

**Historic Zoning Commission
Meeting Minutes
April 24, 2018**

The Historic Zoning Commission held a regularly scheduled meeting on April 24, 2018 at 5:30 pm in the Commission Chambers at the Municipal and Safety Building.

Members Present: Mr. Hal Hunter, Chairman
Mr. Wesley Forsythe
Mr. Tom Mozen
Ms. Valda Jones
Ms. Sunny Sandos
Ms. Liz Biosca

Staff Present: Matthew Manley, Senior Planner, City of Johnson City
Nicole Lawrence, Admin. Coordinator, Development Services

Chairman Hal Hunter called the meeting to order at 5:30 p.m. A quorum was present.

Approval of the Johnson City Historic Zoning Commission Agenda was put forth with a motion

The agenda was then approved by a unanimous, verbal vote.

The minutes from the Historic Zoning Commission meeting held on March 24, 2018 were approved with a motion from Commissioner Forsythe and a second from Commissioner Mozen.

New Business

Consideration of approval of CoA#2018-201 a new fence located at 404 W. Pine St.

The petitioner, Jim Benelisha is proposing to construct a 4.5 ft. tall wooden fence on his property in the Tree Streets Historic Overlay District. This fence would replace a chain link fence that is currently on the property. The petitioner wishes to build the fence just inside of his property line which is in line with the City's zoning code. The construction of the fence would feature 4"x4" treated posts that would be buried 2' deep in the ground and secured by concrete. The posts would be spaced 10' apart. Two treated 2"x 6" boards secured laterally to the posts would be used as nailers for the fence boards. The fence boards are 1"x 6"x 54" poplar planks that are being repurposed from another site. There are two walk-through gates (36" wide) and a 10' double drive-through gate planned. All gates would be built with the poplar boards as well. Screws would be used throughout the construction.

RECOMMENDATION:

The Tree Streets Design Guidelines has the following language on fences:

Section II. Construction

D. Outbuildings and Appurtenances

"Appurtenances related to new buildings, including driveways, sidewalks, lighting, fences, and walls, shall be visually compatible with the environment of the existing buildings and sites to which they relate."

Section II. Features

A. Features that Make a Difference

In the examples from the Historic Design Guidelines, you can see that wood picket fence is an appropriate fence type. The wood picket fence is also the only example that does not have a "4 ft Max" height label, however the language under A.6 clearly says 4' height for side yards.

Staff recommends approval of the proposed fence with the following condition:

Staff recommends that the site plan be updated to show the fence ending at the southeast corner of the house rather than at the front corner of the front porch. If the applicant is adamant that the fence extends to front edge of the porch, then the fence height needs to be adjusted to 4' in that section.

Public hearing was opened;

The petitioner, Jim Benelisha was present to answer any questions from the commission. He stated he wanted to take the fence up to his front porch in order to eventually build a railing and gate on his front porch and enclose the entire area. He had hoped this would be suitable for keeping dogs and children that are in the home, enclosed on the porch and allow access to the back yard from the porch.

Commissioner Mozen informed staff and the petitioner that he was not satisfied with the proposed fencing material. He believes it is fine for the side and back yard however, it does not look as if it should be front yard material. He would like to see a more "picket" type fencing used in the front portion of the yard.

Chairman Hunter asked staff what material would be used for the fence. Staff replied that a repurposed wood, gray in color was the desired material to be used.

After much discussion between staff, the petitioner and the commissioners regarding the fencing material, the look of the fencing and location of the fence in the front yard section the petitioner agreed to a compromise.

The petitioner agreed to the following: The 7 ft. section of the fence facing W. Pine St must terminate at southeast corner of the house and extend to the adjoining side fence at the eastern edge of the property. This street-facing section of fence must be constructed to a 4 ft height while the remainder of the fence may be constructed at a height of 4 ½ ft. This 7 ft. section of fence must have a "picket" top (spear top) in order to comply with the design guidelines. A gate on this section of fence will also be permitted. The fence was otherwise approved as proposed.

Seeing that no one else wished to speak; Public Hearing was closed.

A Motion to Approve with conditions was brought forth by Commissioner Forsythe with a Second by Commissioner Jones.

The motion to approve with conditions was passed 6-0.

The second item on the agenda was consideration of CoA #2018-200 exterior renovations at 117 Spring St. and Main St.

The petitioner is proposing the following exterior renovations to the property:

Front (Spring St Side):

- New Storefront - Existing storefront (street level) facing Spring St to be removed and new storefront installed. New storefront installed to provide vestibule for second floor apartments and another vestibule installed for entry to street level space. New storefront will be set back into the structure to provide exterior dining area.
- Install simple metal railing to separate dining area from public sidewalk with framing included in design to provide for flood gates.
- New single hung windows to be installed in new openings in second floor.
- Addition of Exterior Insulation & Finish System (EIFS) to create façade above roofline
- Paint existing brick and EIFS with silicate paint.

Rear (Downtown Square Side):

- New fixed windows to be installed in new openings in second floor (above concrete canopy).
- New rowlock bricks to be installed below window opening.
- Removal of storefront glass and doors – enclose opening and install brick veneer.
- Remove concrete step at single door and lower sill before installing new door with transom.
- Paint existing brick, new brick veneer and EIFS with silicate paint.

RECOMMENDATION:

Due to the scope of this project, the proposed renovations touch on a great number of the policies within the Downtown Design Guidelines. In order to keep the Staff Report succinct, I will point out a few particular policies where there may be some questions about compliance with the Design Guidelines. Other than the policies that have been called out below, the proposal is compliant with a variety of other standards which are not detailed as part of this report.

Policy 1 –

C. Floor-to-floor heights shall appear to be similar to those seen in adjacent buildings.

- In particular, those windows in a building shall appear similar in height to those seen in adjacent buildings.

D. A building shall maintain the alignment of horizontal elements along the block.

- This alignment occurs because many of the buildings are similar in height.
- Window sills, moldings, and cornices are among those elements that may be seen to align

Staff Comment - This proposal calls for new window openings to be created on the second floor of the building. Due to the floor-to-floor height of the second floor being 11', the windows will sit lower than those on adjacent buildings where the floor-to-floor height is 14'-15'. Considering the current state of the building, which has no fenestration on the second floor, the addition of windows, even at a slightly lower height, will be an improvement for the district.

Policy 3 –

A. Material shall appear similar to those used traditionally

- Unless necessary to protect the surface, previously unpainted masonry shall be left unpainted.

Staff Comment - The project calls for a new brick veneer in the rear of the building to enclose a current store front facing the Downtown Square parking lot. The new window openings on the rear of the building are proposed to be bordered by new rowlock bricks. While the applicant would like to try and match the existing brick and mortar, they recognize that an exact match is highly unlikely. The project also proposes the use of EIFS to achieve the finished look along the roof line facing Spring St. Therefore, they are proposing to paint the masonry and EIFS to ensure that the new finishes are complimentary and consistent while also creating contrast with the building next door. It appears that the brick that is currently on 117 Spring St was a veneer that was added in the 1970s. The same style brick appears next door at 111 Spring St as well as other

various locations around downtown including the rear wall of the “Reclaim” building at 414 S Roan St and at 10 Fountain Place at the corner of Buffalo St and E. Market St.

While the painting of the brick may be in the applicant’s best interest and may not have a significant negative impact on the downtown district, it is also possible that this project could be a great enhancement to the district without approving the painting of the masonry as part of the project.

B. Maintain significant architectural details

- Avoid adding architectural details that were not part of the historic structure. For example, decorative millwork shall not be added to a building if it was not a historic feature, as doing so would convey a false history.

Staff Comment - The applicant is proposing to add to the façade at the top of the roof to create a finish that is compatible with the downtown district. While our design guidelines discourage adding architectural details that were not part of the historic structure, one could argue that the current structure is not historic (it was mostly rebuilt after a fire and is listed as a non-contributing structure according to the most recent National Register inventory). Furthermore, it severely lacks architectural detailing when compared to many of the other historic buildings downtown. By allowing for some basic treatments, the improved façade would actually make the building blend with downtown while not appearing as if an effort was being made to overly suggest that the building is trying to replicate a specific era or style.

Policy 4 -

Windows & Doors

B. Windows

- Maintain all aspects of the storefront (including doors, windows, and details) when possible.
- Preserve existing original storefront elements (windows, transoms, lintels, sills, hoods, bulkheads, cornices, and parapets) by maintaining or restoring, do not remove or alter. It is better to repair than replace deteriorated storefront features. Covering or removing significant elements such as transoms, panels below store windows, or original doors results in a substantial loss of historic character

Staff Comments - The applicant is proposing to remove the existing storefront to create more room for outdoor dining. While the guidelines state that existing storefronts should be maintained, the proposal otherwise aligns with the policies of the design guidelines when it comes to features, materials and proportions for the new storefront. Again, this is a case where the existing storefront is non-contributing and the newly proposed storefront would otherwise align with the guidelines while providing space for enhanced economic activity in the central business district.

Staff Comments Summary - While some of the proposed alterations may seem out of line with some of the stated guidelines, the reality is that a one-size fit all set of design guidelines are difficult if not impossible to produce. That is why your interpretation and judgment are needed on a case-by-case basis. In some cases, there will be circumstances where the goal of the design guidelines is not achieved through strict

enforcement. It is for this reason that they are considered guidelines rather than standards.

Some of the most important considerations are outlined below:

- 1) This property is non-contributing and currently lacks architectural significance
- 2) The proposal is in-line with a majority of the design guideline policies as it pertains to form, use of materials, orientation, compatibility, pedestrian-friendliness, and the outdoor-use area.
- 3) The proposed renovations would improve the building's place within the downtown district. It would achieve this by:
 - a. Adding fenestration and other architectural features to create a more engaging design
 - b. Adding new façade treatments to the roof line
 - c. Painting the non-contributing brick veneer. Furthermore, painted brick would add variation to this section of Spring St which features little contrast and it would complement the other historic buildings at the south end of the block.

Staff recommends approval of the proposed exterior renovations.

The Architect, C.W. Parker from Ken-Ross Architecture was present on behalf of the petitioner to answer any question the commission may have regarding the proposed changes. Mr. Parker gave a very detailed explanation of every aspect of the design changes and work that needs to be done to this building.

Commissioner Mozen agreed that the brick on this particular building needed to be painted and was comfortable with the design and colors Mr. Parker has proposed however, he has great issues with not being able to control exactly what colors are used on any building in the historic district.

Chairman Hunter agreed that this building needed to have the brick painted and let Commissioner Mozen know that they were not going to discuss and debate Historic Zoning regulation at this particular meeting and that a motion and vote on this specific item needed to occur.

A Motion to approve as presented was brought forth by Commissioner Mozen with a Second by Commissioner Jones with the understanding that the color scheme would need to be brought back to the HZC for approval.

The Motion to approve as presented passed 6-0.

Additional Business

Staff informed the Commission that there were not any CoA's that were staff approved in the month of April, 2018.

Staff gave an update on the progress of the Gump Addition Grant Application. It was brought to the staff's attention by the Tennessee Historical Commission that the original

application had not request enough funding for this project. The total budget for the project was originally \$10,000 (60% State / 40% City). The City of Johnson City had agreed to match the grant with \$4,000. A new application has been made increasing the total budget to \$20,000. The new amount the City would need to contribute is \$8,00.00. Staff is waiting on approval from the City Manager agreeing to the funding match.

Diana Cantler from the Johnson City Downtown Association gave a PowerPoint presentation on the Breezeway project currently happening downtown. The project is progressing as planned and as approved by the Historic Zoning Commission. She will return to give another update as things progress.

There being no other business, the meeting adjourned at 7:00 p.m.



Hal Hunter - Chairman