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MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
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STAFF RECOMMENDATION
114 Second Avenue South
April 17, 2019

Application: Rehabilitation: Lighting, Facades, Windows, Decorative Elements and Signage

District: Broadway Historic Preservation Zoning Overlay

Council District: 19

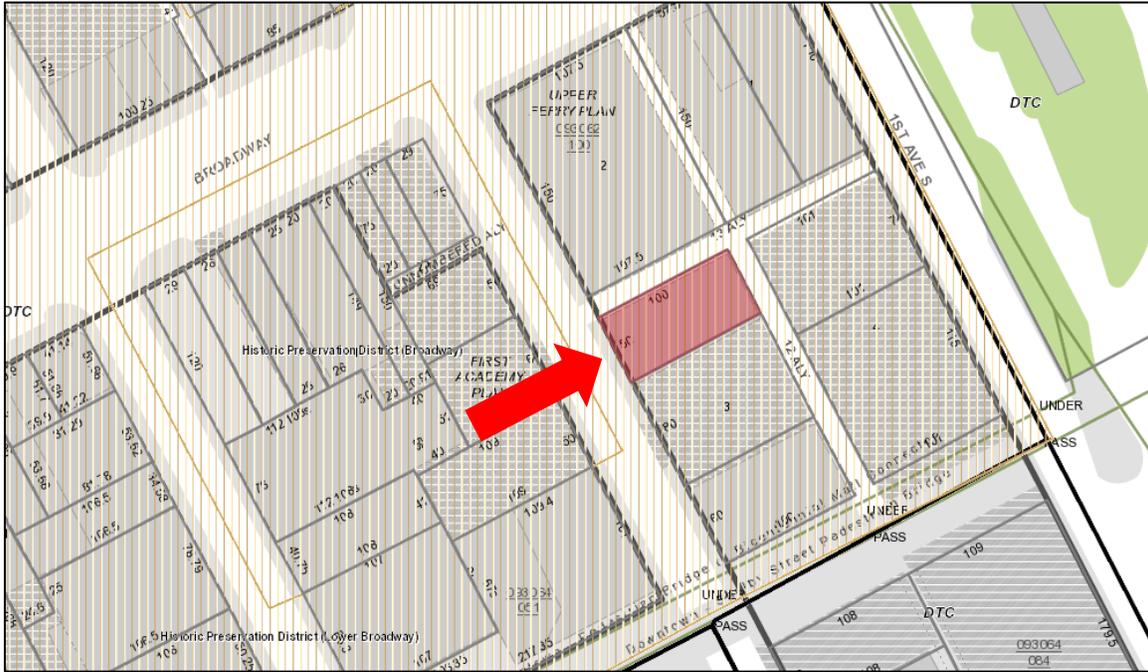
Map and Parcel Number: 09306405800

Applicant: Curtis Deckman/ Machine Hospitality

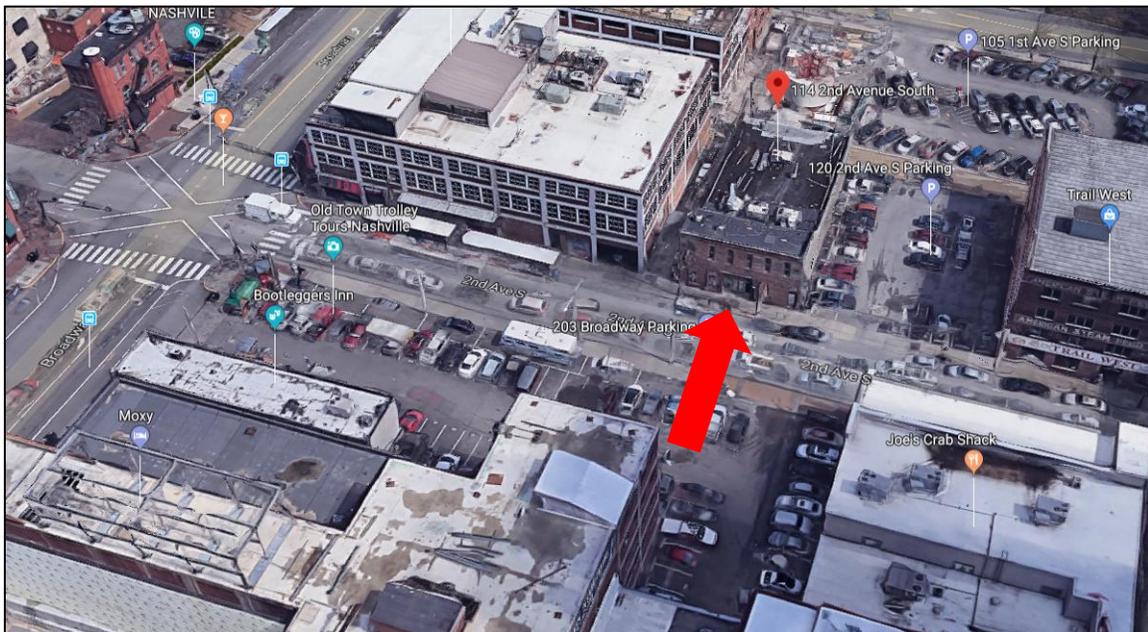
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

<p>Description of Project: A projector (Gobo light) has been installed without a Preservation Permit. The applicant would like to request retention of the projector.</p>	<p>Attachments None</p>
<p>Recommendation Summary: Staff recommends approval of the one Gobo light in its current location and with its current direction towards the sidewalk, finding the project meets Section T1 for lighting and P for mechanical devices.</p>	
<p>Staff recommends disapproval of the signage, finding that it does not meet Section IV. for signage and of the window trim, finding that it does not meet Sections II. H and II. K for rehabilitation of windows or decorative elements and the goose neck lighting finding that it does not meet section II.T for lighting. Staff further recommends that the trim and signage are removed within 60 days of the date of the Commission's decision.</p>	

Vicinity Map:



Aerial Map:



Applicable Ordinance and Design Guidelines:

17.36.110 Historic overlay districts established.

The following classifications of historic overlay districts are made a part of this title, each classification having separate and unique regulations and guidelines established according to the provisions of Chapter 17.40, Article IX.

A. Historic Preservation (HP) District. The boundaries shall be shown on the zoning map or on special overlays thereto which are made a part of this zoning code and noted by name on such maps, in which no structure shall be constructed, altered, repaired, relocated or demolished in whole or in part in this district unless the action complies with the requirements set forth in this title.

II. General Principles: Facades

Original façades and their component elements should be retained and, if needed, repaired using historically appropriate materials and methods.

Replacements to facades should be in keeping with the style and period of the building.

The use of contemporary materials for the replacement elements of facades may be appropriate if they possess characteristics similar in scale, design finish, texture, durability, and detailing to historic materials and meet *The Secretary's Standards*.

Interior changes that affect the exterior appearance of upper facades including changing original floor levels should be avoided.

H. Guidelines: Windows

1. Historic window openings, windows, and window surrounds should be retained.
2. Deteriorated or damaged window openings, windows, and window surrounds should be repaired using historically appropriate materials.
3. If replacement windows or window surrounds are necessary, replacements should replicate originals. If original windows do not exist, replacements should be appropriate for the building's style and period.
4. If the original windows are missing, replacement windows should use wood, anodized aluminum, or baked-on-enamel aluminum frames and should have single-light or multiple-light clear-glass panes to match the style and period of the building. Multi-light windows should use true or simulated divided lights with a spacer bar between the glass. Snap-in or between-the-glass muntins are not appropriate.
5. Steel windows should be replaced with steel or aluminum designs that replicate the appearance of the original window.
6. Window openings, surrounds, or other elements not original to a building should generally not be introduced to the public facades of the building. The installation of such window openings on the rear of the building may be appropriate.
7. Should storm windows be desired, their dimensions should match window dimensions in order to conceal their presence. Frames should be set within the window opening and attach to the exterior sash stop; if aluminum, they should have an anodized or baked-on enamel finish.
8. Self installed snap, clip or glue type muntins on windows are not permitted. Muntins set within the vacuum between glass panes on windows are not approved.

9. Window grilles and balcony rails are not appropriate window treatments. Shutters are only appropriate when they replace original wood shutters and should be operable.

K. Guidelines: Decorative Elements

1. Original decorative elements such as cornices, brick corbelling, arches, brackets, and detailing should be retained without alteration.
2. Deteriorated, damaged, or missing decorative elements should be repaired using historically appropriate materials. Replacement of decorative elements that are missing or unable to be repaired and located on upper facades may use modern materials if the material matches the original in design, texture and workability.
3. Owners should not add decorative elements to a building, unless there is physical or pictorial evidence.
4. Decorative or ornamental detailing should not be added to buildings unless there is physical or photographic evidence that shows the detailing was original to the building. New designs should be appropriate to the style and period of the building.

T. Guidelines: Lighting

1. If lighting is installed, it should be concealed or simple and unobtrusive in design, materials, and relationship to other façade or elevation elements.
 - *Colored bulbs or filters are not appropriate. Warm white light that does not distort the color of the building's materials or finishes is appropriate.*
 - *Floodlights, spotlights, mercury vapor, sodium vapor, fluorescent tube lamp and CFL lamps and/or colored lights are not appropriate.*
 - *Lighting fixtures and illumination should not flash, spin or be animated in any manner.*
 - *Conduits, junction boxes and wires should not be visible on street-facing facades.*
2. Light should be directed toward the façade instead of outward. Building facades may be illuminated through uplights mounted above the storefront cornice.
 - *Light fixtures installed directly above or behind the storefront cornice are appropriate; however, light fixtures above those locations are inappropriate.*
 - *Exterior lighting of rooftop additions is inappropriate as the visibility of rooftop additions should be minimized. Rooftop decks may be lighted with ground and/or table lighting. Entrances of rooftop decks may have minimal lighting to provide for safety.*
 - *Hardware should be installed in masonry joints rather than through the brick.*
3. Dark metals are appropriate materials for light fixtures.
 - *The fixture could also be of a color to match the surface upon which it is mounted.*
4. Concealed, indirect, or spot lighting is appropriate for exterior signage. Visible fluorescent bulbs are not appropriate.

IV. Allocation of Sign Area

The maximum sign area for each type of sign is established in the following tables. Specific requirements for each sign type are shown on the subsequent pages.

For each cell in the table, there is a maximum allowed sign area that may be utilized with any combination and any number of signs associated with that cell, unless otherwise noted.

The measurements for “linear feet” shall be at grade.

Historic Signage Policy-adopted by MHZC on 11/18/15: *In order to encourage the preservation of historic signs, a building that has a historic sign that comes close to or exceeds the allotment, and the building needs to promote an additional tenant or tenants, the building may have an additional fifteen square feet (15 ft²) more than the maximum allowed for the primary façade, if all other requirements of the design guidelines are met. The only remaining historic signs are: the wall sign at Acme Feed (101 Broadway), wall sign at Lawrence Record Shop (409 Broadway), projecting sign at Ernest Tubb Record Shop (417 Broadway), projecting sign at Robert’s Western World (416 Broadway) and projecting sign at Paradise Park (411 Broadway), that is the subject of this proposal.*

Materials

All permanent, on-premises signs shall be constructed of a rigid, weatherable material such as hard plastic, wood, MDO plywood, aluminum, steel, PVC, glass, fiberglass and or Plexiglass. On-premises permanent signs shall not be constructed of nonrigid materials including, but not limited to, vinyl, fabric, canvas, or corrugated plastic. The provisions of this subsection shall not apply to approved, permitted canopies, awnings and porticoes.

Painted Signs

All painting of masonry, whether for signage, to change the color of the building, or for artwork shall be reviewed by the MHZC. (Please see section on “walls” for guidance on painting a masonry building.) Painted signage may be considered by the MHZC as modification, based on the following design criteria:

- Should only be added to rear elevations or exposed upper secondary elevations and should not cover transoms, columns, cornices, decorative elements, openings and architectural features or require the enclosure of openings.
- Painted on main facades or the first level of buildings are not appropriate.
- Generally, a painted sign should not be more than 125 square feet in size.
- Painted signs should serve as a sign for the current occupant(s) and should not advertise off-site businesses or products.
- Generally, painted signage should not have lighting; however, if lighting is necessary, it should be between one and two gooseneck lights or another type of light that can be hidden by an architectural feature. Metallic, fluorescent and day-glow paints are not appropriate.

Building Sign: Wall Sign

Description

A wall sign is a building sign that is attached flat to, or mounted away from but parallel to, the building façade.

A wall sign may be painted on the building façade, in some instances, as a modification.

General Provisions

- A wall sign shall be located lower than the window sills of the top floor for multi-story buildings.
- No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.
- No portion of a wall sign may extend above the lower eave line of a building with a pitched roof.
- A wall sign cannot cover windows or architectural details.

- An exposed raceway shall be finished to match the background wall or be integrated into the overall design of the sign.
- A wall sign can be externally or internally illuminated in accordance with the section on Illumination.

Design Standards

A Overall area allocation (max)	(see allocation of sign area)	
B Projection (max)	2 inch OR 13 inches for internally	lighted or neon signage
C Exposed Raceway height	50% of the letter height, OR if background, the Raceway may extend 3 inches beyond the	the Raceway is used as the sign largest part of the sign.

Refer to Illumination section for additional raceway standards and permitted locations.

Background: 114 2nd Avenue South was constructed c. 1910 and contributes to the historic character of the Broadway Historic Preservation Zoning Overlay (Figure 1).

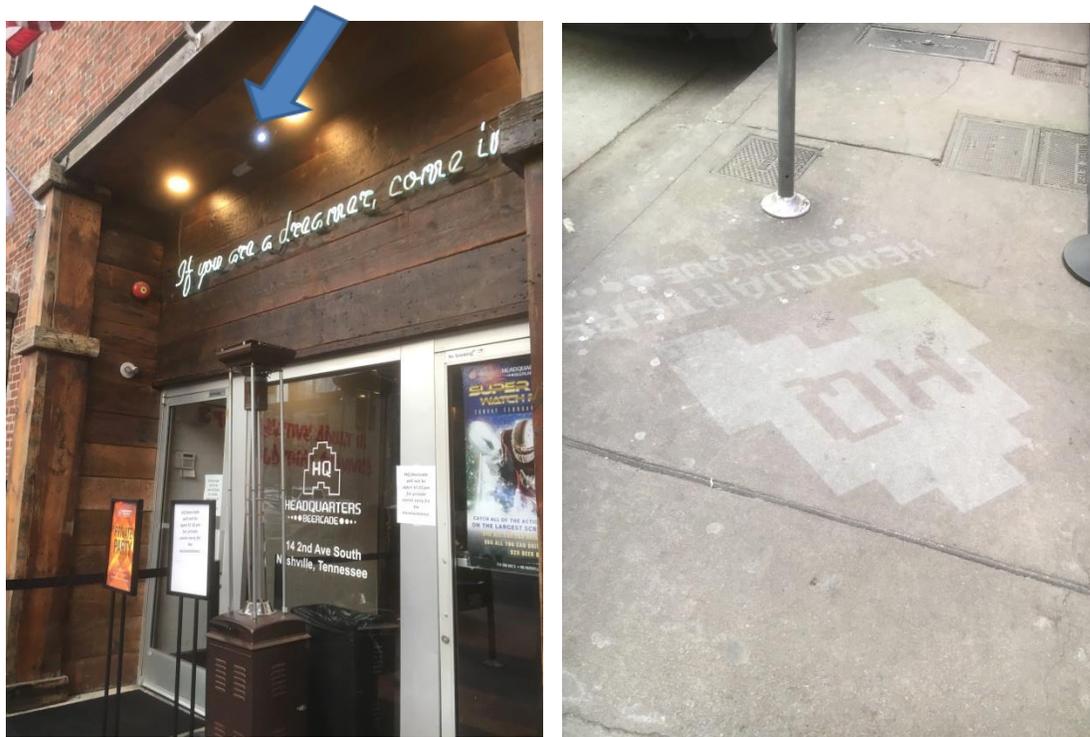
Multiple work has been done without a permit since 2017. Purple and blue lighting were installed without a permit. See image 8. After receiving an application for white lighting, staff issued permit 2019-015029 on 3/14/19; however, as of 4/10/2019 the colored lighting has not been corrected. Via a phone call on March 14, 2019 with Curtis Deckman, Mr. Deckman made the commitment to correct the colored lighting so that violation is not a part of this recommendation.

In addition, side-wall lighting and goose neck lighting to the front façade were added without a permit.

Trim and signage were added to the ground floor windows in 2017. In July of 2018, the applicant requested to retain trim and signage but was denied by the Commission on the basis that the alteration did not meet the design guidelines. The signage was removed but replaced with new signage and the trim has not been removed.

Also in 2017, goose neck lighting on some of the ground floor windows and side-wall lighting was installed without a permit.

A projector was added without a permit. The applicant has not provided any information regarding their request to retain the violations.



Figures 1 and 2: The projector is located in the ceiling of the recessed entry. The second image shows the projection on the sidewalk.

Analysis and Findings: There are three violations requested to be retained. One request is to allow for a projector (Gobo light) and building illumination installed without a permit. The projector is a Gobo type of lighting that uses a stencil or template within the front of the light source to control the shape of the emitted light. Another request is for signage on boards that cover the windows. The third request is to retain trim added to existing boards that cover the windows.

1. LIGHTING: PROJECTOR

Location: Although the light fixture is readily visible from a public right-of-way, it is partially concealed by being located within the recess of the entry and is not obtrusive. The device itself is very small and there is only one on the building. The applicant did not provide any information regarding their request; however, a common Gobo size is approximately 10" x 5" x 10". It meets Section II.T.1.

Installation: Installation of the fixture did not require removal or alteration of historic features and therefore meets Section T.

Lighting: The design guidelines require that illumination be directed towards the building rather than outward, and in this case, the illumination component of the projection is directed away from the building and on to the sidewalk. Because this is a Gobo light, the illumination itself cannot be seen, except for the projection on the sidewalk. The intent of this design guideline assumes that building illumination is to highlight building features but in this case, the projection has the purpose of serving as signage. It does not project out horizontally or up into the sky but is directed to the ground. It is not directed onto the historic building and so does not change the character or design of the building. Staff finds that the downward, sidewalk projection is appropriate since the illumination cannot be seen except for the projection on the sidewalk, and the illumination does not change the historic character of the building. The project meets Section II. T.1

Materials: The material for the device is metal which is appropriate for lighting. The project meets Section II. T.1 of the design guidelines.

Consideration: There have been other projectors installed without permits, but so far none have been corrected or come to the Commission for review so this decision has the potential to set the course for the current violations and future requests. If approved with all the reasons outlined in this Staff Recommendation, staff requests direction regarding the other two similar violations at 128 and 110 Second Avenue North. They are located in the Second Avenue district but the design guidelines are similar to the Broadway design guidelines. In both cases, the owners did not choose to correct the violations or come to the Commission for review, so the projects have been sent to Metro Legal.

Neither projector required the removal or alteration of historic features, both devices are minimal in size, and there is only one per building. Both are located in minimally visible locations, the illumination does not change the historic character of the building, and in

both cases, the illumination itself is only obvious on the sidewalk.



Figures 3 and 4: The first image shows the location of the device and the second image shows the projection on the sidewalk at 128 Second Avenue North.



Figures 5 and 6: The first image shows the location of the device and the second image shows the projection on the sidewalk at 110 Second Avenue North.

The project meets Section II.T.1. for lighting.

2. LIGHTING: BUILDING ILLUMINATION

Goose neck lighting has been installed over some of the first-level windows and a wall light has been added to the left side of the building. (See images 7 and 8.) To meet design guideline II.T. for lighting, building illumination should be unobtrusive and directed towards the building. The side-wall light is not unobtrusive but is directed towards the building. Since it is installed on the side elevation, staff found that it could be appropriate.

Goose neck lighting is appropriate for highlighting a wall or awning sign or a building feature, but in this case is highlighting signage on a window that is located in an inappropriate location. It is highly visible and so not “unobtrusive.” Once the signage is removed the goose neck lights will not highlight a historic feature but rather inappropriate boarding over a window which should not be highlighted. If the boards are removed, the lighting will be highlighting windows rather than building wall features or signage. Although the type of lighting can be appropriate, staff finds the location to be inappropriate. Staff recommends removal of the goose neck lights, finding that they do not meet design guideline II.T. since they are not unobtrusive or directed towards the building walls or features.

3. SIGNAGE

Signage was installed over the boarded-up windows without a permit in 2017. (Notice of violation was sent on December 14, 2017.) In July 2018, the applicant requested to retain the signage, was denied by the Commission, and removed the signage but has since installed new signage in the same location. See Figure 7.



Figure 7: Current conditions showing trim previously disapproved still in place and new signage in the same location as that was previously disapproved.



Figure 8: This image shows the goose neck lighting at night over the inappropriate window signage, side wall lighting and the blue and purple lighting at the top of the building.

Allocation: The building's allocation for sign area is ninety-six square feet (96 sq. ft.), which is two times the width of the building with a projecting sign included. A projecting sign that is approximately thirty-eight square feet (38 sq. ft.) was installed on the front façade with a permit; therefore, the remaining allotment for the building is fifty-eight square feet (58 sq. ft.).

The applicant did not submit information regarding the sign's dimensions and materials; however, staff finds that it is irrelevant since the sign location does not meet the design guidelines.

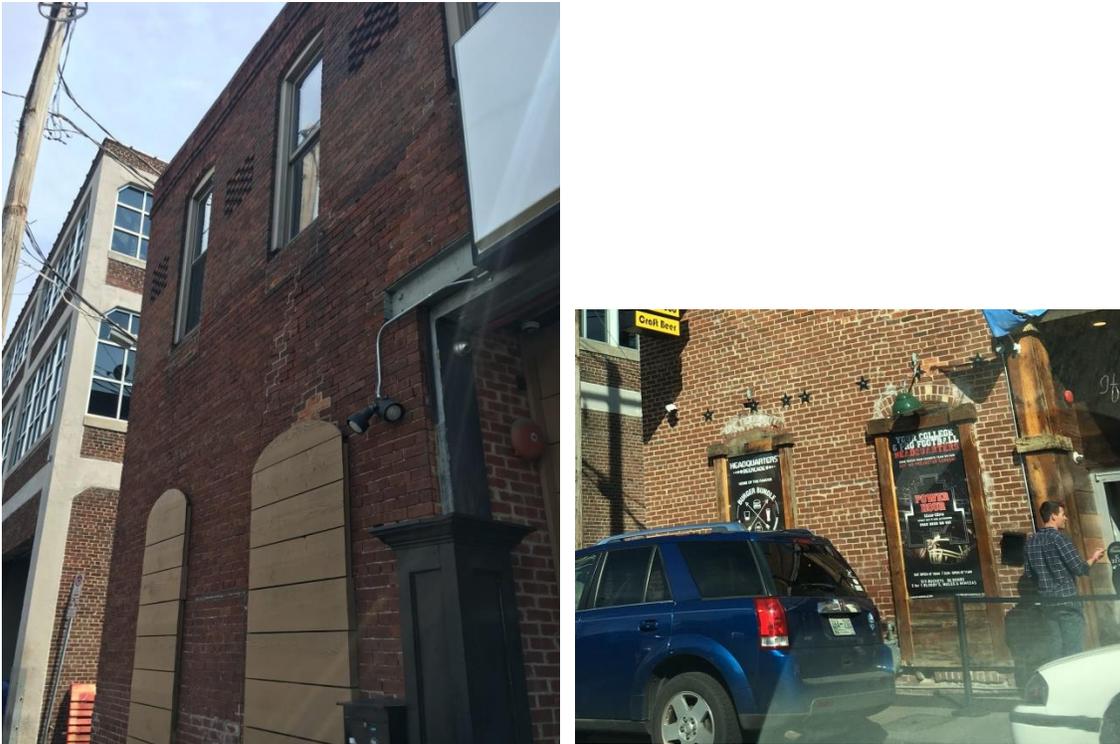
Location: The signage was installed over boarded up windows without a permit. The trim was previously installed without a permit and was disapproved by the Commission in July 2018 as was considered part of the signage. The windows were boarded up before the applicant acquired the building. In the provisions for wall signs, the design guidelines states, "a wall sign cannot cover windows or architectural details." In this case, the signs cover the window openings and are in an inappropriate in the current location, whether or not the windows are boarded up. The materials of the signage were not provided but it appears to be painted signage. The design guidelines for signage does not allow for painted signage on the first level.

Consideration: If the applicant wishes to have signage in that location, it could be achieved by installing windows that meet the design guidelines, removing the window coverings, and installing signage on the inside of the windows. Interior signage seen through windows is not reviewed by MHZC.

The project does not meet Section IV. Signage.

4. WINDOW/FACADE ALTERATION

In July of 2018, the applicant requested to retain trim and signage added to the windows and was denied by the Commission on the basis that the alteration did not meet the design guidelines. (Figure 9 shows existing conditions prior to the addition of trim and signage, and Figure 10 shows the previous violation. Figure 7 shows current conditions.) Since then, the poster signs have been removed, but they have been replaced with new signage. The trim has not been removed.



Figures 9 and 10: Boarded up windows prior to the installation of signage and after installation of signage and trim.

The trim does not meet the guidelines for “general principles: facades” as it is not in keeping with the style and period of the building. Historically, window trim on brick buildings is recessed within the opening and not on the outside face of the brick in the way it is seen on lapsed buildings and as currently configured on this building. The trim does not meet Section “II. H: Windows” as the trim does not match original conditions. Section H.6 specifically states that window surrounds “not original to a building should generally not be introduced to the public facades of the building.” The trim does not meet Section “II. K: Decorative Elements” and specifically does not meet Section K.3, which states that new decorative elements “should not be added to buildings unless there is physical or photographic evidence that shows the detailing was original to the building.” There is no evidence of trim like this on any of the historic buildings in the Broadway district.

Recommendation: Staff recommends approval of the one Gobo light in its current location and with its current direction towards the sidewalk and the side-wall light, finding the project meets Section II.T1 for lighting.

Staff recommends disapproval of the signage, finding that it does not meet Section IV. for signage and of the window trim, finding that it does not meet Sections II. H and II. K for rehabilitation of windows or decorative elements and the goose neck lighting finding that it does not meet section II.T for lighting. Staff further recommends that the trim and signage are removed within 60 days of the date of the Commission's decision.