
MEMORANDUM

TO: PLANNING COMMISSIONERS
FROM: ERIC HAMMER, METRO NASHVILLE PLANNING DEPARTMENT
SUBJECT: CERTIFICATION OF BONUS HEIGHT COMPLIANCE WITHIN THE DTC
DATE: MARCH 25, 2021

PROJECT NAME	810 DIVISION STREET
DTC SUBDISTRICT	GULCH SOUTH
Parcel(s)	09314057100
Requested by	Luca Barber, Mill Creek Residential, applicant; Crunk Connected Products 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 15-story residential building located at 810 Division Street and within the Gulch South Subdistrict of the DTC. The applicant has utilized the following bonus height programs:

1. LEED ND
2. Underground Parking and Upper Level Garage Liner
3. Public Parking

The Gulch South Subdistrict generally permits 10 stories by-right for properties and up to 16 stories by-right for these properties with use of the Bonus Height Program. This project has demonstrated use of the Bonus Height Program to early 5 additional stories for a total height of 15 stories.

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.

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 to attain five stories beyond the by-right allocation for this property.

The project has demonstrated via submitted exhibits that this property is within the Gulch LEED ND neighborhood which yields a bonus height of two stories. This bonus height is applied to Stories 11 and 12 of this project.

The project has demonstrated via submitted exhibits that 9,144 SF of underground parking is being provided which yields a bonus height area of 9,144 SF and that 56,556 SF of retail liner is being provided which yields a bonus height of 113,112 SF. The BHP Chart specifies that only 2 stories may be earned with this bonus, so the earned bonus height is applied to Stories 13 and 14, which are 35,907 SF each.

The project has also demonstrated that 20,000 SF of public parking are being provided via a recorded restrictive covenant, which yields 40,000 SF of bonus area. This earned bonus is applied to Story 15, which is 35,907 SF, meaning that 4,093 SF of height is un-used. Per the Downtown Code, the remaining un-used bonus square footage would be eligible for the BHP transfer of development rights, upon the project receiving its final certificate of occupancy.

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.

Parcel Map

