

DAVID BRILEY
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
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STAFF RECOMMENDATION

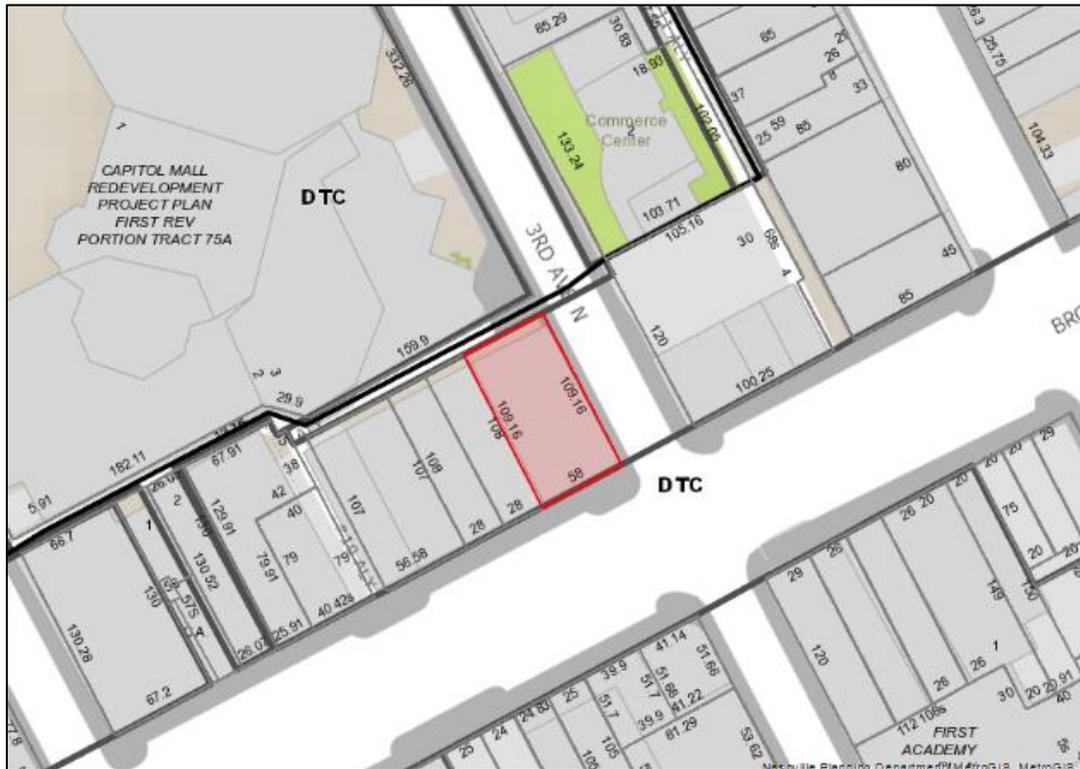
300 Broadway

April 17, 2019

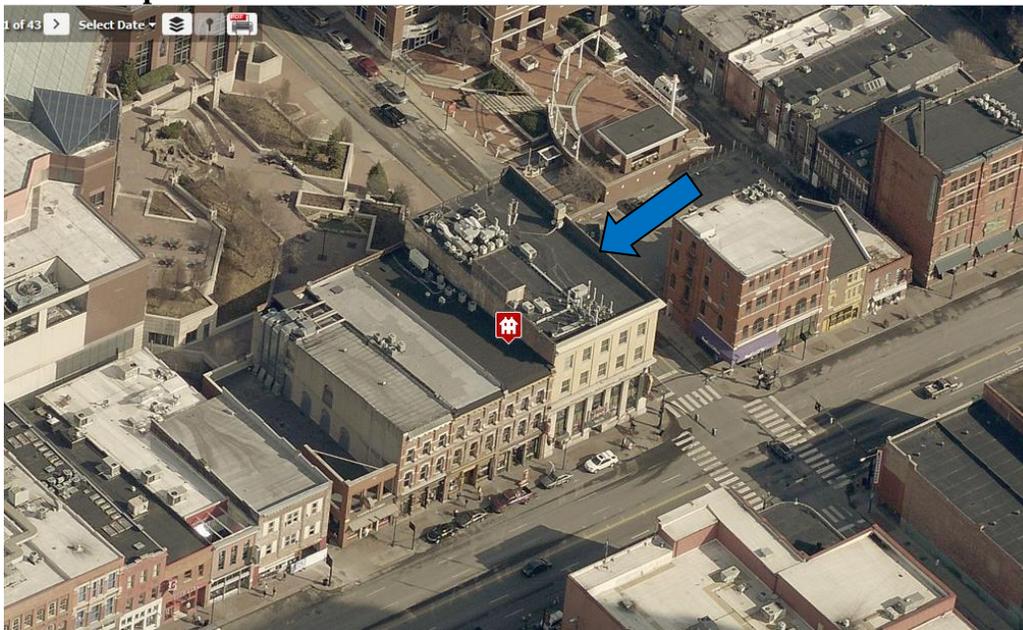
Application: Alterations—Exterior lighting
District: Broadway Historic Preservation Zoning Overlay
Council District: 19
Zoning: DTC
Map and Parcel Number: 09306308200
Applicant: Erica Garrison, Waller Lansden
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

<p>Description of Project: The request is to change the color of building illumination of previously approved light fixtures from white-only to white or red and to approve colored illumination installed without a permit on the rooftop addition.</p> <p>Recommendation Summary: Staff recommends disapproval of the request to retain colored building illumination and recommends that the rooftop lighting, installed without a permit, be removed, finding that the proposal does not meet Section T.1. of the design guidelines for lighting in the Broadway Historic Preservation Zoning overlay.</p>	<p>Attachments A: Applicants submittals B: July 19, 2017 Staff Recommendation</p>
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Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

II. General Principle: Lighting

General Principle: Lighting

Light fixtures should be as simple and unobtrusive as possible.

Guidelines:

A. 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.
2. Light should be directed toward the façade instead of outward. Building facades may be illuminated through uplights mounted above the storefront cornice.
3. Dark metals are appropriate materials for light fixtures.
4. Concealed, indirect, or spot lighting is appropriate for exterior signage. Visible fluorescent or incandescent bulbs are not appropriate.

Background: 300 Broadway is a four-story stone and brick Neo-classical commercial building that dates to 1914 and is a contributing building in the Broadway Historic Preservation Zoning Overlay. The street-side façades were redesigned in 1946 by well-known architect Edwin Keeble. Windows were replaced in 2000 as part of a tax credit rehabilitation.

Previously the applicant requested colored building illumination but deferred the item. In April they submitted an application for exterior lighting fixtures with white lighting. Finding that the request met the design guidelines, staff issued permit 2017-025978, for white building illumination.



Figure 1. 300 Broadway

After installation staff observed the lighting to be red and that lighting had been added to the rooftop addition, which the applicant had noted as “removed” on their application. Staff contacted the applicant whose chose not to correct the violation or take the request to the Commission so the case was eventually turned over to Metro Legal. The applicant now submits an application for the existing fixtures to have colored building illumination and to retain the colored rooftop lighting.

Analysis and Findings: The application is to allow for colored building illumination for lighting fixtures already permitted on the façades of the building and to retain colored rooftop lighting installed without a permit.

Location & Direction: The location and direction of lighting fixtures on the façade have been approved with the administrative permit; however, lighting was also installed on the rooftop addition without a permit.

The design guidelines allow for exterior lighting if it is concealed or unobtrusive. The lighting on the addition is inappropriate as the addition should be as minimally visible as possible. Illumination of the top of the addition will only draw attention to the new construction, which is not the intent of the design guidelines for rooftop additions, which states that additions should “not be visually jarring or contrasting” to the historic building.

In addition, light should be directed towards the façade rather than outwards. The lighting on the rooftop is directed away from the building, and is therefore inappropriate. Staff recommends removal of the lighting on the addition.



Figure 1: This image, taken from 3rd Avenue South and within the historic overlay, shows the red lighting that caps the rooftop addition.

Design: The drawings note that the lights change colors. Illumination should be white as colored lights change the color of the building and would detract from the historic character of the building. Essentially changing the color of the building with illumination does not meet Section T.1 of the design guidelines, which calls for lighting to be “unobtrusive.”

In 2017, staff researched the issue of colored building illumination and held a charrette which included presentations from lighting expert Anthony Denami, preservation consultant Phil Thomason, sign manufacturer Bobby Joslin, state historic preservation office representative Dan Brown, and planning staff member Andrew Collins.



Figures 1 and 2: The upper portion of the side of the building is washed in red lighting and there are red wall sconces on the mezzanine level.

On August 16, 2017, the MHZC voted on a Building and Signage Illumination policy, which states that “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.” This italicized information provides additional clarification for design guideline T.1: *If lighting is installed, it should be concealed or simple and unobtrusive in design, materials and relationship to other façade or elevation elements.*

No other buildings within the district have been approved for colored illumination.

Recommendation Summary:

Staff recommends disapproval of the request to retain colored building illumination and recommends that the rooftop lighting, installed without a permit, be removed, finding that the proposal does not meet Section T.1. of the design guidelines for lighting in the Broadway Historic Preservation Zoning overlay.

MEGAN BARRY
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STAFF RECOMMENDATION

**Broadway, Second Avenue and Downtown Historic Preservation Zoning Overlays
July 19, 2017**

Application: Building and Signage Illumination Policy
District: Broadway and Second Avenue Historic Preservation Zoning Overlays
Council District: 19
Map and Parcel Number: multiple
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

<p>Description of Project: Recommendation of a policy regarding building and signage illumination to provide clarification of existing design guidelines.</p> <p>Recommendation Summary: Staff recommends adoption of the italicized information for building illumination; noted previously as additional guidance for applicants regarding existing design guidelines.</p> <p>Further, staff recommends consideration of a more comprehensive revision of the design guidelines to include the ability to have LED bulbs on signage.</p>	<p>Attachments A: Meeting Minutes B: Partner Comments</p>
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Applicable Design Guidelines:

I. INTRODUCTION

B. By state law, all design guidelines for historic preservation zoning overlays must comply with the Secretary of the Interior's Standards for Treatment of Historic Properties:

- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal changes to the defining characteristics of the building and its site and environment.*
- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
- 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*
- 4. Most properties change over time; those changes that have acquired historical significance in their own right shall be retained and preserved.*
- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.*
- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*
- 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means necessary.*
- 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*
- 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future. The essential form and integrity of the historic property and its environment would be unimpaired.*

II. Rehabilitation

T. 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.
2. Light should be directed toward the façade instead of outward. Building facades may be illuminated through uplights mounted above the storefront cornice.
3. Dark metals are appropriate materials for light fixtures.
4. Concealed, indirect, or spot lighting is appropriate for exterior signage. Visible fluorescent or incandescent bulbs are not appropriate.

IV. SIGNAGE

Illumination

Illumination of signs shall be in accordance with the following requirements:

External Illumination

- External light sources shall be placed close to, and directed onto the sign and shielded to minimize glare into the street, sidewalks or onto adjacent properties.
- Projecting light fixtures used for externally illuminated signs shall be simple and unobtrusive in appearance. They should not obscure the sign.

Internal Illumination

- Channel letters may be internally lit or back-lit.
- For cabinet signs, the background must be opaque. Only graphics, text and logos may be illuminated, and a halo of one inch around graphics, text, and logos may be non-opaque.
- Exposed neon may be used for lettering or as an accent.

Prohibited Light Sources

The following light sources are prohibited:

- Blinking, flashing, chasing, and sequential lighting. This type of lighting may be allowed for Broadway (not the district but the street) only through a modification. In these cases, the chase or flash should not last less than every three seconds.
- Bare bulb illumination.

Raceways and Transformers

- Visible transformers are prohibited.

Background: The MHZC hosted a public charrette on June 19, 2017 for educational purposes and to obtain feedback from the public. Please see attached minutes.

Analysis and Findings:

Staff recommends the addition of italicized information to the Broadway, Second Avenue and Downtown Historic Preservation Zoning Overlays design guidelines to provide further direction on the existing design guidelines. Staff further recommends the consideration of formally adopting non-italicized changes to the design guidelines. Additional guidance is necessary due to the changes in lighting options over the last few years.

Following is existing language regarding building and signage illumination with proposed new language underlined. Italicized language is not part of the formally adopted design guidelines but provides further direction regarding the Commission's interpretation of the design guidelines.

Building Illumination

T. 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 or incandescent bulbs are not appropriate.

The MHZC does not review temporary lighting, such as seasonal or event lighting that has minimal installation and is not in place for more than 30 days.

Staff finds that this italicized and underlined information provides clarification of existing design guidelines. There is concern by staff and by the State Historic Preservation Office that colored lighting would not meet the Secretary of Interior Standards, which the design guidelines are required to do based on state law. Colored building illumination has the potential to change the look of, or obscure, architectural features, which does not meet standard 5 and 9. (See public comment.)

Signage Lighting

Following is existing language regarding signage illumination with proposed new language underlined and information proposed to be removed shown as stricken text.

Prohibited Light Sources

The following light sources are prohibited:

- Blinking, flashing, chasing, and sequential lighting. This type of lighting may be allowed for Broadway (not the district but the street) only through a

modification. In these cases, the chase or flash should not last less than every three seconds.

~~–Bare bulb illumination–~~

Chasing lights on Broadway shall only be one element of any one side of a projecting sign, such as one word or one image that may have repeating parts. The one word or one image may repeated on the opposite side of a projecting sign. Rope lighting (also known as “strand lighting, lite ropes, flexible impact lighting, tubular lighting, and string lighting) is prohibited.

T. Lighting

4. Concealed, indirect, or spot lighting is appropriate for exterior signage. Visible fluorescent or incandescent bulbs are not appropriate.

5. LED bulbs made to look like incandescent bulbs (A-shape) are appropriate if all the bulbs are the same color and the bulbs do not blink, flash, chase or have sequential lighting.

Bare bulbs on signage have been a frequent request; however, they have not been allowed since at least the 1970s, decades prior to the establishment of the overlays. Neither the MDHA design guidelines nor the Downtown Code allow for bare bulb signage. Staff finds that most other cities also prohibit bare bulb signage. Staff suspects that this is the case because bulbs could break easily and if not replaced, create a blighted look. Bulbs today are manufactured to be much more resilient and are not as easily broken. For this reason, and because bare bulbs were used on historic signage in the general downtown area, staff recommends approval of bare bulbs with some requirements. Because the design guidelines specifically prohibit bare bulbs, this change will require a noticed revision to the design guidelines rather than just the addition of italicized information. Staff also recommends italicized information be added that is consistent with section 17.28.100 of Metro Code regarding rope lighting. There are other revisions, not related to building and signage illumination that staff recommends for the design guidelines. The information regarding bare bulbs could be added at the time of that revision, if such a revision moves forward.

Recommendation

Staff recommends adoption of the italicized information for building and signage illumination, noted previously, finding that it provides additional guidance to existing design guidelines.

Further, staff recommends consideration of a more comprehensive revision of the design guidelines that could include the ability to have LED bulbs on signage.

PARTNER COMMENTS

MEMORANDUM

TO: Robin Zeigler
FROM: Claudette Stager
RE: Washing historic buildings with light
DATE: July 12, 2017

The Secretary of the Interior's Standards is the primary resource used to maintain the historic character of buildings. While not mentioning washing buildings with lights of different color, the Standards do mention maintaining the historic character of buildings. Washing buildings in lights may obscure historic features of buildings, making them appear non-historic. Temporary washing of buildings in lights for special occasions like holidays is acceptable but permanent washing of buildings in lights can be considered a change in the historic character of a building.

In addition, light pollution, sometimes caused by merchants competing with each other for bigger and brighter signs, detracts from the historic character of neighborhoods by changing the focus from the historic buildings to their new lighting and/or signage. All buildings change over time, but too many changes mean you no longer have a historic resource. Changing lighting on historic buildings should be done in a matter that is compatible to the historic buildings.

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES

June 19, 2017

Building & Signage Illumination Charrette

MHZC Members: Vice Chair Bell, Kaitlin Jones, Elizabeth Mayhall, Ben Mosley, Cyril Stewart

MHZC Staff: Tim Walker, Robin Zeigler, Sean Alexander, Melissa Baldock, Paul Hoffman.

Presenters: Anthony Denami, Phil Thomason, Bobby Joslin, Dan Brown, Andrew Collins

Public: Seab Tuck, Janie Wright, David Ghatan, Sam Reed, Brian Taylor, Charles Robert Bone, Jenn Harman, Claudette Stager, Dan Brown, Jane-Coleman Harbison, Usaann DuPont

Anthony Denami provided an overview of lighting types. No questions or comments.

Bobby Joslin, from Joslin & Sons, presented information about the use of bare bulbs in signage. Ms. Zeigler explained that such has not been allowed since the 1970s and it may be because bulbs were not as well made as they are now and could break easily, not be replaced, and therefore create a blighted look. Mr. Joslin explained that bulbs have changed and that the LED is the type we are most likely to see requests for. He said that the Paradise Park sign, which has had bulbs for multiple years, has not needed replacements since the installation of modern bulbs. Ms. Zeigler asked if Mr. Joslin had any recommendations for the type of bulbs or finish of bulbs they should consider. Mr. Joslin said that we might want to keep them a consistent color on one sign to avoid the "circus look." Commissioner Stewart asked about controls for the brightness of the light and Mr. Joslin responded that it is a tough issue because it depends on multiple factors such as sign location, height, other signs/lights nearby, trees, etc.

Dan Brown, from the Tennessee Historical Commission, explained that he was a part of researching lighting design guidelines for the Vieux Carre. He provided some background on the research and how they addressed the Secretary of Interior Standards. Seab Tuck said that upper levels are not currently lighted and lighting them in any color would be better than no lighting. Mr. Brown responded that Nashville's standards need to be in line with what other cities do and the secretary of interior's standards. Bobby Joslin said that the National Park Service says that if guidelines are too specific signage can go against the diversity of an historic district. Mr. Brown countered that guidelines that are too broad can diminish the safety and authenticity of the historic area.

Phil Thomason, preservation consultant, noted that the issues Nashville is dealing with in terms of lighting has not been an issue for other cities. David Ghatan (architectural lighting designer) said there are signs that have colored light. Jane-Coleman Harbison asked about how you know how much lighting affects the historic character of a building and what is appropriate. Thomason suggested experimentation. Claudette Stager expressed concern with the amount of change over time or at once, and the impact that has on the building's historic integrity. David Ghatan asked, rhetorically, how do you build a vocabulary that works for different buildings with different ideas and technology.

Andrew Collins, from the Planning Department explained the goal of the DTC, on which the current design guidelines are based and the initial desire to decrease clutter. Brian Taylor remarked that a lot has changed since the development of the DTC standards, which he helped to create, and so should be looked at again. He stated that signage is more important to creating the pedestrian experience than lighting upperstories.

RESPONSES FROM GUIDED DISCUSSION

General Comments:

Maintain architectural character and authenticity

For certain occasions can be appropriate but not as a permanent or nightly features

Color and content of sign are not in purview of MHZC

Concern for too many changes that could negatively impact historic cohesiveness of district leading to potential for delisting NR

The character is the signage and the tourist district.

To add to "considerations" I think the creative intent behind the project is important. Is it to illuminate architecture of marketing/entertainment.

So much of the "character" of modern day Broadway has occurred in the last 10 years, and the interest in investing in that area is at an all-time high. We should encourage experimentation and investment in this time, not restrict it.

Could colored building illumination have a negative effect on the historic character of the district or an individual building?

No: 9

Yes: 4

In terms of building illumination what are the three most important considerations that should have associated requirements in the guidelines? Please mark up to 3.

Accentuation of architectural features: 11

Color and color rendering: 8

Purpose of lighting: safety, building identification, storefront visibility, etc.: 7

Original color of building: 6

Location of building fixture: 5

Illumination intensity: 3

Exposed conduit and wiring: 2

Design of visible fixtures: 2

Dimensions of fixtures: 2

Glare and brightness: 1

Color temperature: 1

Location of building light wash: 0

Illumination kept to ground floor: 0

Uniformity and darkness: 0

Durability of fixture: 0

Daylight/nighttime control: 0

If allowed, should bare bulbs be limited to the Broadway HPZO in order to allow Broadway to remain unique?

No: 14

Yes: 2

Could bare bulbs have a negative effect on the historic character of the district or an individual building?

No: 14

Yes: 2

If bare bulbs are allowed on signage, what are the most important considerations that should have associated requirements in the guidelines? Please mark up to 3.

Lighting intensity: 10

Ability of bulbs to flash or chase: 9

Type of sign that allows for bare bulbs: 9

Color of bulb: 6

Integral part of the sign: 2

Percentage of signage that includes bulbs: 1

Finish of bulb: matte, frosted, shiny, etc: 1

In terms of signage illumination, what are the 3 most important considerations that should have associated requirements in the guidelines. Please mark up to 3.

Glare and brightness: 11

Chasing/flashing: 8

Day/night control: 5

Illumination intensity: 4

Combination of effects:3

Different types of lights for different types of signs: 3

Color temperature: 2

Color and color rendering: 1

Controls based on available light: 0