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**MEMORANDUM**

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**TO:** PLANNING COMMISSIONERS  
**FROM:** ERIC HAMMER, METRO NASHVILLE PLANNING DEPARTMENT  
**SUBJECT:** CERTIFICATION OF BONUS HEIGHT COMPLIANCE WITHIN THE DTC  
**DATE:** APRIL 28, 2022

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<b>PROJECT NAME</b>	<b>820 4<sup>TH</sup> AVENUE NORTH</b>
<b>DTC SUBDISTRICT</b>	SULPHUR DELL
<b>Parcel(s)</b>	0823040600
<b>Requested by</b>	Ross Kirby, Dynamik Design, applicant; Brittani Sanders, Portman Residential, 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 7-story residential building located at 820 4<sup>th</sup> Avenue North and within the Sulphur Dell Subdistrict of the DTC. The applicant has utilized the following bonus height programs:

1. Civil Support Space
2. Upper-Level Garage Liner
3. Pervious Surfaces
4. LEED Silver (NGBS equivalent)

The Sulphur Dell Subdistrict generally permits 5 stories by-right for properties and up to 6 stories by-right for these properties with use of the Bonus Height Program. On February 11, 2021, the Planning Commission reviewed and approved a DTC Overall Height Modification (2021DTC-002-001) to allow 7 stories. As part of the DTC Overall Height Modification application, this project demonstrated use of the DTC Bonus Height Program beyond the cap of 6 stories within the Downtown Code.

**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:

Civil Support Space

- The dedication of Civil Support Space offers height bonus for the developer's contribution of space to a specific use or entity that serves to better the neighborhood or community. See the BHP Chart for details for a list of Subdistricts in which the Civil Support Space bonus may be utilized.

#### Upper-Level Garage Liner

- 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.

#### LEED Silver

- Bonuses for individual buildings are given upon precertification of LEED (**or equivalent**) silver, gold, and platinum. The bonuses are specific to each Subdistrict. See the BHP Chart for details.

#### 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.

The project has demonstrated compliance with the DTC Bonus Height Program within the parameters outlined by the Overall Height Modification submittal, which details commitments through the bonus height program above and beyond the typical limitations of the BHP Chart.

A comparable program to LEED tailored for residential buildings, NCBS, has been committed to, earning the equivalent of LEED Silver, which yields two stories of bonus height. The project has also demonstrated that 8,000 SF of civil support space has been provided which yields 16,000 SF of bonus height and 11,000 SF of pervious surfaces have been used amounting to 22,000 SF of bonus height. 84,000 SF of upper-level garage liner have been provided, yielding 168,000 SF of bonuses.

As these bonus amounts match the commitments made to the Planning Commission as part of the Overall Height Modification, they are deemed to be used at this site. No bonus height is eligible for transfer to another site within the DTC.

#### **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

