

Germantown Historic Overlay Meeting  
11/13/07

6:13

Councilwoman Gilmore opened meeting and introduced panel

6:14

T.K Davis, Design Director of Nashville Civic Design Center welcomes residents  
Extolled virtues of Germantown's eclecticism and overviewed Historic Overlay process to this point

    Took quick informal poll:

        ½ of residents in attendance had visited MDHA website

        More than ½ of residents had visited the Historic Commission website and looked at overlay guidelines

    Presents MDHA design review principles

    Emphasizes the historic overlay's ambiguity and encouraged the residents to strike a balance between sterilization and progress

6:22

Rick Bernhardt, Executive Director of Planning Department

    Gave overview of how the overlay approval process works

6:23

Anne Roberts, Historical Commission

    Gave history of Historical Commission and its role in Germantown

    Invited residents to attend commission meetings

    Historical Zoning Commission has reviewed guidelines and approved overlay

6:28

Tim Roberts, Historical Commission

    Gave overview of his position and how the historical commission functions

    Emphasized that minor house changes can be approved without being brought to the historical commission

6:31

Phil Ryan, MDHA

    MDHA loves working with Germantown

    Believes that the redevelopment district has been successful but suggested that if residents wanted greater protection they support the overlay

    MDHA wants what the neighborhood wants

**6:34: Question and Answer**

1) Does overlay preclude us from providing parking?

    Tim: no, there is always a way to allocate parking

Follow-up Question (FQ): who determines curb cuts?

Tim: Public works

2) Will overlay strengthen the protection of historically significant buildings?

Tim: historical commission has lots of experience enforcing overlays, HC will work with codes department to put out a stop work order

FQ: Are any of the 16 overlay districts actively seeking to opt-out?

Anne: No

3) If a project doesn't meet Phillips-Jackson (PJ) standards now, how will the overlay change things?

Brian: there is an appeals process, but hasn't happened in his tenure

Anne: process is very conversational, agreement is often reached

4) What happens when people demolish or alter historical details without a permit?

Brian: that is a codes issue and should be brought to codes department

FQ: It's happening now, what happens if they don't have a permit?

Brian: MDHA would be happy to work with offended residents and go to codes

Tim: if it comes to the attention of HC, they will act on it

FQ: Metro doesn't go out and look but you guys (HC) do?

Tim: HC goes out every month and responds to calls

5) Will the overlay prevent something similar to the Summer Street Lofts from being built?

Tim: HC works with MDHA to permit flexibility with larger projects

6) Are there opportunities to help lower income homeowners bring their houses up to code?

Tim: work on a case-by-case basis, it is always more expensive to replace than repair

Anne: Historical loans are available through MDHA, inferior material must be replaced by code approved materials

7) Is there some compromise where the neighborhood can retain power without handing it all over to the Historical Commission?

Tim: there are 4 neighborhood reps (out of 9) in commission, working with MDHA to streamline process of neighborhood input

8) For Rick: does the planning presence in HZC mean planning representation?

Rick: no, we are looking for consistency in DNDP, trying to establish a process where the three staff entities work together and to have a unified document

9) I want to establish a retaining wall on the front of my property; what will have to be approved?

Tim: we don't review landscaping, but we and PJ would review the retaining wall

10) Does this room accurately represent the makeup of this district?

Group consensus: when talking about Germantown, definitely!

11) For Phil: is this overlay more appropriate than PJ?

Phil: this is your call, if you believe buildings need more protection, then yes. If not, then no.

12) Does PJ have an expiration date?

Phil: 2027, though they are typically extended

FQ: Phil, would you leave if you felt your job was done?

Phil: First, would consult with neighborhood, and would opt-out and concentrate on other neighborhoods when satisfied with job done here

13) Does the PJ go away if the historical overlay comes in?

Phil: No, it is in addition

FQ: If there is a conflict between the overlay and PJ, which supersedes the other?

Phil: the stricter requirements will supersede

14) Clarification to Tim's earlier statement

Tim: permits are taken to codes, they make a copy, and that permit goes out with the building inspector

15) Rick, is all zoning under overlay SP or PUD?

Rick: No

16) What will the impact be on industrial buildings?

Only when changes are made, will the overlay be incorporated

17) Regarding new construction, how do you deal with other materials?

Tim: with new construction, new materials are appropriate and will meet the guidelines, guidelines are general so the HC can ensure the intent is there

FQ: What is the process to address changes in specifics?

Tim: the same way the developer would address them when they come before MDHA

18) Who determines the appropriateness of new design?

Tim: very contextual, depends on adjacent buildings, the set-back

19) Describe the process a homeowner would go through to improve their house

Tim: don't review gutters because many old houses don't have gutters but codes requires them, we don't regulate paint color

FQ: Will I drain my pocketbook getting approval?

Anne: No fees!

FQ: Do you regulate interior?

Tim: we regulate only the exterior

### **7:10: Comments/Observations**

Councilwoman Gilmore gave each person a 1 minute time limit

Tim is great! He worked with us on our renovation. Will that personal attention continue with the overlay?

Tim: Yes

How many more meetings are required until a decision is reached?

General laughter

Question regarding warehouse, was there an effort made to reach property owners who don't live here?

Resident: It is your responsibility to open your mail

Two individuals commented that this was the first they had heard of a meeting

H.G. Hill Rep: also had not been notified, read about meeting in the newspaper

Resident: Board of Directors should make every attempt to contact everyone

Councilwoman Gilmore requested that comments remain on the topic of the overlay only

Resident: This is a political process, everyone should be getting factual information

Can a home be removed from overlay?

Anne: No, it cannot be taken out of the middle, at the edge it is possible

Can variances be granted on the guidelines?

Tim: no variances are granted but we interpret the guidelines

### **7:36: Closing**

Councilwoman Gilmore thanked the panel, the church, and Mrs. Campbell in acquiring the facility. She reminded attendees that this was just an informational meeting, and that she will move forward in an open and transparent manner.

She encouraged residents to contact her with any questions, comments, or concerns.