

Downtown Code Design Review Committee

Meeting Minutes

July 14, 2022

Members Present: Dickson, Moore, Mosley, Porter, Hastings, Yearwood

Staff Present: Hammer, Islas, Williams, Dickerson (Legal), Hattabaugh (NDOT)

Others Present: Tom Lowe, Eric Hawkins, David Bailey, Brendan Boles, Larry Papel, Jed Prest, Cory Heck, John Felker

Location: 800 2nd Avenue South, Development Services Center Conference Room

I. MINUTES

Hastings moved and Mosley seconded to approve the June 2, 2022 meeting minutes. (5-0-0)

RESOLUTION

BE IT RESOLVED by the Downtown Code Design Review Committee that the minutes for the June 2, 2022 meeting are approved. (6-0-0)

II. CASES FOR REVIEW

1) 621 Middleton

2022DTC-036-001

621, 623, 625, and 633 Middleton Street

Staff Reviewer: Jared Islas

Staff Recommendation: Approve with conditions and defer without all conditions

Applicant Request

A request to approve a concept plan and recommend approval of an overall height modification for properties located at 621, 623, 625, and 633 Middleton Street, zoned DTC (1.2 acres) and within the Lafayette Subdistrict, to allow a 25-story residential building where eight stories are permitted by-right, and 11 stories are allowed with bonus height.

Project Overview

This project is located at the southeast intersection of Middleton Street and 7th Avenue South and includes a mixed-use development consisting of 405 rental units (no STR), 14,770sf of retail, a pedestrian paseo, and 439 parking spaces across three levels of underground parking.

Plan Details

This staff report references drawings supplied by the applicant, dated June 17, 2022, saved in Metro Planning staff files, and available to the committee members online at links supplied by Planning staff.

The project site has frontage on 7th Avenue South and Middleton Street – both of which are classified as tertiary streets in the DTC. Pedestrian entrances to the residential lobby and various retail spaces are located off Middleton Street. Many of the pedestrian entrances, including the residential lobby, are significantly recessed into the building's front façade to provide expanded outdoor areas along the streetscape. This project also provides a tighter curb radii and double directional sidewalk ramps at the intersection of 7th Avenue South and Middleton Street.

A 20' wide pedestrian paseo is located to the immediate east of the building and on the project's property. This paseo will include seating areas, planters, a resident access point, and a retail entrance. The pedestrian paseo advances NDOT's ongoing Pie Town Mobility Study by

becoming the first segment of a pedestrian-prioritized passage that runs through Pie Town, connecting Lafayette Street to Fogg Street.

The building's underground parking is accessed from 7th Avenue South, while a limited number of parking spaces reserved for the public are accessible from the alley, behind the property. This alley will also serve as space for service and loading.

MODIFICATION REVIEW

1. Overall Height Modification

- Required: 621 Middleton is located within the Lafayette Subdistrict of the Downtown Code, where 8 stories are permitted by-right and up to 11 stories are permitted using the Bonus Height Program.
- Request: 25 stories.

The process for an Overall Height Modification is outlined in the DTC as follows:

- 1) *The Executive Director of the Planning Department shall determine whether the development has made reasonable efforts to pursue all appropriate bonuses available in the Bonus Height Program.*
 - 2) *The applicant shall hold a community meeting providing notices to all property owners within 300 feet.*
 - 3) *The Planning Commission shall review the modification request and may grant additional height for exceptional design, including but not limited to unique architecture, exceptionally strong streetscape, contribution to the skyline, improvement of the project's relationship to surrounding properties, and improvement to the character of the neighborhood. In some instances, consideration may be given where a project results in implementation of significant community improvements (e.g. quality open space, upgrading public infrastructure, or others determined by the policies of Metro departments) and/or contributes to the implementation of community improvements determined by the policies of Metro departments.*
- Bonus Height Program: A Determination Letter, signed by the Executive Director of the Planning Department, is attached to this staff report, and states the development has made reasonable efforts to use all appropriate bonuses available in the Bonus Height Program. The LEED bonus has been earned by pursuing LEED accreditation. Additional bonuses being utilized include Underground Parking, Public Parking, and Pervious Surfaces.
 - Community Meeting: The applicant held a community meeting on Tuesday, June 28 at 6:30 P.M. and sent notices to property owners within 300 feet. Six members of the public, and six people associated with the project, attended the community meeting. The public voiced strong support of the project. All questions asked were related to clarifying details of the project. This included questions about the visual screening element at the end of the paseo, materials, sidewalks and MCSP requirements, number of units, unit mix, and affordability.
 - Exceptional Design Analysis: The tower of the project is broken up into three sections – staggered in plan and elevation, which creates visual interest in the skyline and creates vertical articulation of the tower massing. At the podium level, portions of the building are carved away to break up the overall length of the building. Activated outdoor spaces, such as storefronts, outdoor dining area, and amenity terraces, fill these voids. The use of accent color along the base creates additional visual interest on the first three floors of the building.

The tower exhibits exceptionally strong streetscape. Sidewalks and planting zones along Middleton Street and 7th Avenue South will be built to MCSP

standards. In some areas, these standards will be exceeded by 10'-20' due to the carving out of the podium level. These areas are used to activate the space for pedestrians and improve the quality of the public realm. A 20' wide pedestrian paseo, with access off Middleton Street, will be provided along the east perimeter of the property. These external spaces are activated with landscaping, public art, and 14,000 sf of retail uses within the building.

Back of house operations will be kept to the alley behind the building, and existing above-ground utility lines will be buried underground. Additionally, the 621 Middleton project has made an offer to upgrade the sidewalk section on the north side of Middleton Street along the Nashville Rescue Mission property. The proposed pedestrian paseo is an infrastructure improvement comes out of NDOT's Pie Town Mobility Study. This segment would be the first of a planned pedestrian-prioritized passage that would run through Pie Town, connecting Lafayette Street to Fogg Street.

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. Prior to building permit approval, all bonus height actions identified in this application must be approved, including those that require a deed or restrictive covenant.
2. The applicant shall comply with NDOT's recommendations and with any proposed traffic improvements that result from the project TIS.
3. 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.
4. All overhead lines along the site's frontages shall be buried.
5. The proposed residential units shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.
6. Prior to building permit approval, final exterior art design shall be reviewed by Planning staff. Planning staff may require the DTC DRC review of the design, if deemed necessary.

Hastings recused from this item. Mosley moved and Moore seconded to approve the concept plan and modification with staff conditions and recommend to the Planning Commission that the Overall Height Modification be approved. (5-0-0)

RESOLUTION

BE IT RESOLVED by the Downtown Code Design Review Committee that case 1) 621 Middleton is approved. (5-0-0)

2) Society Nashville

2021DTC-021-001

915 Division Street

Staff Reviewer: Hammer

Staff Recommendation: Approve with conditions and defer without all conditions

Applicant Request

A request to approve a concept plan and a modification to façade materials and parking garage screening for property located at 915 Division Street, zoned DTC (1.44 acres), and within the Gulch South Subdistrict of the DTC.

Project Overview

The project proposes a 16-story residential building with 8,230 SF ground floor retail along Division Street and 485 structured and underground parking spaces.

A previous version of this project was submitted for Final Site Plan review in 2021, prior to the passage of BL2021-868 and BL2021-869 and was approved as consistent with the DTC at that time. These two council bills made significant updates to the Downtown Code, including requiring a concept plan review from the DTC DRC, regulating building materials, and requiring higher-quality cladding for structured parking. Neither the previously approved plan nor the currently proposed concept plan fully comply with the current Downtown Code.

The changes from the previously approved plan are generally:

1. One level of structured parking was moved underground,
2. Allowing that level to be replaced by an additional level of residential units, holding the height at 16 stories.

Plan Details

The general bounds of the property include Division Street to the north and the interstate to the south. The ground floor includes retail uses and pedestrian access to the residential lobby, as well as a vehicular access point at the eastern property line. This vehicular access point also services refuse collection services.

The building's façades are primarily comprised of white and grey EIFS, with dark grey metal panels on the ground floor adjacent to the street, and window wall glazing systems. The plan proposes building to the side property lines and these facades generally consist of concrete block structural elements and EIFS. Upper levels have a mix of individual and continuous balconies. The interstate-facing façade is comprised of EIFS, mechanical louvers and a metal garage screening element where artwork is intended.

The project has proposed to take advantage of the Bonus Height Program (LEED ND, Upper Level Garage Liner / Underground Parking, and Public Parking) to earn six stories on top of the ten allowed by-right.

MODIFICATION REVIEW

2. Façade Materials Standards

- Required: All façade materials, exclusive of clear fenestration, shall be high quality and selected from the following list: masonry, masonry panels, textured metal, metal paneling, precast concrete, precast concrete panel, fiber cement panel, fiber cement siding, spandrel glass (on upper stories only), or materials substantially similar in form and function. This requirement applies to any façade visible from a public street, open space, or interstate in all subdistricts.
- Request: Allow EIFS as a building material on all four facades.
- Analysis: EIFS is not a building material allowed within DTC for several reasons, including empirical evidence that it weathers poorly in Nashville's climate. While staff is generally not in favor of this material as the primary material on all facades, this project is unique in that it was previously approved in a similar form under prior zoning rules. The revisions to the project, including moving a floor of parking below grade, improve the overall design. In order for staff to be supportive of EIFS in this unique circumstance, staff has included conditions of approval related to the proposed building material.

3. Parking Garage Screening Standard

- Required: Upper-level facade treatments / cladding is required on all public street frontages, including any facades visible from the Interstates. Facade treatments shall integrate or complement the architectural characteristics of the habitable portion of the building and the surrounding built context. Openings for natural

ventilation are permissible when integrated into the facade design. Landscape buffering may be considered as an alternative at appropriate locations, such as Interstate frontages.

- **Request:** Screen parking with metal architectural element with printed artwork.
- **Analysis:** The DTC calls for cladding along interstates that complements the architectural characteristics of the habitable portions of the building. The proposed structured parking is proposed to be naturally ventilated at the rear of the site with a metal material screen between the openings and interstate. As noted in the previous modification, this aspect of the project was approved in a similar form previously prior to changes to the DTC. The current version of the project moves the project closer to conformance by decreasing the number of structured parking levels on the interstate frontage. The applicant has also offered to increase the size of the material screen to cover the full width of the interstate frontage.

STAFF RECOMMENDATION

The project aligns with the goals and objectives of the Downtown Code, given that the plan is substantially similar to the previous plan that was approved prior to the DTC being amended by BL2021-868 and BL2021-869. 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. The exterior EIFS cladding shall include a two-pass smooth finish and a hydrophobic additive in order to improve the long-term aesthetics and viability of the material.
3. No EIFS shall be allowed on the ground floor along the public street.
4. Prior to building permit approval, final screening design of the parking structure adjacent to the interstate shall be reviewed by Planning staff. Planning staff may require DRC review of the final screening design if deemed necessary.
5. The proposed residential units shall not be converted to a short-term rental use, memorialized by a deed restriction or covenant, as reviewed by Metro Legal.

Yearwood moved and Mosley seconded to approve the concept plan and modifications with staff conditions, except that condition #3 shall only apply to the first three floors on Division Street. (6-0-0)

RESOLUTION

BE IT RESOLVED by the Downtown Code Design Review Committee that case 2) Society Nashville is approved. (6-0-0)

II) Adjournment