



<b>Request</b>	<b>DTC Modification &amp; Overall Height Modification</b>
<b>Project Name</b>	<b>645 Division Street</b>
<b>Council District</b>	19 – O’Connell
<b>Requested by</b>	John Gore, P.E. with Barge Cauthen and Associates
<b>Staff Reviewer</b>	Hammer
<b>Staff Recommendation</b>	<i>Approve with conditions and defer without all conditions</i>

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**APPLICANT REQUEST**

A request for A.) Approval for modifying the step-back of the DTC B.) Recommendation for overall height modification to the Planning Commission for property located at 645 Division Street (1.28 acres), south of the intersection of Division Street and 7<sup>th</sup> Avenue South, and within the Gulch South subdistrict of the DTC.

**A. DTC MODIFICATION REQUEST SUMMARY**

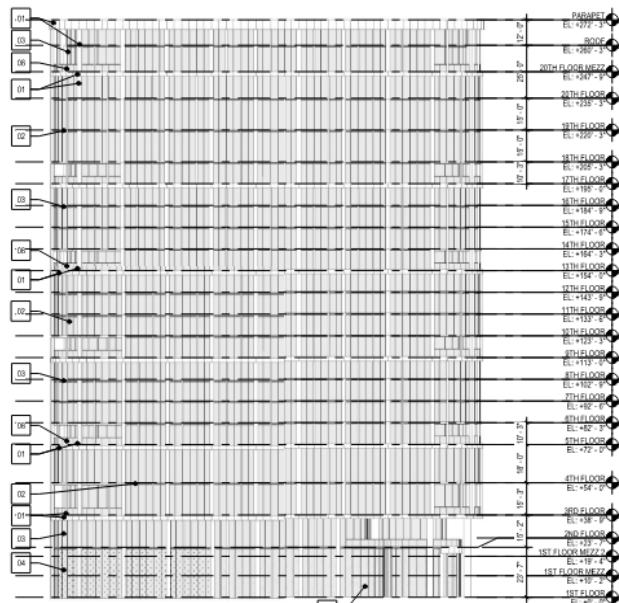
1. Step-back
  - Required: 15-foot minimum step-back is required for buildings 8 stories or greater along public streets between the 4<sup>th</sup> and 8<sup>th</sup> stories.
  - Proposed: No step-back on eastern portion of the façade.

**B. OVERALL HEIGHT MODIFICATION REQUEST SUMMARY**

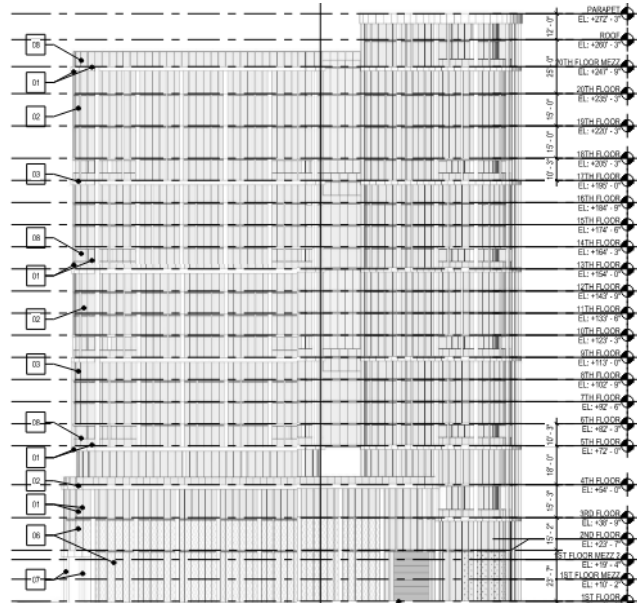
2. Overall Height
  - 10 stories – Maximum Height permitted for Gulch South Subdistrict
  - 16 stories – Maximum Height with provisions made through Bonus Height Program
  - 20 stories – Proposed Height as part of Overall Height Modification



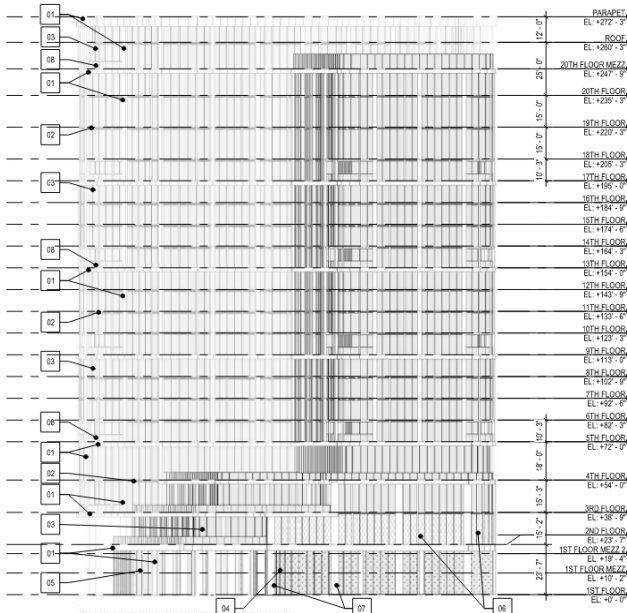
# Downtown Code DRC Meeting of 6/4/2020



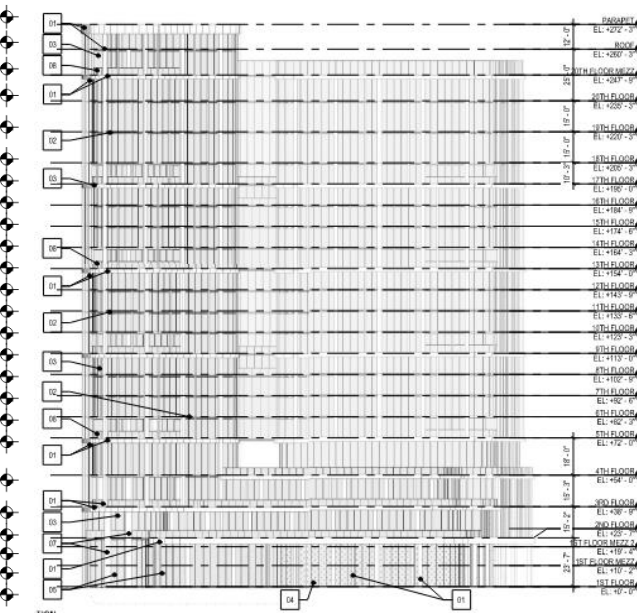
**Figure 1: East Elevation**



**Figure 2: South Elevation**



**Figure 3: West Elevation**



**Figure 4: North Elevation**



**Figure 4: Perspective from South (facing I-65)**



**Figure 5: Perspective from Division Street**



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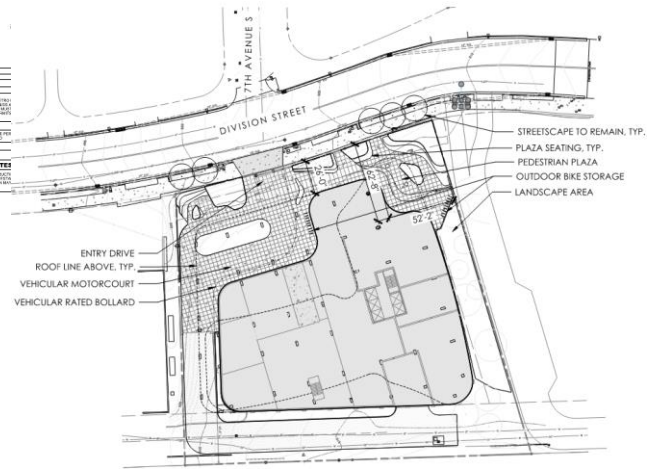
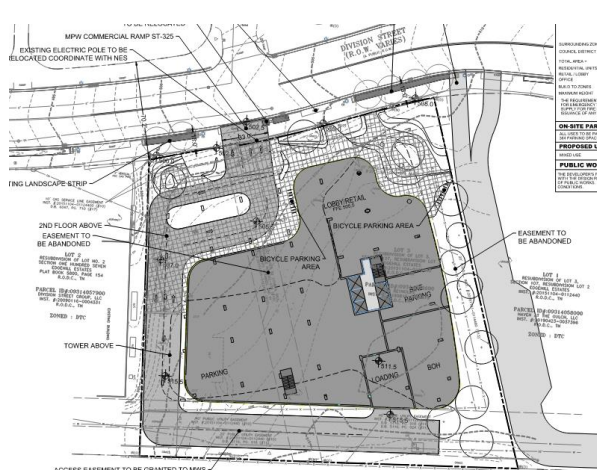


Figure 5: Ground Floor Plan – Access

Figure 6: Ground Floor Plan – Landscape

## PROJECT OVERVIEW

The project proposes a 20-story mixed-use building consisting of 430 residential units, 27,050 square feet of office space, 5,650 square feet of retail space, and both underground and structured parking for a total of 364 vehicular parking spaces. The ground floor of the building is lined with these active uses and pedestrian entrances.

## PLAN DETAILS

The property is located south of the intersection of Division Street and 7<sup>th</sup> Avenue South near the Division Street Bridge. Access for the project is taken from Division Street, at an access point aligning with the intersection of Division Street and 7<sup>th</sup> Avenue South, a dead-end street. A motorcourt to the west of the site allows for drop-off and access to the parking garage. All loading and service operations will occur at the rear of the site.

### A. DTC MODIFICATIONS ANALYSIS

#### Division Street Step-backs

The DTC requires buildings greater than 8 stories to have a 15-foot step-back occur at some point between the 4<sup>th</sup> and 8<sup>th</sup> story. The intent of a step-back is to allow light and air to reach the street for the benefit of pedestrians and to avoid a canyon effect. Step-backs are most important for narrow streets, as increased proximity of buildings on the other side of the right-of-way has a greater potential to create a canyon effect.

The proposed building does not step-back at the eastern portion of the tower, but steps back well over 50 feet on the eastern portion of the tower. In addition, the building is set back by 26 feet from the back of the public sidewalk, with a robust outdoor seating area and landscaped plaza. The proposed massing will meet the intent of the step-back.

### B. OVERALL HEIGHT MODIFICATION ANALYSIS

The process for an Overall Height Modification is outlined in the DTC as follows:

1. The Executive Director of the Planning Department shall determine whether the development has made reasonable efforts to sue all appropriate bonuses available in the Bonus Height Program.



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2. The applicant shall hold a community meeting providing notices to all property owners within 300 feet.
3. The Planning Commission shall review the modification request and may grant additional height for exceptional design, including but not limited to unique architecture, exceptionally strong streetscape, and improvement of the project's relationship to surrounding properties.

### Bonus Height Program

A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. Efforts include fulfilling requirements of the Public Parking, Pervious Surfaces, Upper Floor Garage Liner, and Underground Parking bonuses, as well as committing to earn LEED.

### Community Meeting

The applicant held a virtual community meeting on June 1, 2020 and sent notices to properties within 300 feet. No opposition was recorded. A letter of support has also been received by the Planning Department from an adjacent property owner prior to this meeting.

### Unique Architecture

The following architectural qualities contribute to unique design:

- Proposed materials are either custom-made or otherwise high quality.
- The treatment of the interstate-facing parking structure is enhanced well beyond the requirements of the DTC. This facade uses a green screen to effectively screen the cars within the garage.
- At the recommendation of staff, the massing of the tower has been “split” into two movements which are connected by narrow walkways with transparent glass. The intent of this is to allow light to pass through between the buildings, making the massing seem less wall-like and imposing.



**Figure 7: Garage Screening**



**Figure 8: Revised Perspective**

### Enhanced Streetscape

- The project uses a plaza with both passive pedestrian-level amenities with outdoor seating and the potential for outdoor dining. The DTC notes this property as “open space deficient” and this green space and plaza enhances the streetscape without interfering with the off-street bicycle facilities currently on Division Street.

### Improvement of Project's Relationship to Surrounding Properties





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- Although the number of surrounding properties is somewhat limited due to the presence of the Division Street Bridge, extensive railroad rights-of-way, and fork of I-40 and I-65, the viewsheds from Fort Negley are impacted by a building at this location. The quality and durability of the materials used and the curvilinear architecture being utilized will create an improved viewshed from Fort Negley in contrast to what could be otherwise constructed within the standards and height limitations of the DTC.

### Supplemental Policy Considerations

In addition to these considerations, this property is part of a supplemental policy (09-T6-DN-GS-Division Street) that was put in place after the construction of the Division Street Bridge. Supplemental Policy is put in place within a Community Plan when areas need more specific guidance than is included in the Community Character Manual. It reads as follows:

*Properties along the Division Street Extension may be considered for high-rise building height (20 stories and taller) in exchange for public benefits provided by the development, including, but not limited to, affordable and workforce housing, the Downtown Code's Bonus Height Program, modification processes, or rezoning to a Specific Plan. Building design should also result in a unique architecture that seeks to improve the public realm and city skyline.*

The construction of the bridge, which improved mobility throughout the Gulch South and Pietown neighborhoods, transformed this section of Division from a dead end into a major mobility corridor. This project is maximizing the DTC bonuses available to the site and proposes using the overall height modification process to achieve a height that is mentioned specifically within the supplemental policy as acceptable for this site.

### **STAFF RECOMMENDATION**

The project offers unique qualities and architectural expression in its site design, building massing, and overall aesthetic. The supplemental policy for the property also strongly supports the specific height requested and supports the proposed methods for obtaining the additional height. Several conditions are recommended to ensure that bonus height actions and critical site elements are addressed according to the standards of the DTC. Staff recommends approval with the following conditions and deferral without all conditions:

1. The project shall obtain a minimum of LEED Silver certification, as described within the LEED section of the DTC.
2. All trees within the plaza open space shall be accommodated in the manner described within the DTC open space standards.
3. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, shall be approved prior to building permit approval.



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