



<b>Request</b>	<b>DTC Concept Plan</b>
<b>Project Name</b>	<b>Nashville Yards Parcel 9</b>
<b>Council District</b>	19 – O’Connell
<b>Requested by</b>	Kelly Cathey, with Gresham Smith;
<b>Staff Reviewer</b>	Hammer
<b>Staff Recommendation</b>	<i>Approve with conditions and defer without all conditions.</i>

---

**APPLICANT REQUEST**

A request to review an updated concept plan within DTC for property located at 901 Commerce Street and 0 9<sup>th</sup> Avenue S. (4.76 acres), east of 10<sup>th</sup> Avenue N. and south of Church Street within the Core Subdistrict of the DTC.

**PROJECT OVERVIEW**

The project proposes a 12-story mixed-use/office building, 2-story event venue building, and 34-story residential building, and 35-story residential building and 2,066 spaces of underground parking.

**PLAN DETAILS**

The general bounds of the property include Church Street to the north, Platform Way North and 10<sup>th</sup> Avenue on the west, Commerce Street to the south, and 9<sup>th</sup> Avenue to the east. Platform Way is an elevated private street positioned directly above 10<sup>th</sup> Avenue with superstructure supports within the 10<sup>th</sup> Avenue right-of-way. The proposed plan includes vehicular access to Commerce Street, 9<sup>th</sup> Avenue, and 10<sup>th</sup> Avenue. Loading is to occur from 10<sup>th</sup> Avenue. A private street is proposed from Platform Way South to 9<sup>th</sup> Avenue. This new street is proposed to mix pedestrian and vehicular traffic. All parking is below the grade of Church Street and 9<sup>th</sup> Avenue South.

The proposal includes two residential towers with lobbies accessed from Commerce Street. These buildings include retail and restaurant space. Additionally, a 12-story mixed-use building with offices, a theater, and departmental retail is proposed on the north side of the site. The building in the center of the site is a music venue with a significant seated capacity. Areas between the buildings are generally pedestrian passageways. Several levels of parking are located below ground on the entire site.

There is a parcel within this block, addressed 901 Church Street, that is reserved for future development. While a garage spanning the entire block is proposed below grade with this submittal, no building has been proposed at this location. This building must be reviewed by the DRC in a separate future application.

**BACKGROUND**

This property was reviewed in 2019 as part of a request for modifications. Several modifications were granted for this property, including, among others, clarifying where the ground floor measurements are taken from, waiving street tree requirements underneath Platform Way, and allow active use requirements to be taken from Platform Way and Church Street in lieu of 10<sup>th</sup> Avenue.



## Downtown Code DRC Meeting of 4/7/2022

The prior plan included many of the same site features of the currently proposed plan, with a few exceptions. The prior plan featured a hotel at the corner of 10<sup>th</sup> Avenue and Commerce Street; this has been replaced with the western residential tower.

Properties within the Core Subdistrict are entitled to 30 stories of height with the ability to earn unlimited additional entitlements within the confines of the Bonus Height Program. As such, the plan has been revised to propose taller buildings, which are in line with the height regulations of the Core Subdistrict.

Parcel 9 contains two residential towers, and the applicant has agreed to restrict the proposed residential towers to prohibit future conversion of residential units to short-term rentals via a restrictive covenant.

In 2020, a comprehensive signage package was approved by the DTC DRC, including signage for all parcels within the Nashville Yards development site. The package included several signs within Parcel 9, including wall-mounted traditional and digital signage integrated into the building façade. The applicant has agreed to adjust signs to ensure that signage does not wrap corners. As building design progresses, the signage will be updated to reflect these façade changes to generally conform to the previously approved signage package.

As part of the previous review, several modifications were approved by the DTC DRC. These generally included allowing active uses and measurements to be taken from Platform Way, rather than 10<sup>th</sup> Avenue N., allowing the façade to pull back from the build-to zone to accommodate additional pedestrian space, and allowing the street trees to be omitted for viaduct conditions and covered rights-of-way. The prior review also allowed larger access points on 10<sup>th</sup> Avenue N. and Platform Way than typically allowed. The site constraints that necessitated those modification requests, like the presence of Platform Way, remain applicable to the property.

### CONCEPT REVIEW

- Does the architecture of the theater use balance the requirements of the land use with ground floor activity necessary for creating a positive pedestrian experience in an urban setting?
- Is the pedestrian-vehicle shared private street designed successfully for both modes of transportation?
- How can porte cocheres be designed to avoid disrupting the pedestrian realm?

### STAFF RECOMMENDATION

The project aligns with the goals and objectives of the Downtown Code. Staff recommends approval with the following conditions and deferral without all conditions:

1. The proposed residential use shall not be converted to Short-Term Rental use. This restriction shall be memorialized, consistent with similarly-situated residential developments, by a deed restriction or recorded declaration with language agreed to by the Metro Department of Law.
2. Applicant shall make good-faith efforts to accommodate pedestrian and vehicular access for the project located at 1000-1010 Church Street (the "Project"). Any agreement for access by the Project may include provisions to ensure access for existing users of Platform North is not disrupted, limitations to support residential users, a market-supported contribution for



## Downtown Code DRC Meeting of 4/7/2022

use of Platform North and ongoing maintenance and management expenses. In the event Applicant and the owner of the Project are unable to reach an access agreement, applicant shall work in good faith with the Metro Department of Law and other Metro departments to resolve traffic, circulation, and similar concerns affecting Applicant's property and the Project.

3. The project shall comply with all NDOT requirements on the revised Traffic Impact Study (TIS).
4. \*Additional NDOT comments to be provided at DRC meeting\*