
MEMORANDUM

TO: PLANNING COMMISSIONERS
FROM: ERIC HAMMER, METRO NASHVILLE PLANNING DEPARTMENT
SUBJECT: CERTIFICATION OF BONUS HEIGHT COMPLIANCE WITHIN THE DTC
DATE: JANUARY 12, 2023

PROJECT NAME	NASHVILLE YARDS 09A3 AND 09B3
DTC SUBDISTRICT	CORE
Parcel(s)	09305440500
Requested by	Adam Stowe, Gresham Smith, applicant; Southwest Venture Partners, 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 34-story residential building and a 33-story residential building located at 910 Commerce Street and 0 9th Avenue North and within the Core Subdistrict of the DTC. The applicant has utilized the following bonus height programs for these two towers:

1. Underground Parking and Upper-Level Garage Liner

The Core Subdistrict generally permits 30 stories by-right for properties and unlimited stories by-right for these properties with use of the Bonus Height Program. This project has demonstrated use of the Bonus Height Program to earn four (4) and three (3) additional stories for a total height of 34 stories and 33 stories respectively.

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:

Underground Parking and Upper Level Garage Liner

- The number of square feet of Bonus Height shall be equal to the number of square feet in Underground Parking. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.
- 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.

The project has demonstrated compliance with the DTC Bonus Height Program to attain four (4) and three (3) additional stories beyond the by-right allocation for this property.

The project has demonstrated via submitted exhibits that 618,372 SF of underground parking is being provided on levels P3 (199,505 SF), P4 (205,224 SF), P5 (208,420 SF), and P6 (5,223 SF) of

the project which yields a bonus height area of 618,372 SF. However, no more than 8 stories can be earned with this bonus.

The BHP Chart specifies that only 8 stories may be earned with this bonus, so the earned bonus height is applied to the top four (4) stories:

- 31st Story: 12,855 SF
- 32nd Story: 12,855 SF
- 33rd Story: 12,855 SF
- 34th Story: 12,855 SF

The BHP Chart specifies that only 8 stories may be earned with this bonus, so the earned bonus height is applied to the top three (3) stories:

- 31st Story: 13,250 SF
- 32nd Story: 13,250 SF
- 33rd Story: 13,250 SF

The total bonus height used is 91,170 SF and the total earned square footage for this bonus is 618,372 SF, meaning that 527,202 SF in Underground Parking bonus height may remain available for future use on the site or transferred as limited and outlined within the Downtown Code.

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

