelines are specific with what material, etc. is used for foundations. Mr. Priddy stated they get to create more landscaping with the proposed submittal.

Chairwoman Besser requested to know if anyone from the audience wished to speak, and no one did.

Ms. Marquardt moved that the Historic Zoning Commission approve an issuance of a Certificate of Appropriateness for Project PL #6808 for the proposed alterations to the previously-approved new construction, in accordance with the *Historic District Design Guidelines* and conditioned on the wrapping of the porch around the N. Margin St. façade to enhance the residential character of the side elevation. Ms. Marquardt stated she is approving this because she was present at DRC and felt there was a consensus that the new proposal is preferred by other commissioners and feels it is still consistent with the residential character in that area. Mr. Roberts seconded the motion.

Ms. Pearce stated that she thinks the massing stayed the same. Ms. Pearce stated on the brick portion, the middle lower window could become a door to address staff's concerns. Ms. Pearce stated this could also be done on the second section between the lower two columns.

Ms. Pearce moved to amend the motion that the middle window on the brick portion of the building become a fixed door, to be brought to staff for review, and to add double fixed French doors to the middle portion of the building, that are not functional. The amendment motion failed due to the lack of a second.

With the main motion having been made, the motion carried 5-1, with Chairwoman Besser voting no.

Ms. Rose noted this project have to go through a site plan amendment review.

Item 7:

Consideration of Fencing at 203 3rd Ave. N.; John Richardson, Applicant.

Ms. Rose stated the applicant is requesting a Certificate of Appropriateness (COA) for the replacement of side and rear yard fencing at 203 3rd Ave. N. Ms. Rose stated the existing wood fence is approximately 7'-8" in height and ties into an 8' stone wall that is constructed alongside the front façade of the residence. Ms. Rose stated the applicant is proposing to remove the existing wood fence and replace it with a 6' dog-eared wood fence, along the existing perimeter. Ms. Rose stated it is recommended that the Historic Zoning Commission approve with conditions the proposed fencing with the following:

1. Unless otherwise approved by the Historic Zoning Commission, the proposed replacement fencing must be recessed 20 feet from the residence's primary façade before measuring more than 3' in height.

2. The application must meet all the requirements of the Building & Neighborhood Services Department. Any changes to approved plans must be returned to the Preservation Planner and/or the Historic Zoning Commission for review and approval.

Mr. Richardson stated the fence is in disrepair and that he would like to put a plain six-foot dogeared fence in place of what we have.

Chairwoman Besser requested to know if anyone from the audience wished to speak, and no one did.

Ms. Baker-Hefley moved to approve a Certificate of Appropriateness for Project PL #6809 for the fencing due to the existing stone wall and to allow the privacy height that is proposed without the three-foot height disjointed section, as proposed.

Ms. Pearce requested to know where all this fence goes.

Mr. Richardson stated on the north side of the property, the fence goes from the stone wall back to the west, and it turns south and comes up to the sidewalk on Bridge St.

Ms. Pearce moved to amend to have a 20-foot setback of the driveway/Bridge St. Mr. Hathaway seconded the motion, and the motion carried 7-0.

After showing pictures of location of the house and existing wall, the motion carried 7-0.

Item 8:

Consideration of Alterations (Rear Entrance) at 114 3rd Ave. S.; Scott Wilson, Applicant.

Ms. Rose stated the applicant is requesting a Certificate of Appropriateness (COA) for the replacement of the secondary entrance door and transom lite at 114 3rd Ave. S. Ms. Rose stated the entrance is visible from a public alley between 3rd Ave. S. and 4th Ave. S. Ms. Rose stated the alterations have already taken place, and the property owner was advised to contact the Preservation Planner by the Building & Neighborhood Services Department in July 2018. Upon the Preservation Planner's recommendation, the applicant appeared before the Design Review Committee (DRC) to discuss the proposal at its August 20, 2018 meeting. Ms. Rose stated it is recommended that the Historic Zoning Commission deny the proposed alterations to the secondary entrance door and transom with the following:

1. The *Guidelines* recommend, however, that one use designs appropriate for the building's style and age for replacement doors (p.56, #6). The addition was constructed in the 2000s and is stylistically more modern than the historic portion of the building. The alterations that have taken place to the secondary entrance are not designed in keeping with the style of the addition on which it is located. Further, the applicant has not provided information on the proposed screen door's material and has not addressed how the proposed screen door interacts with the transom, as the proposed rear perspective does not include the transom.
2. If issued a COA, any changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

Mr. Wilson stated his clients have rented this out for years. Mr. Wilson stated one of the uses was to use special events, etc. Mr. Wilson stated they decided to turn it into a second home with privacy. Mr. Wilson stated they put a door up and did a lot of landscaping. Mr. Wilson stated they hope to work something out about the door not being appropriate. Mr. Wilson stated he suggested adding a screen door over the expensive door. Mr. Wilson stated he suggested painting the door with dark color and have screen door added.

Chairwoman Besser disclosed she has worked on this project on the interior and feels she can participate in the voting.

Chairwoman Besser requested to know if anyone from the audience wished to speak, and no one did.

Ms. Marquardt moved that the Franklin Historic Zoning Commission approve issuance of a Certificate of Appropriateness for Project PL #6810 for the alterations to the secondary entrance door and transom, and conditioned on no screen door being added. Ms. Marquardt explained her reason for approving the application being due to lack of visibility from the street. Mr. Roberts seconded the motion.

Ms. Baker-Hefley stated she has a lot of reservations because this is not a door the commission would have approved it had gone through the proper procedures. Ms. Baker-Hefley agreed the door is hard to see.

Mr. Hathaway commented that he would not be able to support this motion.

Chairwoman Besser stated that this is an opportunity to create a door that really fits the building and she will not be able to support this.

Mr. Scalf stated he felt the screen door would make it look worse.

Ms. Pearce questioned the transom.

With the motion having been made and seconded, the motion carried 4-3, with Ms. Baker-Hefley, Chairwoman Besser, and Mr. Hathaway voting no.

Item 9:

Consideration of Historic Preservation Buffer Reduction Request for Proposed Carothers Crossing West PUD Subdivision, located at Liberty Pk. (Parcel 079-04003); Greg Gamble, Applicant.

Ms. Rose stated the above applicant has requested consideration of a historic preservation landscape buffer width reduction for the proposed Carothers Crossing West property, located at Liberty Pk. Ms. Rose stated Section 5.7 of the Franklin Zoning Ordinance pertains to Protection of Historic Lands and Structures. Ms. Rose stated the purpose of the section is to protect freestanding historic lands and structures typically located outside of historic districts from negative visual impacts associated with new development occurring in their proximity. Ms. Rose stated the standards apply to new development on lots containing or adjacent to National Register-listed or eligible properties. Ms. Rose stated the standards require that a landscape buffer be incorporated that is a minimum of 75 feet in width unless otherwise specified by the Historic Zoning Commission (5.7.3(2)(a)). Ms. Rose stated in the case of development on an adjacent lot (such as in this case), the buffer is typically recommended to be placed along the property line. Ms. Rose stated a buffer context is also selected as appropriate. Buffer context types include the following:

- a) Naturalistic Screening;
- b) Farm-Field Boundary; or
- c) Estate Enclosure.

Ms. Rose stated the applicant is proposing a development plan for the Carothers Crossing West property, which is located on the property south of and adjacent to the John Henry Carothers House property at

1343 Huffines Ridge Dr. Ms. Rose stated the John Henry Carothers House is a stone farmhouse that is listed on the National Register of Historic Places as an excellent example of a residence built by an African American Tennessee farmer. Ms. Rose stated it also represents local adaptation of stock building plans using native materials. Ms. Rose stated the house was constructed of limestone quarried from a site located on the 26-acre farm by Ezeal Carothers (John Henry Carothers' son). Ms. Rose stated the foundation is constructed with rough-hewn, random ashlar cut stone. Ms. Rose stated a stone on the south side of the house marks the year of construction, 1937. Ms. Rose stated the site hosts several accessory structures—a ca. 1930 smokehouse, a ca. 1937 frame shed, a ca. 1937 frame chicken house, a ca. 1937 frame privy, a ca. 1933 frame stock barn, and a ca. 1950 tobacco barn. Ms. Rose stated the northern boundary of the property is marked by a dry-laid stone wall that predates the house by several years. Ms. Rose stated the applicant is proposing a 10' landscape buffer along the shared property line, which is intended to preserve the existing shared tree line only. Ms. Rose stated the shared tree line is largely deciduous, and the applicant has not indicated a desired buffer context. Ms. Rose stated the proposed development plan, presented to the City through the pre-application process, indicates a desire to construct four-story and five-story structures (up to approximately 44 feet in height from finished grade). Ms. Rose stated the proposed plan requires the construction of a retaining wall, ranging in height from one foot to ten feet, adjacent to the proposed landscape buffer. Ms. Rose stated the grading plan indicates a downward slope on the subject property as it reaches the shared property line, then a rise toward the Hilltop Hillside Overlay area on the historic property. Ms. Rose stated the Planning staff conducted a site visit of the John Henry Carothers property on July 31, 2018, to view the historic resources. Ms. Rose stated the existing grade of both sites indicates that the proposed development will be visible without the presence of an appropriate buffer. Ms. Rose stated it is staff's determination that the use of a naturalistic screening buffer context is most appropriate due to distance of the historic resources from the shared property line and the type, scale, and density of the proposed adjacent development. Ms. Rose stated the naturalistic screening is intended to create a year-round visual obstruction between the historic resources and adjacent development. Ms. Rose stated the minimum standards include the following:

- A double row of evergreen trees in which the rows are staggered so that trees overlap one another at maturity to create a solid screen;
- Random tree spacing which, upon maturity, results in trees within each row creating a nearly solid visual screen;
- Landscape of a sufficient height that, upon maturity, the adjacent development is screened, regardless of building heights or topography;
- A minimum of two or more different indigenous tree species;
- Pruning of trees or shrubs near ground level is prohibited; and
- Berms, fences, and walls shall not be used.

Ms. Rose stated the applicant also hosted a Special Design Review Committee (DRC) site visit on August 30, 2018, to discuss the buffer reduction request. Ms. Rose stated as part of the request, the applicant intends to remove exotic invasive plant material within the existing tree row along the property line. Ms. Rose stated it is recommended that the HZC approve the applicant's landscape buffer width reduction proposal with the following conditions:

1. The trees along the entirety of the shared property line must be maintained, and additional evergreen and deciduous trees of a substantial caliper (at least 2-3") must be added to the existing shared property foliage to meet the intent of the Zoning Ordinance, as determined by Planning staff. The additional trees may count toward the required canopy retention percentages.

2. Staff is concerned about the effects of the proposed retaining wall placement on the long-term health of the trees along the shared property line. Without the submittal of a tree survey, a determination cannot yet be made about the existing canopy protection needs. The wall must be placed at such a distance from the shared property line, as determined by City staff, to protect the health of the existing and supplementary tree lines.
3. An easement must be placed along the applicant's property at an adequate width to preserve the existing tree line, the required additional trees, and their respective driplines.
4. Any required historic preservation landscape buffer must be included on the proposed development plan prior to formal approval by the City of Franklin.

Ms. Pearce stated she did go with Mr. Gamble to see the site today.

Mr. Gamble stated he brought visuals and passed them out (see Appendix). Mr. Gamble stated they submitted the development plan to Planning Commission on Thursday. Mr. Gamble stated at the top is the overall development plan. Mr. Gamble stated John Henry Carothers house is 560 feet from the property line. Mr. Gamble stated there was a concern as to the ability to save a 10-foot area along the property line and save the trees. Mr. Gamble stated they have eliminated all the parking that was facing the property line and are proposing to place the detention underground. Mr. Gamble stated they have an area that is hatched with a distance of 22 feet as a tree canopy area. Mr. Gamble explained the rest of the landscaping plan.

Mr. Scalf moved that the Franklin Historic Zoning Commission approve with conditions Project PL #6780 for the use of a supplemented naturalistic screening buffer along the entire length of the shared property line with staff's comments, in accordance with the Staff Memorandum dated September 10, 2018, and as per the exhibit presented at the meeting. Ms. Baker-Hefley seconded the motion.

After discussion of future development on the land and Mr. Gamble explaining the plan presented tonight, the motion carried 7-0.

Item 10:

Non-agenda emergency items accepted by the commission for consideration.

There were no non-agenda emergency items.

Item 11:

Adjourn.

With no further business, the meeting was adjourned at 6:33 p.m.

Acting Secretary