

Downtown Code Design Review Committee

Meeting Minutes

June 4, 2020

Members Present: Dickson, Hanan, Porter, Mosley, Oldham, Moore, Lustig, Hastings

Staff Present: Hammer, Jameson Brooks, Leeman

Others Present: Ben York (MPW), Alex Dickerson (Legal), Jeff Kuhnhenh (Gresham Smith), Kim Hawkins (Hawkins Partners), Tyler Jones (Lincoln Property Company), Andrew Yule (Albion Residential), Paul Alessandro (HP Architecture), John Gore (Barge Cauthen & Associates)

Location: Virtual Meeting – Webex Events Platform

I. APPROVAL OF VIRTUAL MEETING FORMAT

Mosley moved and Hastings seconded a motion to approve the committee as essential business and necessity of the virtual meeting format due to the Covid-19 pandemic (7-0-1).

II. APPROVAL OF THE 5/7/2020 DTC DRC MINUTES

Lustig moved and Hanan seconded the motion to approve the May 7, 2020 meeting minutes (8-0).

III. CASES FOR REVIEW

1) Circle South

2020DTC-031-001

Circle South

Staff Reviewer: Eric Hammer

Staff Recommendation: Approve with conditions and defer without all conditions

APPLICANT REQUEST

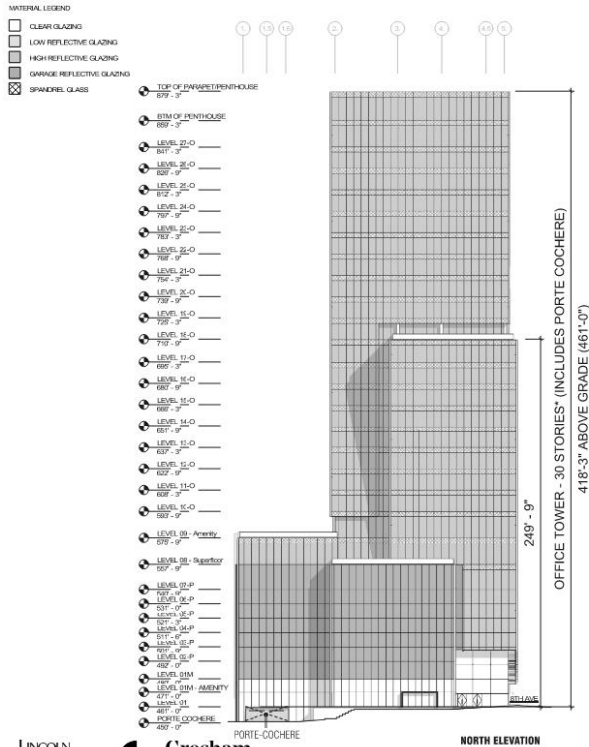
A request for A.) Approval for modifying the step-back, and maximum floor-to-floor maximum height standard of the DTC B.) Recommendation for overall height modification to the Planning Commission for property located at 700, 711 and 712 Lea Avenue and 410, 500 and 512 8th Avenue South (1.92 acres), at the intersection of Lafayette Street and 8th Avenue South, and within the Lafayette subdistrict of the DTC.

A. DTC MODIFICATION REQUEST SUMMARY

1. Step-back
 - o Required: 15-foot minimum step-back is required for buildings 8 stories or greater along public streets between the 4th and 7th stories.
 - o Proposed: Facade varies with architecture, no step-back on portions of the façades.
2. Floor-to-Floor Maximum Height
 - o Required: 25 feet for first two floors, 18 feet for other floors, 25 feet for top floor for buildings greater than five stories.
 - o Proposed: 33-foot height for a section of the first floor.

B. OVERALL HEIGHT MODIFICATION REQUEST SUMMARY

3. Overall Height
 - o 12 stories – Maximum Height permitted for Lafayette Street frontage
 - o 16 stories – Maximum Height with provisions made through Bonus Height Program
 - o 30 stories – Proposed Height as part of Overall Height Modification



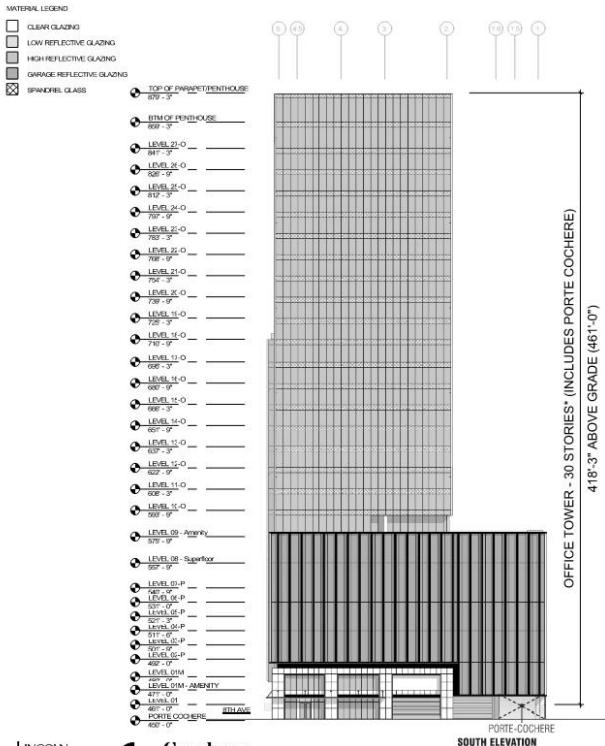
LINCOLN PROPERTY COMPANY

Gresham Smith

OVERALL ELEVATIONS

CIRCLE SOUTH | DRC PACKAGE 05/08/20 40

Figure 1: Korean Veterans Roundabout Elevation



HOLISTIC EXTERIOR DESIGN:
 THOUGH PORTIONS OF THE BUILDING'S FACADES ABUT ADJACENT PROPERTIES OR ALLEYS, THE BUILDING EXTERIOR IS TREATED AS IF ALL AREAS WILL BE VISIBLE IN PERPETUITY. GLAZING HAS BEEN INCORPORATED THROUGHOUT TO CREATE AN APPEALING AESTHETIC, AND CONCEAL THE PARKING PODIUM. THE BUILDING FORM BREAKS DOWN INTO SEVERAL LAYERED MASSES, AND UTILIZES A DIVERSE PALETTE OF QUALITY, DURABLE MATERIALS RESULTING IN A RICH AND APPROPRIATELY SCALED PEDESTRIAN STREETScape.



LINCOLN PROPERTY COMPANY

Gresham Smith

OVERALL ELEVATIONS

CIRCLE SOUTH | DRC PACKAGE 05/08/20 41

Figure 2: Palmer Alley Elevation

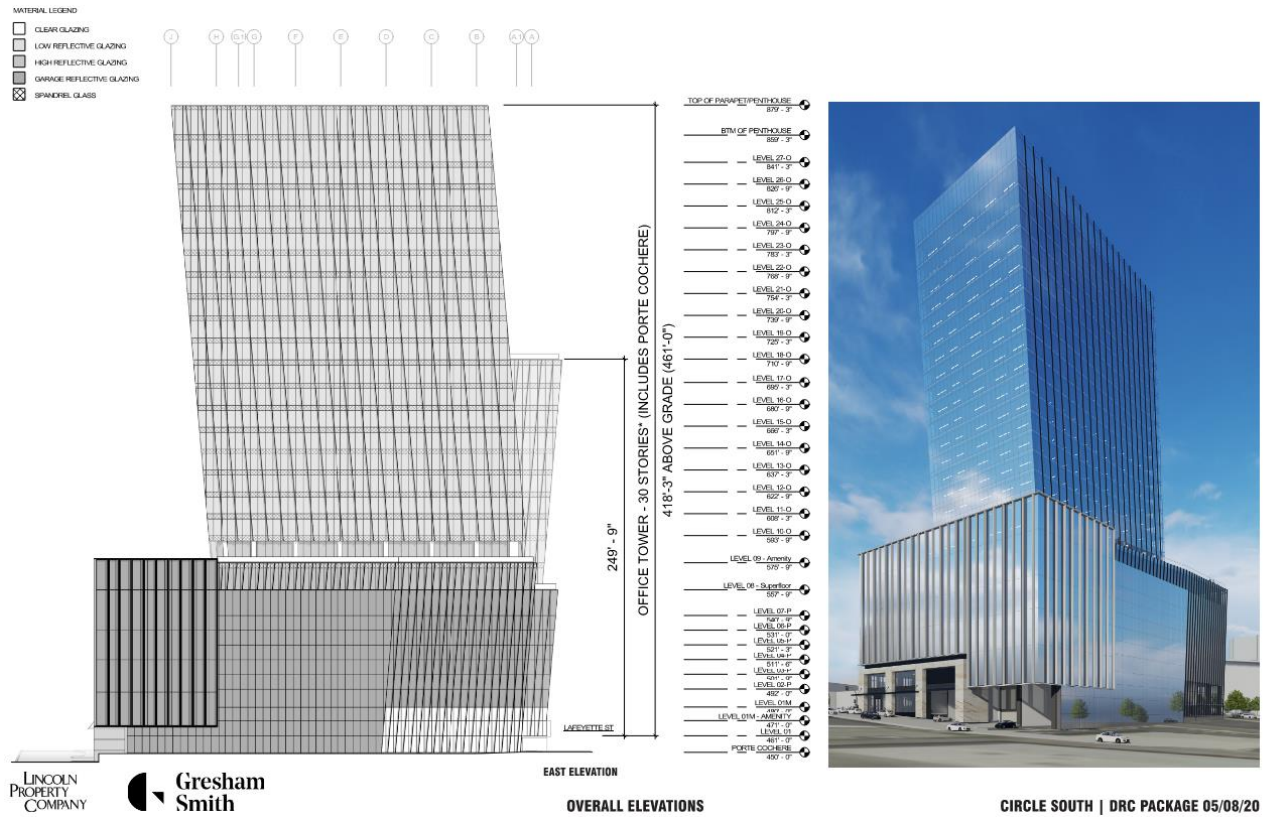


Figure 3: Lafayette Street Elevation

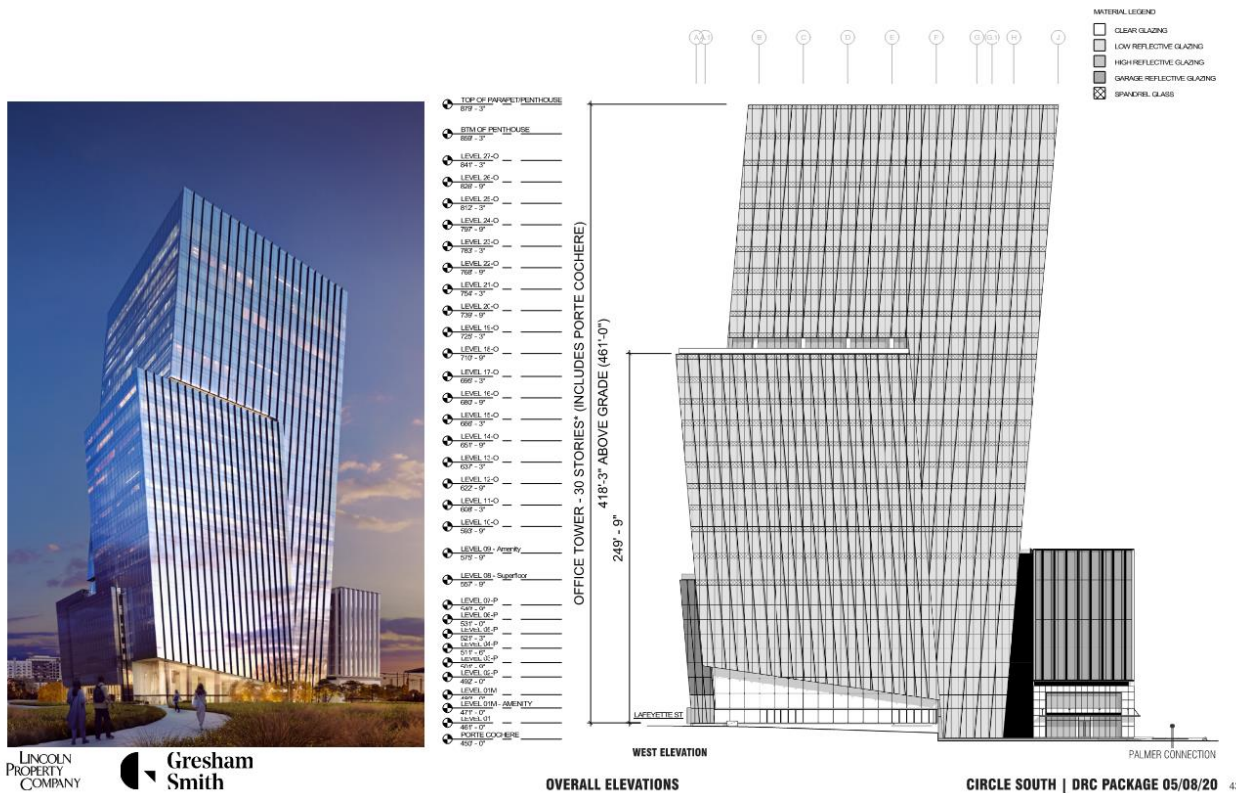


Figure 4: 8th Avenue South Elevation

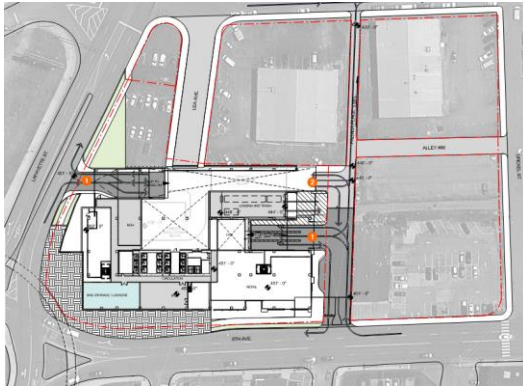


Figure 5: Ground Floor Plan – Access



Figure 6: Ground Floor Plan – Landscape

PROJECT OVERVIEW

The project proposes a 30-story office building consisting of 535,000 square feet of office space, 15,000 square feet of retail space, and both underground and structured parking for a total of 1,172 vehicular parking spaces. The ground floor of the building is lined with these active uses and pedestrian entrances. A privately-owned, publicly accessible open space is proposed at the Korean Veterans Boulevard Roundabout with pedestrian seating and cutting gardens.

PLAN DETAILS

The property is located south of the intersection of Lafayette and 8th Avenue South, directly on the Korean Veterans Roundabout. The property is also adjacent to Lea Avenue, which is recommended for closure by the Downtown Code. Access for the project is taken from several locations, including a new expanded public alley aligning with Palmer Avenue, a right-in, right out access on Lafayette, and a temporary exit onto Lea Avenue. Service and loading occur from the new expanded alley to the south of the site. A new traffic signal light is proposed at the off-set intersections of Drexel and Cannery Row. Pick-up and drop-off will occur within an internal circulation pattern.

In the future, it is anticipated that the Lea Avenue access point and (right-of-way generally) will close fully and that the expanded alley that is proposed to align with Palmer will be widened by future redevelopment to the east of this site. In the short-term, an existing north-south alley between this property and Drexel will be improved to allow better circulation.

A. DTC MODIFICATIONS ANALYSIS

Lafayette Street, Lea Avenue, and 8th Avenue South Step-backs

The DTC requires buildings greater than 7 stories to have a 15-foot step-back occur at some point between the 4th and 7th story. This project proposes a massing that leans away from the roundabout, but does not constitute a full-step-back as required. 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.

However, diameter of both adjacent rights-of-way and the roundabout are very wide compared to most other streets within this subdistrict. In addition, the building is buffered from the right of way by pedestrian amenities and open space, allowing for more light and air to reach the street level.

The property also is adjacent to Lea Avenue, but Lea is envisioned to be closed in the future and dead ends into the project site, making it an inappropriate application of a step-back.

Floor-to-Floor Maximum Heights

The DTC requires ground floor heights to not exceed 25 feet. The intent of this is to establish reasonable floor-to-floor heights, while preserving proportionality. Buildings are measured in stories, without reasonable limits to the height of each floor, unpredictable outcomes could occur that are contrary to the intent of height limitations. In this case, the grand pedestrian entrance to the building is proposed to exceed that 25 feet standard by 8 feet.

Staff finds that although the floor-to-floor height is higher than the standard, façade width where this occurs is minimal as the 33-foot portion is at the roundabout and the façade is compliant farther back from the roundabout on 8th Avenue. The height helps create an entrance with the prominence and monumentality to address the Korean Veterans Roundabout.



Figure 5: Grand Pedestrian Entrance at Korean Veterans Roundabout

Other Modifications

The northern parcels of this project, fronting the roundabout, are within the Arts Center Redevelopment District and within the Gateway Boulevard Urban Design Overlay (UDO), an overlay with design standards that is overseen by MDHA. In addition to these modifications considered by the DTC DRC, there is one modification being considered by the MDHA DRC and one modification to the Gateway UDO also being considered. The DTC requires that frontage on the roundabout either be perpendicular or curved at the roundabout, while this project proposes doing neither. The second is a modification to allow 6 stories of above-grade parking, where the UDO specifies that only 3 are allowed. Although these are being considered by the MDHA DRC, they are requested modifications to standards associated with this project.

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.
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, Open Space, Pervious Surfaces, Upper Floor Garage Liner, and Underground Parking bonuses, as well as committing to earn LEED Silver certification.

Community Meeting

The applicant held a virtual community meeting on May 27, 2020 and sent notices to properties within 300 feet. Several questions were answered and no members of the public expressed opposition. This meeting was recorded and is viewable.

Unique Architecture

The following architectural qualities contribute to unique design:

- The architecture of the building relates directly to the Stix public art in the center of the Korean Veterans Roundabout, providing a unique building at the terminated vista of 8th Avenue S. at the roundabout.
- Proposed materials are either custom-made or otherwise high quality.
- The landscape architecture of the publicly accessible open space at the base of the structure near the roundabout is unique and is not common within the Downtown Core. This area is noted by the Downtown Code as having an open space deficiency.

Enhanced Streetscape

- The project uses both retail space and publicly accessible open space to activate the sidewalk corridor. The open space includes passive and active recreational and relaxation spaces, that does not serve just the tenants of this building, but the neighborhood.
- The project fully complies with the Major and Collector Street Plan.
- Applicant has agreed to discuss coordinating bus stop locations with WeGo Public Transit.

Improvement of Project's Relationship to Surrounding Properties

- Drexel Street will be signalized as part of the access reconfiguration proposed by this project in consultation with Planning and Metro Public Works.
- The intersection of 7th and Lafayette will receive mobility improvements as part of this project in consultation with Planning and Metro Public Works.

STAFF RECOMMENDATION

The project offers unique qualities and architectural expression in its site design, building massing, and overall aesthetic and staff is recommending approval of the modifications requested. Staff is entertaining this overall height modification solely due to its prominent location on the Korean Veterans Boulevard Roundabout. This roundabout serves as a focal point for both the SoBro and Lafayette subdistricts and a coherent urban design strategy should address all sides of this important element. Future overall height modification requests along 8th Avenue South would not be generally appropriate without a detailed policy review of the larger neighborhood context. Staff recommends approval with the following conditions and deferral without all conditions:

1. Any street or alley closures or encroachments must be approved by Metro Council.
2. The applicant shall coordinate with WeGo Public Transit on existing and future transit stops on 8th Avenue South
3. Final design of the proposed signal at Drexel and improvements to the 7th Avenue South and Lafayette intersection shall be coordinated with and approved by Metro Public Works.
4. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, must be approved prior to building permit approval.
5. The developer must propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal prior to the issuance of building permits.

Hastings has declared a conflict on this item and recused prior to deliberations. Mosley moved and Oldham seconded the motion to approve the modification request and recommend that the Planning Commission approve the overall height modification with staff conditions. (7-0-1)

RESOLUTION

BE IT RESOLVED by the Downtown Code Design Review Committee that case 1) Circle South is approved and a recommendation of approval of the overall height modification to the Planning Commission. (7-0-1)

2) 645 Division Residential

2020DTC-038-001

645 Division Street

Staff Reviewer: Eric Hammer

Staff Recommendation: Approval with conditions and deferral without all conditions

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 7th 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 4th and 8th 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

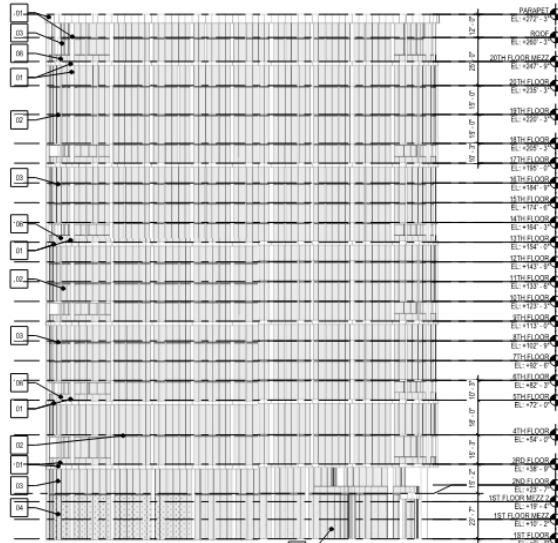


Figure 1: East Elevation

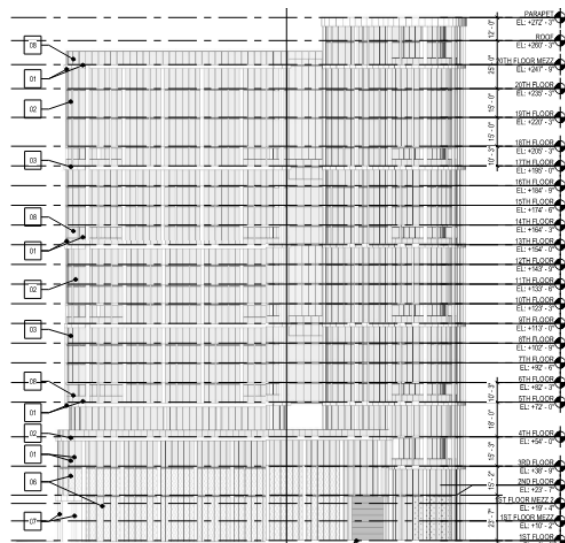


Figure 2: South Elevation

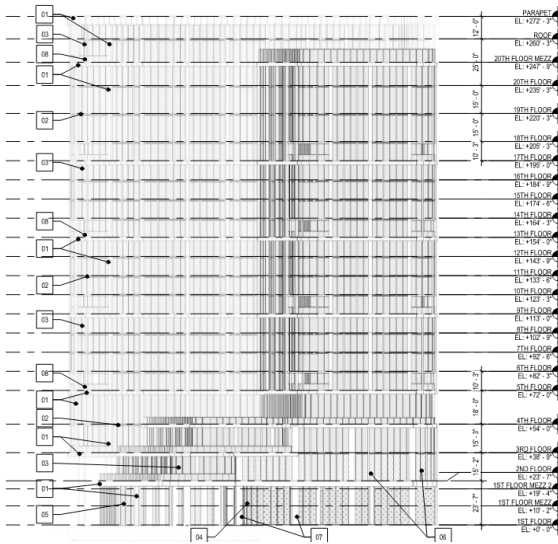


Figure 3: West Elevation

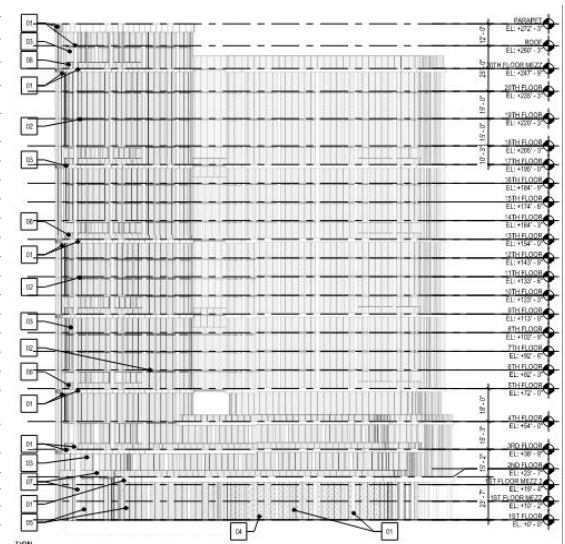


Figure 4: North Elevation



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



Figure 5: Perspective from Division Street

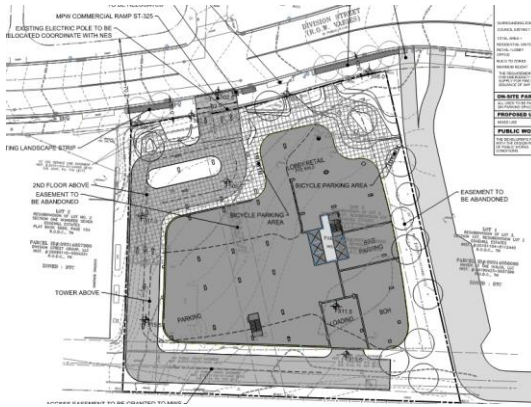


Figure 5: Ground Floor Plan – Access

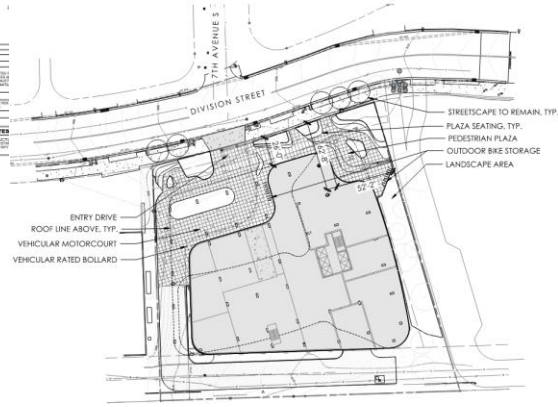


Figure 6: Ground Floor Plan – Landscape

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 7th 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 7th 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 4th and 8th 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:

4. 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.
5. The applicant shall hold a community meeting providing notices to all property owners within 300 feet.
6. The Planning Commission shall review the modification request and may grant additional height for exceptional design, including but on 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

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

- 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.



Figure 8: Revised Perspective

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.

Hastings moved and Mosley seconded the motion to approve the modification request and recommend that the Planning Commission approve the overall height modification with staff conditions 1-3 and two additional conditions (8-0):

4. The lobby shall be expanded to the west of the site to comply with the active use requirement.
5. The developer shall propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal prior to the issuance of building permits.

RESOLUTION

BE IT RESOLVED by the Downtown Code Design Review Committee that case 2) 645 Division Residential is approved and a recommendation of approval of the overall height modification to the Planning Commission. (8-0)

IV) Adjournment