

DAVID BRILEY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

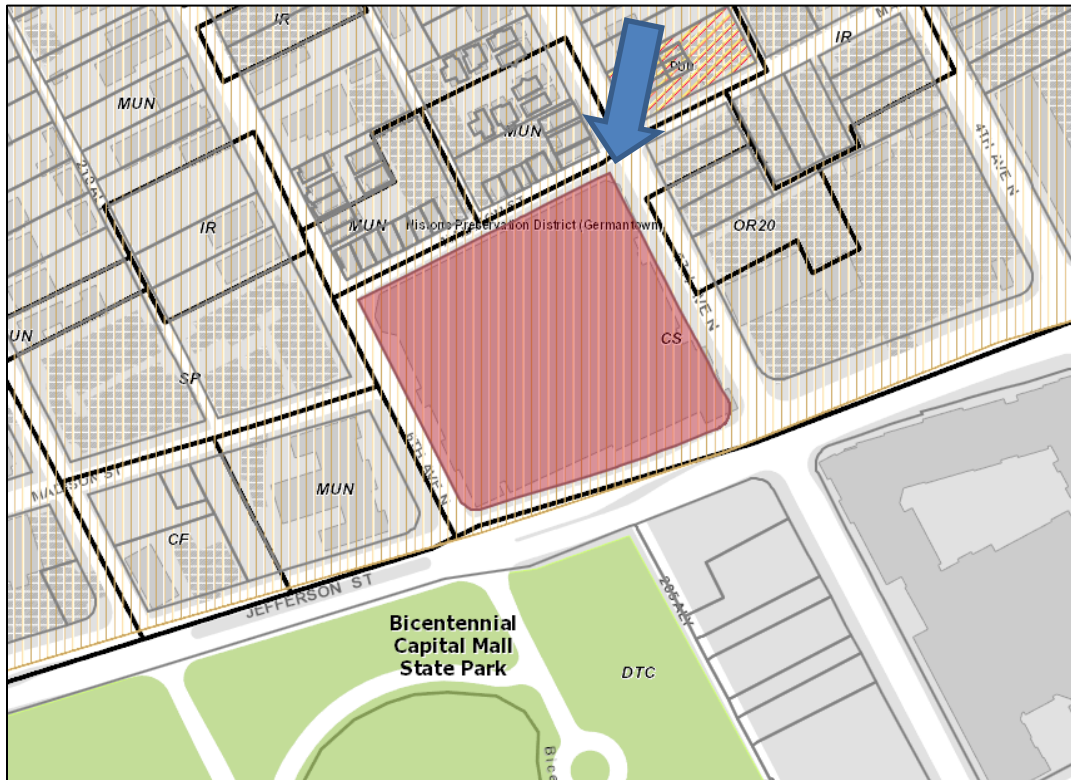
Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
Telephone: (615) 862-7970
Fax: (615) 862-7974

STAFF RECOMMENDATION
515 Madison Street (1121 5th Avenue North)
July 21, 2021

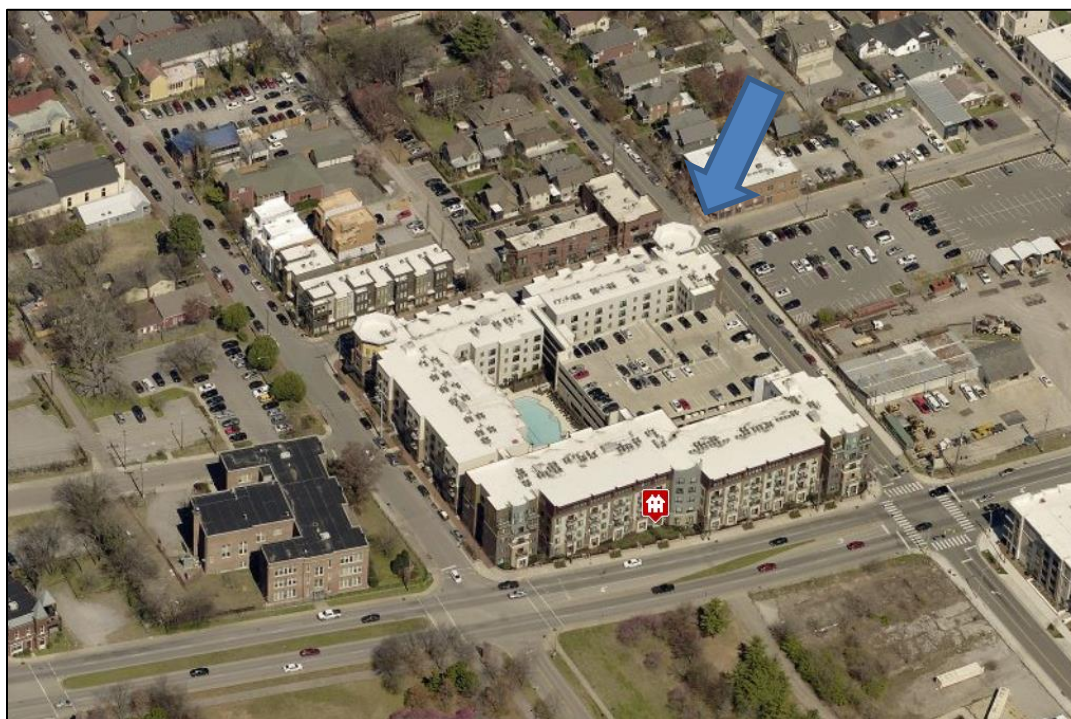
Application: Signage
District: Germantown Historic Preservation Zoning Overlay
Council District: 19
Map and Parcel Number: 08213019900
Applicant: Chad Smith, Visual Image Group
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

<p>Description of Project: An administrative permit was issued for a wall sign that does not meet the design guidelines and the permit was rescinded. The request is to retain the neon wall sign.</p> <p>Recommendation Summary: Staff recommends approval based on staff error, the building is not historic, there is no immediate historic context and the visual impact is mitigated by being placed on a chamfered corner with a recessed entry and beneath a large overhanging canopy.</p>	<p>Attachments A: Drawings B: Email and Invoice</p>
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Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

VI. SIGNAGE

A. GENERAL PRINCIPLES

Where a sign is proposed to encroach into the public right-of-way an application shall also be made with the Public Works Department. The requirements of the Public Works Department available at their website: www.nashville.gov/Public-Works/Developer-Services.aspx, in addition to the MHZC submittal requirements.

1. For properties in the Rosa L Parks Blvd. Zone signage requirements shall be the same regulations as those that govern the opposite side of the street but are not located in the Germantown HPZO.
2. Buildings with multiple tenants or the possibility of multiple tenants should consider submittal of a sign plan, even if not all signage will be installed immediately, to assure that all tenants have the possibility of signage.
3. The MHZC does not review signage inside a building or sidewalk signage that is removed at the end of each business day.
4. Signs shall be limited to on-premises signs related to the use or business conducted on the same site.
5. A sign shall be brought into compliance with the provisions of these design guidelines if at any time the sign is altered, repaired, restored or rebuilt to the extent that the cost exceeds fifty percent of the estimated replacement cost of the sign (in current dollar value). This does not include a panel change in a non-conforming cabinet sign, which shall be permitted. All permits within any six consecutive calendar months shall be aggregated for purposes of measuring the fifty percent standard. If the alteration or repair is caused by involuntary damage or casualty, the design may be altered or repaired to its pre-damaged condition.
6. A sign may be removed or taken off-site for repair and maintenance. The sign must be returned to the original location within 90 days of removal.
7. Abandoned, deteriorated, or damaged signs and sign posts shall be removed.
8. Signage not permitted:
 - billboards or general advertising signs
 - marquee type signs for announcements of activities taking place at the location (exceptions: churches, schools, and institutional use)
 - rooftop signs
 - Signs promoting off-site businesses
 - pole-mounted
 - signs that are put in motion by the atmosphere

B. DESIGN GUIDELINES

1. Signage Allotment

- a. Maximum square footage per building type, may be divided into multiple signs.
Low, mid-rise, mixed use and commercial: 1 square foot of sign area is allowed per linear foot of building façade. Measurements for linear feet shall be at grade, on the front of the building. For corner lots, the same amount of signage allotment as allocated to the front, shall be available for the secondary street-facing side of the building.

2. Location

See additional guidance under “signage type.”

- a. Signage should be placed in locations historically used for signage on the specific building type it is associated with and should not obscure transoms, columns, cornices, decorative elements, or key architectural features.
- b. Permanent window painted signs are not reviewed if painted on the inside of the glass.
- c. Signs for multiple tenant occupancies/multiple businesses shall be of similar material and design.
- d. Rooftop signage or signage is not appropriate.

3. Materials

- a. 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, or Plexiglas. Wood or painted metal are preferable materials. 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 porticos.

4. Signage Illumination

- a. External light sources shall be placed close to, and directed onto the sign and shielded to minimize glare into the street, sidewalks or adjacent properties.
- b. Projecting light fixtures used for externally illuminated signs shall be simple and unobtrusive in appearance. They should not obscure the sign.
- c. Buildings and signs may be illuminated by remote light sources, provided that these light sources are shielded to minimize glare to adjacent properties.
- d. Lettering may be internally lit or back-lit in all zones except for the National Register zone. For cabinet signs, the background must be opaque. Only text may be illuminated, and a halo of one inch around text logos may be non-opaque.

- e. The following light sources are prohibited:
- Exposed neon
 - Signs that flash, blink, revolve, or race
 - Visible bulbs, luminous paints, or plastics
 - Lighting that changes color
 - Signs with changing and moving lighted images

A. ADDITIONAL GUIDANCE BY SIGN TYPE

1. Wall Sign

A wall sign is attached flat to, or mounted away from, but parallel to the building façade and is appropriate for both commercial and residential building types.

- a. Wall mounted signs should be located between the first and second stories on commercial building types or near front entrances on residential building types.
- b. No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.
- c. No portion of a wall sign may extend above the lower eave line of a building with a pitched roof.
- d. A wall sign cannot cover windows or architectural details.
- e. A wall sign can be externally or internally illuminated in accordance with the section on Illumination.

Background: 515 Madison Street is the site of a large mixed-use development on the southern edge of the Germantown Historic Preservation Zoning Overlay (Figure 1). The development was approved by MHZC in May 2008. The building is in the “Jefferson Street District” of the Germantown Historic Preservation Zoning Overlay. Staff have received complaints from neighbors regarding a neon sign installed on one corner.

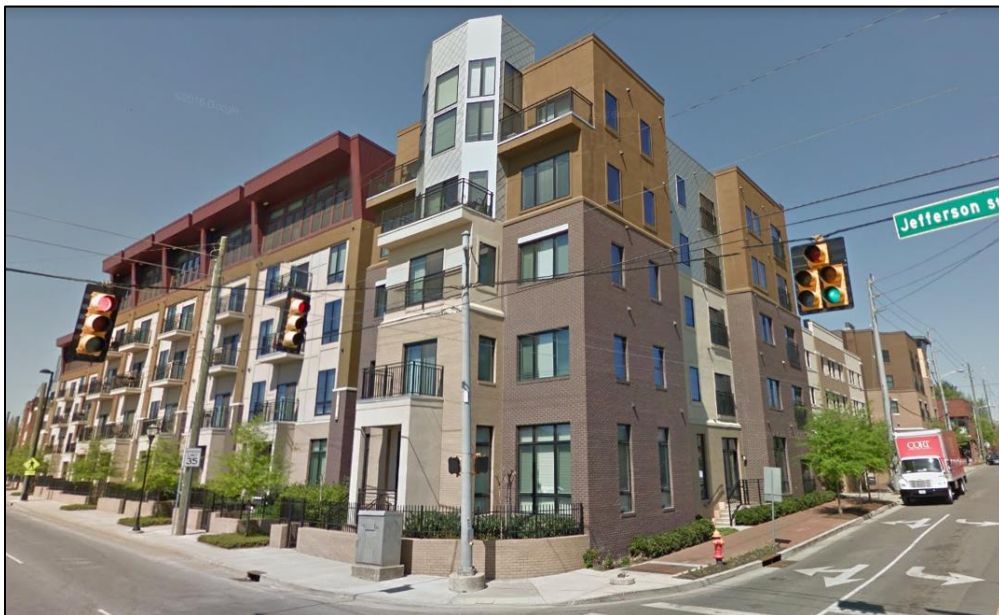


Figure 1: View of the site from the Jefferson Street and 5th Avenue North intersection

Analysis and Findings:

Building Type: The subject property is located in the Jefferson Street sub-district, and the building type is mixed use as it includes multi-family residential and commercial uses. There is only one historic building located around this development, which is the Elliott School located on the opposite corner from the sign, at 6th Avenue North and Jefferson.

Wall Sign: A wall sign was requested above an entrance at the corner of Madison and 5th Avenue North and a permit issued. The location (above the entrance) and size (20.6 sq ft) meet the design guidelines. In general, the materials meet the design guidelines but not the form of illumination, which is channel letters with neon. In response, permit #2021029639 was issued administratively for an “internally illuminated wall sign,” a type of sign that is allowed in this subdistrict; however, the plans provided note that the sign has neon. The type of illumination was missed by staff, and the permit was issued erroneously. The permit required an inspection prior to installation but the applicant did not call for the inspection. This inspection is typical of all sign permits so that the sign can be measured and checked prior to installation. This inspection would have been an opportunity to catch the error, prior to installation.



Figure 2: Sign above entrance.

Based on advice from Metro Legal, the permit was rescinded, and a notice was sent to Visual Image Group and Vista Germantown Apartments on June 11, 2021. Ms. Zeigler and Mr. Smith with Visual Image Group also discussed the matter twice on the phone, which included a discussion on several options.

One option would be to move the sign inside so that it is not reviewed; however, Mr. Smith said that it is likely too large for this option to work and a new sign would need to be purchased for the exterior entry. The sign is nine feet and nine inches long (9' 9"). Another option would be to create a box around the sign with a metal or opaque plastic face with the lettering cut out so that the sign meets the design guidelines for an internally lit cabinet sign. Although the second option would mean that the sign meets the design guidelines, the fix may draw more attention to the sign than the current design which is lettering without a background or surrounding box. A third option would be to approve the sign as-is based on staff error and for the following reasons. The building is not historic and there is no immediate historic context. The visual impact is mitigated by being placed on a chamfered corner with a recessed entry and beneath a large overhanging canopy. In addition, if approved because of staff error, approval will not set a precedent for any future neon signs in the district.

Recommendation: Staff recommends approval based on staff error, the building is not historic, there is no immediate historic context and the visual impact is mitigated by being placed on a chamfered corner with a recessed entry and beneath a large overhanging canopy.