

KARL F. DEAN
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
Telephone: (615) 862-7970
Fax: (615) 862-7974

STAFF RECOMMENDATION
104 Fifth Avenue South
July 17, 2013

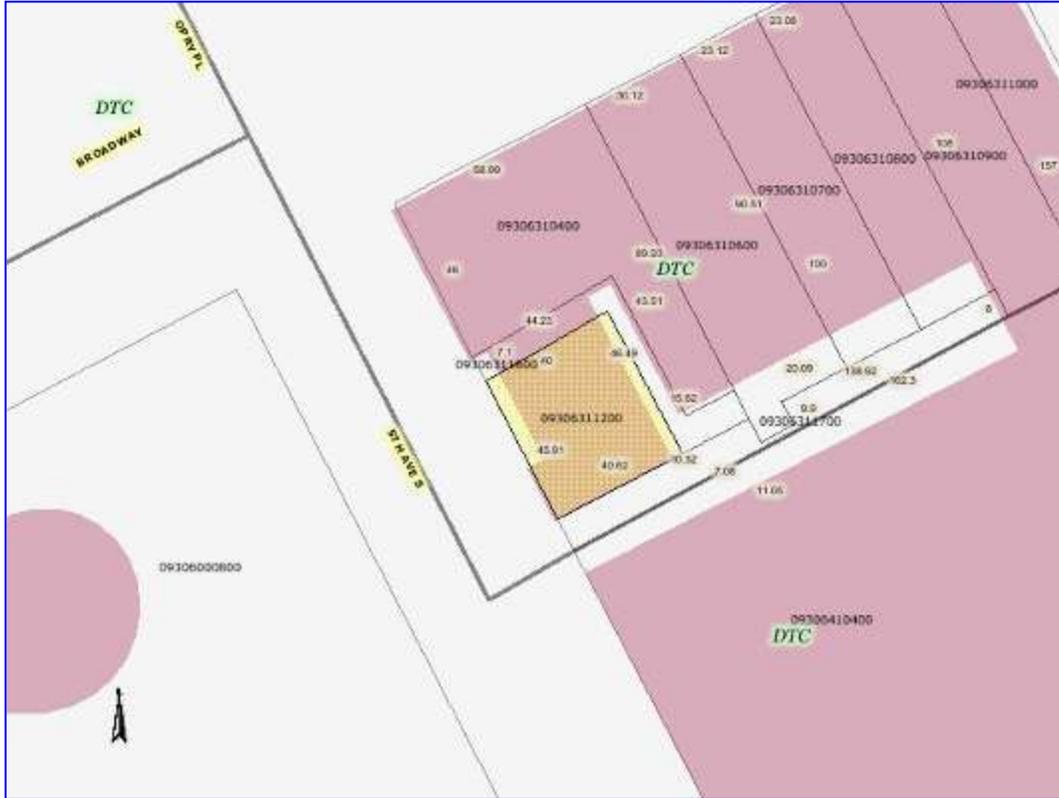
Application: New construction-additions
District: Broadway Historic Preservation Zoning Overlay
Council District: 06
Map and Parcel Number: 09306311200
Applicant: Mark Bixler, Manuel Zeitlin Architects
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

Description of Project: The applicant installed a roof top tent without permits and now requests a retractable awning to take the place of the inappropriate tent.

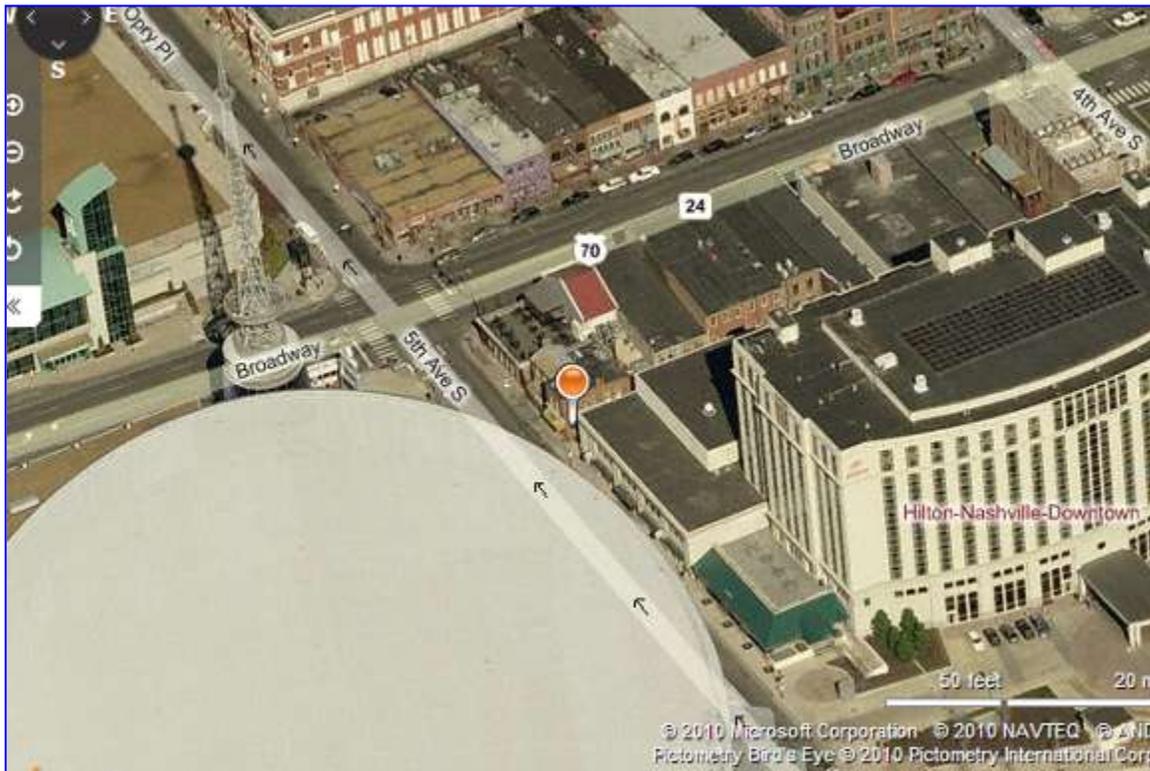
Recommendation Summary: Staff recommends disapproval of the awning based on the fact that the awning will be “visually jarring,” will “contrast” with the historic district, does not meet the setback requirements for rooftop additions, and when combined with the additions already approved will not be “minimal” as required by section VI.H of the design guidelines for rooftop additions in the Broadway Historic Preservation Zoning Overlay. Staff recommends that the unpermitted tent be removed within 15 days of the Commission’s decision.

Attachments
A: Photographs
B: Roof Plan
C: Elevations
D: Material examples

Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

VI.H. Additions to Existing Buildings

1. Additions to existing buildings should be compatible in scale, materials, and texture; additions should not be visually jarring or contrasting. Additions to historic buildings should be minimal. Additions normally not recommended on historic structures may be appropriate for non-historic buildings, if the addition will result in a building that is more compatible with the district.
2. Rooftop additions should not exceed one story in height and should be set back a minimum of 30 feet from the main façade of the building and 20 feet from the secondary street if it is a corner building.
3. Additions should not obscure or contribute to the loss of historic character-defining features or materials.

Background: The applicants initially received approval for a rooftop addition that included flat pergola type structure over a rooftop bar but have since decided that shade is needed for the employees and to meet health codes. The applicants have installed a tent, without a permit, to address these needs and are requesting a retractable awning to replace the tent. The pergola, previously approved, does not meet either need. These requirements were not known by the applicant at the time that the rooftop bar was designed.



Figure 1.

In January of this year, the applicants requested to make the rooftop addition taller so that mechanical equipment would not take up dining space and that alteration was approved by the Commission.

The applicants gutted the building requiring structural ties be added to the exterior of the building. That alteration was approved administratively

Analysis and Findings:

Now that the previously-approved addition with the increased height has been constructed and can be seen from the street, Staff is concerned that it does not meet the design guidelines. To allow further alterations to what was initially approved, increases the addition's incompatibility with the neighborhood and will set a dangerous precedent for future roof top requests. The current additions were approved, even though they do not meet the design guidelines, because the building is not very deep and because of the gable roof. The majority of buildings in the Broadway overlay are at least 100' deep; however, there are several that are shallower than seventy feet (70') that could be affected by the precedent set. (See figure 1.)

Broadway Overlay Buildings with Depths Less than 70'

Address	Depth	Roofshape
106 4 th Avenue	68'	Flat
400 Broadway	64'	Flat
406 Broadway	64'	Flat
301 Broadway	51'	Flat
305 Broadway	51'	Flat
208 Broadway	48'	Partially gabled
108 2 nd	16'	flat

Figure 2.

Design: The approved additions are already “visually jarring” and “contrast” with the historic character of the building and the overlay as can be seen in a recent image with the unapproved tent in place. (See figure 3.) The awning will have a slight slope, unlike the pre-approved pergola, and will be highly visible from the street, further bringing the additions out of character with the overlay.



Figure 3.

The design guidelines require that additions to historic buildings should be ”minimal.” If approved, the addition will cover the entire flat roof of the north building from the ridge to the back of the building and again, will be highly visible from the street.

After the initial permit was issued, Staff learned that it was the intent of the applicant to hang lights and other items from the pergola, which was not a part of the original scope of work. Lights have been added to the temporary tent. Staff is concerned that lights and other items would likely be added to the awning, insuring that it is not retracted daily.

Staff finds that the awning would not meet the design guidelines because it would be visually jarring, contrast with the historic context and not be minimal.

Height: The overall height of the addition was originally approximately nine feet (9') and increased to eleven feet (11'). The awning will not increase the overall height of the additions.

Setbacks: According to the design guidelines, rooftop additions should set back a minimum of thirty feet (30') feet from the main façade of the building. In this case, the approved additions only sit back approximately ten feet (10') due to the gable roof form and limited depth of the building, compared to other buildings in the overlay. Although, this setback was approved by the Commission for a pergola, which would have a flat open roof, Staff is concerned that the sloped awning will be far more visible and therefore be an inappropriate addition for the building.

The health code requirement is easily addressed with a small box type structure on the bar, in the vicinity where drinks are mixed. Health codes do not require that the entire bar be covered; however, the awning is also desired to provide shade for employees. The awning will retractable but there is no mechanism for monitoring whether or not the awning is retracted each evening at sundown and since this is a restaurant, the awning will likely be extended the majority of the time.

Materials: The awning will be solution died acrylic with an aluminum frame. These materials are appropriate and have been approved in the past.

Recommendation: Staff recommends disapproval of the awning based on the fact that the awning will be “visually jarring,” will “contrast” with the historic district, does not meet the setback requirements for rooftop additions, and when combined with the additions already approved will not be “minimal” as required by section VI.H of the design guidelines for rooftop additions in the Broadway Historic Preservation Zoning Overlay. Staff recommends that the unpermitted tent be removed within 15 days of the Commission’s decision.



Current conditions with approved additions and unpermitted tent taken from the sidewalk across the street.





Approved additions under construction, prior to the tent.

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3D-PUB 5



104 5TH AVENUE SOUTH

3D-EXISTING

JULY 1, 2013

MHC1

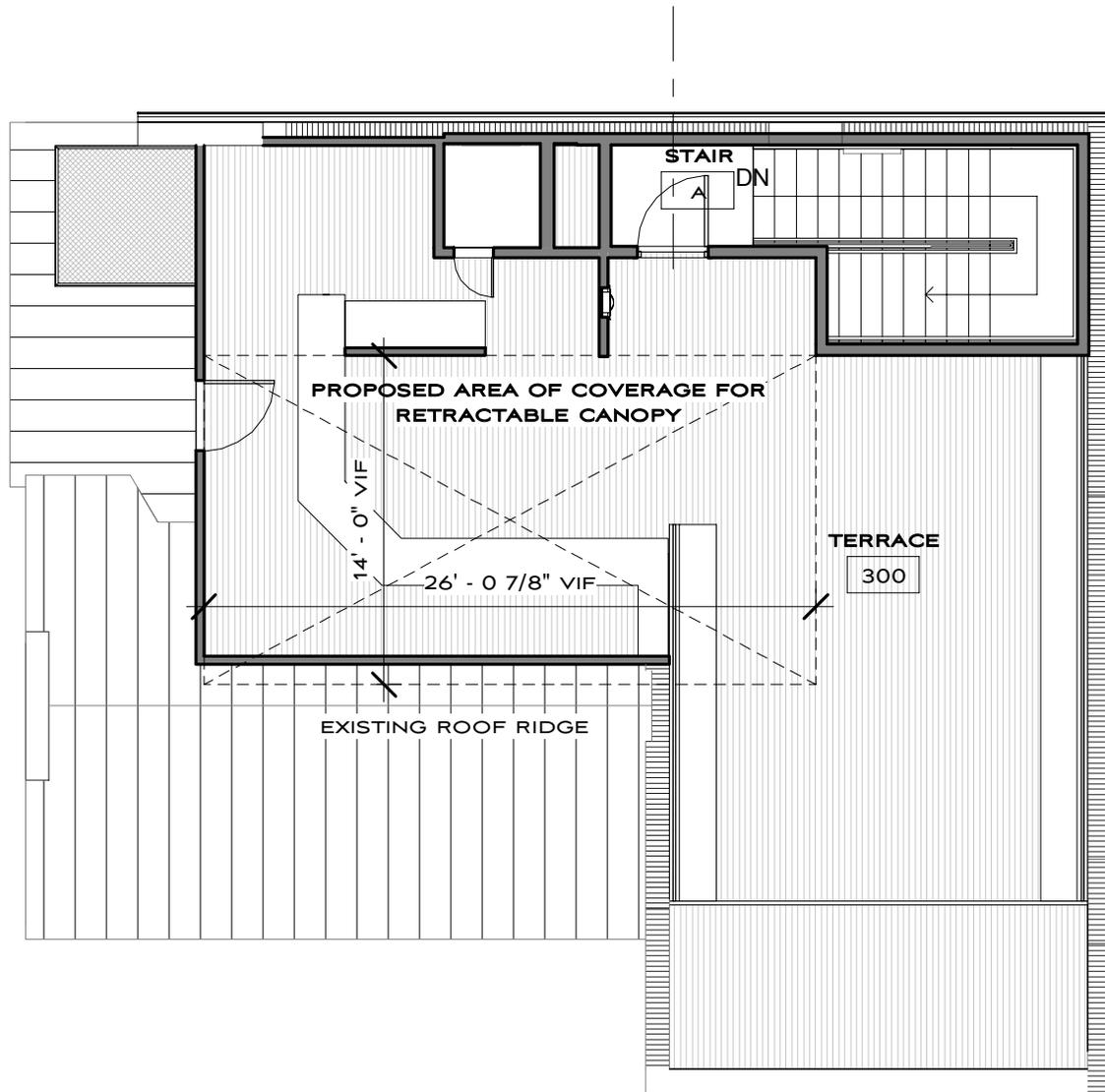
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MANUEL ZEITLIN ARCHITECTS



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516 HAGAN ST #100 NASHVILLE, TN 37203



1 ROOF TERRACE PLAN
 1/8" = 1'-0"

104 5TH AVENUE SOUTH

REF PLAN

JULY 1, 2013

MHC2

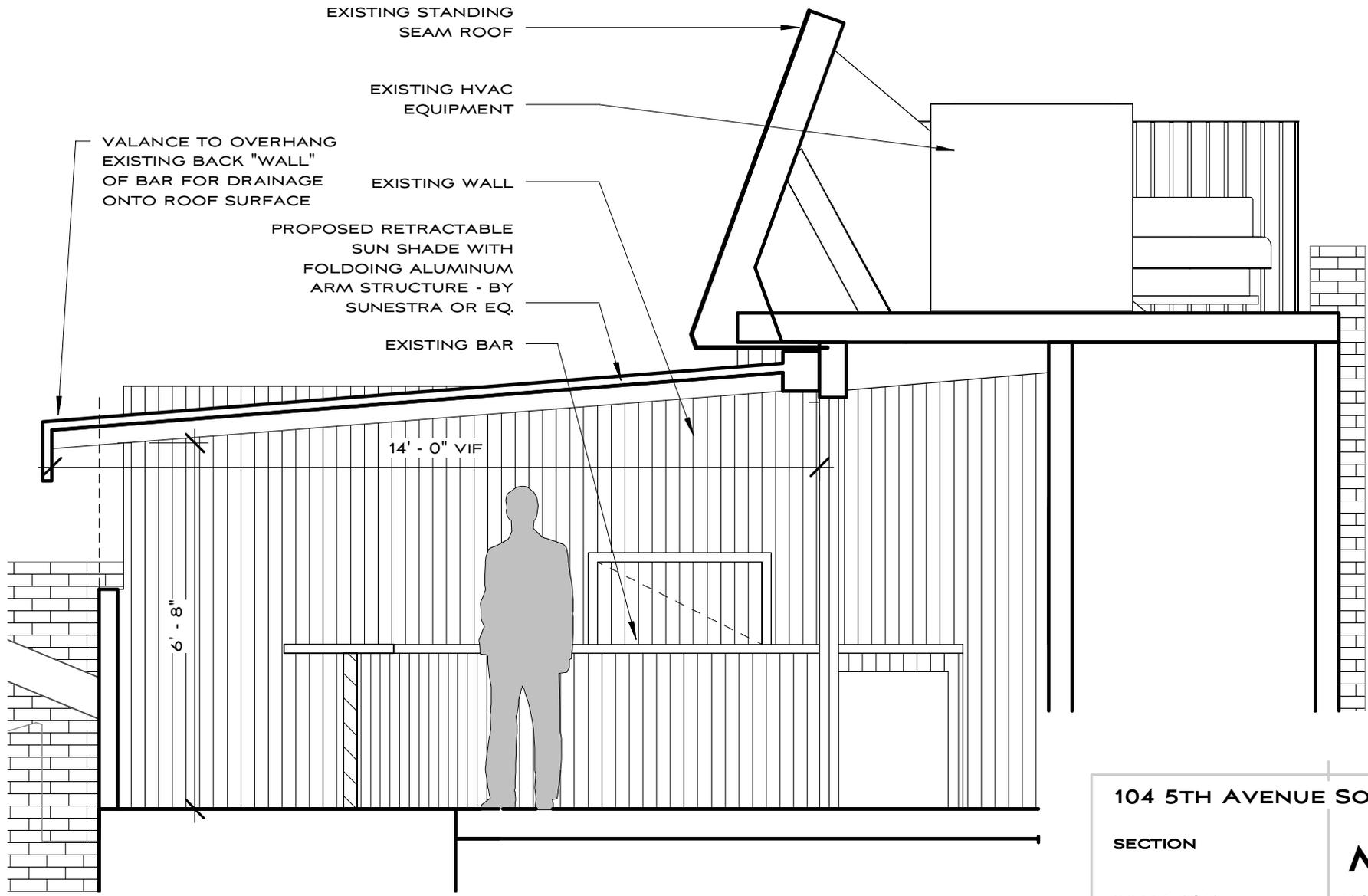
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1 SECTION
 3/8" = 1'-0"

104 5TH AVENUE SOUTH

SECTION

MHC3

JULY 1, 2013

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TEMPORARY TENT
CURRENTLY IN-PLACE



104 5TH AVENUE SOUTH

PHOTOS

JULY 1, 2013

MHC4

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TEMPORARY TENT
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PHOTOS

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