

JOHN COOPER
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

305 Broadway

July 15, 2020

Application: New Construction-Violation

District: Broadway Historic Preservation Zoning Overlay

Council District: 19

Base Zoning: DTC

Map and Parcel Number: 093 06 4 026.00

Applicant: Kenny Winchell

Project Lead: Jenny Warren, jenny.warren@nashville.gov

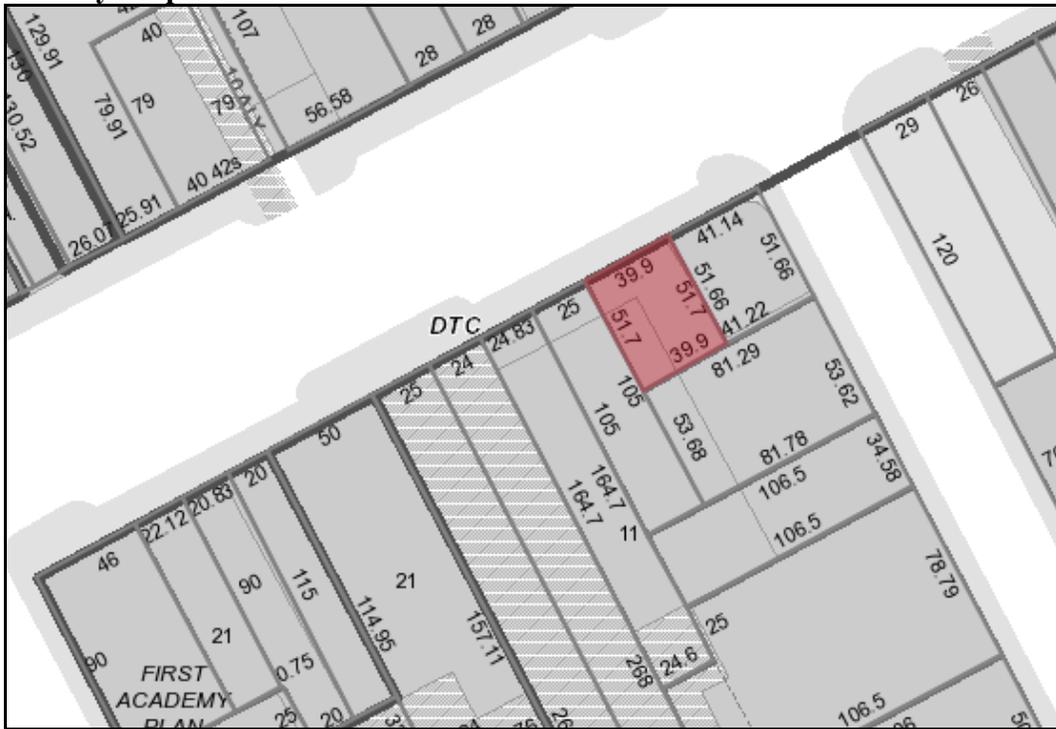
Description of Project: The applicant is seeking approval of construction that has already taken place without a Preservation Permit. The project includes installation of an ATM.

Recommendation Summary: Staff recommends approval if a new ATM interpretation is agreed upon and the ATM is relocated to be one foot (1') back from the line of the exterior wall; finding that the ATM meets the design guidelines for new construction. Staff recommends disapproval if the 2004 ATM interpretation is agreed upon, finding that ATM does not meet design guidelines for new construction. If disapproved, staff recommends that the ATM be removed within 60 days of the date of decision.

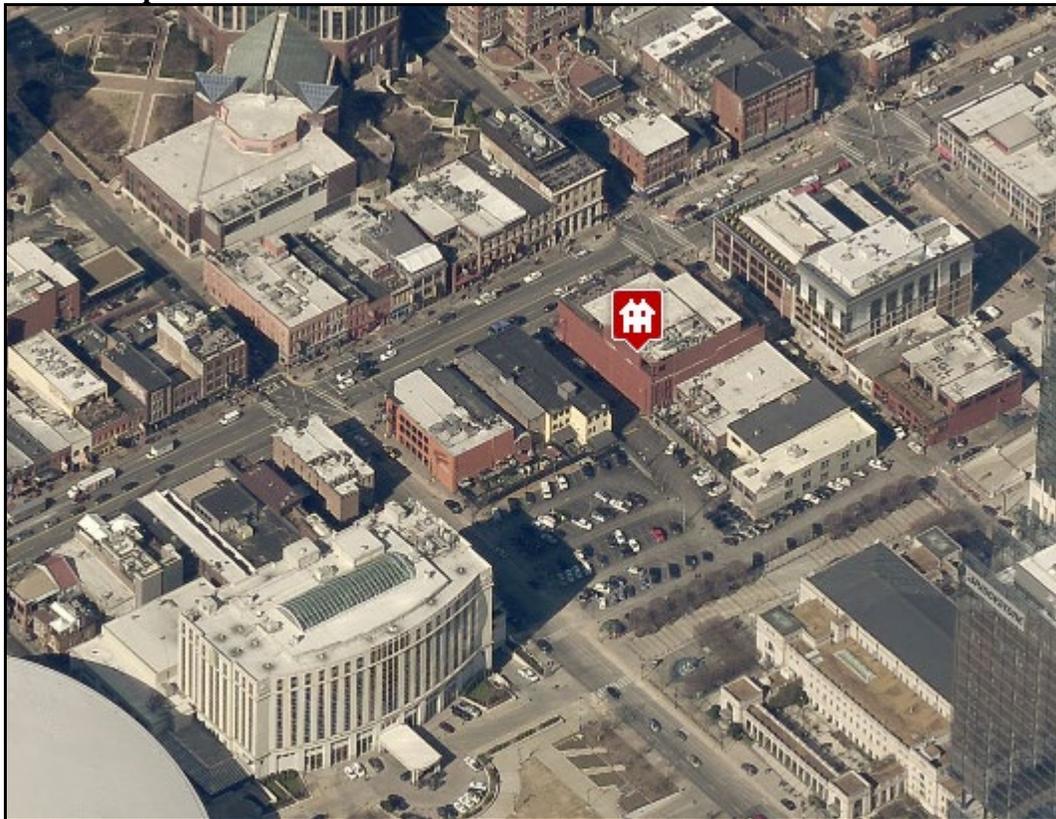
Attachments

A: Photographs

Vicinity Map:



Aerial Map:



Applicable 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.

A. Guidelines: Relationship of Materials, Texture, Details, and Material Color

The relationship and use of materials, texture, details and material colors of a new building's public facades shall be visually compatible with or similar to those of adjacent buildings, or shall not contrast conspicuously.

Masonry materials were primarily used in the historic district, and should continue to be predominant. Contemporary materials may be used if they possess characteristics similar in scale, design, finish, texture, durability, and detailing to historic materials and meet *The Secretary's Standards*. Exterior Insulation Finish Systems and vinyl are not appropriate exterior materials.

3. Wood, brick, stone, and metal were used for window, door and storefront surrounds and should be used for new buildings.
4. Storefront façade materials may vary in keeping with the materials of the existing buildings. Stone, glazed tile, painted wood, and brick are all appropriate materials.
5. Tinted glass, reflective glass, or colored glass may not be used for windows.
6. Large expanses of featureless materials are not appropriate.
7. The color of new building materials should be compatible with historic buildings within the district.

B. Additions to Existing Buildings

1. Additions to existing buildings should be compatible in scale, materials, and texture; additions should not be visually jarring or contrasting. Additions to historic buildings should be minimal. Additions normally not recommended on historic structures may be appropriate for non-historic buildings, if the addition will result in a building that is more compatible with the district.
2. Rooftop additions should not exceed one story in height and should be set back a minimum of 30 feet from the main façade of the building and 20 feet from the secondary street if it is a corner building.
3. Additions should not obscure or contribute to the loss of historic character-defining features or materials.

Background: 305

Broadway is a contributing structure in the Broadway Historic Preservation Zoning Overlay. It is a three-story painted brick commercial structure.

An ATM has been installed in the front of the building.

In 2004 Metro Legal provided the opinion that the Commission has the authority to review ATMs. Based on a four month discussion about ATMS in the adjacent Second Avenue Historic Preservation Zoning Overlay, the Commission voted in favor of a interpretation that would not allow for ATMs that puncture the façade or obscure the architectural features of buildings, but that they could be located inside buildings or in an alcove not on the primary façade. Based on that interpretation the Commission disapproved four (4) ATMs in the Second Avenue Historic Preservation Zoning Overlay that were installed without Preservation Permits. The ATMs were removed by the owners in the following month.

Analysis and Findings:

This and other violations of ATMs installed without a permit prompted staff to reevaluate the 2004 interpretation. Staff recommends a revised interpretation as follows for the Broadway, Second Avenue and Downtown Historic Districts.

Proposed:

ATMs may be appropriate in the following building locations:

- *Alcoves or recessed entries on primary facades that are a minimum of 6' deep where the ATM will not require removal of historic features. The ATM may be free-standing or attached to a non-historic wall within the alcove/recess and*



Figure 1: 305 Broadway



Figure 2: ATM at 305 Broadway

should sit in a minimum of 1' from the primary wall. The width of the machine and any supporting structure shall not exceed 3' in width.

- *Alcoves or recessed entries on secondary or rear facades that are a minimum of 3' deep and where the ATM will not require removal of historic features. [For the Second Ave district, we would add language that First Ave is considered a "primary" facade.] The ATM may be free-standing or attached to a non-historic wall within the alcove/recess and should sit in a minimum of 6" from the side or rear wall. The width of the machine and any supporting structure shall not exceed 3' in width.*

ATMs are not appropriate in the following locations:

- *Where they require the removal of historic features or wall material.*
- *Where they would require the installation of an alcove or recess that is not historically appropriate for the building or the district.*
- *Free standing in open spaces such as surface parking lots or plazas.*

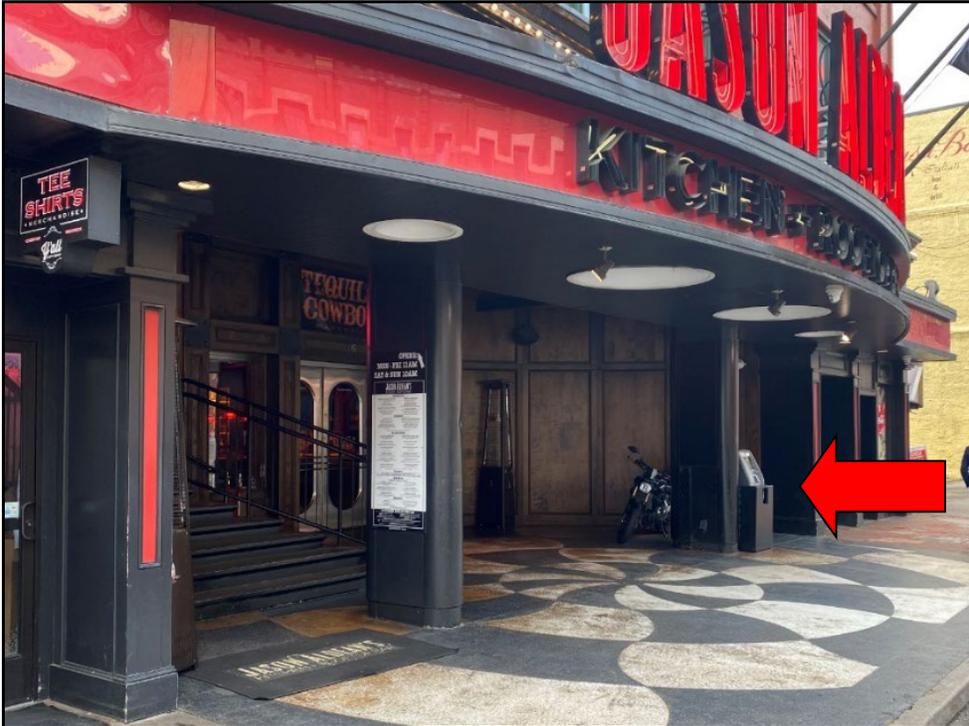
Where ATM is appropriate, it should not have any signage beyond a simple sign on the machine itself and it should not require additional lighting.

In terms of additions to buildings in the overlay, the design guidelines largely contemplate new conditioned space; however, the "general principles" of section III for "New Construction" provides the guidance 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." An ATM machine, alone, would not meet this guidance, in terms of height, scale, rhythm, color, roof shape, orientation, and proportion and rhythm of openings; however, if installed within a recess, a location that makes it more integral to the existing buildings, many of those requirements may no longer be relevant. Section III.B for new construction states that "additions should not be visually jarring or contrasting. Additions to historic buildings should be minimal." The revised potential interpretation, specific to ATMs, strives to keep the addition of an ATM minimal and non-visually jarring by requiring a step back from the exterior wall, minimizing signage, and disallowing additional lighting.

If the revised interpretation of the design guidelines is agreed upon, the current violation would meet the guidelines with the condition that it be relocated to be a minimum of one foot (1') back from the exterior wall line. The ATM is located within a deep recess (approximately eighteen feet deep) on the primary façade but is not stepped back from the exterior wall by at least one foot (1'). It is free standing so does not require the removal of any historic features. It measures approximately four feet, five inches (4'5") high and just over two feet, two inches (2'2") wide, which would meet the three foot (3') wide maximum. The signage is located on the machine itself. No additional lighting or signage has been added or is proposed.

If the Commission finds that the 2004 interpretation is still valid, the ATM does not meet the design guidelines due to its location. The interpretation the Commission established

in 2004 does not allow for ATMs on primary facades. This ATM is located within the recess of the primary façade on the right.



Recommendation

Staff recommends approval if a new ATM interpretation is agreed upon and the ATM is relocated to be one foot (1') back from the line of the exterior wall; finding that the ATM meets the design guidelines for new construction. Staff recommends disapproval if the 2004 ATM interpretation is agreed upon, finding that ATM does not meet design guidelines for new construction. If disapproved, staff recommends that the ATM be removed within 60 days of the date of decision.