



**REQUEST
PROJECT**

Concept Review and Modification Review
4th and Elm Southeast

**Council District
Requested by**

19 – O’Connell
Derrick Payne, Reztark Design Studio, applicant; AGB 4th
Ave, LLC, & Wildcats, LLC et al, Michael J. Yarbrough
Revocable Trust, owners.

**Staff Reviewer
Staff Recommendation**

Hammer
Approve with conditions and defer without all conditions

Applicant Request

A request to approve a concept plan and modifications to step-back for property located at 704-712 4th Avenue South, zoned DTC (1.13 acres), and within the Lafayette Subdistrict of the DTC.

Project Overview

The project proposes a new 11-story residential and short-term rental building with ground floor retail and restaurant uses on 4th Avenue South and loft units fronting Elm Street and Ash Street. In total, the project will consist of 176 residential and short-term rental units, 11,844 sf of retail space, and 95 vehicular parking spaces.

Plan Details

The project site is located on 4th Avenue South between Ash Street and Elm Street. Three retail spaces and the building lobby will address 4th Avenue South, which is a primary street. Loft units designed as storefronts address Ash Street and Elm Street, which are secondary and tertiary streets respectively.

All mechanical uses are located on the alley to the east of the site, with the electrical transformer at the corner of the alley to satisfy NES requirements. All vehicular parking access and loading is taken from the alley. TIS recommendations are forthcoming and may influence site details when finalized.

The project proposes to earn 3 stories of height through the Bonus Height program, specifically through use of the public parking, underground parking, and pervious surfaces bonuses. The public parking is accessed via a separate stairway near the corner of Ash and 4th Avenue South.

CONCEPT REVIEW

- How can ground floor units be designed to successfully blend residential and commercial?
- Do varied step-backs successfully accomplish the goals of a traditional step-back?



Downtown Code DRC Meeting of 11/3/2022

MODIFICATION REVIEW

1. Step-back Requirement

- Required: A 15' step-back, between the 4th and 8th stories, is required for all buildings 8 stories or greater fronting public streets.
- Request: Provide a graduated step-back on 4th Avenue South ranging from 0' to 41'-10" between levels 2 and 5 and a step-back on Ash Street and Elm Street ranging from 0' to 274'-4" on level 2.
- Analysis: Staff finds that modification request meets the intent of the DTC step-back requirement – allowing light and air to reach the street for the benefit of pedestrians. The modification allows for variation in the massing while maintaining a ground floor with a close relationship to the street, allowing more light and air to reach the street than if the step-back regulation was strictly applied.

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 applicant shall comply with NDOT's recommendations and with any proposed traffic improvements that result from the project TIS.
2. If implementation of final TIS recommendations has a substantial effect on the building or site design, revisions to these plans shall be reviewed by the DTC DRC.
3. Public bicycle parking shall be provided per Metro Code 17.20.135.
4. Furnishing zone shall be designed with a street tree grate system and trees shall include 400 cubic feet of soil volume, per the DTC.