

**FRANKLIN HISTORIC ZONING COMMISSION
MINUTES
JUNE 14, 2021**

The Franklin Historic Zoning Commission its regular scheduled meeting on Monday, June 14, 2021, at 5:00 pm in the City Hall Boardroom at 109 Third Avenue South.

Members Present: Susan Besser
 Brian Laster
 Ken Scalf
 Mary Pearce
 Nick Mann
 Kathy Worthington
 Jim Roberts
 Josh Denton

Staff Present: Amanda Rose, Planning & Sustainability Department
 Kelly Dannenfels, Planning & Sustainability Department
 Victoria Hensley, Planning & Sustainability Department
 Maricruz Fincher, Law Department

Call to Order

Chair Roberts brought the June 14, 2021 meeting to order at 5:00pm.

Minutes: May 10, 2021

Mr. Scalf moved to approve the May 10, 2021 minutes. Ms. Worthington seconded the motion, and the motion carried 7-0. Chair Roberts abstained from the vote due to not being present at the last meeting.

Announcements:

Ms. Rose introduced the City's newest Planner, Ms. Victoria Hensley.

Ms. Hensley stated this was her second week with the Planning & Sustainability Department and her first HZC meeting. Ms. Hensley stated that she was very excited about joining the meeting. Ms. Hensley stated she was in her fourth year as a PHD student at MTSU.

Ms. Rose stated there will be a regularly scheduled DRC meeting on Monday, June 21, 2021 at 4:00 pm in the Board Room. Ms. Rose stated there will also be a Special DRC Site Visit on June 21, 2021, at Harlinsdale Farm at 2:30. Ms. Rose explained they would meet at the Main Barn. Ms. Rose stated there has been a special request for a site visit on Franklin Road by an applicant and that the site visit could be scheduled on June 22 or June 23. Ms. Rose stated that she sent an email requesting to know which day would be best for everyone. Ms. Rose requested that the HZC members let her know their preferences as soon as possible because the site visit must be published in the paper.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

The non-agenda process, by design, is reserved for emergency instances. Non-agenda items shall be considered only upon the unanimous approval of all the HZC members.

No non-agenda emergency items.

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 add anything to the Agenda.

Item 1:

Consideration of Preliminary HZC Recommendation Request for Potential Development at the Southeast and Southwest Corners of the Intersection at Mack Hatcher Pkwy. and Franklin Rd.; Kiser Vogrin Design, Applicant.

Ms. Rose explained the Preliminary HZC recommendation request process. Ms. Rose presented the staff report with a recommendation that the HZC provide a recommendation of disapproval to the FMPC and BOMA, with the following considerations:

1. Development entitlements such as building setbacks, building scale, and lot sizes and configurations may affect the abilities of the Historic Zoning Commission to utilize the Guidelines as recommended in order to ensure contextually sensitive infill development.
2. The building forms created by the proposed lot configurations are not consistent with the historic or infill building forms located along the Franklin Road historic district's main corridor and are therefore not be supported by the Guidelines.

3. Side yard setbacks play a significant role in maintaining the open, rural appearance of this important gateway into Downtown Franklin. The proposal to utilize shallow side yard setbacks between the bulk of the buildings is incongruent with the recommendations of the Guidelines to provide an uncongested gateway into downtown that emphasizes the community's historic character. The use of larger lot sizes with more significant side yard setbacks would be more contextually appropriate to the rural historic district corridor. Additionally, the use of interspersed lot sizes, particularly those for the single-family homes, would appear more organic and more appropriate to the rural context.

Chair Roberts opened the floor to the applicant.

Mr. Vogrin stated this is not an easy project but is a great site and location. Mr. Vogrin stated they appreciate the commission looking at this. Mr. Vogrin stated the last time he saw the commission was at DRC in April, at which time it was stated the design needs to loosen up the lots along Franklin Road, provide more variety of setbacks along Franklin Road, maintain the real character and the architecture, which would have to be reviewed by this commission no matter what happens. Mr. Vogrin stated based off the commission's comments, they dropped 2 lots on the western side and lost one on the eastern side, and at the time the plans were shown, the lots were 40 to 50 feet wide, but we wanted to increase the lot sizes and really open up the visual corridor as you come into the City of Franklin. Mr. Vogrin stated knowing we have the 150-foot setback, which is very strong and was put in there for a reason—with Envision Franklin, rural character area, all the above—the front yard setback is very strong and the fronts of these homes are about mid-block of the existing Creekside Manor, so that is always front and center, and we want to pay respect to that. Mr. Vogrin stated they would provide trails along that setback, vegetation, tree canopies, rural fencing to provide that look. Mr. Vogrin stated that he has have provided some visual images and he requested Ms. Rose project those images. Mr. Vogrin stated they want to create that front door and character-area look along Franklin Road corridor. Mr. Vogrin stated there would be black rail fencing with houses pushed back from the street with strong streetscape. Mr. Vogrin stated every lot will front and touch Franklin Road with the very strong 150-yard setback.

Mr. Vogrin stated the images show that character area in the community. Mr. Vogrin stated they know that the architecture needs to tie into Harlinsdale Farm, Harlinsdale Manor, and the City of Franklin. Mr. Vogrin stated in addition to that, we wanted to try to create an open space corridor between this project and explained knowing where we are on Franklin Road and Mack Hatcher, we wanted to make sure we had housing that fronted the street and stated when he first met with the Aldermen and Planning Commissioners, that was one of the things they wanted to see—single family and fronts to the streets to make sure they are looking onto Franklin Road as opposed to the multiplexes. Mr. Vogrin stated they widened the lots from 70 feet to the main middle but also preserving vegetation around the edges. Mr. Vogrin stated if you look at the graphic, the darker trees those are the most distinguished trees in terms of what you see driving down Franklin Road, and they are preserving those trees and maintaining the character along Franklin Road. Mr. Vogrin stated all the other lighter trees are creating open space, which meets

Envision Franklin's 50 percent requirement. Mr. Vogrin stated we want to make sure we preserve all the trees around the edges and to really show case the larger lots with the center of the project, which are 70-foot homes but also increasing the setbacks to 10-foot separation. Mr. Vogrin stated in addition is Creekside Manor, which is the heart of this development, and they want to give a little TLC because it needs help and it is on the "Save The" list and we have talked to Ms. Jill Burgin and Ms. Mary Pearce. Mr. Vogrin stated that it is obviously very important too, and we are going to meet with Ms. Burgin to talk about what we are going to do to that building to get it back to where it needs to be for like an events center, community center, an active element of the community.

Mr. Vogrin stated they also create that open space between this development and Harlinsdale Manor. Mr. Vogrin stated there is a great natural resource between this development and Harlinsdale Manor that we want to preserve. Mr. Vogrin requested some 3D images from Franklin Road be projected. Mr. Vogrin stated he wanted to show the top section which is a cross section from the midpoint of the site. Mr. Vogrin stated kind of right down the middle where that little building is what he wanted to show here, which is the difference between a 150-foot setback off Franklin Road as compared to a Harlinsdale Manor section below those homes, which are 65-to-85 feet away from the right-of-way. Mr. Vogrin stated we are talking 150 feet from the right-of-way, so that is the scenic corridor he is talking about wanting to preserve and want to maintain that. Mr. Vogrin stated past this development, going down into Franklin, all those homes are pushed up 60-to-65 feet or closer. Mr. Vogrin stated so that is why he wanted to show the difference between the 150-foot setback character with a tree grove in the middle of it and a trail. Mr. Vogrin stated in addition to the 150, you are talking about another 30 feet from the pavement, so we are looking at 180-to-240 feet from the front of a house and explained how he got that number with the easement and setback added together. Mr. Vogrin stated they dropped each house in 3D onto Google Earth just to see what we wanted it to look like but also to show the commission what this really looks like, to scale, if you are driving eye-level down Franklin Road.

Ms. Rose projected the 3D photograph.

Mr. Vogrin stated this photograph shows you driving down south toward town, looking left as soon as you pass the trees, and the little arrow shows where you are. Mr. Vogrin explained the preserved tree line and stated the home sites are tucked behind trees and fencing and that you can see the separation of the houses. Mr. Vogrin had Ms. Rose move to the next image and stated this is your mid-block, kind of going south, showing the big open space. Mr. Vogrin stated the image shows how far back the homes are. Mr. Vogrin had Ms. Rose move to the next image and stated this one is as you are going to Creekside Manor, with the existing vegetation. Mr. Vogrin stated the next image is about a 45-acre site of the subdivision called The Gates of Carlisle, and explained the project was designed to have 125-to-150 setbacks off Highway 96W. Mr. Vogrin stated it is similar to what we are proposing here. Mr. Vogrin stated the ones on Creekside are further back than these. Mr. Vogrin had Ms. Rose project more pictures of The Gates of Carlisle and compared them to Creekside.

Mr. Vogrin went over Ms. Rose's comments and spoke on lot depth, multiplexes and the width of them being 70 feet, the height of the buildings as two stories and not two-and-a-half, that they are showing prominent entrances on the elevations, and the building separation is a minimum of 15 feet but could be up to 30 feet and regulated to the rear.

Mr. Vogrin stated in summary, we have reduced the number of lots along Franklin Road, increased the setbacks, and tried to get more variety.

Chair Roberts asked Mr. Vogrin if there are still 166 living units, as Mr. Vogrin mentioned reducing the number of lots.

Mr. Vogrin stated that was correct.

Chair Roberts requested to know if there were any citizens who wished to comment.

Mr. Alan Simms, who lives at 119 Lewisburg Avenue, spoke against the project.

Ms. Lynne McAlister, who lives at 723 Fair Street, spoke against the project.

Ms. Pearce moved to recommend disapproval to FMPC and BOMA, supporting staff comments. Mr. Scalf seconded the motion.

Ms. Besser stated she sat in on the Neighborhood Meeting that occurred previously, and the comments she had written down are "density" and immensity. Ms. Besser stated when she asked what was being used as the applicant's precedent, it was stated Berry Farms and Westhaven. Ms. Besser stated she hates to see a traditional neighborhood in this rural context, and that is her biggest concern.

Ms. Pearce stated that this is the last gateway into the Franklin that has its historic context intact. Ms. Pearce stated she feels it deserves a very inspired plan that would achieve keeping the context of Franklin Road. Ms. Pearce stated we know what has happened on the other side of Mack Hatcher, and she just thinks we can do better on this.

Mr. Mann stated his concern is the side-yard setbacks and the density of the homes. Mr. Mann stated the renderings and views provided do not look historic at all and look very dense. Mr. Mann stated it reminds him of driving through some of the neighborhoods that have popped up in Brentwood, and while there is nothing wrong with that, this is not appropriate for this particular piece of property. Mr. Mann stated that he supports the motion to not recommend this.

Mr. Denton recused himself from the vote.

With the main motion having been made, the motion carried 7-0, with Mr. Denton recusing himself from the vote.

Item 2:

Consideration of Preliminary HZC Recommendation Request for Potential Development at 600 Boyd Mill Ave.; 906 Studio Architects, Applicant.

Ms. Rose presented the staff report with a recommendation that the Historic Zoning Commission provide a recommendation of approval to the FMPC and BOMA, with the following considerations:

1. Development entitlements such as building setbacks, building scale, and lot sizes and configurations may affect the abilities of the Historic Zoning Commission to utilize the Guidelines as recommended in order to ensure contextually sensitive infill development. The building forms created by the proposed lot configurations are mostly consistent with the historic or infill building forms located within the Boyd Mill Avenue Historic District. Meaningful alterations to garage placement, through either detachment or reorientation, on specified lots (#1-2, #6-12) are needed to allow the building forms to be supported by the Guidelines.
2. As an Integration Edge development situated on its own building face, a slightly closer setback for Lots #1-5 that than demonstrated on the north side of the street may be appropriate, but it is recommended that the setback be no closer than the closest buildings to the street within the Boyd Mill Avenue Historic District. The Historic Zoning Commission should provide a range for the front yard setbacks for these and other lots.
3. The development plan sets entitlements for setbacks, so it should specify building envelopes that align with the intended building footprints shown on the conceptual plan. This will ensure maintenance of the rhythm of placement along the street and thus support the district's historic character. The side yard setbacks of Lots #9-12, in particular, should be greater than that indicated by the conceptual building envelopes to ensure that the building form does not rival the size of the historic building.
4. The architectural styles proposed by the applicant, with the exception of Tudor Revival, are appropriate to the site and meet the intent of the Zoning Ordinance.

Mr. Hathaway stated we are pleased to come back with a less dense plan with twelve lots instead of sixteen and have done a lot of visioning to make sure Magnolia Hall is the key piece to this property. Mr. Hathaway stated they have saved the existing gravel drive and propose moving the iron gates from outside to the inside piece with the entrance from Boyd Mill, so we won't lose that special design feature that everybody who drives by understands and appreciates. Mr. Hathaway stated as they move forward, they are glad to make sure these garages appear to be detached or attached where visually they appear to be detached. Mr. Hathaway stated they are

also pleased to propose one-story-and-a-half homes as opposed to two-story homes. Mr. Hathaway stated the intent is to make Magnolia Hall the jewel that it is.

Mr. Hathaway stated the setbacks on lots three and four, there are about 125 feet separating those two, so while it may look congested, due to having a lot of trees and make it look tighter than it actually is. Mr. Hathaway stated so the houses are as deep as they are wide on those lots. Mr. Hathaway stated it is pretty significant opening as you drive down Boyd Mill, where right now you don't really see Magnolia Hall due to all the vegetation. Mr. Hathaway stated they planned on trimming the trees and get it cleaned up so you can see Magnolia Hall. Mr. Hathaway explained they are trying to preserve the real entrance to Magnolia Hall as well as the lake for an amenity for the neighbors that live there. Mr. Hathaway stated on the front setbacks, we are proposing 40-feet from the front porches of those houses that face Boyd Mill, and there are some houses on the other end that are 18-to-27 feet off Boyd Mill because we believe there should be a little bit of compression down Boyd Mill to celebrate the beauty of what this site can be. Mr. Hathaway stated they didn't want to push these lots back and crowd the Magnolia Hall site. Mr. Hathaway stated going back to where we started, we originally were allowed to have five lots on this site, but we didn't want to have five big houses that would compete with the size and scale of Magnolia Hall. Mr. Hathaway stated they feel like they have created a plan that will celebrate Magnolia Hall.

Mr. Butler, the property developer, stated they have been working on this project for eighteen months with City Staff to try to figure out this site. Mr. Butler stated this property has been on the market for a decade. Mr. Butler stated the home itself has not been worked on in thirty years. Mr. Butler stated they planned on restoring the beautiful stone and the old spring house on the lake. Mr. Butler stated something needs to be done, and the first choice would be for the City to buy the property and leave it open like Carnton, so people could come inside the house and see the property, but he did not think the City was interested. Mr. Butler stated the second choice would be for someone else to buy it and continue it as a single family residence on twelve acres, but the property has been on the market for ten years, and no one wants to bite the bullet and buy it. Mr. Butler stated that is why Envision Franklin basically stated it is going to take someone to build a development around it to try to protect Magnolia Hall. Mr. Butler stated he knew the owner and an opportunity opened up where he could put a development contract on the site to give us time to try to figure this out together, so collectively it has been a tremendous amount of work to come up with this plan, which we believe will allow us to celebrate Magnolia Hall. Mr. Butler stated his intent is to design every one of these homes and submit all for approval and then have someone buy them. Mr. Butler stated he was open to answer any questions.

Chair Roberts requested to know if any citizens wished to comment on this application, and no one requested to comment.

Mr. Mann moved to recommend approval to FMPC and BOMA, supporting staff comments. Mr. Scalf seconded the motion.

Chair Roberts stated that he had a question about houses three and four. Chair Roberts stated that there was discussion at the site visit that these two were a little bit closer together and asked what changes have been made.

Mr. Butler stated they lost a lot on the front. Mr. Butler stated that he wants four perfect lots here and that he wanted to open up the view shed.

Chair Roberts stated they have done what was discussed at the site visit. Chair Roberts requested Mr. Hathaway to touch on the setback from Boyd Mill.

Mr. Hathaway stated they are currently showing forty feet from edge of pavement to the face of the porches, which will be eleven feet deep.

Mr. Scalf requested to know what the plans were for the Magnolia Hall house.

Mr. Butler stated part of the scheme here is to try to use the lots to fund the basis for someone to buy Magnolia Hall and be able to do the repairs and live in it. Mr. Butler stated they are meeting the fifty percent open space characterization.

Ms. Pearce requested to know how many lots were on the proposal before.

Mr. Butler stated sixteen.

Mr. Scalf asked for clarification, questioning if this is to be a single-family home and if the development will not include restoring Magnolia Hall.

Mr. Butler stated the plan is not for him to restore the house himself but to find someone else to do the restoration. Mr. Butler stated if that were not to happen, he would make other arrangements.

Ms. Pearce stated she felt this plan still needs some more work and explained her concerns about including sidewalks in the area in front of Magnolia Hall.

Mr. Denton recused himself.

Mr. Laster stated he did agree with Mr. Butler that the best option would be that someone purchased it and noted that it has been on the market a long time. Mr. Laster stated that maybe something like this will have to happen and his vote would reflect that part of it. Mr. Laster requested that when the architectural style is done that it harmonizes with the house. Mr. Laster stated that he does agree with Ms. Pearce about the sidewalks and the applicant should consider what goes around the house.

Mr. Butler stated he agreed with that too but stated that is a Planning thing and maybe we have to get an exception to the sidewalks.

Mr. Scalf stated the interior portion seems to be too much hard surface than it needs to be.

Mr. Butler stated they looked at hundreds of options and he shares a lot of the observations the commissioners, but dealing with all the requirements, we are forced to deal with causes these observations. Mr. Butler stated he wanted this project perfect, and things will be worked out as we go along.

The motion carried 6-1, with Ms. Pearce voting no and Mr. Denton recusing himself.

Item 3:

Consideration of Bicentennial Park Pavilion Alterations, located at 200 & 214 N. Margin St.; City of Franklin, Applicant.

Ms. Rose presented the staff report and stated there is no recommendation, as this is a City project. Ms. Rose stated the applicant shall consider the following information prior to work commencing:

- Applicant shall be aware that any Certificate of Appropriateness issued for the proposed development pertains to form and appearance of these elements but does not itself permit their installation. The proposed building additions/renovations and associated site work require separate site plan and building permit submittals for review and approval to construct.
- Applicant shall depict the FFO/FWO line on the plans so that it is clear what portion is within the Floodway Overlay and what portion is in the Floodway Fringe Overlay (FFO). Any proposed modifications of the floodplain and/or floodway boundaries which may affect these designations should also be indicated on the plan as proposed.
- A H&H study/no rise certificate is required to be provided by a licensed engineer for the proposed encroachment in the floodway.
- Applicant shall obtain a floodplain development permit prior to any disturbance of the FFO or FWO.
- All utilities are required to be located above base flood elevation. All electrical, plumbing, and HVAC shall be elevated.

Mr. Ward stated they had been helping the City on this project, and Ms. Rose hit on a variety of different elements trying to refurbish an abandoned piece of property by bracing, adding new paint, and obviously some things need to change to draw folks to this space. Mr. Ward explained

it is in the floodplain and that they have stayed with the existing landscape and that he would be happy to answer any questions.

Mr. Scalf moved to approve. Mr. Laster seconded the motion, and the motion carried 8-0.

Item 4:

Consideration of Signage as related to Franklin Road Infrastructure Improvements, located between the Harpeth River and Mack Hatcher Pkwy.; City of Franklin, Applicant.

Ms. Rose presented the staff report and stated there is no recommendation, as this is a City project. Ms. Rose stated to please note, however, that if approved, additional COAs will be required for each sign face prior to installation. Ms. Rose stated many of the sign faces may qualify for administrative review.

Mr. William Banks spoke on behalf of the City and stated Ms. Rose did a good job of explaining the project. Mr. Banks explained the project is under construction and that the City is purchasing and installing all these signs. Mr. Banks stated they are trying to get some good signs and explained the McCall's sign has already been taken down and the others are still to be demolished.

Chair Roberts requested to know if any citizens wished to speak on this application, and no one requested to speak.

Ms. Besser moved to approve. Ms. Worthington seconded the motion.

Ms. Besser stated it was a great project and that she was all for it.

Ms. Pearce requested to know if it would be possible as they forward that they amend the sign shapes a little bit, just so the businesses feels like they have their own sign.

Mr. Banks stated that was something they could look at if the property owner requested it.

Mr. Mann requested to know why the Mapco sign looked eighteen inches wider.

Mr. Banks stated working with gas stations, they are going to want a little extra space to put their prices on it, so they have a little bit larger sign.

Ms. Rose stated the Mapco sign would come back to the commission due to it being a unique one.

Chair Roberts stated his only issue was the height above the ground to the bottom of the sign. Chair Roberts stated that twelve inches for that Mapco sign is awfully low, as well as the others.

Chair Roberts stated it seems it would make more sense to raise them, explained the reason that he believed they are designed too low, and stated the height needs to be reconsidered.

Ms. Pearce stated she concurred.

Chair Roberts stated if the sign is only eighteen inches for Mafiaoza's due to the shrubbery, one will not be able to see the sign as they come into town.

Mr. Banks stated they would work with the Factory on that.

Ms. Besser stated in historic districts, signs tend to be lower.

Ms. Rose explained this could be explored when the signs come in if that is the will of the commission.

Chair Roberts stated visibility is his main concern.

Mr. Banks questioned with this approval tonight, there is questions about Mapco sign being raised, but he would like to go ahead and get these ordered. Mr. Banks stated that he knows the sign panels are still in design and upcoming and questioned how that works with this approval tonight.

Chair Roberts stated he didn't know how Mr. Banks could order if he did not know what the graphics are going to be.

Mr. Banks stated it is the sign material, not the panel.

Ms. Rose stated the panel can be removed and applied.

Chair Roberts stated he feels the signs are just too low.

Mr. Mann and Chair Roberts requested to know if the businesses had been asked what the height would be.

Mr. Banks stated no, they had not been asked.

Ms. Rose stated these signs were designed to meet the standards of a typical post-and-arm or post-and-panel sign as well as the height maximums we generally see in the City of Franklin.

Chair Roberts questioned if the businesses had seen any of these designs.

Mr. Banks stated the property owners have seen the designs and there have been lengthy negotiations with them, but as far as sign panels, that is being left up to the property owners and the sign contractor working with them.

Mr. Denton requested to know if the landscaping in front of Mafiaoza's is part of the streetscape project.

Mr. Banks stated yes, and it will be in the same place it is now.

Ms. Dannenfelser stated she would echo Ms. Rose's comment that the sign sizes are more typical for a monument sign, and we wanted to do an alternative to the monument sign because of the rural character of the corridor, so the sizes are typical of what you see in location like this.

Chair Roberts stated he has no problem with the sizes, but his only concern was for the height above the ground.

Ms. Dannenfelser stated those comments relate to the height as well.

Ms. Rose stated to have them any higher would be outside of what would be approved for anywhere else.

Mr. Laster asked if it would be externally illuminated.

Mr. Banks stated yes.

Mr. Scalf stated he thought the signs would be as visible as the signs on Columbia Avenue.

With the motion having been made and seconded, the motion carried 7-1, with Chair Roberts voting no.

Item 5:

Consideration of Alterations (Masonry) at 255 4th Ave. S.; Neil Paez, Applicant.

Ms. Rose presented the staff report with a recommendation that the Historic Zoning Commission deny the proposed masonry alterations with the following:

1. Since the textures, colors, and detailing of historic masonry help define a building's appearance and character, the Guidelines recommend that one "preserve and maintain original exterior masonry walls and details" and also recommend against the painting of "masonry walls that have not been previously painted unless walls have had extensive patching or repointing, resulting in a patchwork of masonry surfaces." (p.113, #1, #2).

2. If issued a COA, the application must meet the requirements of the Building & Neighborhood Services Department.

Mr. Paez, the applicant, spoke with the assistance of Ms. Goodwin, his translator, stated he has been living here since 2003 and love the City of Franklin and appreciate the work you all do for preserving our history here in Franklin. Mr. Paez (and Ms. Goodwin) stated when he submitted the Certificate of Appropriateness, we began with our apologizes, asking for forgiveness because it was an error and it was not our intent to do it that way. Mr. Paez (and Ms. Goodwin) stated the solution, they feel, is not to remove the paint from the building, but we would like to preserve the integrity of the edifice instead. Mr. Paez (and Ms. Goodwin) stated they did not want the edifice to become a laboratory of testing based on the commission. Mr. Paez (and Ms. Goodwin) stated he spoke with Lee [Restoration] and Ken Darby of Commercial Painting, and Mr. Darby of Commercial Painting stated that there is no guarantee the procedure would restore the brick completely. Mr. Paez (and Ms. Goodwin) stated that we consider that the solution will create the opposite effect of what it is seeking. Mr. Paez (and Ms. Goodwin) stated it would actually damage the edifice or masonry. Mr. Paez (and Ms. Goodwin) stated once again, we ask and seek forgiveness, for it was not our intent.

Chair Roberts requested to know if any citizens wished to speak on this item.

Mr. Brett Williams at 340 4th Avenue South spoke in favor of the item.

Mr. Walter Green at 227 4th Avenue South spoke in favor of the item.

Ms. Jocelyn Goodwin at 1702 Twin Oaks Court wanted to know how much of the historic overlay is given to the community to let them know of the guidelines prior to any kind of renovation. Ms. Goodwin requested to know if the guidelines are easily accessible and if there is education about that. Ms. Goodwin requested to know if these meetings are easily translated, if there is easy access to these guidelines, and how we can have equitable practices in our community for all citizens.

Ms. Paez, wife of Pastor Paez, who lives at 318 South Margin, stated she was here to talk on behalf of the congregation and say we are extremely sorry about this because we did not know and our heart was to improve the building, which is a very prominent corner. Ms. Paez stated that after everything was stopped, we were not only embarrassed but so very sorry. Ms. Paez stated she apologized to the neighbors. Ms. Paez stated the building does not look very pretty and it cost them a lot of money for the paint and everything, and she was so sorry.

Mr. Brian Goodwin at 1702 Twin Oaks Court stated he is a deacon St. John's Church and knows how important it is for money in a congregation to go to things that are really important to the congregation. Mr. Goodwin stated that he knows that La Casa de Mi Padre does a lot of service to the community, and so if it can be taken into consideration the best use of their money at the

place they are right now, to not set their congregation back by creating a situation that causes more cost than is necessary.

Mr. Laster moved to deny issuance of a Certificate of Appropriateness for the proposed masonry alterations, based on the Staff Analysis and Recommendation dated June 14, 2021. Ms. Besser seconded the motion.

Mr. Laster requested to know from Mr. Paez what cost or estimates he has received to remove the paint and if he can separate that from the main historic structure and the addition from the 1960s.

Mr. Paez stated they received one proposal from Ken Darby at Commercial Painting, and he sent that to Ms. Rose. Mr. Paez stated Mr. Darby does not guarantee it will be restored to the original place. Mr. Paez stated it would be \$16,000 and that the two were not separated and that he assumed it was the entire building.

Chair Roberts stated that company quoted \$11,650 to remove the paint/primer on the entire building. Chair Roberts stated there would be another \$5,000 for a water repellant treatment on the entire structure. Chair Roberts stated he has since talked to Mr. Darby, with whom he has done some work, and asked him to revise the pricing to just the historic structure because he thought that is where we had started to get some progress. Chair Roberts stated the blast removal on the historic structure would be \$8,750 and a sealer on that structure would be \$3,190, and then Mr. Paez would paint over the primer on the back structure. Chair Roberts stated Mr. Darby also told him the company would have a minimum charge to come out and do a sample for \$875, and by doing the test, we would know if there would be any problems and know if it can be removed satisfactorily, and then we would have a better basis for making a determination. Chair Roberts stated Mr. Darby has done the same thing in Nashville at Marathon. Chair Roberts stated the commission is sorry, but it is trying to come out with the best conclusion without setting precedent on painting historic brick structures that have not been painted previously. Chair Roberts stated that has been the overriding thing we have struggled with in our discussions.

Mr. Laster stated he sympathized with the church and noted that it is a very unfortunate situation. Mr. Laster stated he talked to people in the neighborhood too, and some say aesthetically that it looks good, but others say they preferred the brick. Mr. Laster stated that for him, it is not so much an aesthetic issue; it is one of our guidelines, and since he has been on the board, anyone who has asked to paint their brick the board has been denied it. Mr. Laster stated if any of our churches came before the board requesting to paint their brick, he would have to support our guidelines by denying it. Mr. Laster stated he would like to see a test from Mr. Darby or someone else to see if it can be removed. Mr. Laster stated he thinks it can be because the Williamson County Courthouse and the Kennedy House both used to be painted and are no longer.

Ms. Besser concurred with Mr. Laster and stated she would like to see a test as well to see what is possible. Ms. Besser stated she feels sorry we are to this point, but we do have to worry about setting a precedent.

Ms. Pearce stated she feels like it is so unfortunate, but like you all are saying, if someone else comes forward, it is going to create another situation. Ms. Pearce stated she would like to see the test done.

Mr. Laster state he wanted to make one more comment on the financial hardship and suggested Mr. Paez make an appeal to the community. Mr. Laster stated this could turn out to be a positive event.

Mr. Mann stated he did sympathize with the community and wanted to say he is concerned with setting a precedent as well. Mr. Mann reiterated comments previously stated. Mr. Mann suggested they get three quotes, and if you can't to let the commission know why.

Mr. Paez stated he did research and talked to Ms. Rose and she gave him a list. Mr. Paez stated he talked to a number of companies and they did not submit any proposals. Mr. Paez stated they only have one proposal and that is Mr. Darby.

With motion having been made to deny the application, the motion carried 8-0.

A 10-minute recess occurred.

Item 6:

Consideration of Partial Demolition & Addition (Principal) at 212 Lewisburg Ave.; Don Burke, Applicant.

Ms. Rose presented the staff report with a recommendation that the Historic Zoning Commission approve the partial demolition through the removal of the rear screened porch, with the following conditions:

1. The applicant must photograph the rear screened porch satisfactorily inside and out and submit the documentation to the Preservation Planner for commission records.
2. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

Ms. Rose presented the staff report with a recommendation that the Historic Zoning Commission **deny** the addition, with the following:

1. The footprint of the proposed addition measures approximately **67 percent** of the historic structure. The addition size is not consistent with the Guidelines, which recommend that additions be limited to no more than half of the footprint of the original building.
2. If issued a COA:
 - a. All new windows for the addition must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
 - b. Additional information is needed to demonstrate how the foundation material is proposed to look; a sample of the stone veneer is required for determination of how well the material emulates historic materials. The foundation material specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
 - c. In accordance with the Guidelines, the chimney shape must be altered to be proportions, form, materials, and details of the building. The chimney alteration must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
 - d. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit.
 - e. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

Ms. Binkley stated she had no additional comments.

Chair Roberts requested to know if any citizens wished to speak on this item, and no one requested to speak.

Chair Roberts stated we would take this application in two motions—one for the demolition and one for the addition.

Ms. Pearce moved to approve with conditions a Certificate of Appropriateness for the demolition of the rear screened porch, based on the Staff Analysis and Recommendation dated June 14, 2021. Ms. Besser seconded the motion, and the motion carried 8-0.

Ms. Pearce moved to approve the issuance of a Certificate of Appropriateness for the addition proposal, with the conditions laid out by staff comments, plus the conditions that the applicant

provide a mockup of the chimney and foundation materials to staff. Ms. Pearce stated that she is recommending approval due to the massing of the screened porch being removed and it letting the actual addition being built fall within a reasonable proportion to the historic building, and considering part of what is standing is being torn down, as well as considering the size of the lot. Mr. Laster seconded the motion.

Ms. Besser stated she cannot support this due to the overage of 17%.

Mr. Denton requested to know the rational of it going beyond the 50%.

Ms. Binkley stated originally, we were not sure if it was original to the house or not, and that was part of the footprint, and she doesn't think it exceeded the 50% if you included the screened-in porch which is part of the footprint as it is now.

Mr. Mann requested to know why the screened porch was being excluded from the calculation again.

Ms. Rose explained how the guidelines read an addition should be no more than half the footprint than the original portion of the house, and in this case, they are electing to remove the screened porch. Ms. Rose stated that the rational for the guideline is to allow the building to grow and expand over time.

Mr. Mann stated he was having trouble supporting this because 17% is a big overage.

Mr. Laster requested to know if staff's comment included chimney materials or if that is part of the approval.

Ms. Rose explained that staff recommends that the chimney to be altered to be more consistent with the house and explained that Mr. Burke, the architect, responded by suggesting they would like to use a field stone with the option to use a cultured stone if cost analysis rendered that.

Ms. Pearce noted it is a small house on a big lot.

With the motion having been made to approve, the motion tied 4 to 4 (Mr. Laster, Mr. Scalf, Mr. Roberts, and Ms. Worthington voting yes and Mr. Mann, Ms. Besser, Mr. Denton, and Ms. Pearce voting no), and the vote failed.

Chair Roberts stated a new motion would need to be proposed.

Mr. Laster moved to defer to the next voting meeting so the applicant can reduce the overage amount. Mr. Laster also invited the applicant to the next DRC meeting on Monday, June 21. Ms. Besser seconded the motion, and the motion carried 8-0.

Item 7:

Consideration of New Construction at 125 Splendor Ridge Dr.; Chad Gore, Applicant.

Ms. Rose presented the staff report with a recommendation that the Historic Zoning Commission deny the proposed new construction with the following:

1. The proposed building coverage is 39.7 percent, which is not consistent with the Guidelines. The Guidelines recommend that maximum building coverage not exceed 35 percent in specified residential zoning districts, including R-1, as measured by building footprint (p.67, #10).
2. The proposed placement of the attached garage is not entirely consistent with the recommendations of the Guidelines.
3. If issued a COA, the windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
4. If issued a COA, the application must meet the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit.

Mr. Gore requested that Ms. Rose project page one, and she did. Mr. Gore stated we are talking about a whole development, not necessarily one single infill structure on a historic street, and in his opinion, that allows the board some flexibility. Mr. Gore stated the second page shows exactly where we are and there is kind of a pocket of historic overlay that is accessed through a non-contributing neighborhood, Harpeth Meadows. Mr. Gore requested Ms. Rose go to the third page and stated there are nineteen lots and that seventeen of the lots are very narrow and very deep, which sort of limits how many ways you can skin the cat, in terms of how to configure a house on a lot. Mr. Gore stated if he assumed all seventeen lots were filled to a forty percent coverage, you would end up with about a thirteen percent coverage over the whole site. Mr. Gore stated if you look at the site as a whole, not including the road or the site for Riverview, the building coverage over the whole site is about thirteen percent.

Ms. Rose stated that Mr. Gore is referring to the green area on the projected page.

Mr. Gore stated that is right and that the last page shows the garages are setback, not attached to the front of the mass of the house, so there is generally twenty-two to twenty-three feet between houses. Mr. Gore stated the massing of the house is setup in the lot's depth, so the massing of the house is not apparent from the street view; it is narrower, and the houses are not crammed together. Mr. Gore stated secondly, he would address the garage massing, which was something we discussed at the last DRC. Mr. Gore stated on page seven, we did some deliberate things based on feedback from DRC, and we were able to carve out a little niche between the garage

mass and the house, lowered the windows above the garage doors to help make it feel like a different chapter of the house, and substantially lowered the roof that is connecting the garage piece to the house. Mr. Gore stated on this lot 5, this rear massing is different from the others.

Chair Roberts requested to know if any citizens wished to speak on this item, and no one requested to speak.

Mr. Scalf moved to approve the proposed new construction with the stipulations that are listed. Mr. Mann seconded the motion.

Ms. Besser stated she thought the applicant had done a fine job designing these houses, but she cannot support due to the overage. Ms. Besser stated that she feels a precedent is being set and that this makes her uncomfortable.

Mr. Scalf stated he went against staff recommendation due to it being consistent with what we have approved previously, and he thinks changing the material from the garage to the main house helps it significantly.

The motion passed 7-1, with Ms. Besser voting no.

Item 8:

Consideration of New Construction at 131 Splendor Ridge Dr.; Chad Gore, Applicant.

Ms. Rose presented the staff report with a recommendation that the Historic Zoning Commission deny the proposed new construction with the following:

1. The proposed building coverage is 39.5 percent, which is not consistent with the Guidelines. The Guidelines recommend that maximum building coverage not exceed 35 percent in specified residential zoning districts, including R-1, as measured by building footprint (p.67, #10).
2. If issued a COA, the windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
3. If issued a COA, the application must meet the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit.

Mr. Gore stated he would submit the same discussion points as the previous house.

Chair requested to know if any citizens requested to speak, and no one requested to speak.

Mr. Scalf moved to approve based on the reasonings provided previously. Mr. Laster seconded the motion.

Mr. Mann requested to know if that was based on staff comments.

Chair Roberts stated yes.

Ms. Pearce stated that on the left elevation, on page A5, it looks like the first portion of the house grows into the back. Ms. Pearce asked if there a way that the roofline comes down on the front portion to provide a massing break there.

Mr. Gore stated they could do a downspout there.

Ms. Pearce moved to amend the motion to include to add a downspout at the end of the gable on left elevation (page A5). Mr. Laster seconded the motion, and the motion carried 8-0.

With the main motion as amended, the motion carried 7-1, with Ms. Besser voting no.

Item 9:

Consideration of Alterations (Porch/Walkway Construction) at 202 3rd Ave. N.; Steve Akers, Applicant.

Ms. Rose presented the staff report with a recommendation that the Historic Zoning Commission defer review of the proposed ramped sidewalk addition with the following:

1. Accessible access is a necessity, so staff encourages the applicant to continue to pursue alternatives that would allow access from the rear, or, alternatively, by using a temporary ramp or a lift. Staff encourages the applicant to attend an upcoming Design Review Committee to discuss these explored options.
2. If issued a COA, the application must meet the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit.

Mr. Akers thanked the commission and thanked Ms. Rose for working with them and stated he would like the commission to consider approval of this item tonight with an additional item not proposed in the packet. Mr. Aker stated they would like to add a low shrubbery evergreen type landscaping along the edge of the sidewalk and explained the grade to the sidewalk is about seventeen inches at highest point and it is an ever decreasing of the sidewalk exposure. Mr. Akers stated to respond to Ms. Rose's comment of taking the sidewalk around the backside, the difficulty is it is a very narrow dimension between the house and the edge of the property, and there are existing elements back there, like HVAC units, that could cause other issues. Mr. Akers stated they have a 1:20 sidewalk, so there are no handrails needed.

Chair Roberts requested to know if any citizens wished to speak on this item, and no one requested to speak.

Ms. Besser moved that the Historic Zoning Commission defer review of the ramp sidewalk addition to the next voting meeting in July, following the comments made by staff. Ms. Pearce seconded the motion and invited the applicant to DRC.

Chair Roberts requested to know if some of the public sidewalk could be used.

Mr. Akers stated unfortunately not and explained the grade is an increasing grade.

Mr. Mann requested to know if there is an entrance door on the backside.

Mr. Aker stated there is not one.

Mr. Scalf questioned that since there is a concrete landing, would it not be possible to add something to keep someone from rolling off the sidewalk, since it is eighteen inches off grade.

Ms. Rose stated there is a small curve.

Mr. Scalf stated since there is a brick veneer at the landing and questioned if you add one along the face of this ramp.

Mr. Aker stated they could do that, absolutely, but it would increase the width of the ramp slightly.


The motion carried 8-0.

**Item 10:
Other Business.**

No other business was discussed.

Adjourn.

With no further business, the meeting was adjourned at 8:32 p.m.

DocuSigned by:

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7/19/2021

Acting Secretary