



<b>Request</b>	<b>Modifications/Project Revisions</b>
<b>Project Name</b>	<b>12<sup>th</sup> at Broadway</b>
<b>Council District</b>	19 – O’Connell
<b>Requested by</b>	Endeavor Real Estate Group, HKS applicant
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**APPLICANT REQUEST**

**Modifications to the Downtown Code**

A request to approve revisions to the previously approved 12<sup>th</sup> & Broadway project with modifications for property located at the northwest corner of 12<sup>th</sup> Avenue and Broadway, bounded by 12<sup>th</sup> Avenue North, Broadway, George L. Davis Boulevard, and alley #237, within the Gulch South Subdistrict of the DTC. Overall, the revised project consists of a proposed mixed use building totaling 26 stories tall on approximately 1.6 acres. The proposed revisions consist of introducing two floors of office and the removal of three residential levels resulting in a 26 story mixed-use building. Additional changes include balconies encroaching into the build-to zone, changes to the facade treatment, and minor changes in the building massing.

The building includes one floor of ground level retail with 4 levels of parking structure above. Two basement levels are also proposed for parking. On top of the podium are two floors of office, with the remaining residential tower above. The project proposes to use the LEED Silver, Underground Parking and possibly Public Parking provisions of the DTC Bonus Height Program (DTC BHP) to achieve the proposed height (20 stories by-right, plus 6 stories of bonus height).

**Previously Approved Modifications to the DTC Standards (proposed plan does not comply with following standards):**

- 20 stories of building height (26 stories with bonus height) permitted within 150 feet of the intersection of 12<sup>th</sup> Avenue and Broadway (applicant requested to extend the distance limitation an additional 85’ on Broadway approximately).
- Requesting to allow balconies to intrude into the 15-foot step-back space.
- Facade articulations and elements encroachments past the build-to line.

**Proposed Revisions to the previously approved design**

- Facade materials and treatment – 12<sup>th</sup> and Broadway corner treatment, glazing changes, mural wall along George L. Davis Boulevard, garage skin orientation, retail storefront to be determined by future tenants, et al.
- Introduction of two floors of office resulting in relatively minor changes to the building massing.
- Additional balconies at the corner of 12<sup>th</sup> and Broadway encroaching into the setback.

**BACKGROUND**

The project received approval with conditions for the requested modifications on May 5<sup>th</sup>, 2016 by the DTC DRC. The conditions were:

1. Project must meet all Major and Collector Street Plan streetscape improvements.
2. Parking on the roof of the 5<sup>th</sup> / top level to be screened from view and incorporate green roof elements.
3. George L. Davis ground level facade to be treated architecturally to include glazing or elements that break up the blank wall facade.



## Downtown Code DRC Meeting of 03/02/2017

4. Additional Parking structure facade details/design/materials shall be provided for review (and changes may be requested).

The applicant has subsequently revised the design of the project. Although mostly aesthetic in nature, the proposed revisions do differ significantly enough from the original 2016 approved design, such that staff is requiring the DRC to review the proposed changes.

The applicant states they are able to still meet the conditions of the original approval in the following manner:

1. *Project continues to comply with all Major and Collector Street Plan streetscape improvements.*
2. *Parking on the roof of the 5th / top level is screened from street view. A large percentage of parking continues to be covered. Now with office and green elements at the 8th floor.*
3. *George L. Davis ground level facade will be treated with a to be determined artwork mural element to break up the blank wall facade.*
4. *The garage has been enhanced with elements carrying down from the tower facade and materials.*

### ANALYSIS

The proposed revisions are generally consistent with the intent of the original approval. The public realm elements are still maintained with MCSP compliant streetscape elements. The intrusion of the balconies into the required 15' step-back is relatively minor in nature. The inclusion of office component adds additional mix of uses to the building. And the subsequent changes in massing and facade treatment are still consistent with the general aesthetic of the previously approved plan.

There are details that staff recommends additional consideration. The corner of 12<sup>th</sup> and Broadway is a prominent intersection in downtown, and care should be taken to ensure the building adequately addresses the corner in a successful manner. The proposed revision does begin to address the corner by having the glass come down the corner façade. The increased glazing serves to break-up the monolithic garage plane along Broadway as well. However, the original approved plans included a canopy at the corner to create a pedestrian scale to the building. The canopy has since been omitted from the design, with the ground floor retail storefront design to be determined by the tenant(s) at a later time. Staff recommends pedestrian scaled elements, such as the canopy, be reincorporated in the corner ground floor design.

Along the George L. Davis frontage, the applicant is proposing a mural/art wall to provide visual interest to the blank areas of the facade. Along the alley elevation, the upper floor garage treatment should also turn the corner to match the proposed art mural on the lower facade.

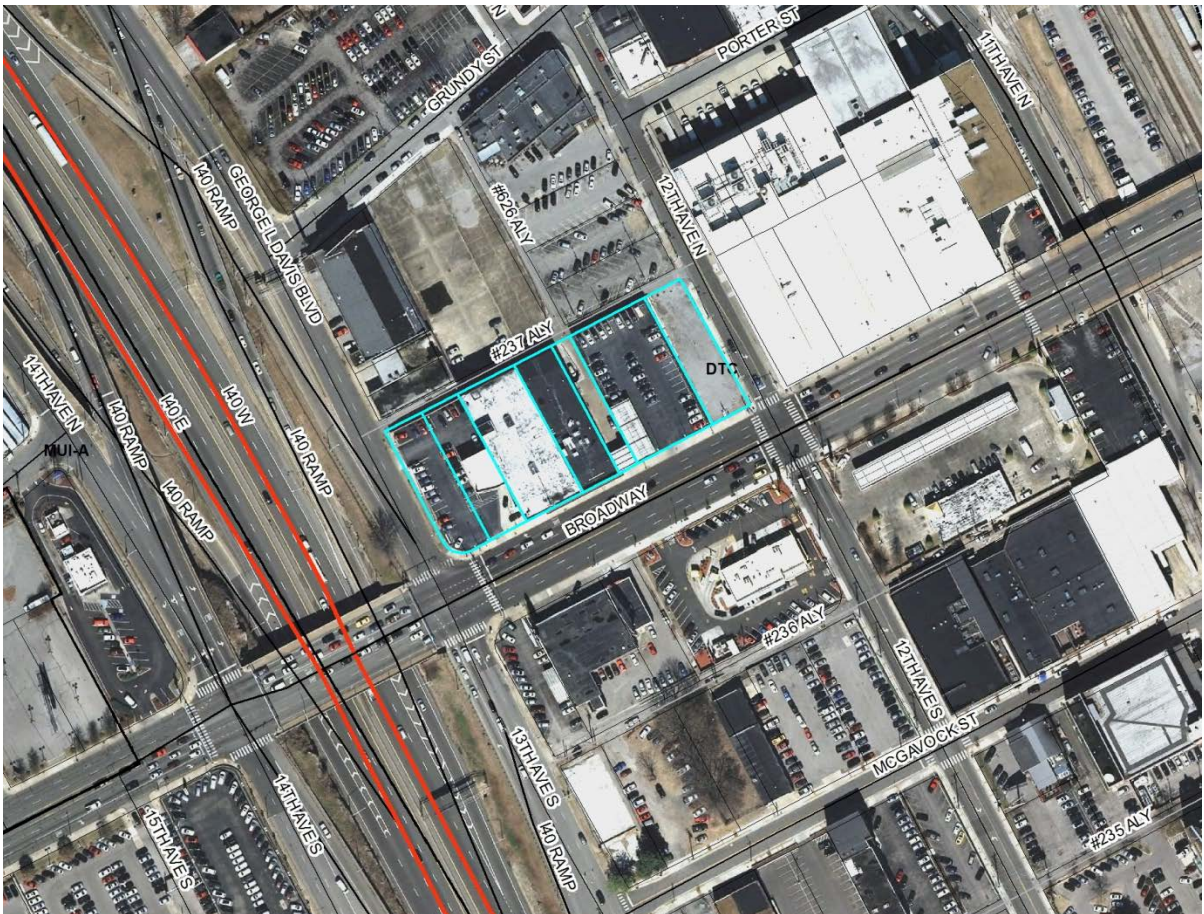


## Downtown Code DRC Meeting of 03/02/2017

### STAFF RECOMMENDATION

Staff recommends approval with conditions:

1. The 12<sup>th</sup> and Broadway corner of the building shall re-incorporate pedestrian scaled elements, such as a canopy. Staff to review and approve.
2. George L. Davis facade to include the mural/art wall as proposed. Other alternatives such as glazing may be considered and approved by staff.
3. Along the alley frontage the upper floor garage screening shall turn the corner for the same distance as the proposed mural, not less than 20' in length.
4. The retail tenant storefront will be required to meet the DTC standards at the time of its development.
5. Project must meet all Major and Collector Street Plan streetscape improvements.





<b>Request</b>	<b>Modifications to DTC Standards</b>
<b>Project Name</b>	<b>USSTC Overflow Parking</b>
<b>Council District</b>	19 – O’Connell
<b>Requested by</b>	Jonathan Paulk, Siteworks LLC, applicant; Brad Montgomery, US Smokeless Tobacco Co., owner
<b>Staff Recommendation</b>	<i>Approve.</i>

**APPLICANT REQUEST**

**Modification to the Downtown Code**

A request to approve modifications for property located at 1021 Harrison Street, within the Gulch North Subdistrict of the DTC.

The property is an irregular shape (approximately .73 acres) and is bounded by Harrison Street to the north, 10<sup>th</sup> Avenue North to the east, and railroad right-of-way to the south and west. The property contains an existing 5-story building which occupies the entire 10<sup>th</sup> Avenue North frontage. The remainder of the property is vacant and has been intermittently used for overflow truck parking by the company (US Smokeless Tobacco). The applicant is proposing a permanent truck trailer parking lot and a security booth of approximately 50 square feet. Vehicular access to the proposed parking lot is through an existing curb cut on Harrison Street. The project provides the required streetscape trees and perimeter landscape strip (shrubs, trees, and fence) for surface parking lots.

**Requested Modifications to the DTC Standards (proposed plan does not comply with following standards):**

- Interior planting requirements for surface parking lots.
- All building standards for the security booth (build-to zone, façade width, building depth, height, glazing, and active use).

**ANALYSIS**

The DTC requires surface parking lots to have interior landscaping covering at least eight percent of the gross area of the parking lot, including interior planting areas located within or adjacent to the parking lot as tree islands, at the end of parking bays or inside seven foot wide or greater medians. A minimum one canopy tree is required for every 15 parking spaces.

The purpose of the parking lot is to provide off-street parking for overflow shipping trailers. The required interior landscaping presents challenges to maneuvering these service vehicles due to their wide turning radii. In lieu of the interior landscaping, the applicant is proposing an extra six foot wide landscaped buffer area on the Harrison Street frontage in addition to the required five foot perimeter landscape strip for a total of an 11 foot landscape buffer. The six foot landscaped buffer will be planted with trees spaced 30 feet on center. The trees in the landscape buffer are offset approximately 15 feet from the required streetscape and perimeter landscape strip canopy trees which are both spaced 30 feet on center. Harrison Street will also have streetscape improvements consisting of an eight foot sidewalk and four foot planting strip with streets trees spaced 30 feet on center. On the Harrison Street frontage, the combination of streetscape trees, trees in the landscape buffer area and the shrubs, trees, and fence in the perimeter landscape strip will provide ample shading for a pedestrian while also screening the parking lot.



## **Downtown Code DRC Meeting of 03/02/2017**

Regarding the security booth, the proposed parking lot is for overflow trailers and their cargo which must be secured at all times. The security booth is a small prefabricated structure approximately 10 feet tall. It will be located just inside the parking lot behind the perimeter landscape strip and will be painted to complement the existing building on the property. Although the security booth does not meet the DTC building standards, the project provides the required streetscape trees and perimeter landscape strip (shrubs, trees, and fence), in addition to a six foot wide landscape buffer with trees; these elements will help to screen the security booth. Furthermore, the security booth is only an accessory use serving the principal use (parking lot) of the property.

### **STAFF RECOMMENDATION**

Staff recommends approval of the modifications. Given the existing location and truck parking use, the proposed project meets the intent of the DTC for an improved public realm for surface parking lots screened from public view



<b>Request</b>	<b>Modifications to DTC Standards</b>
<b>Project Name</b>	<b>Capitol View Block E</b>
<b>Council District</b>	19 – O’Connell
<b>Requested by</b>	Kyle Reis, Cooper Carry, applicant; North Charlotte Avenue Holdings LLC, owner
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

**APPLICANT REQUEST**

**Modification to the Downtown Code**

A request to approve modifications as proposed for property bounded by Jo Johnston Avenue to the north, rail road right-of-way to the east, Nelson Merry Street to the south, and 11th Avenue North to the west, within the Gulch North Subdistrict of the DTC.

The proposed project is part of Capitol View, a 32 acre mixed use development located in the DTC Gulch North Subdistrict. The project is a 10-story mixed use development to include approximately 24,000 square feet of ground floor retail space, approximately 319,000 square feet of office space, approximately 170 hotel rooms, and approximately 1161 parking spaces in a parking structure. The office and hotel programs will be developed independently as two separate buildings with access to a shared parking structure on the site.

This review is for the office building and parking structure only; the hotel building will be developed in a different phase and will be reviewed at the time of submittal. The office building fronts Nelson Merry Street and 11th Avenue North while the future hotel building will front 11th Avenue North and Jo Johnston Avenue. The shared parking structure fronts Jo Johnston Avenue and a service drive and greenway which are both parallel to the railroad right-of-way. The greenway extension from Charlotte Avenue north to Jo Johnston Avenue is made possible through private land deeded to Metro by the owners of the overall Capitol View development. The project proposes a publicly accessible triangular plaza space at the southeast corner of the site fronting the service drive and greenway to the east and Nelson Merry Street to the south. Sidewalk and streetscape improvements meet and exceed the Major and Collector Street Plan standards.

**Requested Modifications to the DTC Standards (proposed plan does not comply with following standards):**

- Building standards for the Greenway frontage including active use/parking garage liner, build-to zone, façade width, and pedestrian entrance.
- Building standards for the parking garage fronting Jo Johnston Avenue including active use/parking garage liner, upper level parking garage façade treatment, build-to zone, and façade width.
- Temporary modifications for the parking structure to be exposed due to the hotel building being developed in a different phase. The future hotel building is located at the northwest corner of the site fronting 11th Avenue North to the west and Jo Johnston Avenue to the north. The modification are for building standards including active use/parking garage liner, upper level parking garage façade treatment, build-to zone, and façade width.



## Downtown Code DRC Meeting of 03/02/2017

### **BACKGROUND**

On February 9, 2017, the Metro Planning Commission approved a modification to the overall height standards of the DTC to allow 10 additional feet of building height at an overall elevation of 570 feet. The MPC found that the project met the requirements for “Exceptional Design” as required by the DTC, including exceptionally strong streetscapes and improvements of the project’s relationship to the surrounding context. The proposed project is consistent with the MPC Overall Height Modification approval.

### **ANALYSIS**

The DTC requires building façades that front on an open space (including greenways) to apply the standards of the adjacent street types, excluding Tertiary Streets. For Block E, Jo Johnston Avenue and 11<sup>th</sup> Avenue North are classified as Secondary Streets, while Nelson Merry Street is a Tertiary Street. Thus, the Greenway frontage on Block E must meet the frontage standards of a Secondary Street. The project is mixed-use (office and parking) and proposes a service drive parallel to the Greenway, its eastern boundary. The parking structure fronts the service drive and the Greenway.

#### Greenway frontage requirements

The Greenway frontage on Block E does not meet the DTC building standards including active use/parking garage liner, build-to zone, façade width, and pedestrian entrances. While the building frontage does not provide active uses or a liner on the ground floor, the upper levels of the entire façade of the parking garage are architecturally screened and integrate the overall design of the building. In addition, the ground level of the garage is screened by a landscape buffer with Schip Laurel trees which at full growth are expected to be eight to ten feet tall.

The need for service and loading and the location of the service drive prevents the building from meeting the DTC requirements for build-to zone and façade width; however, this is a similar condition to what exists on the approved Block D directly to the south across Nelson Merry Street. The landscape buffer planted with Schip Laurels will also screen the service and loading areas and the service drive.

Finally, although the building does not provide a primary pedestrian entrance on the Greenway, the project proposes a publicly accessible triangular plaza space at the southeast corner of the site. This plaza space includes a combination of green space and hardscape elements which span the service drive to strengthen the connection to the adjacent Greenway. Moreover, the adjacent Nelson Merry Street is designed as a “festival street” and includes an extra 15 feet for outdoor dining and gathering areas. The triangular plaza space is well designed to link and enhance the activity in the two activity spaces of the Greenway and the Nelson Merry streetscape frontage.

#### Jo Johnston Avenue frontage requirements

The parking garage fronting Jo Johnston Avenue does not meet the DTC building standards for active use/parking garage liner, upper level parking garage façade treatment, build-to zone, and façade width. The building façade is set back approximately 12 feet from the back of sidewalk in order to provide a landscaped buffer in lieu of a ground floor liner with active uses. Due to the set back, the building does not meet the building standards for build-to zone and façade width. The proposed landscape buffer does screen the parking while providing some enhancement of the streetscape.



## Downtown Code DRC Meeting of 03/02/2017

Building Code and Life Safety requires a 42 inch tall wall for parking garages at street level. Due to the slope of the site and the required garage wall, the distance between the sidewalk and the openings in the garage ranges from approximately 5 to 7 feet. The combination of the building setback from the street and the proposed landscape buffer aids to screen the tall wall for this portion of the façade. Staff recommends that the applicant must specify plantings including trees and shrubs within the landscape buffer to screen the parking structure and reduce the scale of the wall between the sidewalk and the openings in the parking structure.

The parking garage is proposed at 5 stories in height. At the street, the parking garage façade is 4 stories and is architecturally screened and integrates into the overall design of the building. However, portions of the fourth and fifth stories of the parking garage, which are set back approximately 60 feet (1 parking bay) from the building façade, are not architecturally screened. These unscreened portions of the garage will be visible to occupants in surrounding midrise buildings, such as the development immediately north across Jo Johnston Avenue. Staff recommends that all upper levels of the parking garage must meet the DTC standards for façade treatment/screening on the public street frontage.

### Northwest corner frontage requirements (11<sup>th</sup> Avenue North and Jo Johnston Avenue)

On the northwest corner of the site, the parking structure will be exposed due to the hotel building being developed in a different phase. The future hotel building will front 11th Avenue North to the west and Jo Johnston Avenue to the north. The exposed parking garage does not meet the DTC building standards for active use/parking garage liner, upper level parking garage façade treatment, build-to-zone, and façade width. Per the applicant, the development of the hotel is dependent on the parking lot being built first; however the hotel development is intended to meet all of the DTC building standards. Staff recommends that landscape screening be installed on the vacant/hotel phase portion of the property upon the completion of the parking structure. In addition, should development plans not be approved for the vacant/hotel phase of the property within one year of building permits being issued for the parking structure, staff recommends that the exposed parking structure be required to provide architectural screening/facade treatment at that time.

### **STAFF RECOMMENDATION**

Staff recommends approval of the modifications for the Greenway frontage, Jo Johnston Avenue frontage, and temporary exposed parking at the northwest corner of the site, with conditions:

1. On the Jo Johnston Avenue frontage, all upper levels of the parking garage must meet the DTC standards for façade treatment.
2. On the Jo Johnston Avenue frontage, the applicant must specify plantings including trees and shrubs within the landscape buffer to screen the parking structure and reduce the scale of the wall between the sidewalk and the openings in the parking structure.
3. Unless otherwise developed, landscape screening shall be installed on the vacant/hotel phase portion of the property (located at the northwest corner of the site) upon the completion of the parking structure.
4. Should development plans not be approved for the vacant/hotel phase of the property within one year of building permits being issued for the parking structure, parking garage façade treatment shall be installed on the northwest corner of the parking structure at that time.