



**REQUEST
PROJECT**

Concept Review and Modification Review
Modera SoBro Phase II

**Council District
Requested by**

19 – O’Connell
Hays Layerd, AIA/Cooper Cary, applicant; CPC-9 to 5,
L.P., owner.

Staff Reviewer

Islas

Staff Recommendation

Approve with conditions and defer without all conditions

Applicant Request

A request to approve a concept plan and a modification to step-back for property located at 825 6th Avenue South, zoned DTC (3.89 acres), and within the Lafayette Subdistrict of the DTC.

Project Overview

The project proposes an 11-story residential building with ground floor retail along 6th Avenue between Mulberry Street and Division Street. Almost 75,000 sf of underground parking is provided across three levels.

Plan Details

The general bounds of the property include Division Street to the north, 6th Avenue on the east, Mulberry Street to the south, and Vine Street to the west. The proposed plan includes vehicular access on 6th Avenue and Vine Street, as well as loading on Mulberry Street. The site has been proposed to be constructed in two phases, the second phase is the focus of this concept review. The first phase was approved at the concept level at the April 7th 2022, DTC DRC meeting.

The second phase includes property on the southeastern side of the access driveway, generally fronting 6th Avenue and Mulberry Street. The building is primarily residential with ground floor retail space at the corner of 6th Avenue and the access driveway.

The building is primarily comprised of brick veneer, glass and metal on the street level, and metal panels, cementitious siding, glass, and brick veneer at the upper levels. Phase II has proposed to take advantage of the Bonus Height Program (NGBS Silver and Below Grade Parking) to earn three stories on top of the eight allowed by-right. The applicant has also stated that the property is intended to be residential-only and has agreed to memorialize that intent via a restrictive covenant.

CONCEPT REVIEW

- Is this phase of the project addressing 6th Avenue’s role as a gateway into Downtown from Wedgewood-Houston? What should the applicant keep in mind as they continue to refine the design?
- Given recent conversation around interstate frontage in the DTC, is this phase of the project optimizing the site’s significant exposure and visibility from the interstate?
- In a downtown with an increasing amount of slender high-rise towers, what is appropriate of mid-rise buildings with long frontages? In terms of architecture? And streetscape?



Downtown Code DRC Meeting of 5/5/2021

- 6th Avenue South is identified as a Secondary Street in the DTC and thus does not exclude residential uses from the list of acceptable active uses. The applicant has added 5,000 sf of retail at the corner of 6th Avenue and the access driveway in response to the DRC and Staff's desire for a more active use at this location. Is this additional commercial space sufficient? Are there additional ways this project can enhance its frontages, considering the future opportunities that surround this site?

MODIFICATION REVIEW

1. Step-back Requirements

- Required: A 15' step-back, between the 4th and 7th stories, is required for all buildings 7 stories or greater fronting public streets.
- Request: Provide a 10' step-back at the 7th story along 6th Avenue and eliminate step-back requirements along Mulberry Street.
- Analysis: Along 6th Avenue, a 10' step-back, along with a horizontal break in the façade for a courtyard at the 1st story, provide enough relief from the street. Along Mulberry Street, a step-back is not deemed necessary as it is a low intensity street that sits well below the adjacent interstate.

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 a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by the Metro Department of Law.
2. The project shall comply with all NDOT requirements of the Traffic Impact Study (TIS).
3. Prior to Final Site Plan review, the applicant will continue to work with Planning Staff regarding the articulation and materiality of the building to refine the architectural expressions as seen from public vantage points.