



**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
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Nashville, Tennessee 37204  
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**STAFF RECOMMENDATION**  
**Fourth Avenue North and Van Buren Street**  
**May 21, 2014**

**Application:** New construction-infill

**District:** Germantown Historic Preservation Zoning Overlay

**Council District:** 19

**Map and Parcel Number:** 082090J00800CO, 082090J02500C, 082090J02800CO, 082090J02600CO, 082090J02700CO, 082090J03700CO, 082090J03100CO, 082090J03800CO, 082090J03600CO

**Applicant:** Jeff Zeitlin

**Project Lead:** Robin Zeigler, [robin.zeigler@nashville.gov](mailto:robin.zeigler@nashville.gov), 615-862-7970

**Description of Project:** This new construction is to complete the development, Morgan Park Place, which is part of an SP zoning (BL2006-1037) approved by Metro Council in 2006, prior to the establishment of the Germantown Historic Preservation Zoning Overlay. Approval of elevations was not a part of the SP.

**Recommendation Summary:** Staff recommends approval with the condition that staff provide final review of any materials that are different in color, dimension or texture from those materials used on the existing buildings. Staff finds the project meets the design guidelines for infill construction in an area with little historic context for the Germantown Historic Preservation Zoning Overlay.

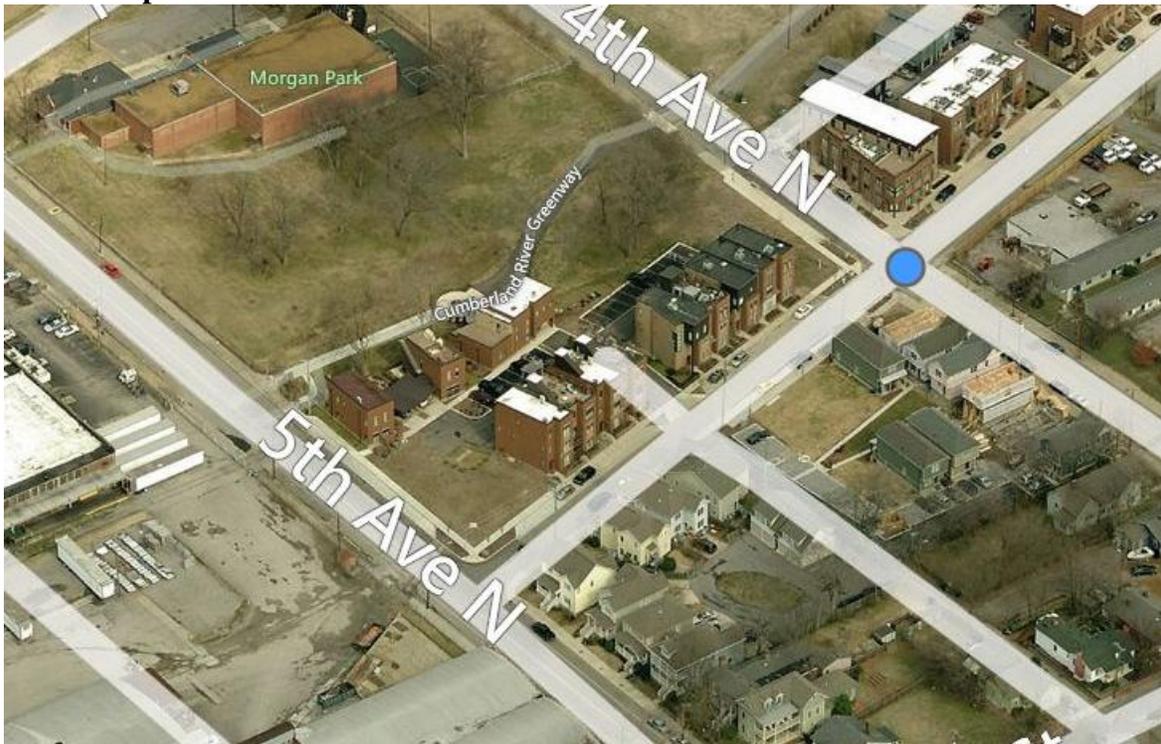
**Attachments**

- A:** Photographs
- B:** SP
- C:** Site Plan
- D:** Elevations

**Vicinity Map:**



**Aerial Map:**



## Applicable Design Guidelines:

### 3.0 New Construction - where there is minimal historic context or historic context no longer exists

Guidelines apply only to the exteriors of new construction. Public facades shall be more carefully reviewed than non-public facades. *Public facades are those that are visible from the public right of way, street or streets. Non-public facades are those not visible from the public right of way, street or streets. Facades facing the alley are generally not considered public facades.*

#### 3.1 General Principles

*Construction in the District has taken place continuously from the mid-19th through the present and a variety of building styles and building types have resulted. This variety reflects the style, culture and values of the District over time. New construction that imitates historic architectural styles may compromise the value of authentic historic structures by confusing genuine history with reproduction. Exterior building design should avoid the creation of themed environments that create a false sense of being in an alternate time or place. Because a great variety of building forms exist within Germantown, flexibility in the design of new buildings is possible and encouraged. New buildings should continue this variety while remaining compatible with development patterns consistent with mixed-use urban neighborhood design.*

3.1.1 Buildings should be sited on their respective parcels in ways that are appropriate to their context and the context it creates.

3.1.2 The architectural styles and forms of new buildings should be appropriate to their context.

3.1.3 New buildings should relate to a pattern and rhythm of development consistent with a mixed-use urban neighborhood.

3.1.4 New projects have the ability to create place. Proposed projects shall be reviewed both in relationship to its context and the context it creates.

3.1.5 The ground floors of new buildings should be designed to encourage pedestrian activity.

3.1.6 New construction will be reviewed for height, scale, setback, relationship of materials, texture and color; massing; orientation; and proportion and rhythm of openings.

#### 3.2 Site and Building Planning

3.2.1 New development should be sited and designed to encourage pedestrian/human activity on the street. The siting of buildings should acknowledge and reinforce desirable characteristics of the right-of way and streetscape.

*Livelier street edges make for safer streets. Ground floor shops and market spaces providing services attract activity on the street. Entrances, porches, balconies, front yards, decks, seating, street lighting, street trees, landscaping and other streetscape elements promote use of the street front and provide places for human interaction. Siting decisions shall consider the importance of these features in a particular context and allow for their incorporation.*

##### 3.2.2 Setbacks

*The character of a neighborhood or district is often a product of the experience of traveling along its streets. One of the defining characteristics of that experience is how buildings face and are set back from the street.*

*The guidelines below are not specific to individual parcels or streets. Because street rights of way vary significantly throughout the district it is important to first analyze and consider the desired streetscape prior to establishing the setback and building face for a given project. While the guidelines encourage some buildings at the edge of the sidewalk, locating a building on the property line only 48" from the edge of the existing curb drastically limits and may altogether prohibit the placement of features identified in 3.2.1 and limit the ability of a project to comply with 3.2.1.*

*It is further the intent of these guidelines to avoid the arbitrary establishment of setbacks resulting in haphazard building placement and a resulting interruption or absence of visual order within the District.*

1. Commercial Corridor Setbacks (Rosa L Parks and Jefferson Street) – the siting of buildings along major commercial corridors should provide desirable streetscape characteristics: pedestrian oriented businesses and shops at ground level, corner entrances and a consistent building edge abutting the sidewalk.

2. Commercial Setbacks (Interior to the District) – Generally, commercial buildings within the district are encouraged to build to the property line/sidewalk.

*The intent is to encourage pedestrian oriented development*

3. Corner Lots: Buildings on corner lots should be oriented to the corner and public street fronts to reinforce the street corner. Buildings should appropriately address setbacks on both streets. Corner lots offer unique opportunities because of their visibility and access from two streets. Corner pedestrian entrances, towers, turrets, accentuated rooflines, special architectural details, balconies and other design features are encouraged.

4. Residential Setbacks – the space between the building and the sidewalk should provide security and privacy for residents while encouraging social interaction among residents and neighbors. Within the district the transition between residential buildings and the street varies with the depth of the front setback and the relative elevation of the building to the street.

*The following examples illustrate various conditions and suggest how this guideline may be met through setbacks, entry design, landscape treatment and other techniques.*

*Minimal Front setback – Buildings with little or no front yard should include creative use of landscaping and or window placement and treatment to provide privacy. Recessed entries can be used to provide security and/or weather protection.*

*Shallow Residential Street Front – Buildings with a shallow setback from the sidewalk provide sufficient area to include balconies or decks, which allow privacy while encouraging visual interaction with the street. Small courtyards, arcades, recessed entries or other similar entry designs may be desirable to provide privacy to ground floor residents.*

*Deep Residential Setback – Buildings with deep setbacks from the sidewalk provide sufficient privacy through spatial separation to permit more open porches, fenestration and garden space for ground floor residential units. Fences may provide further separation from the sidewalk.*

*High Bank Residential Street Front – Within the district topography may cause the ground floor of a building to be elevated above pedestrian eye level. Therefore it is easier to achieve a sense of privacy and separation from the street activity – thus creating more opportunity for social spaces*

5. Alley Setback: Setback from any alley (rear or side) shall be a minimum of 5 feet in order to retain urban street character.

### 3.2.3 Orientation

1. The primary entrances of buildings shall be clearly identifiable and visible from the street. *Generally this means primary entrances are oriented to the public street.*

*The intent is to encourage pedestrian oriented development, interaction with the street environment and allow for transition between the street/public domain and the interior of the building/private domain.*

*Entries that are visible from the street generally make a building more approachable and create a sense of association among users, customers and neighbors. Clear entries should be provided off of public streets not solely from parking lots.*

*This does not preclude site developments for residential projects from utilizing courtyards and mews. It is intended to foster siting that recognizes the importance of the public street and the transition from the street to the building.*

### 3.2.4 Mass and Scale

1. The mass and scale of new buildings will be reviewed relative to use and location within the District. *Generally taller more massive structures are anticipated at the edges where Commercial Corridors (Jefferson Street and Rosa L. Parks Boulevard) bound the District. Lower height, smaller scale and less massive structures are predominant at the interior of the District. Third Avenue North is unique in the fact that it is an arterial passing through the eastern part of the District connecting downtown to Metro Center. Therefore as a connecting street with potentially higher traffic volumes more commercial uses, greater densities and taller heights may be appropriate. These guidelines and the Design Review Process are intended to provide a balance between the development potential of a particular site and compatibility of existing and adjacent buildings.*

2. Façade Articulation: New structures shall employ design techniques that avoid large expanses of unbroken façade planes and/or materials particularly on public facades. *For multiple story buildings, the*

width of any unbroken façade shall not exceed the building height. This width to height ratio is considered a minimum – more modulation is encouraged.

Some appropriate techniques for building articulation include but are not limited to:

*Modulating the façade by stepping back or extending forward a portion of the façade (articulating a building's façade vertically and/or horizontally in intervals that are informed by existing platting patterns or structures within the District is encouraged)*

*Pilasters, recesses and or projections*

*Repeating window patterns at an interval that equals the articulation interval*

*Providing a balcony, porch, patio, deck, covered entry, bay window (or other special window) or other significant architectural detail for each interval*

*Changing the roof line by varying parapet heights, alternating dormers, stepped roofs, gables or other roof elements to reinforce the modulation or articulation interval*

*Changing materials with a change in building plane (changes in a materials, texture or color are appropriate techniques – however changes solely in paint color alone is generally not sufficient to meet the intent of this guideline)*

### 3.2.5 Height

1. New buildings shall be constructed to a height that is compatible with adjacent context.

*Consideration of the physical characteristics of a property will be given in determining compatible heights (e.g. exceptional topographic condition, lot size and/or lot shape)*

*Height, bulk and scale mitigation may be required in two general circumstances:*

*Projects on or near the edge of a less intensive area. A substantial incompatibility in scale may result from different development standards in the two areas and may be compounded by physical factors such as large development sites, slopes or lot orientation.*

*Projects proposed on sites with unusual physical characteristics such as large lot size, unusual shape, or topography where buildings may appear substantially greater in height, bulk and scale than that generally anticipated for the area.*

*Factors to consider in analyzing potential height, bulk and scale impacts include:*

- *distance from the edge of an existing structure or less intensive area*
- *differences in development standards between abutting area (allowable building height, width, lot coverage, etc.)*
- *effect of site size and shape*
- *height, bulk and scale relationships resulting from lot orientation (e.g. backlot line to back lot line vs. back of lot line to side lot line)*
- *Type and amount of separation between lots in the different area (e.g. separation by only a property line, by an alley or street, or by other physical features such as grade changes.)*

*In many cases, careful siting and design treatment are sufficient to achieve reasonable transition and mitigation of height, bulk and scale impacts. Some techniques for achieving compatibility are as follows:*

- *Location of features on-site to facilitate transition such as locating required open space on the zone edge so the building is farther from the lower intensity area.*
- *Treating topographic conditions in ways that minimize impacts on neighborhood development, such as architectural details to give a more human scale to a project, or stepping a project down a sloping site.*

- *In a mixed-use project, siting the more compatible use near the adjoining edge.*

*In some cases, reductions in the actual height, bulk and scale of the proposed structure may be necessary in order to mitigate adverse impacts and achieve an acceptance of compatibility. Some techniques that can be used in these cases include:*

- *articulating the building's facades vertically or horizontally in intervals that*
- *conform to existing structures or platting pattern.*
- *increasing building setbacks from the zone edge at ground level*
- *reducing the bulk of the building's upper floors*
- *limiting the length of, or otherwise modifying, facades*
- *reducing the height of the structure*
- *reducing the number or size of accessory structures*

2. In the absence of adjacent context with taller heights the following heights are permitted.

### 3.3 Walls/Exterior Materials

3.3.1 Exterior materials will be reviewed for characteristics of scale, design, finish, texture, durability and detailing. Materials must demonstrate adherence to The Secretary of Interior's Standards.

3.3.2 Large expanses of featureless wall surface are not appropriate

3.3.3 Material change between the foundation and the first floor is encouraged.

3.3.4 Exterior Insulation Finish System (EFIS) and vinyl siding are not appropriate exterior materials.

3.3.5 The painting of wood and metal surfaces is not reviewed by the MHZC.

### 3.5 Windows

3.5.1. Window profiles will be reviewed for dimensional depth of rails, stiles, mullions, muntins, divided lites, sills, casing and or trim.

### 3.6 Roof

3.6.1 Rooftop equipment, skylights, solar panels, and roof penetrations located on or attached to the roof shall be located so as to minimize their visibility from the street. *Generally, they should be placed rear of the mid-point of the building.*

### 3.7 Utilities / Mechanical

3.7.1 Utility connections such as gas meters, electric meters, electric service mast and power lines, phone, cable, satellite TV and HVAC condenser units should be located so as to minimize their impact and visibility at the public street. Exterior utilities and mechanical equipment shall be screened from visibility from the building's street facades. Building utilities shall be planned, sited and screened to minimize their impact on the pedestrian environment.

## **5.0 Site Improvements/ Appurtenances**

*Site improvements or appurtenances include fences, walls, sidewalks, paving or driveways, parking areas, exterior lighting, utility connections, and other permanent landscape features.*

*Historic architecturally-significant site improvements should be maintained, and repaired using historically appropriate materials and methods.*

### 5.1 Fences & Walls

Character-defining features of historic fences and stone retaining walls including gates, decorative pickets, finials, and hardware should be preserved. Repair rather than replace fence and wall materials. For irreparable elements replacement features shall match the original features.

5.1.2 Fences or walls may be utilized to demarcate property lines and screen private areas from public view.

5.1.3 New fences and walled areas shall be compatible with the building site and streetscape in terms of location, height, opaqueness; design, style, materials composition, scale, proportion, color and texture.

*Consideration of the physical characteristics of a property and its use will be given in determining appropriate fence heights and location (e.g. exceptional topographic condition, lot location within the District (street corners etc), adjacent to non compatible use, lot size and/or shape)*

*Walls of solid masonry construction within the front setback are permitted up to 24" in height.*

*Fences shall be constructed of wood, metal or masonry. Vinyl is generally not an appropriate fencing material.*

*The combination of fences and walls in front setbacks shall not exceed 48". Generally side yard fences from the street to a distance of 10' behind the front (public) façade shall not exceed 48".*

*Side yard fences shall be located a minimum of 10' behind the front (public) façade and shall not exceed 72" in height. (Exception: Fences may be 96" in ht. when the top 24" is open in nature).*

*Rear yard / privacy fences shall not exceed 72". (Exception: Fences may be 96" in height when the top 24" is open in nature).*

5.1.4 Coordination of style and materials with adjacent properties is encouraged where appropriate.

5.1.5 In general chain link fencing is not appropriate. Black or dark green chain link fencing may be used for pet enclosures or at the rear of the lot when it is screened from public view.

## 5.2 Sidewalks

5.2.1 New sidewalks or walkways should remain visually compatible with the materials and placement of historic walkways.

5.2.2 Curb cuts on public streets are generally not appropriate. The removal of existing curb cuts on primary streets (where a lot can be accessed from the alley) is encouraged to bring non conforming properties into conformance.

5.2.3 Original sidewalks and walkways, including details such as original curbstones, brick, etc., should be preserved in their original state as closely as possible. Special care shall be taken to preserve existing specimen trees and significant landscape elements.

5.2.4 Pathways and walkways providing access to buildings shall be serviceable and relate to the building in scale, width, placement and material.

5.2.5 Brick, concrete, concrete pavers, stone, and stepping stones are appropriate walkway materials.

## 5.3. Paving/Driveways/Parking Areas and Parking Lots

5.3.1 The predominant vehicular access to properties within the District should continue to be through the use of alleys. It is acknowledged that in some cases alley access may not be possible or practical. In this case, curb cuts and driveways at the public street should be minimized and the width of parking access should be limited. Curb cuts and driveways shall be located so they are visually less dominant.

5.3.2 Vehicular access to new developments (specifically large lot developments) shall be executed with techniques that minimize interruption to the sidewalk network and the pedestrian environment. Cross access between parking areas to minimize street curb cuts and adjacent driveway is encouraged.

5.3.3 Parking structures should generally be located below or behind buildings and landscaped to mitigate their visual impact.

5.3.4 Parking structures that are located close to the sidewalk are encouraged to include retail uses at street level to minimize the visual impact of the structure and engage the pedestrian network - Where street level retail uses are not feasible, architectural treatments shall be used to modulate the façade breaking the mass and horizontal lines typical of parking structures. Facades of parking structures facing public streets shall have flat (non sloping) floor plates.

5.3.5 Shared parking facilities that efficiently utilize parking spaces are encouraged.

5.3.6 Garages and carports shall be accessed from the service alley as is typical in the district. For residential lots new curb cuts on public streets are generally not appropriate. Where a lot can be accessed from the alley, the removal of existing curb cuts on primary streets is encouraged.

Where an existing lot cannot be accessed from the alley executed vehicular access shall be executed with techniques that minimize interruption to the sidewalk network and the pedestrian environment.

5.3.7 Swimming pools are to be located in the rear yard or appropriately screened from view and set back from the street; fencing around swimming pools required by zoning or inance must comply with these design guidelines.

5.3.8 Portable storage buildings less than 100 square feet are not reviewed by the MHZC.

## 5.4 Exterior Lighting/ Miscellaneous

5.4.1 Dumpsters and other trash containers shall be located with techniques that minimize interruption to the sidewalk network and the pedestrian environment. The most appropriate location for dumpster and trash containers is in the rear yard or alley and screened from public view.

5.4.2 Exterior lighting fixtures shall be compatible in style, size, scale and material with the character of the structure and neighborhood.

5.4.3 Avoid spilling light onto adjacent structures, signs, or properties.

5.4.4 Ground mounted light fixtures/spotlights shall be screened from public view.

## **8.0 Signage**

*Review is required only for permanent signs that are mounted on the exterior of buildings or anchored freestanding on the property. Signage behind display windows, transoms, and upper story windows, as well as temporary signs, such as sandwich boards and banners, are not reviewed.*

*Recognizing the importance of signage and building graphics to the business needs of merchants and property owners, the MHZC supports interpretation of the signage guidelines to further the dynamic, creative, entertaining, and often eclectic identity requirements of the Germantown district.*

### 8.1 Design Standards

- 8.1.1 Signage should be placed in locations historically used for signage and should not obscure transoms, columns, cornices, decorative elements, or key architectural features.
- 8.1.2 Signs shall be of quality design and craftsmanship. Wood or painted metal are preferable materials. Low-grade plastics and synthetic materials are discouraged.
- 8.1.3 Awning signage is appropriate for non-residential structures. However, the size of the letters/graphics should not dominate the awning.
- 8.1.4 Signs shall be limited to on-premises signs related to the use or business conducted on the same site.
- 8.1.5 Well-designed hand-painted signs are permitted.
- 8.1.6 Well-designed permanent widow painted signs are permitted.
- 8.1.7 Abandoned, deteriorated, or damaged signs and sign posts shall be removed.
- 8.1.8 The number of signs permitted on a parcel shall be limited to the number of primary building entrances on the parcel plus one for each public street on which the parcel has frontage.
- 8.1.9 Signs for multiple tenant occupancies/multiple businesses shall be of similar material and design.

### 8.2 Signage not Permitted

- 8.2.1 No billboards or general advertising signs shall be permitted.
- 8.2.2 Marquee type signs for announcements of activities taking place at the location are prohibited (exceptions: churches, schools, and institutional use).
- 8.2.3 Rooftop signs are not permitted.
- 8.2.4 Off-site signs are not permitted.
- 8.2.5 Pole-mounted signs are not permitted.

### 8.3 Projecting, Blade & Wall Mounted Signs

- Projecting signs shall be limited to one per property for each street frontage.
- 8.3.1 Projecting signs should be limited to an area of 16 square feet and should not project more than six feet from the building face. Maximum thickness should be limited to one foot. Their projection should be proportional to the design of the sign and appropriately scaled to the building.
  - 8.3.2 Blade signs should not project more than three feet from the building and be no more than one story in height. They should be vertical in their design with a total maximum width of one foot.
  - 8.3.3 One wall mounted sign per façade shall be allowed per business occupant. Wall mounted signs should be located between the first and second stories and have a maximum thickness of three inches.
  - 8.3.4 Banners and flags that use placement, mounts, and materials compatible to the building may be used. Plastic is not an appropriate material.

### 8.4 Monument and Freestanding Signs

- Monument and freestanding signs shall be permitted only when a building sits more than 20 feet from a public street.
- 8.4.1 Business signs shall be limited to one (1) sign for each street frontage per premises. Monument signs shall be limited to a height of 6', a thickness of 12", and a total area of 16'.

### 8.5 Sign Illumination

- 8.5.1 No sign that flashes, blinks, revolves, races, or is put in motion by the atmosphere shall be permitted. No visible bulbs, luminous paints, or plastics will be permitted as part of any New signs shall be either spotlighted, externally lit or backlit with a diffused light source.
- 8.5.3 Spotlighting should completely shield all light sources. Lights should be contained primarily within the sign frame.
- 8.5.4 Back-lighting should illuminate only letters, characters or graphics on the sign, not the sign background.
- 8.5.5 Neon is permitted only as lighting for channel letters on projecting and blade signs.

8.5.6 Buildings and signs may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties.

### 8.6 Canopies & Awnings

8.6.1 Canopies may be appropriate at ground-floor level provided they complement a building's architectural style and do not conceal significant architectural features.

8.6.2 Canopies should be constructed of materials compatible with the storefront of the building, such as metal and wood.

8.6.3 Historically, awnings were used on commercial buildings for both storefronts and upper façade windows. Occasionally, awnings were found on residential structures.

8.6.4 Awnings should be placed in locations historically used for awnings (within existing window and storefront openings) and should not obstruct transoms, columns, cornices or other architectural features.

8.6.5 Awnings may be fixed or retractable.

8.6.6 Storefront awnings should project no more than seven feet from the building and should cover no more than one-third of a storefront window display height.

8.6.7 The most appropriate design for awnings is a shed form. The use of shed awnings for upper façade windows is also appropriate. Curved forms are not appropriate, unless there is historical evidence for their use on a building.

8.6.8 Opaque canvas, cotton duck, or similar woven materials are appropriate for awnings. Plastic sheet or vinyl awnings are not appropriate.

8.6.9 Lighting and signage on canopies and awnings shall be consistent with guidelines for signage and lighting.

**Background:** This new construction is to complete a development that is part of an SP zoning (BL2006-1037) approved by Metro Council in 2006, prior to the establishment of the Germantown Historic Preservation Zoning Overlay. Approval of elevations was not a part of the SP. A portion of the project was also constructed prior to the establishment of the overlay. All three proposed buildings are similar to each other and similar to the existing development that they will complete.

Because they are so similar, staff has reviewed the project as a whole, rather than each individual new building.



The existing portion of the development is to the left and the open space to the right will be building #2.

### **Analysis and Findings:**

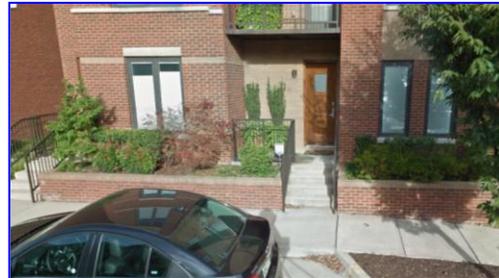
**Site and Building Planning:** The proposed development continues the siting and setbacks of the existing development, bringing the corner building close to the side walk to create an anchor. Pedestrian activity is encouraged with doors facing the street and vehicular access to the interior of the development. The project meets section 3.2.

**Orientation:** The primary entrances face Van Buren Street and 4<sup>th</sup> Avenue North, as seen in the immediate context, meeting section 3.2.3.

Mass, Scale, Height and Façade Articulation: The mass and scale is similar to the existing development. The proposed will be three-stories, same as the existing development and within keeping with the existing context. There are two and one-half story buildings, of a similar height, just across Van Buren Street and a three-story building across 4<sup>th</sup> Avenue North.

The façade is broken up with recessed entrances, windows, doors, brick pilasters, and by separating every two to three units in separate buildings rather than being one large building. The project meets 3.2.4 and 3.2.5.

3.3 Walls/Exterior Materials: Walls are brick with stone window sills. The foundation is distinguished on building #1 with a brick planter wall, similar to the existing. The other two buildings do not have a distinguished foundation, which is in keeping with the existing development.



Example of the planter wall proposed for building #1

The main brick will be Boral Bordeaux Smooth Sand and the accent brick will be Boral Wirecut Light Gray. The mortar will be Citadel Colonial Buff to match existing mortar. Windows, doors, railing, gutters, roof trellis, garage doors and metal siding will match the materials used on the existing building. Staff recommends final approval of any materials that are different from those used on the existing buildings. The project meets section 3.3.

3.5 Windows: The windows will also matching existing windows in terms of materials and design. Side elevations do not have a rhythm of openings that match the context; however, they will be minimally visible due to the close proximity of buildings. The project meets 3.5.

3.6 Roof and Rooftop equipment: The new buildings have flat roofs, which is typical of existing buildings in the immediate context and include a rooftop area with stairwell, trellis and railing. The railing will be minimally visible and the other areas will likely not be seen from the street.



Example of the rooftop railing.

Utilities / Mechanical: The HVAC units will be located on the roof where they will not be visible from the street. The project meets section 3.7 of the design guidelines.

Site Improvements/ Appurtenances: All site improvements such as walkways, sidewalks, parking and drive areas already exist with the exception of a stepping stone path to the right of building #1, which is appropriate. Garages

are attached at the ground floor and accessed from an existing interior drive. The project meets section 5.0

Exterior Lighting/ Miscellaneous: No community exterior lighting was indicated. The applicant proposes lighting for the individual units that will match the existing lighting. Trash locations are concrete pads at the rear of the buildings. The project meets section 5.4

Signage: No signage was proposed.

Recommendation: Staff recommends approval with the condition that staff provide final review of any materials that are different in color, dimension or texture from those materials used on the existing buildings. Staff finds the project meets the design guidelines for infill construction in an area with little historic context for the Germantown Historic Preservation Zoning Overlay.

## ORDINANCE NO. BL2006-1037

**An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from MUN to SP district properties located at VanBuren Street (unnumbered), 400, 402, 404, 406, and 408 Van Buren Street, 1500 4th Avenue North, #103, #102, #101 between 3rd and 5th Avenues North (2.3 acres), to permit the development of 11,934 square feet of general retail, general office, restaurant, and/or multifamily uses, 28 multifamily units, 28 townhouses, and 4 single family units, (2.30 acres), all of which is described here in (Proposal No. 2006SP-022U-08).**

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from MUN to SP district properties located at VanBuren Street (unnumbered), 400, 402, 404, 406, and 408 Van Buren Street, 1500 4th Avenue North, #103, #102, #101, between 3rd and 5th Avenues North (2.3 acres), to permit the development of 11,934 square feet of general retail, general office, restaurant, and/or multifamily uses, 28 multifamily units, 28 townhouses, and 4 single family units, (2.30 acres), as being Property Parcel Nos. 001, 002, 003, 008, 010, 400, 402, 404, 406, 408 as designated on Map 082-09 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan dated February 9, 2006 that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Sheet No. 082 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.

Section 4. Be it further enacted, that the following conditions be added to the SP plan, or be satisfied, completed, or bonded prior to final SP approval:

1. Only the uses listed as allowable within the MUN zoning district shall be permitted in this SP.
2. Prior to final SP approval, the applicant must coordinate with the Metro Parks and Planning Departments on the design and construction of a sidewalk facility along the northern edge of this property, next to Morgan Park. If Metro Parks fails to commit to construct this sidewalk/pedestrian facility prior to final SP approval, the applicant must revise the SP plans to include a standard Metro sidewalk in this location.
3. The applicant must provide written proof that the on-street spaces as proposed to fulfill this SP development's parking needs have been approved by the Traffic and Parking Commission and/or the Department of Public Works; this written documentation shall explicitly reference the minimum number of 32 approved, on-street parking spaces, with any conditions of approval.
4. Prior to, or in conjunction with, the final SP approval, the parking restrictions must be approved by the Planning Department, to ensure the availability of surface parking for residents of the SP during peak hours.

5. Prior to final SP, a written parking agreement must be signed by the owner of the adjacent lot on the east side of 3rd Avenue, be recorded with the Register of Deeds Office, and be referenced explicitly on the final SP plans (instrument number).

6. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.

7. All Stormwater conditions must be adequately addressed prior to, or with the final SP approval.

8. As a part of the final SP plan approval, a separate, detailed landscaping plan must be provided.

9. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.

Section 5. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Ludye Wallace, David Briley

[View Sketch](#)

<b>LEGISLATIVE HISTORY</b>	
Introduced:	April 4, 2006
Passed First Reading:	April 4, 2006
Referred to:	Planning Commission - Approved 6-1 (March 23, 2006) Planning & Zoning Committee
Passed Second Reading:	May 4, 2006
Passed Third Reading:	May 16, 2006
Approved:	May 17, 2006
By:	
Effective:	May 20, 2006



GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

1. The major exterior materials for the development will be brick veneer and flat-lock seam or flush seam metal siding. All masonry materials shall be either structural or veneered. No direct-applied masonry products shall be permitted. No vinyl siding or E.I.F.S. is allowed.
2. Brick venner (B-1 and B-2) shall match as closely as possible the brick veneer colors of the existing units.
3. The windows shall be Marvin Integrity with bronze finish



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 COAST  
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MORGAN PARK PLACE  
 THREE TOWNHOUSES AT 5TH & VANBUREN  
 ELEVATIONS

DATE: 05.05.14	REF: X
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A5

①

I  
 A5

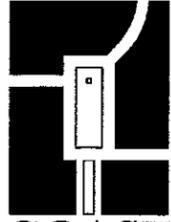
Front Elevation (VanBuren St.)

1/8"  
 1'-0"

GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

1. The major exterior materials for the development will be brick veneer and flat-lock seam or flush seam metal siding. All masonry materials shall be either structural or veneered. No direct-applied masonry products shall be permitted. No vinyl siding or E.I.F.S. is allowed.
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3. The windows shall be Marvin Integrity with bronze finish



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**MORGAN PARK PLACE**  
**THREE TOWNHOUSES AT 5TH & VANBUREN**  
 ELEVATIONS

DATE: 05.05.14	REF: X
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1/8"  
 1'-0"

**A6**

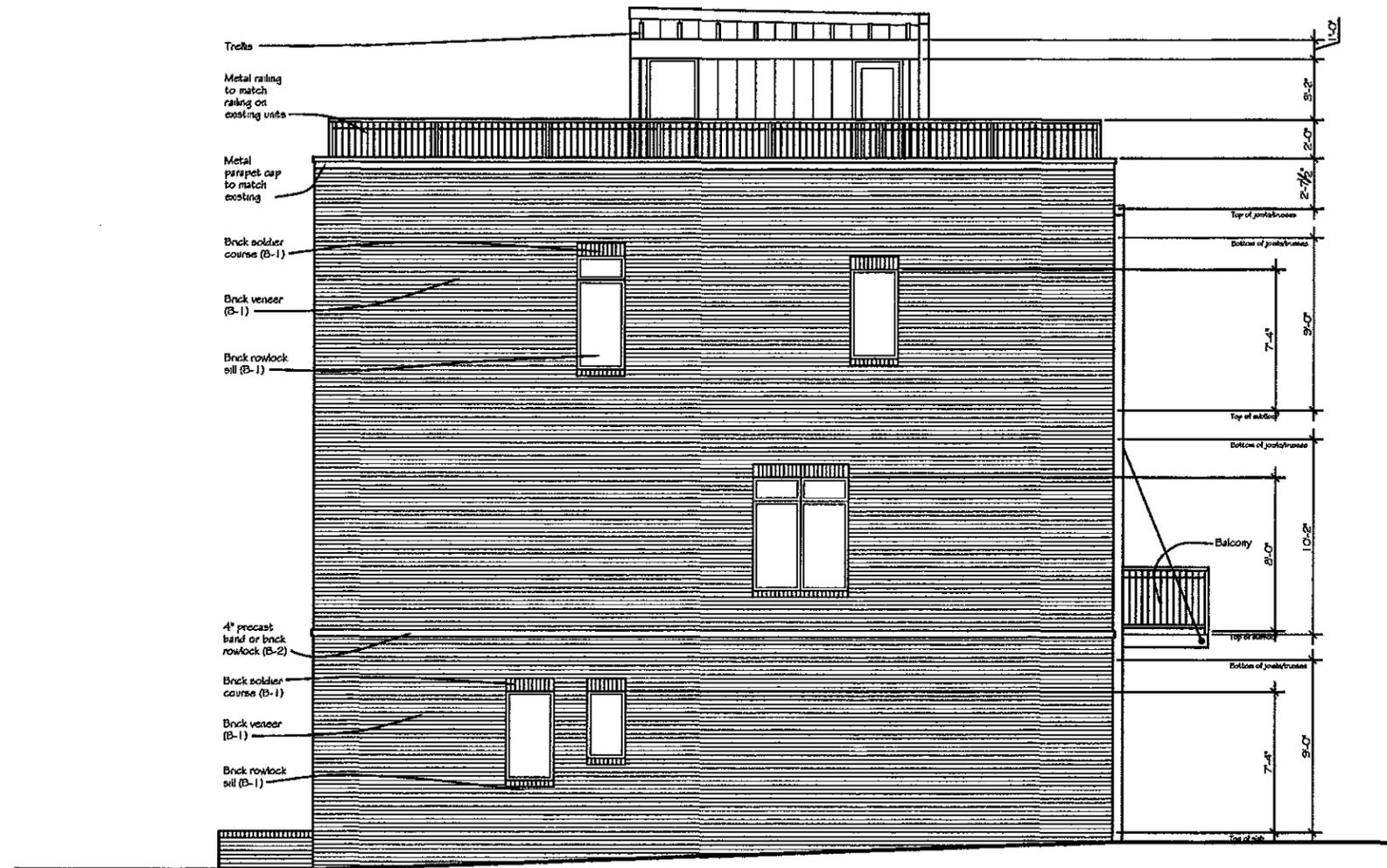
I  
 A6

Rear Elevation



GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

1. The major exterior materials for the development will be brick veneer and flat-lock seam or flush seam metal siding. All masonry materials shall be either structural or veneered. No direct-applied masonry products shall be permitted. No vinyl siding or E.I.F.S. is allowed.
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3. The windows shall be Marvin Integrity with bronze finish



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**MORGAN PARK PLACE**  
**THREE TOWNHOUSES AT 5TH & VANBUREN**  
**ELEVATIONS**

DATE: 05.05.14	REF: X
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A7

1

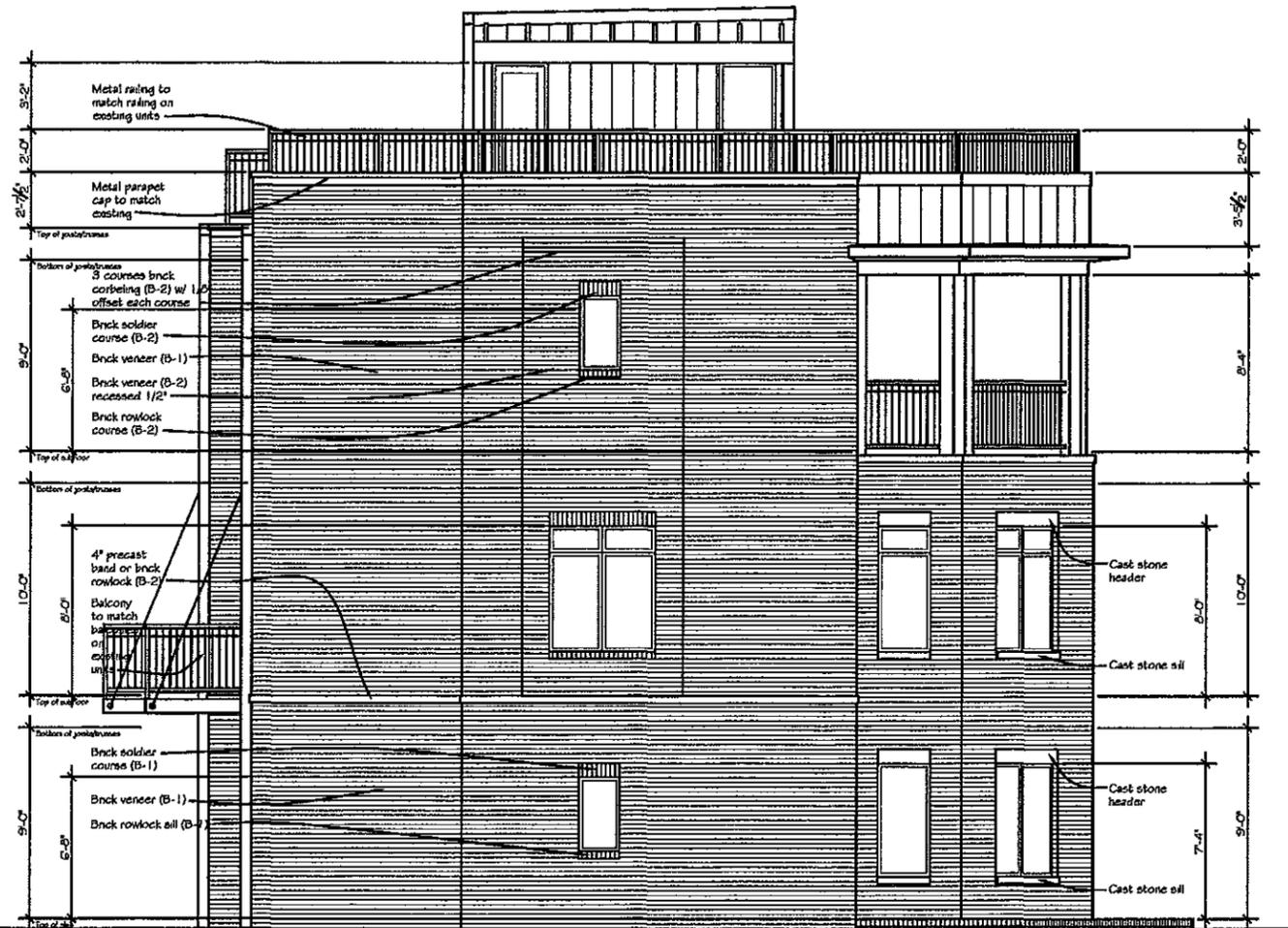
1/8"  
1'-0"

Side Elevation

I  
A7

GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

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2. Brick venner (B-1 and B-2) shall match as closely as possible the brick veneer colors of the existing units.
3. The windows shall be Marvin Integrity with bronze finish



**MORGAN PARK PLACE**  
**THREE TOWNHOUSES AT 5TH & VANBUREN**  
 ELEVATIONS

DATE: 05.05.14	REF: X
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**A8**

①

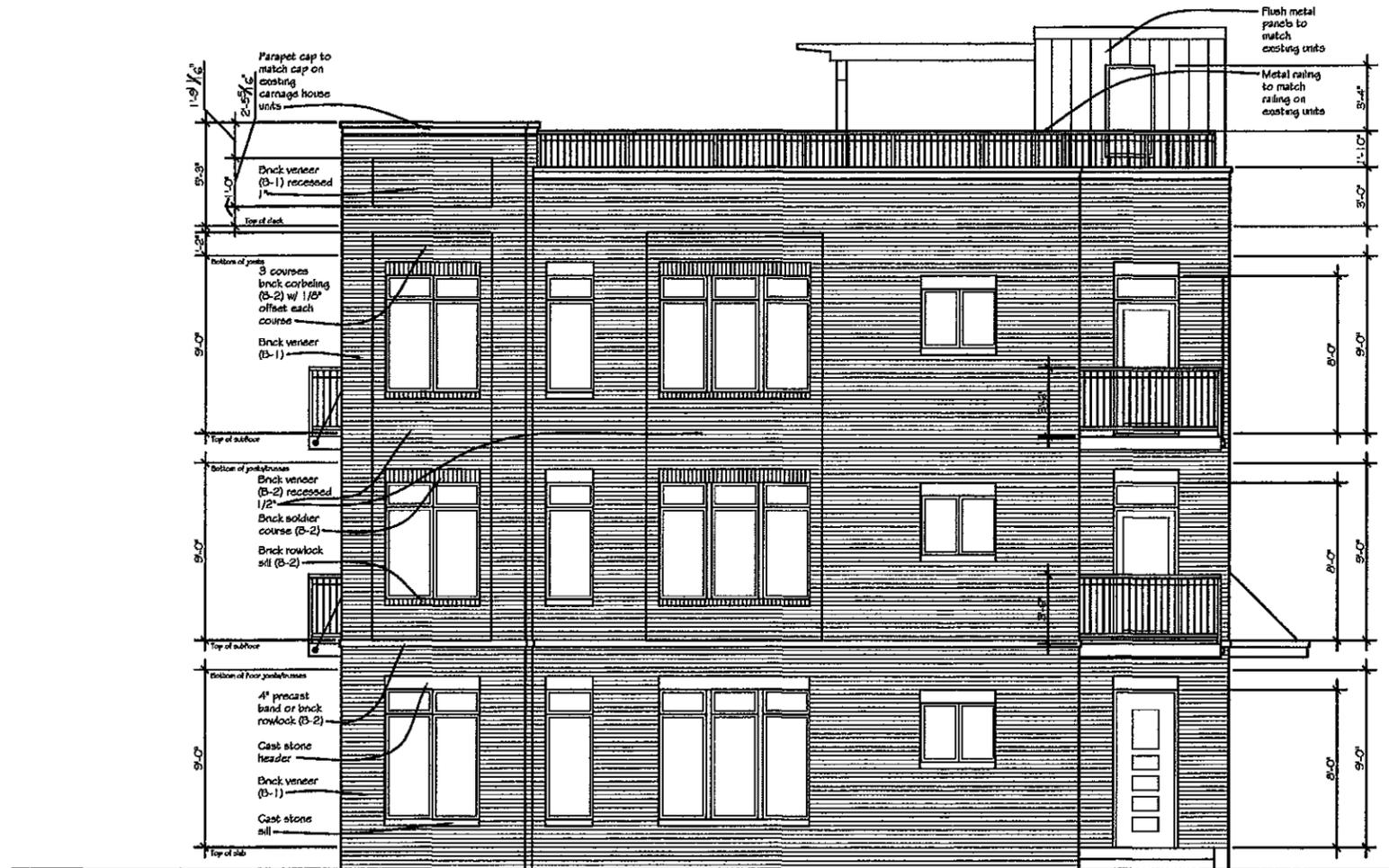
1/8"  
1'-0"

Side Elevation (5th Ave.)

I  
A8

GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

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2. Brick venner (B-1 and B-2) shall match as closely as possible the brick veneer colors of the existing units.
3. The windows shall be Marvin Integrity with bronze finish



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**MORGAN PARK PLACE**  
**THREE UNIT FLAT AT 4TH & VANBUREN**  
 ELEVATIONS

DATE: 05.05.14	REF: X
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**AI2**

I  
AI2

Front Elevation (4th Ave.)

2

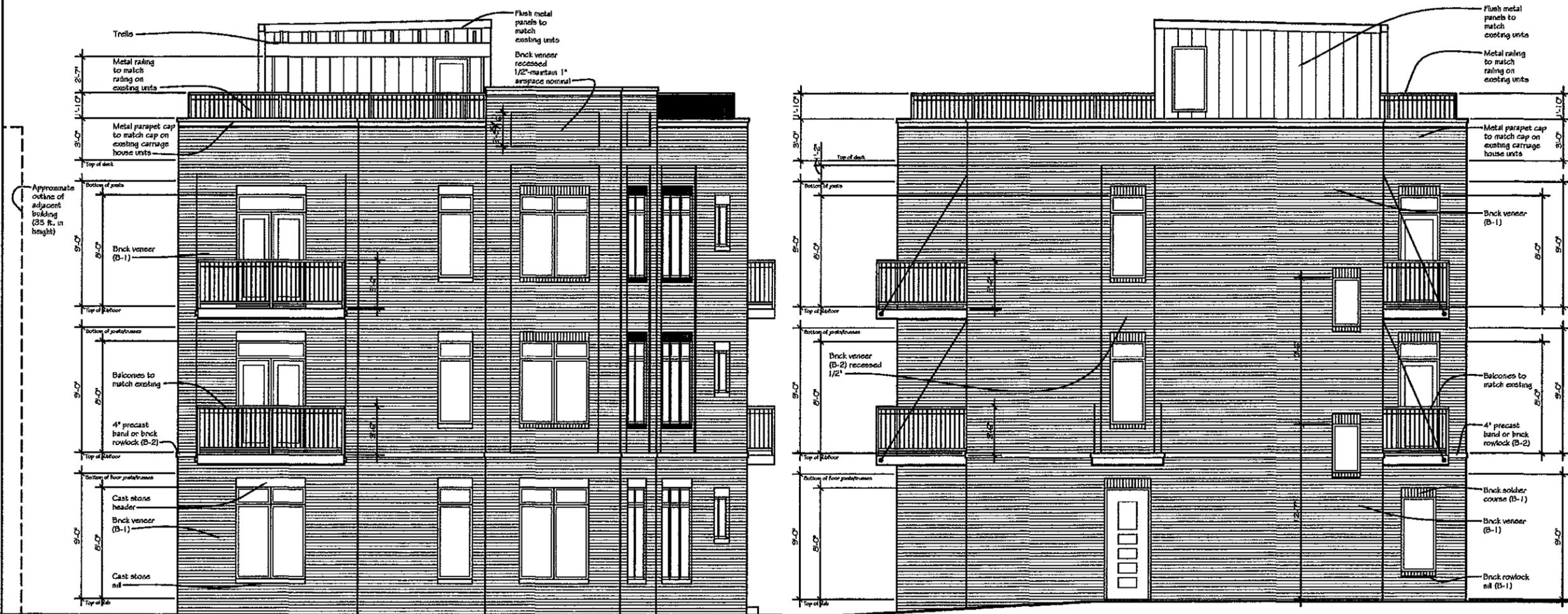
1/8"  
1'-0"

**GENERAL NOTES APPLICABLE TO ALL ELEVATIONS**

1. The major exterior materials for the development will be brick veneer and flat-lock seam or flush seam metal siding. All masonry materials shall be either structural or veneered. No direct-applied masonry products shall be permitted. No vinyl siding or E.I.F.S. is allowed.
2. Brick veneer (B-1 and B-2) shall match as closely as possible the brick veneer colors of the existing units.
3. The windows shall be Marvin Integrity with bronze finish

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Side Elevation (VanBuren St.)

**MORGAN PARK PLACE**  
**THREE UNIT FLAT AT 4TH & VANBUREN**  
 ELEVATIONS

DATE: 05.05.14	REF: X
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**AI3**

2

1/8"  
1'-0"

I  
AI3

Side Elevations

GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

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2. Brick venner (B-1 and B-2) shall match as closely as possible the brick veneer colors of the existing units.
3. The windows shall be Marvin Integrity with bronze finish



MORGAN PARK PLACE  
 THREE UNIT FLAT AT 4TH & VANBUREN  
 ELEVATIONS

DATE:  
05.05.14

REF:  
X

AI4

2

1/8"  
1'-0"

I  
AI4

Rear Elevation

GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

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2. Brick venner (B-1 and B-2) shall match as closely as possible the brick veneer colors of the existing units.
3. The windows shall be Marvin Integrity with bronze finish

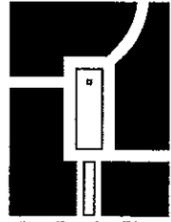


Front Elevation (4th Ave.)

3

I  
A19

1/8"  
1'-0"

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MORGAN PARK PLACE  
 TWO UNIT TOWNHOUSE ON 4TH AVENUE  
 ELEVATIONS

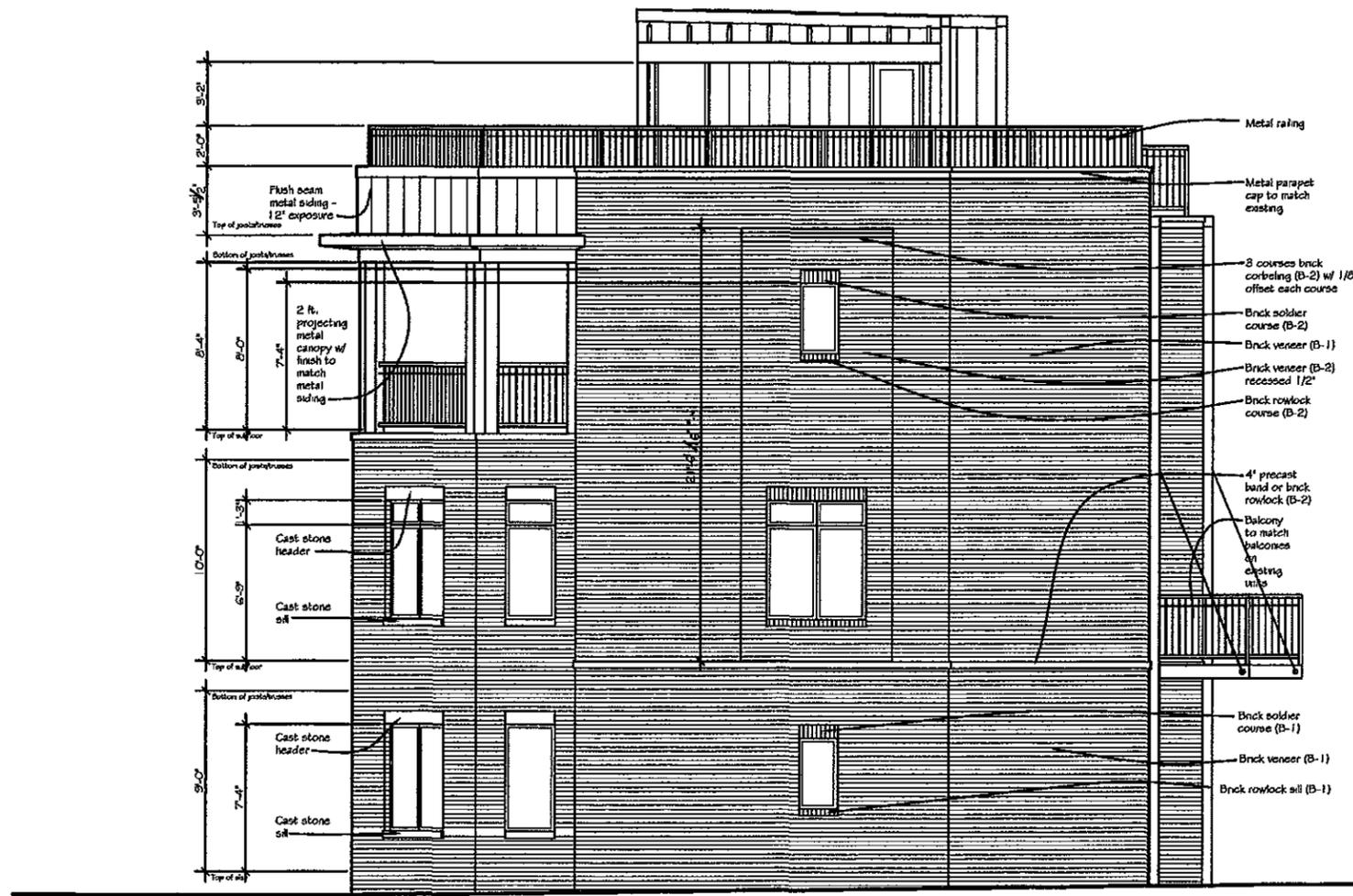
DATE: 05.05.14	REF: X
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A19



GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

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3. The windows shall be Marvin Integrity with bronze finish



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**MORGAN PARK PLACE**  
 TWO UNIT TOWNHOUSE ON 4TH AVENUE  
 ELEVATIONS

3

DATE: 05.05.14	REF: X
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I  
A2I

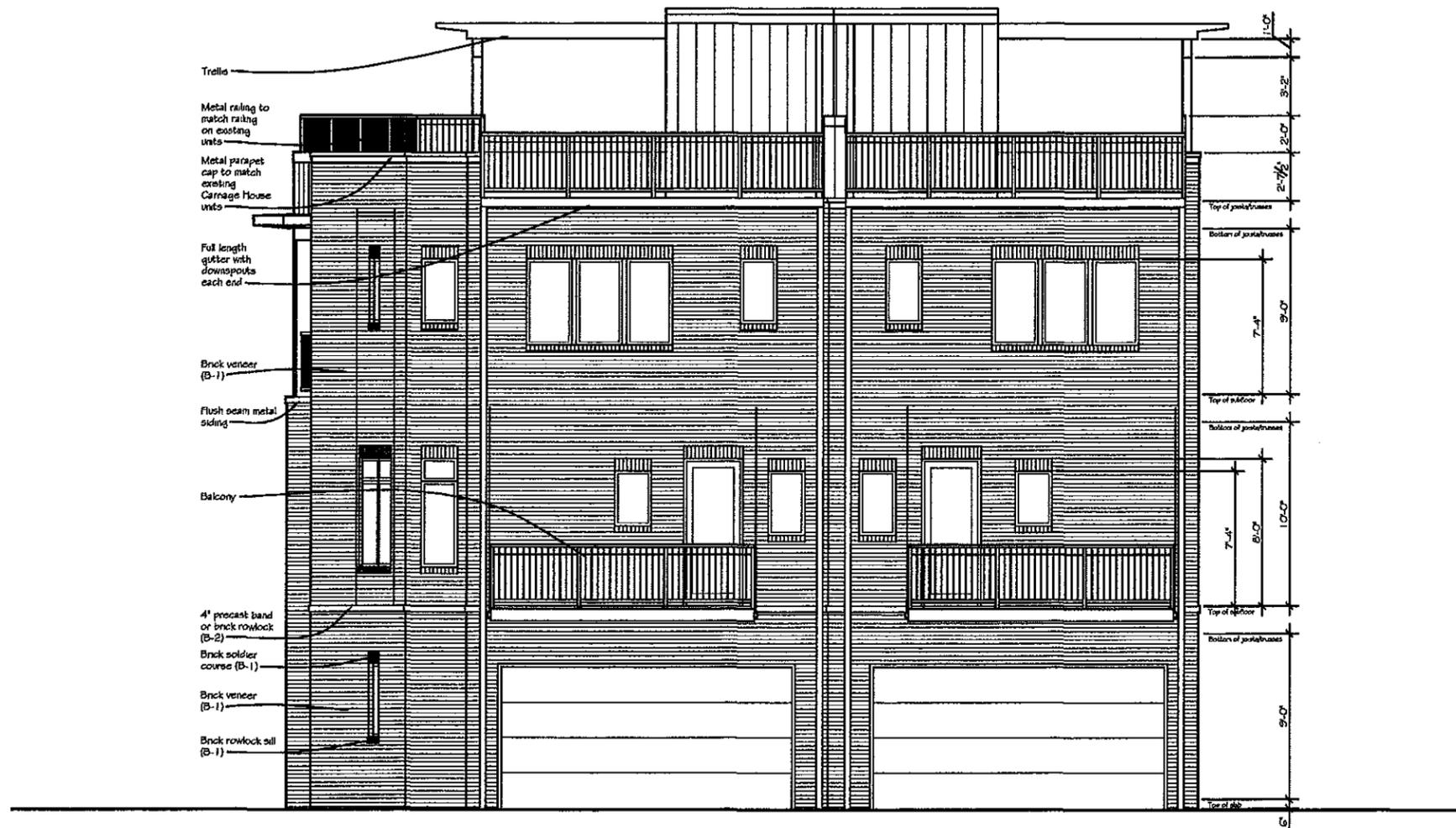
Side Elevation (Morgan Park)

1/8"  
1'-0"

**A2I**

GENERAL NOTES APPLICABLE TO ALL ELEVATIONS

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3. The windows shall be Marvin Integrity with bronze finish



3

I  
A22

Rear Elevation

1/8"  
1'-0"



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MORGAN PARK PLACE  
TWO UNIT TOWNHOUSE ON 4TH AVENUE  
ELEVATIONS

DATE: 05.05.14	REF: X
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A22