



**KNOXVILLE HISTORIC ZONING COMMISSION
STAFF REPORT - CERTIFICATE OF APPROPRIATENESS APPLICATION**

PROPERTY ADDRESS: 26 Market Square 37902

FILE NO.: 3-E-19-HZ

DISTRICT: Market Square H-1

MEETING DATE: 3/21/2019

APPLICANT: Bernadette West (owner)

LEVEL OF WORK: Level II. Construction of rooftop addition

PROPERTY DESCRIPTION: Vernacular Commercial (c. 1880)

Two-story brick with stuccoed second story, replacement windows. Altered storefront. Originally matched 22-24. The A. L. Young Dry Goods Store occupied this building from 1880 to 1900. Dry goods merchants such as the McBee Trading Company and J.H. Webb continued to occupy the building until 1950, when a ladies clothes shop, a beauty shop, and a record shop could be found there. In 1965, the building became Bell Brothers Shoe Store.

► **DESCRIPTION OF WORK:**

After-the-fact review of the construction of a shed-roofed structure at approximately 8 feet high and 43 feet long with roof sheathed in corrugated metal with enclosed soffit (~10 inches thick). The structure will be sheathed in stucco and situated approximately 80 feet back from the front parapet façade of the building. Visibility of the structure ranges from approximately 3 feet to 4 feet when standing against the opposite (west) façades of Market Square. The range of visibility reduces to approximately one foot when standing at the edge of the sidewalk café at 15 Market Square.

► **APPLICABLE DESIGN GUIDELINES:**

Market Square Design Guidelines and Designation Report, adopted by the Knoxville City Council on July 24, 2001.

SECRETARY OF INTERIORS STANDARDS

The Secretary of the Interior's Standards for Rehabilitating Historic Buildings is referenced by the Market Square Design Guidelines, and the principles are utilized as a basis for those guidelines.

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when . . . such design is compatible with the size, scale, color, materials, and character of the property, neighborhood, or environment.

From the Technical Preservation Services Brief Number 36; Interpreting the Secretary of Interior's Standards for Rehabilitation, Guidelines for Rehabilitating Historic Buildings:

"Rooftop additions are almost never appropriate for buildings that are less than four stories high."

". . . Recommend that new rooftop additions be designed so that they are inconspicuous from the public-right-of-way, and set back from the primary elevation of the building." (Document is provided in the information package.)



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COMMENTS:

Staff recommends that in the future, all rooftop structures within an H-1 or NC-1 Overlay District be reviewed by the Historic Zoning Commission to document and confirm the non-visibility of the structure.

STAFF FINDINGS:

- 1) The building at 26 Market Square is a contributing building in the Market Square H-1 Overlay and National Register Historic District.
- 2) The roof top construction was not reviewed for a Certificate of Appropriateness since it was stated by the applicant to be set back far enough, and to be low enough, to not be visible from the ground of Market Square.
- 3) In 2004, a rooftop guardrail was approved for 29 Market Square, which is four stories high, based on the Technical Preservation Services Brief Number 36; Interpreting the Secretary of Interior's Standards for Rehabilitation: "Rooftop additions are almost never appropriate for buildings that are LESS than four stories high."
- 4) The HZC precedent since at least 2004 has been to deny permanent rooftop construction from the ground within Market Square. For six specific examples of HZC determinations on preceding such COA applications, see "Supplement to Staff Findings for 26 Market Square - Precedent for Permanent Rooftop Construction in Market Square" submitted as an addendum to the Staff Findings in this report.
- 5) The shed-roofed stuccoed structure with arched doorways was not specifically designed to complement the materials, proportion or style of the historic architecture of the c. 1880s vernacular commercial building.
- 6) Attempting to allow a "limited" amount of visibility for rooftop construction, or to allow rooftop construction that "is not highly visible" would be an arbitrary measurement and would not be able to be consistently regulated by city building inspectors.

► **STAFF RECOMMENDATION:**

Based on the above findings, staff does not recommend approval of any visible rooftop structures from Market Square.

Supplement to Staff Findings for 26 Market Square #3-F-19-HZ

Precedent for Permanent Rooftop Construction in Market Square H-1 District

August 2010 staff report – 28 Market Square – . . . , the rooftop penthouse will sit at the rear of the building, and **will not be visible** from Market Square. **APPROVED**

December 2010 staff report – 28 Market Square – The proposed railing and penthouse **will be visible** from Market Square. The addition of the penthouse towards the front of the building and the modern railing are not in character with the overall design of the building. The Secretary of Interiors Standards used in making this determination are #1 (Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment) . . . The determination of whether rooftop structures will be allowed has to do with whether they are visible from adjacent streets, and also consistently finds that rooftop additions will not be allowed on buildings under four stories in height. **DENIED**

February 2011 staff report – 28 Market Square – “Continuous railing 3'-6" high of 3"x3" steel tube posts 2-1/2" x 2-1/2" top and bottom rails and 1/4" steel coated cables at 4". NOTE: Modifications were made at the 2/17/2011 Knoxville Historic Zoning Commission meeting to **disallow installation of . . . improvements that would be visible from the street level of Market Square** and to **eliminate visibility** of the penthouse by altering the roofline.” **APPROVED WITH MODIFICATIONS**

August 2013 staff report – 1 Market Square/325 Union Avenue – “ . . . the building at 325 Union Avenue is not freestanding and the raised penthouse eave and façade **will not be visible from points north in Market Square** . . . the roofline at the back of the penthouse, where it meets the neighboring brick wall, **will not be visible from street level.** **APPROVED**

October 2014 staff report – 32 Market Square – “Construct rooftop appurtenances that **will be set back so as not to be seen** from the public right-of-way -- based on preliminary height markers set on top of building.” **APPROVED**

September 2004 staff report – 29 Market Square – “The design of the railing **will be visible** from street level, but has been designed as a simple and not an obvious design feature.” (This building is **four stories** in height.) **APPROVED (SEE FOLLOWING PAGE FOR PHOTOS)**



KNOXVILLE-KNOX COUNTY HISTORIC ZONING COMMISSION

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Date Filed: 3/1/2019

File Number: 3-E-19-HZ

Application Accepted By: Kaye Graybeal

HZC Meeting Date: 3/21/2019

APPLICANT INFORMATION

Name: Bernadette West
Address: 28 Market Square Knoxville, TN 37902
Phone: 865-523-3206 Email: Bernadette@preservationpub.com
Relationship to Owner: owner

OWNER INFORMATION

Name: Bernadette West
Address: 28 Market Square Knoxville, TN 37902
Phone: 865-523-3206 Email: Bernadette@preservationpub.com

LOCATION OF PROPERTY

Address: 26 Market Square 37902
District: Market Square H-1

LEVEL OF WORK

Level II. Construction of addition

DESCRIPTION OF WORK

Construct a shed-roofed structure at approximately 8 feet high sheathed in metal with enclosed soffit. The structure will be sheathed in stucco and situated approximately 80 feet back from the parapet façade. Only the southwest corner of the structure will be visible from the west side of Market Square.

SIGNATURE OF APPLICANT

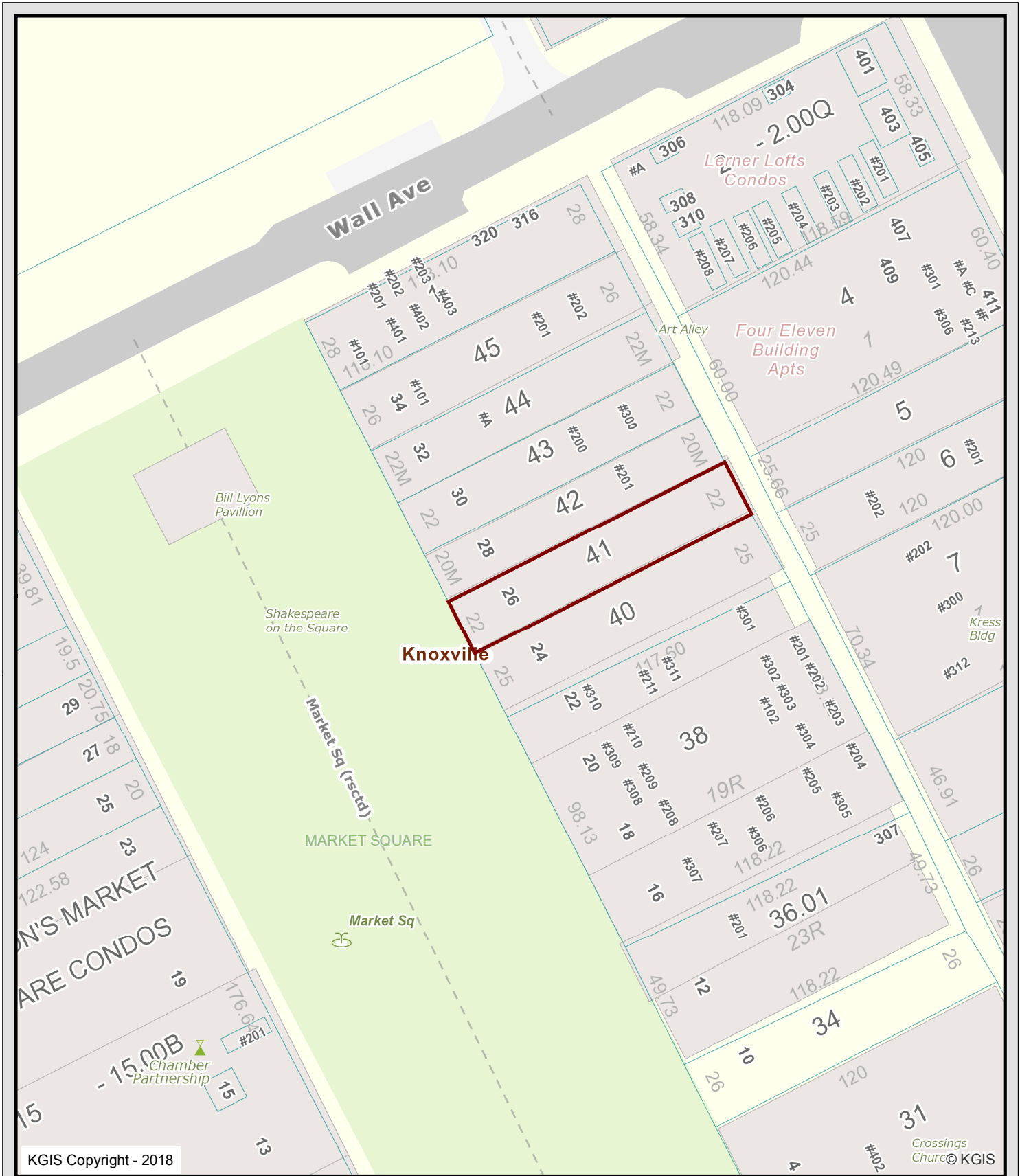
Bernadette West

Date: March 1, 2019

Return application to:

Knoxville-Knox County Historic Zoning Commission
Suite 403, City-County Building, 400 Main Street
Knoxville, Tennessee 37902

See Part 2 for submittal information requirements. Incomplete submittals will not be accepted.



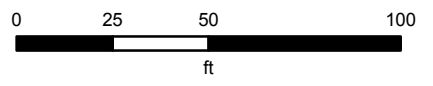
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26 Market Square

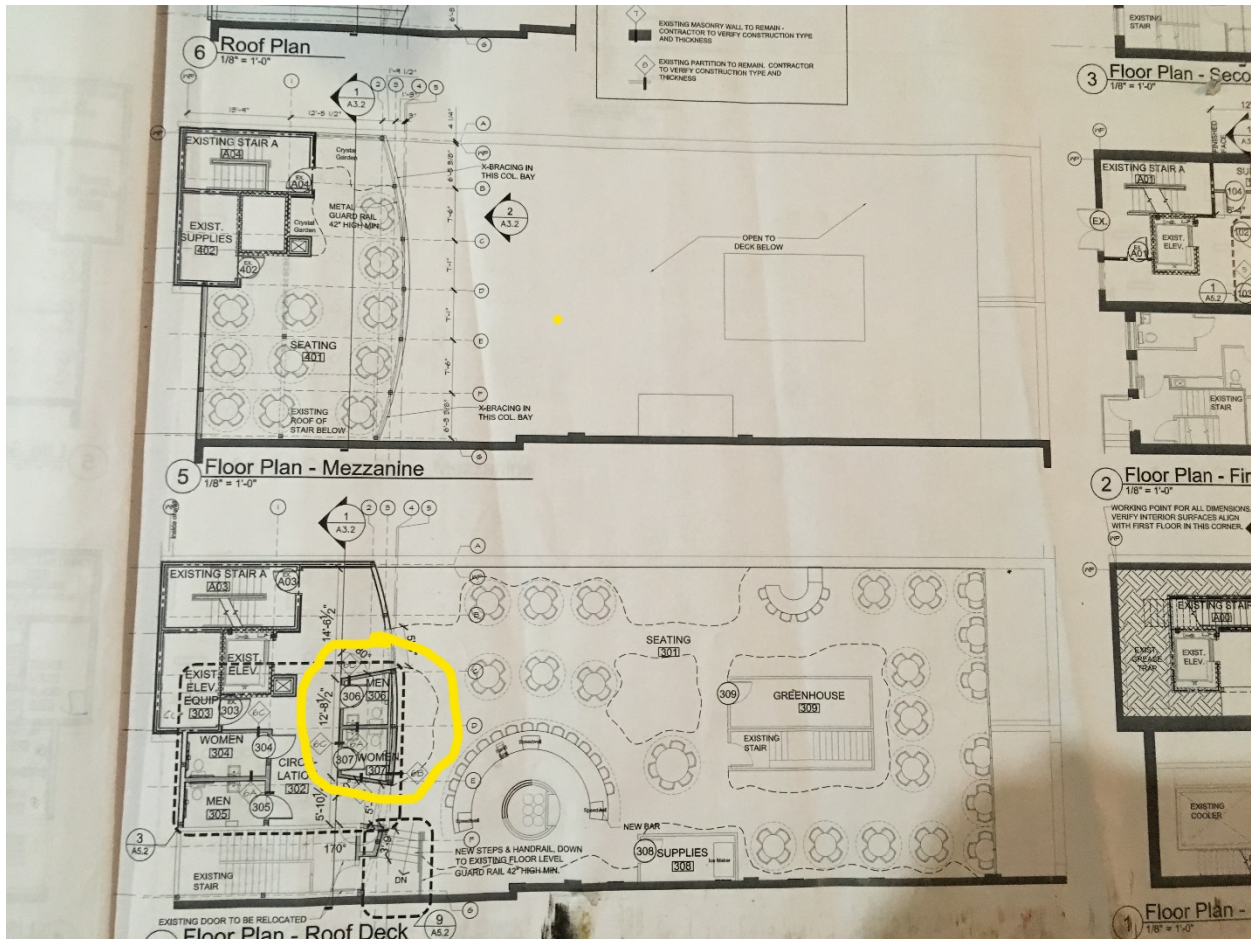
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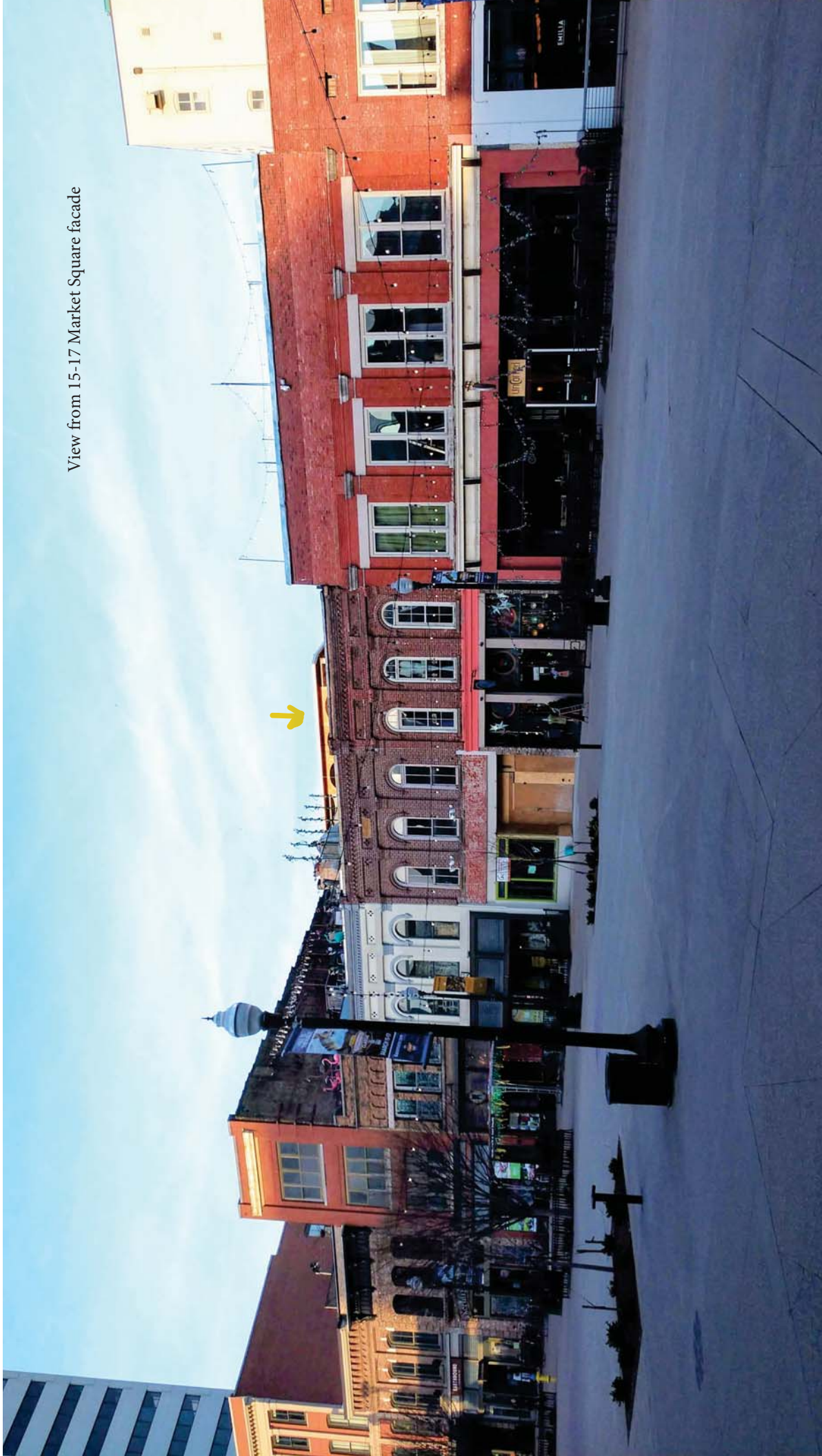


26 Market Square - Roof floor plan

View from 15-17 Market Square facade



View from 15-17 Market Square facade



View from 15-17Market Square sidewalk cafe





Interpreting The Secretary of the Interior's Standards for Rehabilitation

Subject: Rooftop Additions

- Applicable Standards:**
2. Retention of Historic Character
 5. Preservation of Distinctive Features, Finishes, and Craftsmanship
 9. Compatible New Additions/Alterations

Issue: The Secretary of the Interior's Standards for Rehabilitation allow the construction of new additions if they do not destroy significant fabric, and if their design is compatible with the size, scale, color, material, and character of the property and the historic district if applicable. However, not all historic buildings can be enlarged in a manner that is consistent with the Standards, whether for reasons of size, siting, or location within a district. With regard to rooftop additions, the Guidelines for Rehabilitating Historic Buildings recommend that new rooftop additions be designed so that they are inconspicuous from the public right-of-way, are set back from the primary elevation of the building, and do not damage character-defining features of the historic building. Rooftop additions are almost never appropriate for buildings that are less than four stories high. Generally, rooftop additions should not be more than one story in height, and are more compatible on buildings that are adjacent to taller buildings or dense urban environments. Rooftop additions that do not meet these principles generally will not meet the Standards.

Application 1 (*Incompatible treatment*): A school built in 1923, and expanded in later years, was proposed to be rehabilitated for continued educational use as a community



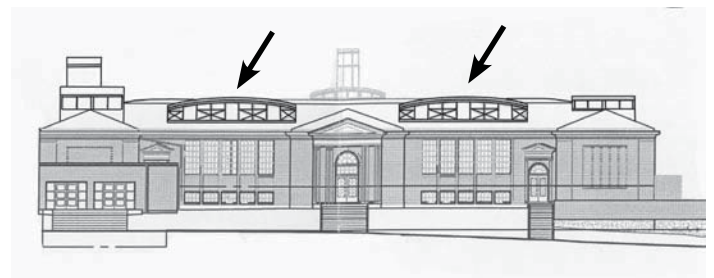
The school prior to rehabilitation.



Proposed rooftop additions to school building.

resource center, a housing complex for senior citizens, a day school, and a boarding school. The building was less than three stories, sat prominently on the street and was visible on all elevations. Under the initial proposal, boarding students would live in the historically unoccupied attic of the original, 1923, portion of the school.

Because the attic lacked adequate headroom, dormers were proposed for the visible front and side elevations. The Stan-



A drawing of the proposed dormers shows the impact this construction would have had on the physical fabric and the historic character of the building.

dards call for additions to be differentiated as new elements. The proposed dormers were very large and out-of-scale with the historic building, featuring an arched profile and contemporary windows that contrasted strongly with the relatively traditional and subdued materials and design of the Colonial Revival structure. In addition, the dormers would not only impose a new form upon the roof, but would also require substantial alteration of the physical fabric of the roof itself. For these reasons, the proposal did not meet the Standards.

Application 2 (*Compatible treatment*): A rooftop addition was proposed for a four-story apartment building that was being rehabilitated for continued residential use. The building was constructed in 1914 in a simply articulated, Classical Revival style with a slightly-raised limestone base, a brick facade, beltcourses, and some decoratively-carved keystones on the first floor. It is capped by a simple but prominent dentilled cornice. This building is one of several large apartment buildings located in a primarily small scale, single-family residential neighborhood. It is surrounded on both sides and across the street by two to two-and-one-half story rowhouses, and therefore is highly visible within the district. For this reason alone, it might appear that the addition of any more height to this building would not meet the Standards.

However, a new floor was added that is only minimally visible on the **non-significant side elevations and is imperceptible from directly across the street.** Setting the new floor into the flat roof plane lowered the profile of the addition to the height of a half story. The slanted front edge further minimized the appearance of the addition and concealed integral skylights. The mass blended with the solid, unadorned side walls of the historic building. This rooftop addition does not impact the historic character of the building and is in conformance with the Standards.



This early twentieth century apartment building was actually constructed as two buildings of harmonious but slightly different design.