

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
1322 6th Avenue North
September 20, 2017

Application: Violation; Site Improvements / Appurtenances

District: Germantown Historic Preservation Zoning Overlay

Council District: 19

Map and Parcel Number: 08209005400

Applicant: Patrick Bales, Architect

Project Lead: Sean Alexander, sean.alexander@nashville.gov

Description of Project: The applicant conducted work differently than what was approved by the MHZC in 2016. Work includes: not removing a curb cut, improving the curb cut with concrete rather than continuing the brick sidewalk, adding a vehicular gate with brick posts rather than the fencing.

Recommendation Summary: Staff recommends disapproval of the application to retain the curb cut and driveway at 1322 6th Avenue North, finding the proposal does not meet sections 5.2 for sidewalks, 5.2 for walkways and 5.3 for paving/driveways/parking areas and parking lots of the design guideline. Staff further recommends that curb cut shall be removed, the brick sidewalk shall continue across the expanse that is now concrete, and the fence shall be installed as originally permitted within 60 days.

Attachments

A: Photographs

B: 2016 Staff
Recommendation
Site Plan

C: Permit HCP 201600181
Site Plan

Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

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.

5.0 Site Improvements/ Appurtenances

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 ordinance must comply with these design guidelines.
- 5.3.8 Portable storage buildings less than 100 square feet are not reviewed by the MHZC.

Background: The principal building at 1322 6th Avenue North is a one-story commercial building approved by the MHZC in 2016. The rear yard of the property contains a courtyard and cabana structure behind the building that was approved in August of 2017. The applicant conducted work differently than what was approved by the MHZC in 2016. Work includes: not removing a curb cut, improving the curb cut with concrete rather than continuing the brick sidewalk, adding a vehicular gate with brick posts rather than the fencing.

Prior to the 2016 approval there were two curb cuts from 6th Avenue North into the property. The 2016 infill plans showed one of those remaining and the other as being removed with the sidewalk patched with brick to match the adjacent sidewalk area. The proposed fencing was to be a continuous metal fence.

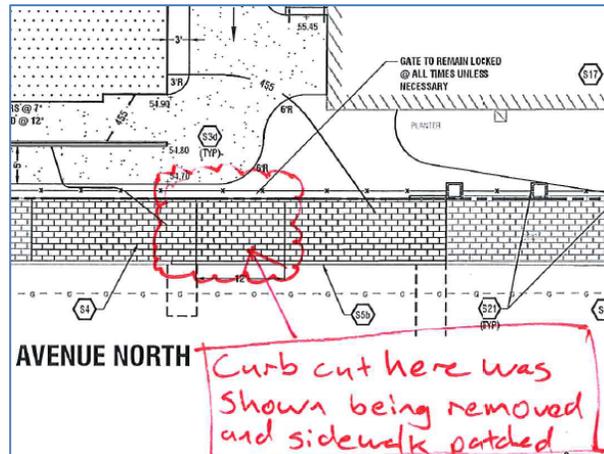


Figure 1: The approved plan shows that the sidewalk and the fence would be continuous across the area that originally had a curb cut.

As the construction of the infill and outbuilding are nearing completion, rather than removing the second curb cut and continuing the brick sidewalk the applicant has repaved the curb cut with new concrete and added a vehicular gate with brick pillars.



Figure 2: Current conditions show that the driveway and fencing proposed and permitted are now a curb cut and gate.

Analysis and Findings: The applicant requests approval of the changes made to the project that are different than those permitted.

Site Improvements /Appurtenances: Although there previously had been two curb cuts on the property, the 2016 Staff Recommendation describes only the curb cut and

driveway to the right of the building at 1318 6th Avenue North. The driveway between 1318 and 1322 6th Avenue was not described because it was shown as being removed on the submitted site plan. That site plan was attached to the Staff Recommendation. A condition of approval was that material for the fencing be approved by staff. After conditional approval and receiving additional information, an updated site plan was attached to “Historical Commission Permit 201600181” which also showed the second curb cut as being removed, the sidewalk patched with brick and a continuous fence.

Section 5.2.2 of the design guidelines calls for “removal of existing curb cuts on primary streets (where a lot can be accessed from the alley)” in order to bring non-conforming properties into conformance and section 5.3.1 calls for predominant vehicular access to be from the alley. Section 5.3.6 of the design guidelines states that “where a lot can be accessed from the alley, the removal of existing curb cuts on primary streets is encouraged.” Although there is alley access here, another curb cut was approved just a few feet away.

The concrete for the sidewalk does not meet section 5.2.1 which requires that new sidewalks “remain visually compatible with the materials and placement of historic sidewalks. The brick sidewalks in this neighborhood, in either new or historic brick, are a character defining feature of the neighborhood. In addition, Section 5.3.1 states that where curb cuts are allowed they should not be “visually dominant.” By changing the approved fence in this area to brick pillars with a double-gate and by disrupting the brick sidewalk with concrete, the vehicular access is now visually dominant and so does not meet section 5.3.1.

Since three sections of the design guidelines call for vehicular access to be from the alley and/or for existing curb cuts to be removed where there is alley access and because another curb cut was approved just a few feet down, staff finds that the improved curb cut does not meet the design guidelines.

The new gate does not meet section 5.1 for fences since it is no longer the fencing approved by the Commission and allowed by the design guidelines but a vehicular gate in a location where vehicular access does not meet the design guidelines.

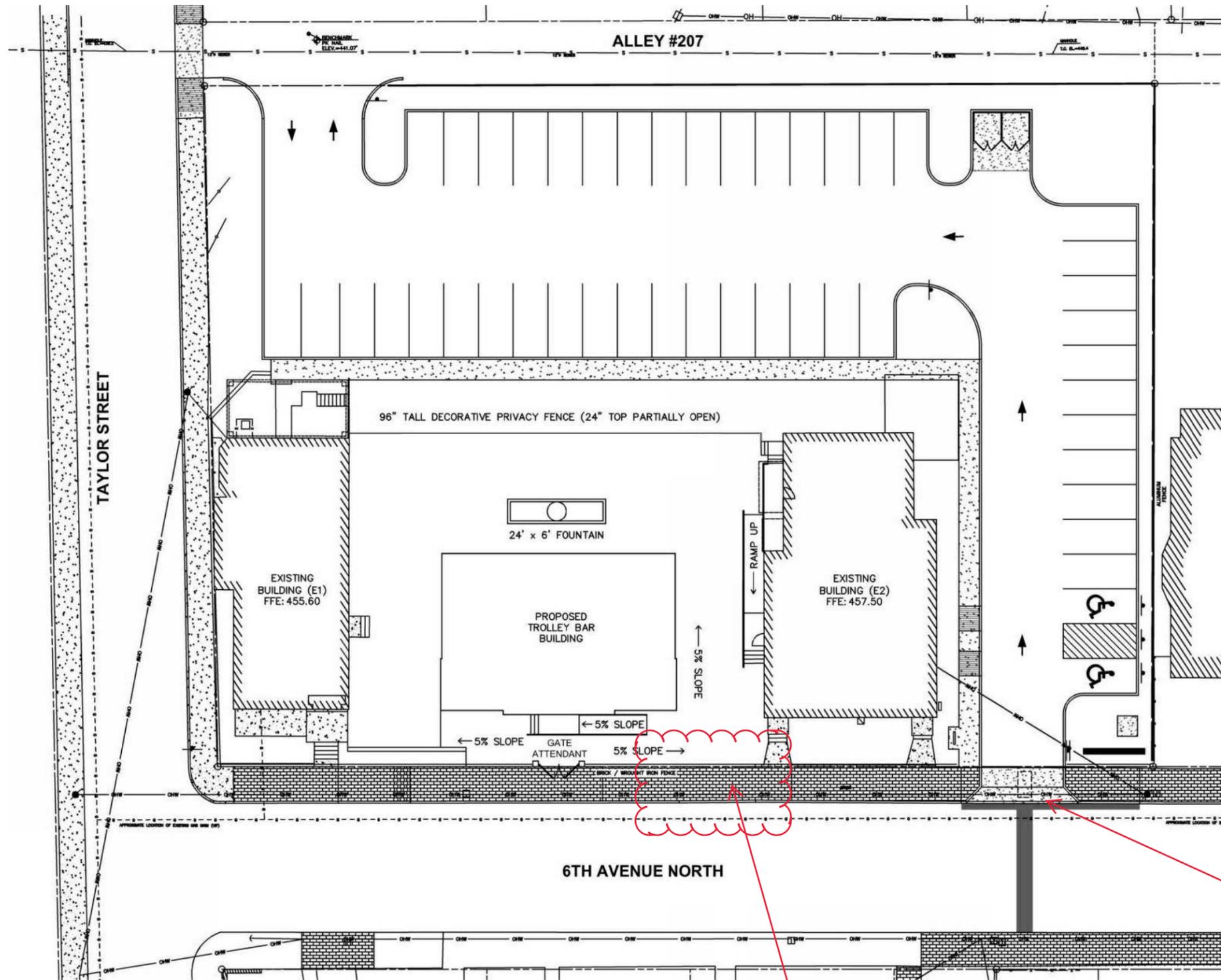
By failing to remove the curb cut to the right of the infill constructed at 1322 6th Avenue North, improving the curb cut and installing a vehicular gate in a location where a fence was approved, the project no longer meets sections 5.2 for sidewalks, 5.2 for walkways and 5.3 for paving/driveways/parking areas and parking lots of the design guidelines.

Recommendation Summary: Staff recommends disapproval of the application to retain the curb cut and driveway at 1322 6th Avenue North, finding the proposal does not meet sections 5.2 for sidewalks, 5.2 for walkways and 5.3 for paving/driveways/parking areas and parking lots of the design guideline. Staff further recommends that curb cut be removed, the brick sidewalk continue across the expanse that is now concrete, and the fence be installed as originally permitted within 60 days.



Vacant lot at 1322 6th Avenue North prior to approval in infill in 2016.

Site Plan from May 2016 Staff Recommendation



Existing curb cut here was to remain.

Existing curb cut here is shown being removed and the sidewalk patched with brick.

1 SITE PLAN
1" = 30'-0"



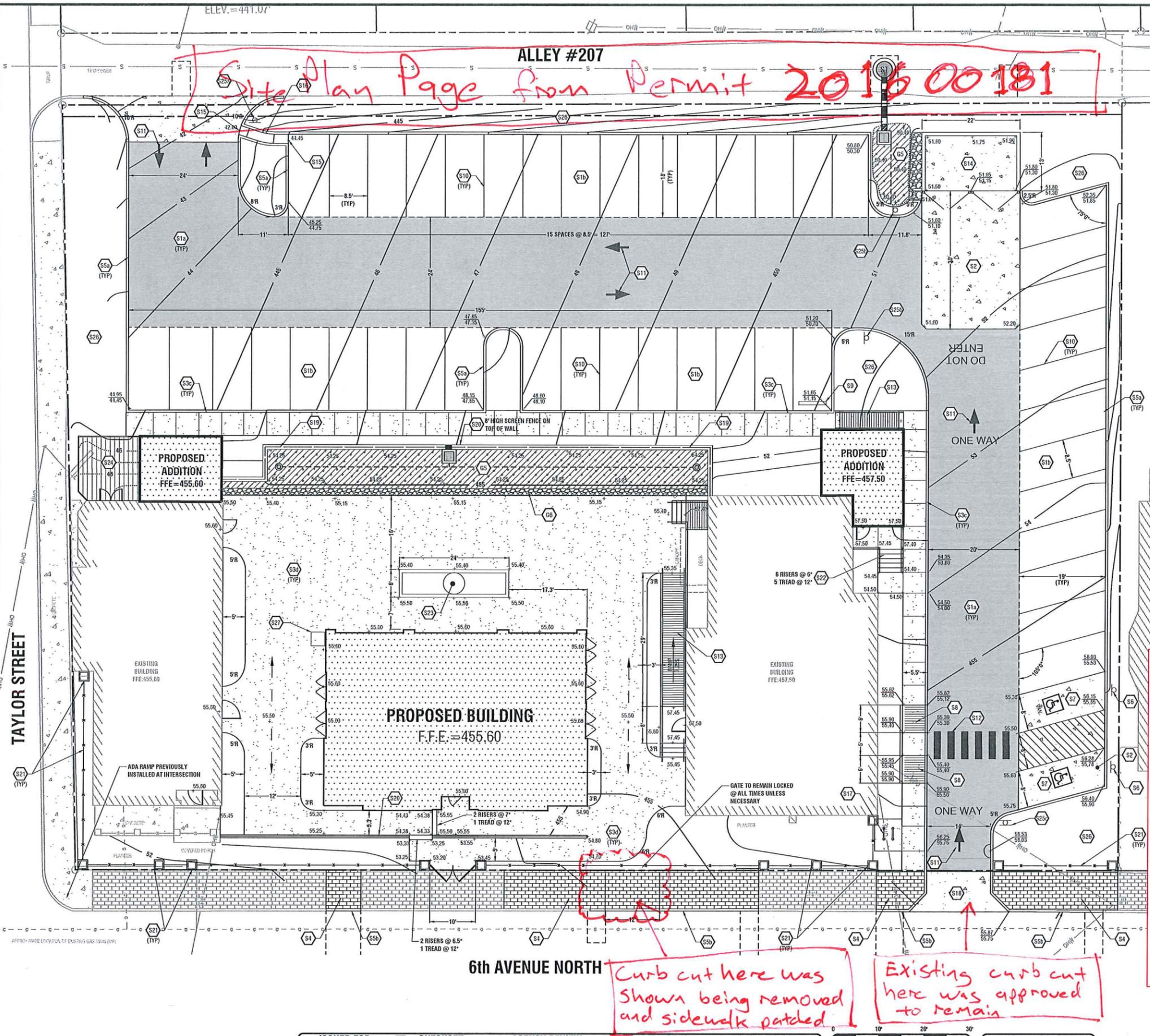
SITE PLAN
PR-1
04/04/16

GERMANTOWN BAR
1324 6TH AVE.
NASHVILLE, TENNESSEE

ELEV. = 441.07'

ALLEY #207

Site Plan Page from Permit 2015 00181



NOTES BY SYMBOL		
CODE	DESCRIPTION	DETAIL
S1A	ASPHALT PAVEMENT SECTION (HEAVY DUTY)	1/C6.0
S1B	ASPHALT PAVEMENT SECTION (LIGHT DUTY)	1/C6.0
S2	CONCRETE PAVEMENT SECTION	2/C6.0
S3	CONCRETE SIDEWALK	4/C6.0
S3A	CONCRETE SIDEWALK (METRO)	6/C6.0
S3B	CONCRETE SIDEWALK WITH TURN DOWN CURB	3/C6.0
S3C	STAMPED CONCRETE	
S4	BRICK SIDEWALK TO MATCH EXISTING PER MSCP AND TO BE PER MWP STANDARD DETAIL	7/C6.0
S5	CONCRETE POST CURB	5/C6.0
S5A	CONCRETE POST CURB (METRO)	8/C6.0
S6	ADA ACCESSIBLE PARKING SIGN	2/C6.1
S7	ADA ACCESSIBLE SYMBOL	1/C6.1
S8	ADA ACCESSIBLE RAMP	3/C6.1
S9	CONCRETE WHEELSTOP	5/C6.1
S10	4" WIDE WHITE PAINTED LINE (5 MIL PAINT)	1/A
S11	DIRECTIONAL ARROW	10/C6.0
S12	PEDESTRIAN CROSSWALK	11/C6.0
S13	CONCRETE RAMP WITH HANDRAIL	6/C6.1
S14	DUMPSTER ENCLOSURE	1/C6.2
S15	CONCRETE CURB CUT	10/C6.1
S16	CONCRETE FLUME	7/C6.1
S17	BICYCLE RACK / PAD	3/C6.2
S18	COMMERCIAL DRIVEWAY RAMP	14/C6.0
S19	WOODEN PRIVACY SCREEN FENCE (6" TALL)	
S20	RETAINING WALL	BY OTHERS
S21	4" HIGH MAXIMUM WROUGHT IRON FENCE WITH BRICK COLUMN	2/C6.2
S22	CONCRETE STEPS WITH HANDRAIL	8/C6.1
S23	FOUNTAIN	BY OTHERS
S24	WOOD DECK	BY OTHERS
S25	STOP SIGN	
S26	DO NOT ENTER SIGN	
S27	ONE WAY SIGN	
S28	LANDSCAPE AREA	
S29	A/C UNIT	

HISTORICAL COMMISSION PERMIT 210608181

SITE
 - Grading, paving, and sidewalks to be as shown on attached site plan.
 - Fence and retaining walls to be located and constructed as shown on attached plans.
FOUNDATION
 - The foundation and finished floor height shall be consistent with the commercial context across 6th Avenue North, to be by MHZC staff in the field.
CLADDING & TRIM
 - Primary facades to have brick cladding. Brick color and texture shall be approved by MHZC Staff prior to purchase/installation.
 - Secondary siding, trim, and associated elements are to be wood or cement fiberboard. Clad material is not approved.
 - Wood or cement fiberboard shall be a smooth face material void of any simulated wood grain pattern or rough, unfinished texture.
 - All exterior lumber shall be grade number #1, or #2 Lower grade lumber is acceptable for exterior work.
WINDOWS & DOORS
 - Overlapped siding shall have a reveal of five inches (5"), or match the exposure on the house.
 - Windows and door selections shall be approved by MHZC Staff prior to purchase/installation.
 - Windows and doors on clipboard walls shall not have brick, mold and shall have four inch (4") nominal wood casings.
 - Roof shall be rubber membrane or similar.
UTILITIES & MECHANICAL
 - Mechanical/HVAC units and backflow devices, including associated vents, pipes, lines, and related components, shall be located behind the midpoint of the building or on the rear.
 - CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

1. Please refer to notes on page 2 for location of existing gas lines.
 2. Staff member shall monitor construction progress at the three following points:
 a. After the building footprint has been constructed
 b. After the rough framing has been completed
 c. The following must be submitted for final approval before purchase:
 i. Windows and doors
 ii. Masonry

Curb cut here was shown being removed and sidewalk patched

Existing curb cut here was approved to remain

ISSUED FOR: CHECKSET AGENCY REVIEW BID PURPOSES CONSTRUCTION

SCALE: 1"=10'

PLANS PREPARED FOR:
GERMANTOWN BAR & RESTAURANT
6TH AND TAYLOR
NASHVILLE, TENNESSEE

PLANS PREPARED BY:
Development Management Group, LLC
4209 GALLATIN PIKE
NASHVILLE, TN 37216
TEL: (615) 221-5863

GERMANTOWN BAR & RESTAURANT
1324 6TH AVENUE NORTH
NASHVILLE, TENNESSEE



NO.	DATE	REVISIONS DESCRIPTION

DATE: 07-27-16
DMG Project No: 16142
DETAILED SITE LAYOUT & GRADING PLAN
C4.1