

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

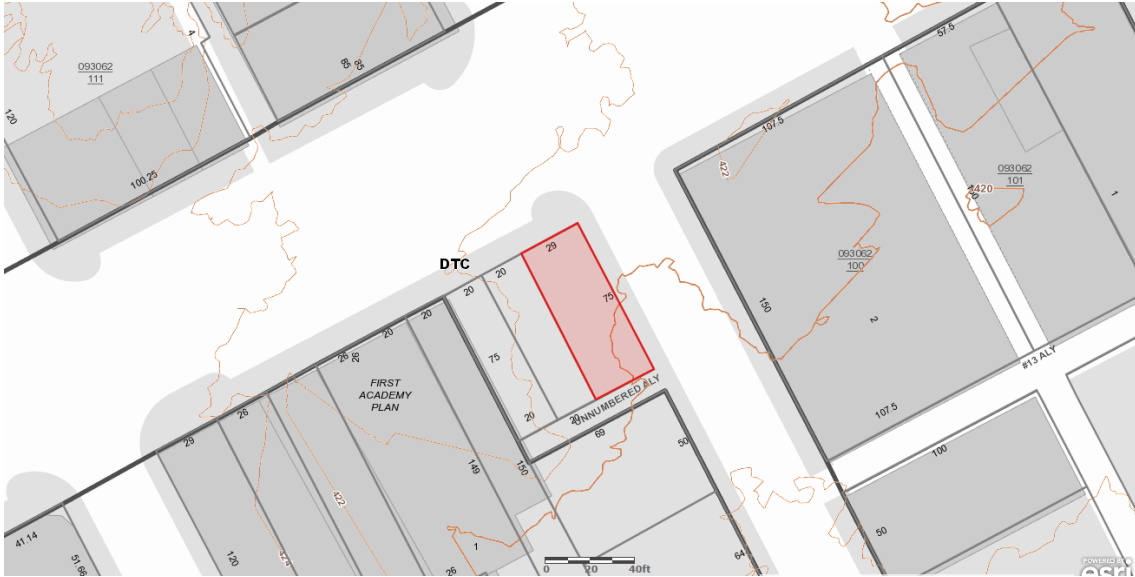
Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
Telephone: (615) 862-7970
Fax: (615) 862-7974

STAFF RECOMMENDATION
201 Broadway
September 21, 2016

Application: New construction
District: Broadway Historic Preservation Zoning Overlay
Council District: 19
Map and Parcel Number: 09306209900
Applicant: Old Town Trolley Tours of Washington, Inc.
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

<p>Description of Project: The applicant is seeking approval of flag poles, an improvement that has taken place without a Preservation Permit.</p>	<p>Attachments A: Photographs B: Site Plan E. Letter from Shawn Henry</p>
<p>Recommendation Summary: Staff recommends disapproval of the flag poles finding that the improvement does not meet Section III of the design guidelines for new construction.</p>	

Vicinity Map:



Aerial Map:



Applicable Design Guidelines & Ordinances:

ORDINANCE

16.08.012 Amendments to International Building Code

O. Section 3103 of the 2012 Edition of the International Building Code is hereby amended by deleting Section 3103 and substituting the following:

3103 TEMPORARY STRUCTURES

3103.1 General. The provisions of this section shall apply to structures erected for a period of 90 days or less. Tents and other membrane structures erected for a period of 90 days or less shall comply with the Metropolitan Fire Code. Those erected for a longer period of time shall comply with applicable sections of this code.

DESIGN GUIDELINES

III. New Construction

General Principles: New construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, texture, details, and color; roof shape; orientation; and proportion and rhythm of openings.

I. Parking/Parking Structures, Plaza, Arcades, Landscape and Open Space

1. Parking, parking structures, plazas, arcades, landscape and open space may be appropriate components of new construction when the design of such development contributes to the overall character of the district and the streetscape, and the new construction is consistent with the design guidelines for new construction.
2. New parking should remain subordinate to the street scene and should be wrapped with a pedestrian friendly buffer or façade.
3. Parking structures should be wrapped with retail space or other active use along the street edge.
4. Curb cuts are not permitted on Broadway, and vehicular access should occur at the alley on properties that abut alleys.
5. All applicable guidelines for new construction shall be followed for parking structures.
6. Removal or demolition of existing historic buildings or portions of buildings to create a plaza, arcade, or open space are not appropriate.

Background: 201 Broadway is a parking lot at the corner of Broadway and Second Avenue that was added to the Broadway Historic Preservation Zoning Overlay in 2014.

The parking pay machine and curb cut on Broadway were constructed prior to the lot being added to the overlay. (See figure 1.)

In May 2016, staff noted that the following improvements had been made without a permit: addition of a free-standing ATM, flag poles, food trucks, food and ticket sales trailers, and resurfacing the lot. Recently the food trucks were removed. Legal counsel for the property

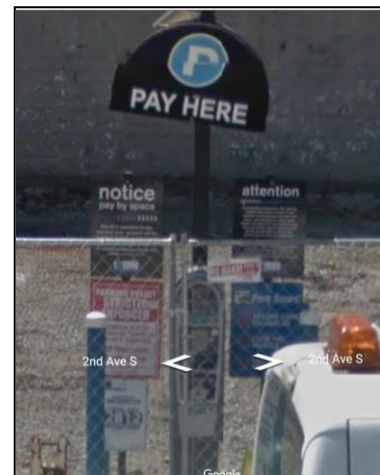


Figure 1: Parking pay machine installed prior to overlay.

owner has provided a letter stating that the trailers will become motorized vehicles that will not be in place more than 90 days at a time and therefore do not require MHZC review. The bank representing the ATM has separate legal counsel and will therefore be addressed in a separate staff report for clarity. This leaves just one violation, the flag poles, which the applicant requests to keep. (See attached letter from Shawn Henry.)

Analysis and Findings:

Summary

The five flag poles are thirty-five foot (35') tall steel poles. The diameter was requested but not provided.



Figure 2: The 5 flag poles. (Photo taken on May 24, 2016)

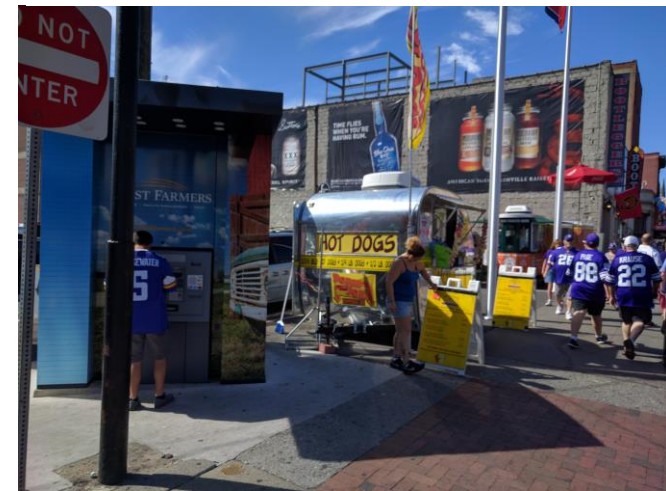


Figure 3: Two of the flagpoles. (Photos taken on September 11, 2016.)

Analysis

General Principles, Section III states that “new construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, texture, details, and color; roof shape; orientation; and proportion and rhythm of openings.” The historic streetscape includes a minimum of two-story buildings with walls that extend the full width of the lot, store-front windows and upper-level punched-openings. Flag poles do not create the solid rhythm established by the historic buildings. In addition, historically flag poles were generally associated with a building such as those seen in front of civic buildings or attached to the upper level front facades of buildings or with public spaces such as parks and plazas. In this case, the flag poles are not associated with a building or public space.

Since the project does not include a building, it was more specifically reviewed under design guideline III.I for “parking/parking structures, plaza, arcades, landscape and open spaces.” Parking/parking structures, plaza, arcades, landscape and open spaces are only appropriate when the “design of such development contributes to the overall character of the district and streetscape and the new construction is consistent with the design guidelines for new construction.” As reviewed above, the proposal does not contribute to the overall character of the district and the streetscape, nor is it “consistent with the design guidelines” for new construction as it does not meet “General Principles” of section III for new construction.

Recommendation

Staff recommends disapproval of the flag poles finding that the improvement does not meet Section III of the design guidelines for new construction.

