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**MEMORANDUM**

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**TO:** PLANNING COMMISSIONERS  
**FROM:** ERIC HAMMER, METRO NASHVILLE PLANNING DEPARTMENT  
**SUBJECT:** CERTIFICATION OF BONUS HEIGHT COMPLIANCE WITHIN THE DTC  
**DATE:** JUNE 25, 2020

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<b>PROJECT NAME</b>	<b>1221 BROADWAY</b>
<b>DTC SUBDISTRICT</b>	GULCH SOUTH
<b>Parcel(s)</b>	09309015500
<b>Requested by</b>	Fiona Haulter, GBT Realty., applicant; One22One Investment Partners, LLC, owner

**BACKGROUND**

**The Downtown Code requires Planning Commission certification of compliance with the provisions of the Bonus Height Program (when those provisions are utilized for a development), before building permits can be issued.**

**APPLICANT REQUEST**

Certification of compliance with the Downtown Code (DTC) Bonus Height Program (BHP) for a 24-story office tower located at 1221 Broadway and within the Gulch South Subdistrict of the DTC. The applicant has utilized the following bonus height programs:

1. Underground Parking and Upper Level Garage Liner
2. Public Parking

The Gulch South Subdistrict permits 15 stories by-right for properties that front Broadway and up to 21 stories by-right for these properties with use of the Bonus Height Program. On September 26, 2019, the Planning Commission reviewed and approved a DTC Overall Height Modification (2019DTC-021-001) to allow 24 stories with the condition that the project also achieve LEED certified-level. Certified-level falls below the minimum threshold for use as a bonus under the Bonus Height Program. While LEED certified-level will be required from this project as a condition of the Overall Height Modification approval, it is not an eligible height bonus and is not addressed further within this memorandum.

**ANALYSIS**

The DTC Bonus Height Program allows bonus height if provisions for certain public benefits are met. The public benefits in exchange for bonus height are outlined as such:

Underground Parking and Upper Level Garage Liner

- The number of square feet of Bonus Height shall be equal to the number of square feet in Underground Parking. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.
- The number of square feet of Bonus Height shall be twice that of the number of square feet in Garage Liners. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.

**Public Parking**

- The number of square feet of Bonus Height shall be twice that of the number of square feet in Public Parking. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.
- Public Parking shall be clearly marked as public, and shall be accessible to the public, at all hours that the garage is open, for the lifetime of the building.

The project has demonstrated compliance with the DTC Bonus Height Program within the parameters outlined by the Overall Height Modification submittal, which details commitments through the bonus height program above and beyond the typical limitations of the BHP Chart.

The project has demonstrated via the DTC final site plan for the property that 89,976 SF of underground parking is being provided which yields a bonus height area of 89,976 SF and that 9,515 SF of retail liner is being provided which yields a bonus height of 19,030 SF. The project has also demonstrated that 29,992 SF of public parking are being provided via a recorded restrictive covenant, which yields 59,984 SF of bonus area.

As these bonus amounts match the commitments made to the Planning Commission as part of the Overall Height Modification, they are deemed to be used at this site. No bonus height is eligible for transfer to another site within the DTC.

**STAFF RECOMMENDATION**

*Approve Certification of Compliance.* Staff has reviewed the project’s utilization of the DTC’s Bonus Height Program provisions and finds it to be compliant with the DTC and Overall Height Modification 2019DTC-021-001.

**Parcel Map**

