

---

---

**MEMORANDUM**

---

---

**TO:** PLANNING COMMISSIONERS  
**FROM:** HARRIETT JAMESON BROOKS, METRO NASHVILLE PLANNING DEPARTMENT  
**SUBJECT:** CERTIFICATION OF BONUS HEIGHT COMPLIANCE WITHIN THE DTC  
**DATE:** JULY 23, 2020

---

<b>PROJECT NAME</b>	<b>909 DIVISION STREET</b>
<b>DTC SUBDISTRICT</b>	GULCH SOUTH
<b>Parcel(s)</b>	09314056600
<b>Requested by</b>	Mary McGowan, Kimley-Horn and Associates, applicant; Mark Garrison, LG Development Group, property 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 16-story mixed-use building located at 909 Division Street and within the Gulch South Subdistrict of the DTC. The applicant has utilized the following bonus height programs:

1. LEED Neighborhood Development
2. Pervious Surfaces
3. Upper Level Garage Liner

The Gulch South Subdistrict permits 10 stories by-right for properties that front Division Street and up to 16 stories for these properties that utilize the Bonus Height Program.

#### **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:

##### LEED ND

- Bonuses for neighborhoods are given upon pre-certification of LEED ND. Every property within the LEED ND neighborhood may utilize the bonus height. Bonuses are specific to each Subdistrict and the Gulch South Subdistrict allows 2 additional stories for LEED ND.

##### Pervious Surfaces

- The number of square feet of bonus height shall be twice that of the number of square feet of Pervious Surface. Bonuses are specific to each Subdistrict and the Gulch South Subdistrict allows 2 additional stories for Pervious Surfaces.

##### Upper Level Garage Liner

- The number of square feet of Bonus Height shall be twice that of the number of square feet in garage liner. Bonuses are specific to each Subdistrict, and the Gulch South Subdistrict allows 2 additional stories for Upper Level Garage Liners.

The project has demonstrated compliance with the DTC Bonus Height Program to attain six stories beyond the by-right allocation for this property. Two stories will be achieved through the property's location within the South Gulch LEED ND neighborhood boundaries.

An additional two stories will be attained through 36,538 SF of pervious surfaces—18,023 SF of green roof, 15,535 SF of common lawn, and 2,980 SF greenery—that yield a Bonus Height allowance of 73,076 SF Bonus Height, leaving 16 SF unutilized.

The final two stories will be achieved through 13,955 SF habitable office space lining four floors of structured parking, lending a height bonus of 55,820 SF. The 15<sup>th</sup> and 16<sup>th</sup> stories have a proposed area of 52,100 SF, leaving 3,720 SF of unused bonus height.

Upon fulfilling remaining requirements prior to issuance of building permits, the proposed development project shall be allowed to build within the restrictions of the Subdistrict, up to the Bonus Height Maximum as established within this section.

**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.

**Parcel Map**

