

Comments on May 26, 2016 Planning Commission agenda items, compiled May 25

Item 1, Bordeaux-Whites Creek Community Plan Amendment

From: Gladies Herron [mailto:gladiesherron@yahoo.com]

Sent: Sunday, May 22, 2016 9:25 PM

To: Planning Commissioners

Subject: May 26, 2016 Meeting and Adoption of Whites Creek's Comprehensive Nashville Next Plan

Dear Commissioners:

Please *maintain the INTEGRITY of the Whites Creek 4-year Nashville Next process* and adopt the Nashville Next Plan for all 11 of the Whites Creek deferred areas, including Areas 7 and 8 at your next meeting on May 26, 2016.

The Whites Creek community has had to persevere for four years with all the steps of the Nashville Next process much **longer than what any of the other** 13 Nashville Communities were required to do before the Planning Commission's adoption of the Nashville Next Plan.

After four years, please consider the lack of a need to defer any longer adoption of the Whites Creek Community Plan for Areas 7 and 8, as well all the other areas.

(1) The "**heart**" of the Whites Creek rural Historical District consists primarily of Areas 7 and 8 with a total of 340 acres. The 2015 adopted Nashville Next Plan **calls for preserving the rural character** of Nashville's only rural Historical District; and

(2) From the onset in Fall 2012, the Nashville Next process has consisted of only 5 Steps. There is **no step that supports deferring** adoption of a Community Plan simply because one applicant who was disapproved for an SP on 25 ACRES in Area 8 decided to appeal to the Metro Council. Please see the 5 steps of the Nashville Next process listed. <http://www.smartcitymemphis.com/2013/08/nashville-planning-for-growth-and-land-development/>

What message would the Planning Commission be sending to the Metro Council on May 26, 2016 **if it defer** adoption of the rural T2 Policy for Area 7's 319 acres and Area 8's 25 acres that together make up the “heart” of the rural Historical District?

(a) Would deferring reflect the Planning **Commission's level of commitment** to the 2015 Nashville Next Plan that calls for preserving the character of Nashville's only rural Historical District?

(b) Would deferring indicate a **lack of confidence in the process** that resulted in the 2015 adopted Nashville Next Plan and last month won a prestigious American Association Planning Award?

FINALLY, if you decide to defer adoption **until after** the Metro Council takes action on the appeal of the SP Zoning for the 25 acres in Area 8, the Whites Creek's Nashville Next process will be CIRCUMVENTED.

The Metro Council would be required to take action on the SP request for Area 8 **without the guidance of an adopted plan**. The integrity of the 5-step Nashville Next process for Areas 7 and 8 would be lost in what essentially would be a transfer of the planning decision to the Metro Council. **In the interim**, without having an adopted Nashville Next Plan for Areas 7 and 8, would it be fair to expect Whites Creek residents to continue to engage in Planning Commission's Nashville Next planning meetings each time a developer submits an application for Areas 7 and 8 that is not consistent with the rural character of the Historical District?

On May 26, 2016, please maintain *the integrity of the Nashville Next process* for the Whites Creek community, *mitigate any further demands placed on Whites Creek residents* to attend Nashville Next planning meetings because of the lack of an adopted comprehensive community plan and adopt the Nashville Next Plan for all 11 deferred areas of Whites Creek. Your consideration is appreciated.

Respectfully,

Gladies Herron

605 Cherry Gr Lane

Whites Creek

From: Helen Tarleton [<mailto:hdmtarleton@gmail.com>]
Sent: Thursday, May 19, 2016 3:17 PM
To: Sloan, Doug (Planning); McCaig, Anita D. (Planning)
Subject: Nashville Next in Whites Creek

Dear Doug and Anita,

I'm writing to ask for your help in maintaining the integrity of the Nashville Next process by including all 11 parcels in the vote on May 26 and by recommending T2 Rural for all eleven parcels.

The Nashville Next plan will be compromised beyond recognition in Whites Creek if any of the parcels are omitted from this vote and are excluded from T2 zoning. To defer two of the most central properties in Whites Creek opens that area up to developers who hope to override the process we have diligently followed for almost three years, which itself was designed to allow neighborhoods to develop on motives other than profit. Having the peripheral properties designated as T2 yet allowing developments which are decidedly NOT rural in character to proceed on areas 7 and 8 defeats the purpose of the entire community-wide effort. Knowing that the turn-out and community involvement in Nashville Next was greater in Whites Creek than in any other part of Nashville should inform how decisions are made: what does it say about our city if the time and money spent on this process is ultimately a moot point?

We in Whites Creek have remained true to the process with the expectation that the process would ultimately prevail with integrity. Early on, I had a neighbor who has lived here for 40 years say to me that the Nashville Next process was "interesting" but that she knew ultimately the developers would get what they want and the area would be consumed by the rest of urban Nashville. I chose to remain optimistic and to believe that our city leaders have higher aspirations. I continue to believe that is the case, and request in this letter that you do what is necessary to move us towards a decision that reflects a progressive model of civic engagement: one we can be proud of.

Please include all 11 parcels in the vote on May 26 and, since we now have subdivision regulations in place, please recommend T2 Rural for all eleven parcels.

Sincerely,

Helen Tarleton

7135 Old Hickory Blvd

Whites Creek, TN 37189

From: Angela Williams [<mailto:usdir@bellsouth.net>]
Sent: Thursday, May 19, 2016 2:30 PM
To: McCaig, Anita D. (Planning); Sloan, Doug (Planning)
Subject: Nashville Next-Whites Creek Deferred Property Vote

Dear Doug and Anita,

The 11 properties excluded from Nashville Next approval are finally ready to be voted on. The members of the Whites Creek Community have worked for years to finally have guidelines in place for rural area development. I have learned that you are considering omitting parcels 7 & 8 from the proposed vote on May 26.

In February, we requested that the parcel " 0 " be taken out of the eleven and voted on separately, however the request was denied because we were told that all of the 11 were going to be voted on at the same time in a fair process and voting on one separately would not be fair. It seems that removing parcels 7 & 8 from the upcoming vote would once again, not be treating everyone fairly.

Secondly, the problem with delaying a vote on these critical, character-determining properties leaves the door open to proposed development plans under the old regulations which gives the owners preferential treatment at their request excluding the voice of the community. This does not follow the intent of Nashville Next, the rural subdivision regulations or the Whites Creek Detailed design.

We have worked diligently for 2.5 years with the planning department to develop a plan and the tools to preserve Whites Creek as rural and historical. We worked with the experts through open and public processes involving all members of the community. We worked together at a time when there was not “impending doom” knocking at the door. Now, with a controversial issue on the table, it seems like the process, the tools and the detailed design plan are not being applied or enforced fairly across the board. This penalizes the people who worked with the city in a pro-active manner because they are now impacted by “special Interest” of one owner.

I would also request that all of the 11 properties be made T2. We now have rural subdivision rules in place for the development of T2 areas which did not exist before. These fit the community much better than the suburban guidelines required by T3. At that time our only choice was suburban subdivision guidelines. The presence of sewers in the area is a by-product of development in Joelton, not the request of the Whites Creek Community. Preserving the clean air for the entire city and one of the largest watersheds for clean water for the entire city provides a higher return on investment than the building and maintenance of sewers. Allowing the suburban development north of Briley Parkway only brings more suburban development by the very nature of the development rules.

I respectfully request that you **include all 11 parcels** in the vote on May 26 and that you recommend **T2 rural** for all of the 11 parcels because we have a plan, the tools and the subdivision regulations in place that are appropriate for the area.

Nashville is not the same city as it was 30 years ago when the zoning was imposed. It is time to look forward and work the Nashville Next.

Thank you for your thoughtful consideration,

Angela Williams

7203 Old Hickory

Whites Creek, TN 37189

From: Ruth Shoaf [mailto:rtshoaf@bellsouth.net]
Sent: Tuesday, May 24, 2016 10:45 AM
To: Planning Commissioners
Subject: Whites creek development

I agree with keeping this area rural.

From: Gilleran, Mary [mailto:mary.gilleran@Vanderbilt.Edu]
Sent: Tuesday, May 24, 2016 11:16 AM
To: Planning Commissioners
Subject: KEEP Whites Creek area RURAL!!
Importance: High

I support T2 Rural Development in the Whites Creek area in keeping with the Nashville Next plan.

Thank you.

Mary Gilleran

Knight Drive

Whites Creek

From: Marcella Hudson [mailto:mdhudson22@outlook.com]
Sent: Tuesday, May 24, 2016 11:39 AM
To: Planning Commissioners
Cc: McCaig, Anita D. (Planning); Sloan, Doug (Planning)
Subject: Whites Creek

Dear Planning Commission Members,

My family has lived in Area 0 since the early 1900's. My 87 year old mother, Marie Hudson (Jones), moved onto Brick Church Lane when she was 4 years old – when there wasn't even a Brick Church Lane. My father's family also lived and farmed this area for many years. We love this area, especially for the rural and natural aspects that still remain. There are very few areas of this quality left in Nashville. We desperately need to have some guidelines in place for impending development. Please make them good ones.

We were a part of the Nashville Next process, and were extremely disappointed when these 11 properties (including ours - without our consent or knowledge!) were excluded at the last minute. These properties that were excluded from Nashville Next approval are finally ready to be voted on. We have learned that you are considering omitting parcels 7 & 8 from the proposed vote on May 26. In February a requested that a parcel be taken out of the eleven and voted on separately was denied because we were told that all of the 11 were going to voted on at the same time in a fair process and voting on one separately would not be fair. It seems that removing parcels 7 & 8 from the upcoming vote would once again, not be treating everyone fairly.

Secondly, the problem with delaying a vote on these critical, character-determining properties leaves the door open to proposed development plans under the old regulations which gives the owners preferential treatment at their request excluding the voice of the community. This does not follow the intent of Nashville Next, the rural subdivision regulations or the Whites Creek Detailed design.

Nashville Next worked diligently for 2.5 years with the planning department to develop a plan and the tools to preserve Whites Creek as rural and historical. They worked with the experts through open and public processes involving all members of the community. We worked together at a time when there were was not "impending doom" knocking at the door. Now, with a controversial issue on the table, it seems like the process, the tools and the detailed design plan are not being applied or enforced fairly across the board. This penalizes the people who worked with the city in a pro-active manner because they are now are impacted by "special Interest" of one owner.

I would also request that all of the 11 properties be made T2. We now have rural subdivision rules in place for the development of T2 areas which did not exist before. These fit the community much better than the suburban guidelines required by T3. At that time our only choice was suburban subdivision guidelines. The presence of sewers in the area is a by-product of development in Joelton, not the request of the Whites Creek Community. Preserving the clean air for the entire city and one of the largest watersheds for clean water for the entire city provides a higher return on investment than the

building and maintenance of sewers. Allowing the suburban development north of Briley Parkway only brings more suburban development by the very nature of the development rules.

I respectfully request that you **include all 11 parcels** in the vote on May 26 and that you recommend **T2 rural** for all of the 11 parcels because we have a plan, the tools and the subdivision regulations in place that are appropriate for the area.

Nashville is not the same city as it was 30 years ago when the zoning was imposed. It is time to look forward and work the Nashville Next.

Please do not leave the wishes of the majority of the landowners in this area unheard. We participated in the planning efforts in good faith.

Thank you for your thoughtful consideration,

Marcella & Wesley Hudson

527 Brick Church Lane

Whites Creek, TN 37189

Item 2, 134 and 150 2nd Avenue S and 151 1st Avenue S

From: Yvonne Norman [<mailto:ynorman@tewlawfirm.com>] **On Behalf Of** Thomas V. White
Sent: Monday, May 23, 2016 9:37 AM
To: Jim McLean; Sloan, Doug (Planning); Leeman, Bob (Planning)
Cc: James Weaver; Erica Garrison; Rolapp, Todd (TRolapp@bassberry.com); Shawn R. Henry
Subject: 2016DTC-001-001

I am requesting that the following time be allowed for presentations on this matter:

1. 20 minutes for the applicant
2. 20 minutes for the owner and tenants in the Pinnacle building
3. Any association should be allowed 5 minutes and of course individuals will be allowed the normal two minutes

There is significant discussion about this proposal, and I am hopeful that this suggestion will keep presentations to a shorter time. I am copying James Weaver and Erica Garrison who represent the applicant.

Tom White

Thomas V. White

Tune, Entrekin & White, P.C.

315 Deaderick Street, Suite 1700

Nashville, TN 37238

Phone: 615.244.2770

Fax: 615.244.2778

tvwhite@tewlawfirm.com

From: Sloan, Doug (Planning)
Sent: Monday, May 23, 2016 11:02 AM
To: Jim McLean
Cc: 'James Weaver'; 'Erica Garrison'; 'Rolapp, Todd (TRolapp@bassberry.com)'; 'Shawn R. Henry'; 'Thomas V. White'; Leeman, Bob (Planning); Planning Commissioners
Subject: RE: 2016DTC-001-001

Chairman McLean,

I disagree with this request. I do not think it is appropriate for someone other than the applicant to suggest the appropriate amount of time the applicant should have to present their application. Furthermore, Mr. White does not state a reason why he needs additional time. Holding his presentation to the **2** minutes allowed under the Planning Commission's Rules would be a better way to meet Mr. White's stated goal of limiting presentations to a shorter time.

Ultimately, this is your decision. However, I do not believe extending the oppositions time to match that of the applicant is appropriate without a significant reason.

Doug Sloan,

Executive Director

Metropolitan Planning Department

Metropolitan Government of Nashville and Davidson County, Tennessee

800 Second Avenue South, Nashville TN 3720

From: Yvonne Norman [mailto:ynorman@tewlawfirm.com] **On Behalf Of** Thomas V. White
Sent: Tuesday, May 24, 2016 9:25 AM
To: Jim McLean
Cc: 'James Weaver'; 'Erica Garrison'; 'Rolapp, Todd (TRolapp@bassberry.com)'; Shawn R. Henry;

Leeman, Bob (Planning); Planning Commissioners; Sloan, Doug (Planning)

Subject: RE: 2016DTC-001-001

I am responding to Doug Sloan's communication about the time for presentations. The Commission has always been pretty liberal in allowing time for presentations, but I will confirm that you have agreed that my organization, Bass Berry & Sims, will be allowed five minutes for a presentation. Thank you.

Tom White

From: Anne Buckle [<mailto:buckle.anne@gmail.com>]

Sent: Monday, May 09, 2016 3:04 PM

To: Collins, Andrew (Planning)

Subject: Re: Complaint against 2016DTC-001-001

Ok thanks!

My concerns are mostly the creation of dark shadows all throughout SoBro based on the building's height, as well as blocking river views from the Pinnacle, Encore, new Bridgestone HQ, and new SoBro Tower! We all were here first and chose our locations for our views, so it's disturbing to think someone is going to change the landscape so much that'll it'll take away all these buildings' views for the pleasure of one new building! They'll steal everyone's view! I do not believe buildings along 2nd Ave should be allowed to be taller than they currently are. I think that historic height regulation is a good one and should not be modified. I lived in Paris, France twice before in my life, and that's a city with a city-wide height regulation - buildings aren't to be over 6 stories high (I think) in order to make sure everyone has plenty of sunlight and that the entire place is more beautiful. It certainly works for Paris, arguably one of the world's most beautiful cities, and I think it should work for us as well. It's very disturbing to think beautiful, historic brick buildings are going to be replaced with monster skyscrapers, adding more concrete to what was a beautiful, historic city.

Rant over.

Thanks for your time and listening ear.

Anne

From: "Shawn R. Henry" <shenry@tewlawfirm.com>
To: "planning.commissioners@nashville.org" <planning.commissioners@nashville.org>
Cc: "Sloan, Doug (Planning)" <Doug.Sloan@nashville.gov>, "Leeman, Bob (Planning)" <Bob.Leeman@nashville.gov>, "Erica Garrison" <Erica.Garrison@wallerlaw.com>, "James Weaver" <James.Weaver@wallerlaw.com>
Subject: Downtown Community Plan Amendment & DTC Height Modification for Market St Apt site (151 1st Av S)

Dear Planning Commissioners, on behalf of Bass Berry & Sims and their consultant Eoa Architects, please consider the attached report in advance of the public hearing on May 26, 2016 for two applications: the Downtown Community Plan Amendment (#2106CP-009-002) and the Downtown Code Height Modification (#2016DTC-001-001).

Tom White and Shawn Henry

Tune, Entrekin & White, PC

315 Deaderick Street, Suite 1700

Nashville, Tennessee 37238-1700

615.244.2770

shenry@TEWlawfirm.com

www.TEWlawfirm.com

From: Tracey Ford [<mailto:tford@eoa-architects.com>]
Sent: Friday, May 20, 2016 4:45 PM
To: Shawn R. Henry <shenry@tewlawfirm.com>
Cc: Gary Everton <e@eoa-architects.com>; Eric McGinnis <emcginnis@eoa-architects.com>
Subject: Fwd: 2016 05 19 Report to Everton w Attachment 1

Shawn,

Please see below and attached report.

Tracey Ford

Principal

Eoa Architects

615.850.5521

Begin forwarded message:

From: "Rick Bernhardt" <rcbernhardt@me.com>

To: "Gary Everton" <e@eoa-architects.com>, "Tracey Ford" <tford@eoa-architects.com>

Subject: 2016 05 19 Report to Everton w Attachment 1

Gary:

Attached is my report per your request. Please let me know if you need anything else. Thanks and I hope the conference went well.

Rick Bernhardt
928 Russell St.
Nashville TN 37206
rcbernhardt@me.com
615-319-0411

Sent from my iPad

(attachment follows)

Richard C. Bernhardt, FAICP, CNU-A
Town Planner
928 Russell St.
Nashville TN 37206-3715
615-319-0411
rbernhardt@me.com

May 19, 2016

In re: MPC Case Number 2016CP-009-002

Mr. Gary Everton
EOA Architects
515 Main Street
Nashville TN 37206

Dear Gary:

Thank you very much for the opportunity to weigh in on this issue. In evaluating whether any policy amendment is appropriate, the Commission should review the history of policy in the area; whether circumstances have changed since the policy was most recently evaluated; or if the community vision has changed since the policy was adopted. In addition, individual requests for policy amendments should be evaluated in the larger context of the impact on the complete neighborhood as well as the community.

You have asked me to provide my analysis on the relevance of the current policies for the area subject to the policy amendment referenced in MPC Case Number 2016CP-009-002 and my opinion as to whether the policy has outlived its usefulness. In order to respond, I will provide some historical background as to the foundation of the policy under consideration and the importance of maintaining the consistency of long developed policies developed through the extensive engagement of residents, business and property owners.

As you know, the initial series of subarea or community plans for downtown was developed in 1991. It was led by a local consultant team¹ and included extensive citizen engagement and an appointed steering committee. **The Subarea 9 Plan and Center City Plan and Update** (November 1991)² identified the importance of context sensitive development and noted the need to recognize differences between various parts of downtown. This plan identified the SoBro area as “an expansion area for both entertainment and tourism of the District and office development of the CBD” indicating that “mid-rise structures” will provide “critical density.” It stresses the importance that any new development respect and compliment the height; width,

¹ Tuck Hinton Everton Architects

² Adopted by the Metropolitan Planning Commission on November 7, 1991 as the 5th in a series of 14 subarea plans which amend the General Plan for Nashville-Davidson County

proportion, relationship to the street; pedestrian scale; composition; rhythm; fenestration proportions; materials; and color of the existing context.

In 1997 the **Subarea 9 Plan**³ updated the 1991 plan. Once again, this plan was led by a local consultant⁴ and included a broad based steering committee with extensive community engagement. This plan saw the area under consideration as “a mixed-use area where residential development is encouraged. This zone is intended to accommodate medium-density urban character and scale within a healthy influx of neighborhood services and pedestrian oriented streetscapes.” It also noted that “future development south of Broadway should complement and reinforce activities in the core”.

In addition to governmental plans, there have been several studies of this area done by nongovernmental sources, each with its own consistent recommendations.

In 1997, **The Plan for SoBro** was developed following a community charrette sponsored and published by the Nashville Scene. Once again, this plan showed the ongoing support of the community for developing the SoBro area as a diverse series of mixed-use neighborhoods. Specifically, the plan called for:

“Dense Rather Than High

The Plan for SoBro calls for redevelopment that is built to the property line whenever possible, but it calls for buildings that are of a height that will not compete with the towers of the central city.

‘The height of buildings is crucial to creating a *space* out of the street,’ said team member Erin Miller. ‘Too low and the street lacks definition, too high and it’s inhumane. The opportunity is to make a room’

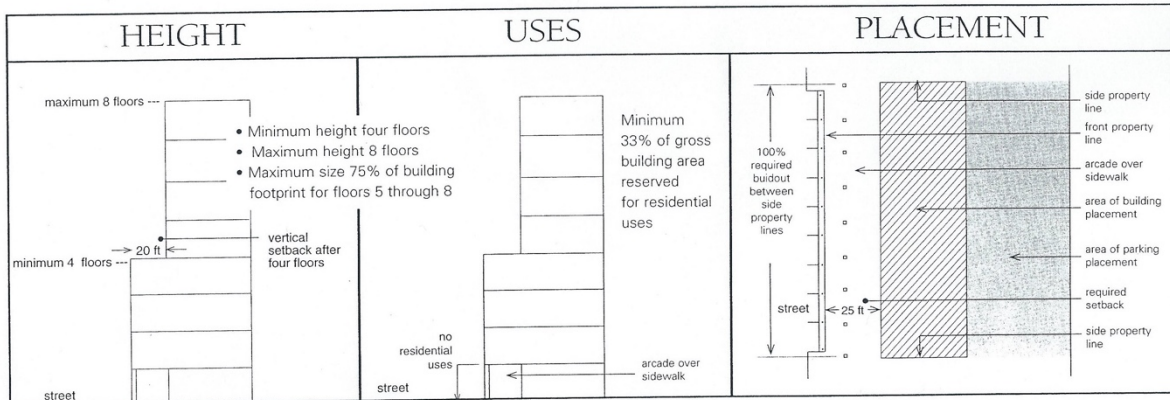
Structures built to the sidewalk create walls for the urban room. First-floor retail creates visual interest at the street level. Parking to the rear, with access through alleys, avoids breaking the wall of the room. The plan calls for the height of the buildings to decrease gradually as SoBro steps away from the central core. **Buildings will be seven or eight stories tall along Franklin (now KVB) and to the north**, three to five stories to the south.”⁵

The plan further called for design guidelines specifically for the area north of Franklin (now KVB) illustrating the application of the 8 story building concept.

³ Adopted by the Metropolitan Planning Commission on December 9, 1997 (Resolution #97-947) as part of the General Plan for Nashville-Davidson County

⁴ Everton Oglesby Askew Architects

⁵ Christine Kreyling, The Plan for SoBro (Nashville TN: City Press Publishing, 1997), 37.



How the Guidelines Would Work: An Urban Code for the North Side of Franklin Boulevard

Developed by Mark Schimmenti

A few simple diagrams and a few words of text can replace dozens of pages of Metro's zoning code. A complete Urban Code for SoBro would include six to 12 sets of diagrams such as these. Each type of street would need its own code. For example, the code for a residential street would call for buildings that accommodate housing and preserve the character desired in the Urban Design Master Plan.

Each code is divided into three columns—"Height," "Uses," and "Placement." It offers a prescription for the sort of building envisioned by a master plan. It allows the desired things to happen, and it discourages designs that do not follow the plan.

Research suggests that complicated codes written in bureaucratese have only led to suburban-style sprawl and suburban-style buildings in an urban context. The Urban Code doesn't just define buildings that work in a development sense. It also defines the civic realm as a place with a vital urban life-style.

- 50 percent maximum lot coverage
- 100 percent required frontage build-out
- 25 ft. required setback from frontage
- 0 ft. required setback from side lot lines
- 20 ft. required additional setback above fourth floor
- Arcade encroaches 20 ft. into setback

SoBro

The **Plan of Nashville⁶** was developed through another community effort by the Nashville Civic Design Center in 2005. This plan also includes policies for the proposed amendment location. This plan incorporates and builds upon the policies of The Plan for SoBro.

With expanded interest in the SoBro area, planning staff was directed to study the desired overall building heights in the SoBro area. Staff was to consider proposed and pending plans and policies and changing circumstances and provide a recommendation regarding maximum height in the area. This request was to provide definition to the policies for SoBro contained in the 1997 Subarea 9 plan.

The **SoBro Building Height Study⁷**, adopted by the Planning Commission on February 27, 2006 as an amendment to the Subarea 9 (Downtown) Master Plan: 1997 Update, determined

“that the central business district be ‘contained by Broadway’ and that heights to 80 ft. be permitted on either side of Gateway (*now KVB*) Boulevard. Alternatively, the Gateway (*now KVB*) Boulevard Urban Design Overlay permits buildings to a height of 100 ft. at the street with unlimited height at a setback of 30 ft. The recently unveiled Plan of Nashville

⁶ Nashville Civic Design Center

⁷ See Attachment A

recognizes the downtown views from rising topography south of Broadway and calls for “limits to the scale (of buildings) to preserve these views from the rising land to the south and west.” It is important to note that the Plan of Nashville also identifies 5th Avenue North and Demonbreun as important streets linking civic destinations and where these streets cross occurs within the heart of the study area. Despite some inconsistencies, these studies seem to have the same desired end result.

The A streets include Demonbreun Street, 2nd Avenue South, 5th Avenue South, and 8th Avenue South. These streets are identified in various plans and policies as important and must be fronted with buildings and not garages. The B streets include Molloy Street, Clark Street, and 1st, 3rd, 4th, 6th, and 7th Avenues South. The Shelby Street pedestrian bridge and Almond Street are identified as C streets, since they have different functions. Garages are permitted to front both B and C streets.

Recent changes in the MUI (mixed-use intensive) zoning district permit a building height at the street of seven stories to a maximum of 105 feet with additional height permitted at a ratio of one and a half feet vertical for every one foot the building is set back from the street. While no property in the area is currently zoned MUI, it is an appropriate zoning district for the area and its permitted intensity (floor area ratio) matches that of the CF (core frame) zoning district that has been applied to properties in the area. The seven story height at the street creates a defined base from which towers can rise above. We propose the application of the same seven story maximum for height at the street in this area with the additional recommendation that height at the street be a minimum of three stories. A defined base is important to the scale and character of the building where it is most visible at street level. Additional height may be appropriate in a manner other than that which is provided by the MUI zoning district, but regardless of how additional height is measured, it should be discernible from the base.

Based on the development scenarios, we propose that fifteen stories maximum is an appropriate height limit that permits an owner to maximize entitled intensity. Because the floor to floor heights for residential is less than that of other uses (other than parking) and residential is vital to achieving the design intent, proposed development with more than 75% residential uses may be twenty stories maximum (with a maximum floor to floor height of 11 ft.).”

Beginning in 2006, as a result of the Commission’s adoption of this policy, I personally and continually advised developers considering investing in the area of the policy relative to stepdown in height between the building and the Cumberland River. I had numerous conversations with you personally and potential occupants regarding the proposed Pinnacle Building as well as other designers of projects in the area regarding the intent and implications of the policy. I believe that as a result of our discussions, investment decisions were made and buildings were designed based on the policies in place at that time; policies that continue to be reflected in the Commission’s adopted Downtown Plan for the area.

The policies of the SoBro Building Height Study were ultimately incorporated into the **Downtown Community Plan: 2007**.⁸ The policies are consistent with and reinforce the policies contained in previous plans. The Downtown Community Plan: 2007 notes on p. 78 that

“The SoBro Neighborhood is intended to be a high-intensity, mixed-use neighborhood emphasizing cultural, entertainment, and residential uses while accommodating some office uses. Development in SoBro should emphasize a comfortable and lively pedestrian environment for residents and visitors. The goals and objectives included below encourage SoBro to develop as a distinctive, architecturally eclectic neighborhood with tall buildings with some sheer walls along certain streets, as well as some “stepped back” buildings to create a variety of viewsheds and allow for light and air circulation throughout the neighborhood.”

It also addresses specifically the proposed amendment site stating,

“By recognizing and maintaining the link between the portion of First and Second Avenues north of Broadway to the portion of First and Second Avenues to the south of Broadway, development can create an extension of a key tourist and local entertainment and tourism corridor. Residents and visitors will be able to easily and comfortably walk between upper Second Avenue into the Sounds neighborhood (*now West Riverfront Park*) to take advantage of the diverse activity. A pedestrian scale, mixed-use character is key to maintaining the extension of Second Avenue south from Broadway.”

The proposed amendment site is located in SoBro Subdistrict 3 which has specific policies that are directly relevant to the question at hand. These policies call for mid-rise buildings on the proposed amendment site. The policies for Subdistrict 3 are listed below.

“Goal 3. SoBro Mixed Use Subdistrict: To develop a balanced, mixed use neighborhood within SoBro Subdistrict 3 that will:

- Contribute to the economic vitality of Downtown Nashville by emphasizing residential and entertainment uses.
- Include a mixture of uses within each block and within structures.
- Create a pedestrian-friendly streetscape by using urban design practices that complement the neighboring cultural/ entertainment and open space subdistricts.
- **Maintain, along both sides of First and Second Avenues, a building height at the street compatible with the portion of the First and Second Avenues north of Broadway.**
- Preserve and encourage adaptive reuse of existing historic structures within the subdistrict including Cummins Station, the First Lutheran Church at 109 Eighth Avenue South, the Methodist Publishing House, the Shelby Street Bridge and structures at 304 and 306 Tenth Avenue South as shown on Historic Structures map in Chapter III and the

⁸ Adopted by the Metropolitan Planning Commission on February 22, 2007 (Resolution #RS2007-054) as part of the General Plan for Nashville-Davidson County.

Historic Structure Appendix.

- Encourage environmentally sustainable, energy efficient development.

Objectives:

3.1 If the proposed street connection between Clark Place and Molloy Street is made, then properties north of the connection shall be considered part of SoBro Subdistrict 3 and the goals and objectives of Subdistrict 3 shall apply. Properties south of the Clark Place and Molloy Street connection shall be considered part of SoBro Subdistrict 4 and the goals and objectives of Subdistrict 4 shall apply.

3.2 Two faces of the building may rise sheer from the street, **except on First and Second Avenues**, where no sheer faces shall be permitted. In order to achieve a pedestrian- friendly streetscape, buildings with sheer faces are encouraged to design a base, a tower, and a top utilizing various methods of architectural articulation.

3.3 On building faces that are not sheer, the building heights shall be a minimum of 25 feet at the street, but shall not exceed 105 feet at the street. At 105 feet, the building shall step back a minimum of 15 feet. After stepping back 15 feet, height is unlimited. This area, with the exception of the east side of First Avenue where heights are intended to remain low-rise, may also be considered for additional height in exchange for public benefits provided by the development, so long as the overall intent of the goals and objectives for the subdistrict and neighborhood are met. See Figure 2.

3.4 **It is the intent for this subdistrict to achieve a step-down in building heights between the Cumberland River and Third Avenue South that continues the pattern of relatively low building heights found in the First and Second Avenues corridor that is north of Broadway as well as aids in providing views of the river from further west in SoBro. Therefore, building heights should be progressively lower going towards the river along First and Second Avenues South. See Figure 2.**

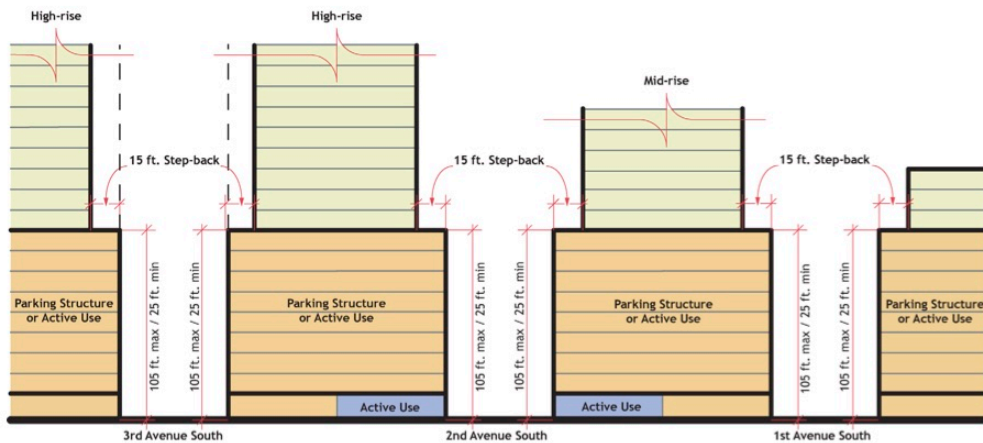


Figure 2.

3.5 The height shall be measured from the median height along the property line of the highest order (“A”, “B”, “C”, or “D”) street on the subject property.

3.6 In order to achieve more environmentally sustainable and energy efficient design, new development is encouraged to, at a minimum, achieve Leadership in Environmental and Energy Design (LEED) certification.

3.7 Preservation and adaptive reuse of existing historic and cultural structures within Subdistrict 3 is encouraged.

3.8 New development adjacent to historic structures shall complement those structures and not threaten the integrity of the property and its environment.

3.9 In order to achieve a pedestrian-friendly, active streetscape, all buildings on 1st through 10th Avenues, Symphony Place, McGavock Street, Clark Place, Molloy Street, and Demonbreun Street shall have active retail, restaurants, or high volume office uses with direct street access doors on the first floor, as well as transparent windows on the first floor. All buildings on other streets are encouraged to have active retail, restaurant, or high volume office uses with direct street access doors on the first floor, as well as transparent windows on the first floor.

3.10 Parking that is provided within this subdistrict shall be located in structures or underground.

3.11 When locating entrances to parking, proposed developments shall accommodate vehicular accessibility without sacrificing pedestrian safety, comfort and accessibility. Alley access to parking is strongly preferred. It is the intent of this objective to provide the most pedestrian-friendly environment possible on streets in this subdistrict while still permitting access to properties.

3.12 Entrances to parking shall be designed to minimize the impact on the quality of the pedestrian environment.

3.13 New construction shall provide a sidewalk as described in Chapter 5, Walkable Subdivisions, of the *Subdivision Regulations* and shall provide streetscape amenities as described in the *Downtown Streetscape Elements Design Guidelines*.

3.14 Buildings shall be constructed to the property line except that recesses may be permitted for widening sidewalks, outdoor dining, courtyards, and architectural arcades.

In 2013, the **SoBro Strategic Master Plan** was undertaken by the Urban Design Associates for the Nashville Downtown Partnership and Convention Center Authority. This plan

“proposes to extend The District south to KVB. This area is receiving intense scrutiny from developers as the build out of MCC and Rolling Mill Hill create a hole in the donut effect. Retail is the preferred use for ground-floor spaces along Second, Third and possibly First Avenues plus portions of Molloy and Demonbreun Streets. Upper floors should include a mix of office, residential, and hospitality uses. Special consideration should be given to circulation and parking as cueing along KVB already spills into this area. A master developer agreement may be an option to help ensure coordinated planning”.

There has been a consistent recognition of the unique qualities of this area and the rationale to ensure those qualities were protected. With that framework, what is the specific context and what are the reasons to either amend or retain the current special policy?

Finally, it is important to examine the existing policy designation to determine if it is appropriate. The current Community Character Manual (CCM) policy is T6-DN Downtown Neighborhood. This designation is intended and designed to

“Preserve and create downtown neighborhoods that are compatible with the general character of surrounding historic developments and the envisioned character of new downtown development as characterized by the development pattern, building form, land use, and associated public realm of downtown.

Foster appropriate transitions from less intense areas of T6 Downtown Neighborhoods Policy areas to the more intense T6 Downtown Core Policy area.

T6 Downtown Neighborhood areas contain high-density residential development, located in neighborhoods with diverse character.

Neighborhood Policy is applied in situations where there is an expressed interest in the area’s development pattern evolving to promote a mixture of housing types and greater connectivity, or there is the existence of all or some of these characteristics, which indicate that the area is likely to evolve: high vacancy rates and/or vacant land, high potential for consolidation or subdivision of lots, incongruity between the existing land use and the zoning, proximity to evolving centers, or corridors, and/ or age and condition of the existing development.

In all cases, the T6 Downtown Transect Area character and urban condition dictates that one-story buildings are inappropriate and all buildings are a minimum of three stories. The height is based on the location within the T6 Downtown Neighborhood Policy area and the surrounding context. Consideration of appropriate heights is based on the following factors:

- » Proximity to other Community Character Policies and the role of the building in transitioning between policies;
- » Planned height of surrounding buildings and the impact on adjacent historic structures;
- » The contribution that the building makes to the overall fabric of the T6 Downtown

Neighborhood Policy in terms of creating pedestrian-friendly streetscapes, plazas and open space, public art, innovative stormwater management techniques, etc.;

» Relationship of the height of the building to the width of the street and sidewalks, with wider streets and sidewalks generally corresponding to taller building heights;

» Prominence of the street and its role in the T6 Downtown Neighborhood's street hierarchy;

» Prominence of the street or intersection on which the building is located, with locations at or within a few hundred feet of the highest-order intersection in the center being favored for taller buildings;

» Proximity to existing or planned transit;

» The capacity of the block structure and rights-of-way to accommodate development intensity;

» Use of increased building setbacks and/or building setbacks to mitigate increased building heights;

» Topography;

» Ability to provide light and air between buildings and in the public realm of streets, sidewalks, internal walkways, multi-use paths, and open spaces; and,

» The extent to which affordable or workforce housing as defined in the Glossary of this document is provided by the development.

Density and intensity are secondary to the form of development. T6 Downtown Neighborhood is intended to be high-density and -intensity, but is less dense and intense than the T6 Downtown Core Policy and the SoBro Neighborhood.”

The analysis and policies of the currently adopted **2015 - Downtown Community Plan (NashvilleNext)**⁹ continue to reflect the importance of neighborhood diversity and context sensitive massing of buildings as an essential element in the vibrancy and attractiveness of downtown. On p 7, the Plan states “The Downtown Community Plan calls for **a strong emphasis on distinctive neighborhoods. Downtown thrives when residents and businesses feel that they are part of a neighborhood**, supported by shared public spaces including both walkable environments and open space and the services and amenities needed for daily life.”

Further on p 10, the plan notes “SoBro has also experienced significant change over the last few years. In the Downtown Community Plan, the SoBro neighborhood is defined as south of Broadway to Korean Veterans Boulevard from First Avenue South to Eighth Avenue South. SoBro has long been the location of parking and other support uses to the Core and was once home to many warehouses, industrial distribution operations, light industry, and parking lots. In 1996, the Nashville Arena (now known as Bridgestone Arena) opened, stimulating expansion of the entertainment district south of Broadway. With the introduction of the Country Music Hall of Fame in 2001 and the Schermerhorn Symphony Center in 2006, Demonbreun Street is closer to realizing its potential as the “Music Mile.” The Music City Center convention complex opened

⁹ Adopted by the Metropolitan Planning Commission on June 22, 2015 (Resolution #RS2015-256) as part of the General Plan for Nashville-Davidson County

in May 2013, drawing visitors from around the world and spurring significant related development of hotels and restaurants. The extension of Korean Veterans Boulevard in April of 2013 has also improved accessibility to this neighborhood. **Ongoing construction of residential and hotel development confirms that SoBro is becoming both a destination for visitors and home to Downtown residents who enjoy entertainment and urban living.**

The policies for the SoBro neighborhood are specifically detailed beginning on p 52. I am including the entirety of the text for the SoBro neighborhood for context but will highlight the areas that I feel are particularly relevant.

“SoBro Neighborhood

The SoBro Neighborhood is generally located between the rear lot lines of properties along the south side of Broadway, a portion of the south side of Broadway, and Symphony Place to the north; the Cumberland River to the east; Peabody Street and Lea Avenue to the south; and the CSX rail lines to the west. See accompanying map of the Downtown Neighborhoods.

The SoBro Neighborhood is intended to be a high-intensity, mixed use neighborhood emphasizing cultural, entertainment, and residential uses while accommodating some office uses. **The goals included below encourage SoBro to develop as a distinctive, architecturally eclectic neighborhood with tall buildings with some sheer walls along certain streets, as well as some “stepped back” buildings to create a variety of viewsheds and allow for light and air circulation throughout the neighborhood.** Overall, development in SoBro should emphasize a comfortable and lively pedestrian environment for residents and visitors.

The SoBro Neighborhood contains an impressive number of institutions: the Country Music Hall of Fame Park, Bridgestone Arena, the Schermerhorn Symphony Center, and the new Music City Center Convention Center. It is also home to office, hotel and residential buildings including the Pinnacle, Encore, Omni, and Hyatt Place. It will soon include a substantial addition of office space in Bridgestone Americas’ new corporate headquarters as well as other new office, hotel and residential buildings.

The current built pattern of First and Second Avenues is an extension of the historically and culturally significant Second and Broadway Neighborhood to the north. South of Broadway, First and Second Avenues include a collection of notable, low-scaled historic brick buildings that add to the fabric of the neighborhood. These should be preserved and their massing should be utilized as a contextual basis for new and adaptive reuse development in the area.

By recognizing and maintaining the link between the portion of First and Second Avenues north of Broadway to the portion of First and Second Avenues to the south of Broadway, development can create an extension of a key tourist and local entertainment and tourism corridor. Residents and visitors will be able to easily and comfortably walk

between upper Second Avenue into the West Riverfront Park and Amphitheater. A pedestrian scaled, mixed use character is key to maintaining the extension of Second Avenue south from Broadway.

The Cumberland River Greenway is planned along the eastern boundary of the SoBro neighborhood. Connections between the neighborhood and the greenway will be important to provide residents and visitors with access to open space.

SoBro was the Downtown neighborhood that was impacted the most by the 2010 flood. In response, the city proposes to construct a flood wall as part of the West Riverfront Park. In addition to public-sector flood mitigation improvements aside, new development will need to include flood mitigation measures and also be sensitive in design to be responsive to the location in the floodplain, while still creating an active public realm.

The John Siegenthaler Pedestrian Bridge, formerly the Shelby Street Bridge, is a highlight of the First and Second Avenues area of SoBro. **Special care should be taken to ensure that development and redevelopment surrounding the John Siegenthaler Pedestrian Street Bridge complements, in scale and massing, the bridge so as not to detract from its landmark status.**

The SoBro Neighborhood shares a boundary with the historically and culturally significant Second and Broadway Neighborhood. Sensitivity to the Second and Broadway neighborhood's character and integrity will be critical factors in the appropriate design of new development along the boundary. Additionally, cherished historic structures are located within SoBro such as Cummins Station, the First Lutheran Church at 109 Eighth Avenue South, the Methodist Publishing House, the John Siegenthaler Pedestrian Bridge and structures at 304 and 306 Tenth Avenue South. The preservation of these structures is encouraged and new development on these or adjacent properties should be designed to complement and enhance these historic and cultural structures.

Korean Veterans Boulevard runs through the southern portion of SoBro. The completed Korean Veterans Boulevard opened in 2013 and connected Korean Veterans Bridge to 8th avenue with a roundabout in front on the Music City Center. The area in the center of the roundabout will eventually feature a large public art installation. The Gateway Urban Design Overlay guides the development along this important east-west corridor with additional guidance in the goals and objectives described below and the Downtown Code.

Refer to the T6 Core and T6 Downtown Neighborhood policies that have been applied to the neighborhood for guidance beyond the goals listed below.

Goals for the SoBro Neighborhood

» Maintain, along both sides of First and Second Avenues, a building height at the street compatible with the portion of the First and Second Avenues north of Broadway. The building heights shall be a minimum of 25 feet at the street, but shall not exceed 105 feet at the street. At 105 feet, the building shall step back a minimum of 15 feet. This area,

with the exception of the east side of First Avenue where heights are intended to remain low-rise, may also be considered for additional height in exchange for public benefits provided by the development, such as affordable or attainable housing, so long as the overall intent and goals for the neighborhood are met.

» Properties along Peabody (Special Policy 09-T6DN-SOBRO-02)

» If properties south of Korean Veterans Boulevard (on Peabody Street or numbered streets such as First through Sixth streets) are consolidated and developed with frontage on Gateway, then the properties shall be considered part of SoBro and the goals and objectives of SoBro and the T6 Downtown Core policy shall apply. See the Downtown Code for codification of this policy.

» If properties south of Korean Veteran Boulevard are developed without frontage on KVB, then they shall be required to transition in height down from the T6 Core to T6 Downtown Neighborhood policy. The actual height will take into consideration the context of the individual property and achievable heights in adjacent policy areas, but it is expected these heights will range between 8 and 20 stories, with higher heights seen closer to Korean Veterans Boulevard and lower heights transitioning into the adjacent neighborhoods.

» Continue the theme of Fifth Avenue of the Arts as a “celebrated corridor” from the north side of KVB. Improvements to public rights of way and public and private investment in streetscaping features on Fifth Avenue should take into consideration the arts theme.

» Many properties in this neighborhood may also be considered for additional height in exchange for public benefits provided by the development per the Bonus Height Program of the Downtown Code.

These policies have been reflected in the zoning regulations for the proposed policy amendment site. Since 2010, the Downtown Code (DTC) has specifically called out this unique area for special consideration for just the reasons, goals and policies outlined in the plan. These regulations limited development to mid-rise buildings and buildings with complementary massing and design. In June, 2015 there was an amendment to the DTC that for the first time introduced the potential for a high-rise building to be constructed if certain Bonus Height Provisions were met. While the appropriateness for this amendment can and should be debated and revisited, the policies of the plan were reaffirmed through the adoption of 2015 - Downtown Community Plan – (NashvilleNext).

Summary

The current policy is consistent with the intent of the CCM T6-DN Downtown Neighborhood policy. The currently adopted goals and policies contained in the text of the 2015 - Downtown Community Plan for the proposed amendment site are appropriate and as such designation as T6-DN Downtown Neighborhood is also appropriate. Amending the current policy to T6-DC Downtown Core would necessitate a rewriting of the policies.

If the Commission were to be in support of the CCM change, with the long history of community engagement that developed the current policy, the development of alternative policies should only be undertaken following a full community discussion process.

It is my opinion that the proposed policy amendment should be denied. The current T6-DN Downtown Neighborhood policy is appropriate.

The current CCM policy is the result of over 25 years of study and plan refinement. The current special policies for this specific area are clear and do provide the diversity and walkable mixed use neighborhoods called for in the plan. The adopted policy also provides for reasonable economic use of the property.

There have been no unforeseen changes in the area since the reaffirmation and readoption of the policy 11 months ago (June 22, 2015) that warrants consideration of the proposed amendment. In fact, this unique area continues to have the same locational characteristics and limitations, such as proximity to the Cumberland River, Lower Broadway Historic District and tourist and cultural attractions which were noted as reasons for the current policy. This area remains both directly accessible to many pedestrian activities and is served with a limited and restricted transportation system due to the constraints of the Cumberland River and frequent closing of what limited roadway access exists today for special events and celebrations.

The goals and policies are clear in their intent and vision for this site and do not support the proposed height determination without the associated policy amendment being approved.

Within SoBro, there are areas that are much more appropriate for increased height. These areas have greater transportation access and can take advantage of the unique views that the topography of SoBro offers.

Furthermore, I believe that the original Downtown Code height standards, specific to this unique and limited area, adopted in 2010 and in place until June, 2015 are much closer to being consistent with the special policies for this specific area and the intent of the T6-DN Downtown Neighborhood policy. The original maximum height standards with a maximum by right height of 15 stories within 220' to a maximum height of 20 stories within 300' with application of the Bonus Height Program is much more appropriate than the currently adopted maximum height of 30 stories with the application of the Bonus Height Program.

Respectively Submitted,

A handwritten signature in blue ink that reads "Richard C. Bernhardt" followed by a stylized arrow pointing to the right.

Richard C. Bernhardt, FAICP, CNU-A

SOBRO BUILDING HEIGHT STUDY

EXECUTIVE SUMMARY

Introduction

The Design Studio was asked to undertake a study that would shape the Planning Department's policy on the appropriate form of development in the area south of Broadway, otherwise known as "SoBro". Specifically, our study was limited to blocks south of the Shelby Street pedestrian bridge alignment, north of development that would front Gateway Boulevard, and between 1st and 8th Avenues South. The study drew from existing plans and policies, zoning entitlements, and physical conditions as well as proposed development and examples from other cities. Three development scenarios were produced for small, mid-size, and large blocks and became the basis for the study results. The recommendations derived from the study are outlined below.

Recommendation

This area, a portion of which was once known as "Black Bottom," due to frequent flooding and the resultant dark mud, is a generally low lying area between the higher central business district to the north and Rolling Mill Hill to the south and east. The land rises to Gateway Boulevard and Rolling Mill Hill to the southeast and 8th Avenue North to the southwest. Many of the blocks are traversed by subterranean pipes and other utilities that complicate redevelopment. Despite these constraints, we find the intended character for the area to be urban, mixed-use, mid-rise, and pedestrian-friendly, with some inconsistencies worth noting.

There have been several formal and informal studies of this area, each with its own recommendations. The Subarea 9 Center City plan identifies this area as "an expansion area for both entertainment and tourism of the District and office development of the CBD" indicating that "mid-rise structures" will provide "critical density." The SoBro plan recommends that the central business district be "contained by Broadway" and that heights to 80 ft. be permitted on either side of Gateway Boulevard. Alternatively, the Gateway Boulevard Urban Design Overlay permits buildings to a height of 100 ft. at the street with unlimited height at a set back of 30 ft. The recently unveiled Plan of Nashville recognizes the downtown views from rising topography south of Broadway and calls for "limits to the scale (of buildings) to preserve these views from the rising land to the south and west." It is important to note that the Plan of Nashville also identifies 5th Avenue North and Demonbreun as important streets linking civic destinations and where these streets cross occurs within the heart of the study area. Despite some inconsistencies, these studies seem to have the same desired end result.

In addition to policy, permitted zoning intensity in the area is quite high (five times the site area) with floor area bonuses permitted for residential uses, while the bulk requirements are quite limiting if usable and efficient floor plates are desired. Existing height limits are around five stories at the street with additional height permitted as the building steps back. Recent changes to the mixed-use zoning districts, which would be appropriate in this area, allow as many as seven stories at the street with the same

requirements for additional height above that limit. When combined with physical constraints, it is quite clear there is some disconnect between zoning entitlements, bulk requirements, and adopted policies. The following recommendations will hopefully rectify some of these issues and preserve the character intent of the area established by the many plans and studies we reviewed.

A/B Streets

Towers on top of parking platforms must be minimized if the overriding goal is to achieve an urban, mixed-use, pedestrian-friendly character. Alternatively, physical and financial constraints make parking above grade necessary in many conditions. While fronting all streets with uses instead of parking is encouraged, a hierarchy of streets is proposed to establish which streets are the most important to activate with uses, the A streets, and which streets may accommodate structured parking adjacent to the street, the B streets (refer to the attached study area map). Other streets may be added to the hierarchy dependent upon function and character. **The A streets include Demonbreun Street, 2nd Avenue South, 5th Avenue South, and 8th Avenue South. These streets are identified in various plans and policies as important and must be fronted with buildings and not garages. The B streets include Molloy Street, Clark Street, and 1st, 3rd, 4th, 6th, and 7th Avenues South. The Shelby Street pedestrian bridge and Almond Street are identified as C streets, since they have different functions. Garages are permitted to front both B and C streets.**

Defined Base

Recent changes in the MUI (mixed-use intensive) zoning district, permit a building height at the street of seven stories to a maximum of 105 feet with additional height permitted at a ratio of one and a half feet vertical for every one foot the building is set back from the street. While no property in the area is currently zoned MUI, it is an appropriate zoning district for the area and its permitted intensity (floor area ratio) matches that of the CF (core frame) zoning district that has been applied to properties in the area. The seven story height at the street creates a defined base from which towers can rise above. **We propose the application of the same seven story maximum for height at the street in this area with the additional recommendation that height at the street be a minimum of three stories.** A defined base is important to the scale and character of the building where it is most visible at street level. Additional height may be appropriate in a manner other than that which is provided by the MUI zoning district, but regardless of how additional height is measured, it should be discernable from the base.

Tower Height

The use of a sky exposure plane, which permits additional height in exchange for increased set back, is problematic due to the resultant stair step form of the building. The “wedding cake” form often results in inefficient floor plates of different sizes and does not take into consideration the existing physical constraints of a site. This study contends that towers above a defined base may be appropriate given the fact that much of this area is low in comparison to the central business district and the area south of Gateway Boulevard. The term mid-rise, mentioned in the plans for the area, has many different meanings. Appropriate heights for mid-rise structures vary between six and twenty-five

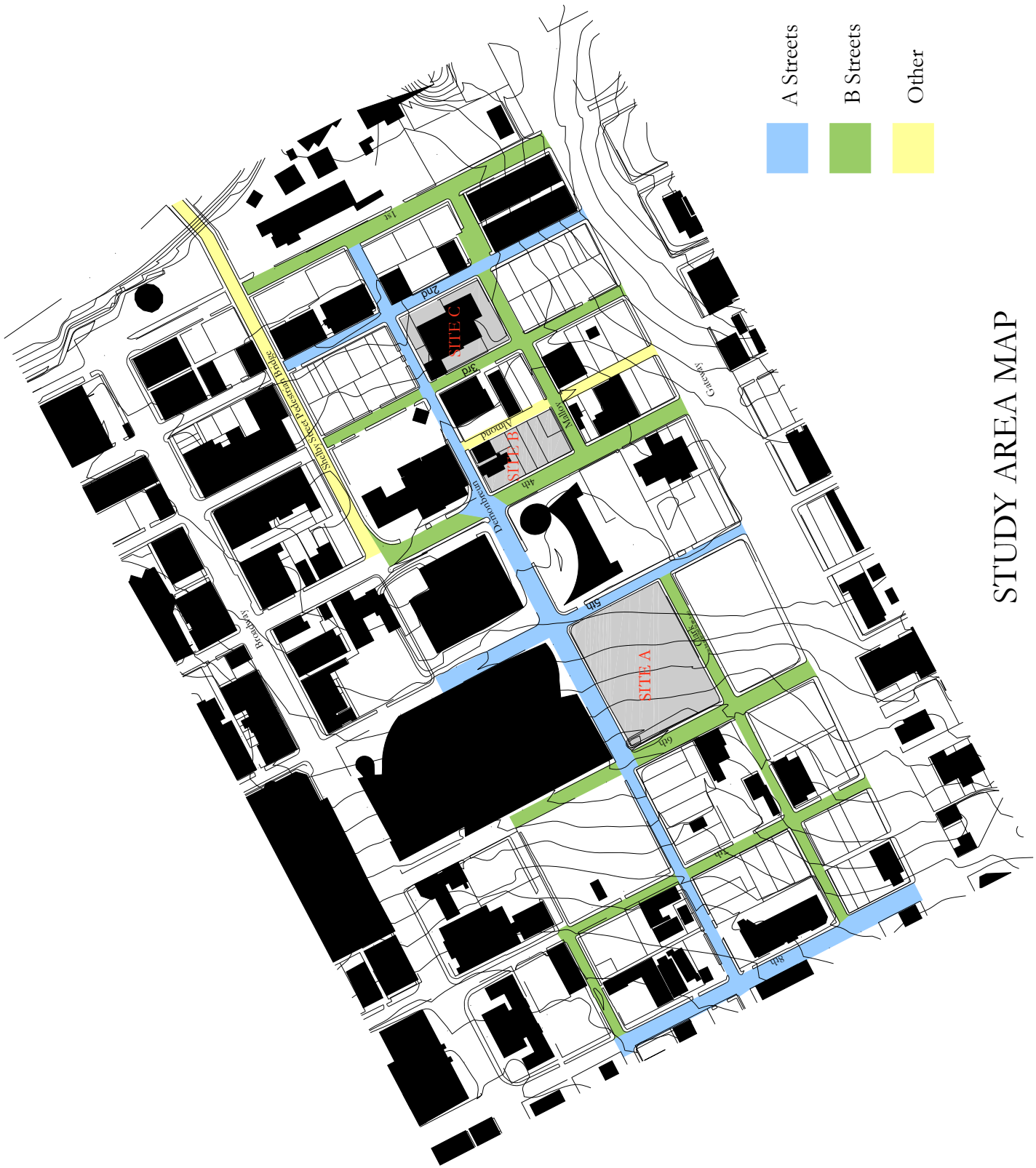
stories with the higher end often found near central business districts. We used the development scenarios to test the limits of zoning under the physical constraints of the sites (refer to the attached development scenarios, associated tables of area calculations, site sections, and shadow studies). **Based on the development scenarios, we propose that fifteen stories maximum is an appropriate height limit that permits an owner to maximize entitled intensity. Because the floor to floor heights for residential is less than that of other uses (other than parking) and residential is vital to achieving the design intent, proposed development with more than 75% residential uses may be twenty stories maximum (with a maximum floor to floor height of 11 ft.).**

Conclusion

This study attempts to balance many different factors that impact development and is only one solution to the question of how the downtown will redevelop. Ideally, these recommendations, once finalized, will become the basis for changes in the redevelopment districts or zoning for the area and may require additional study of other area policies, zoning, and overlays to assess whether additional changes are warranted. Until these recommendations can be formally adopted, this report may serve as a guide to the Planning Department in its recommendations on zoning appeal requests.

Richard C. Bernhardt, FAICP, CNU
Executive Director

**Adopted as an Amendment to Subarea 9 (Downtown) Master Plan: 1997 Update
February 23, 2006
Metropolitan Planning Commission**



- A Streets
- B Streets
- Other

STUDY AREA MAP

Site A

2.67

	Retail	Office	Residential	Parking	Amenity	Total sq.ft.	Parking #
1	39000		18000	31400		88400	105
2		27000	18000	43400		88400	145
3		27000	18000	43400		88400	145
4		27000	18000	43400		88400	145
5		27000	18000	43400		88400	145
6		27000	18000	43400		88400	145
7		27000	18000	43400		88400	145
8			34000	43400	40000	77400	145
9			34000	43400		77400	145
10			34000	43400		77400	145
11			34000			34000	
12			34000			34000	
13			34000			34000	
14			34000			34000	
15			34000			34000	
	39000	162000	398000	422000	40000	1021000	1410

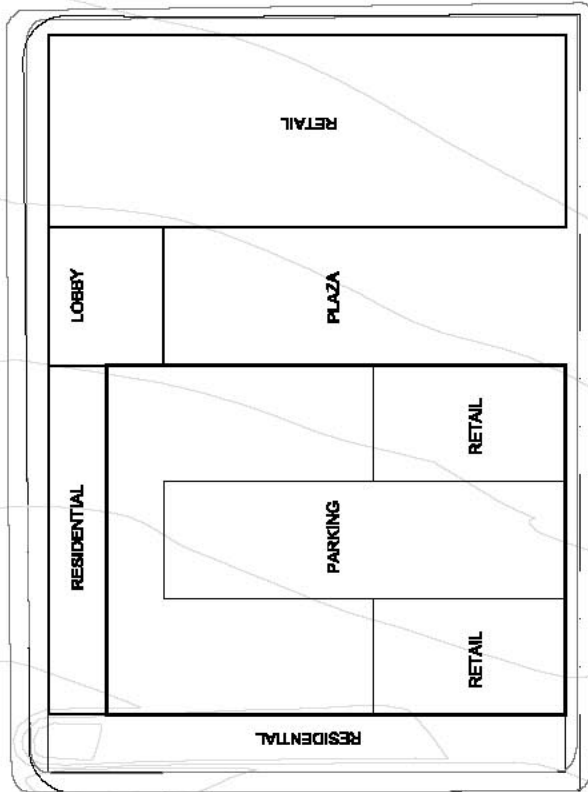
percent of total w/o parking 7% 27% 66%

approx. res. units (800 sq.ft. units) = 498

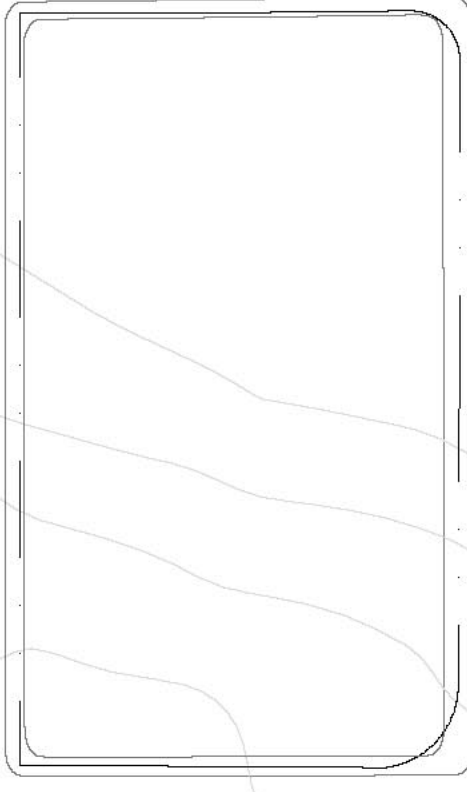
maximum F.A.R. (5.0) = 581526
 sq. footage w/o parking = 599000
 difference = 17474 over 103%

Retail Parking Required (4/1000 sq.ft.) = 195
 Office Parking Required (3/1000 sq.ft.) = 486
 Res. Parking Required (1.5 / unit) = 747
 Total Parking Required = 1428
 difference = -18 under

Demonbreun



CLARK
(to be extended to 5th Ave)

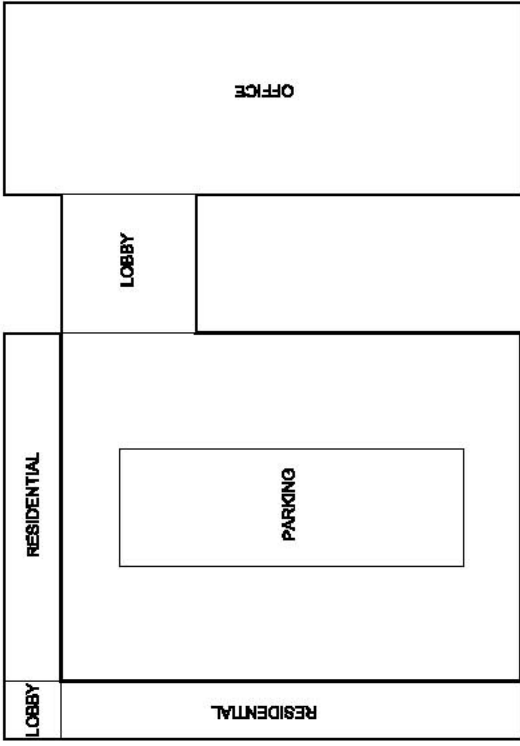


5th

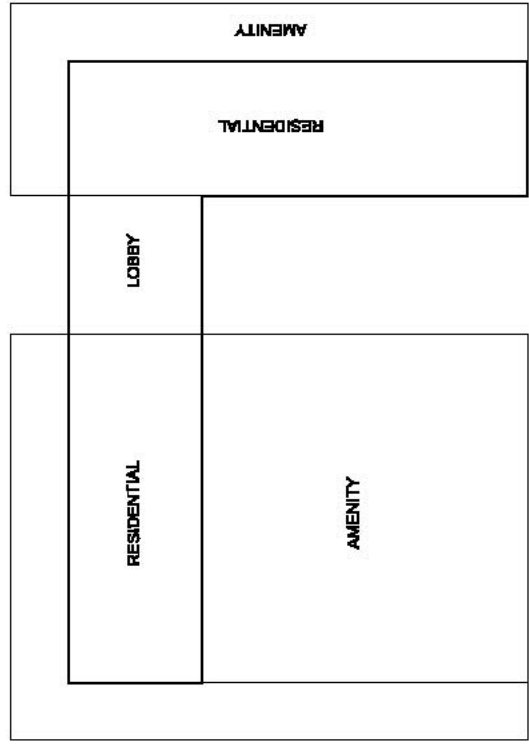
6th

GATEWAY BLVD.

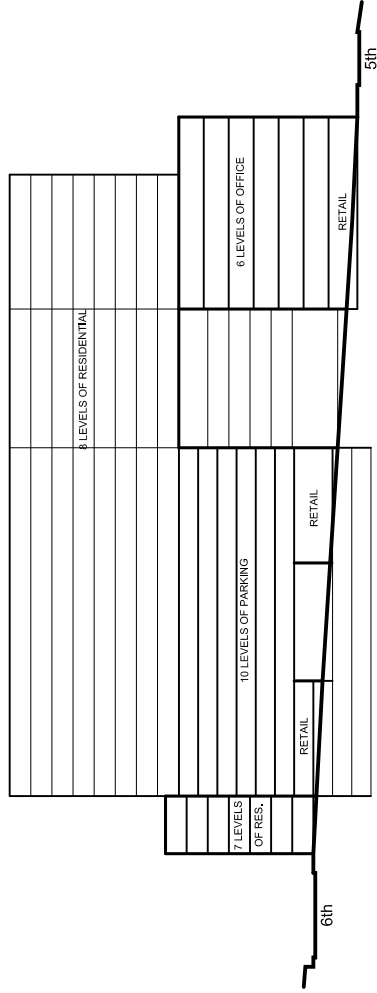
SITE A PLANS



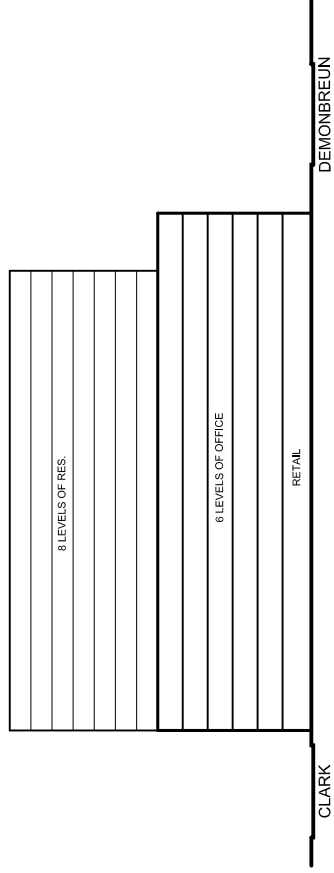
Floors 2 - 7



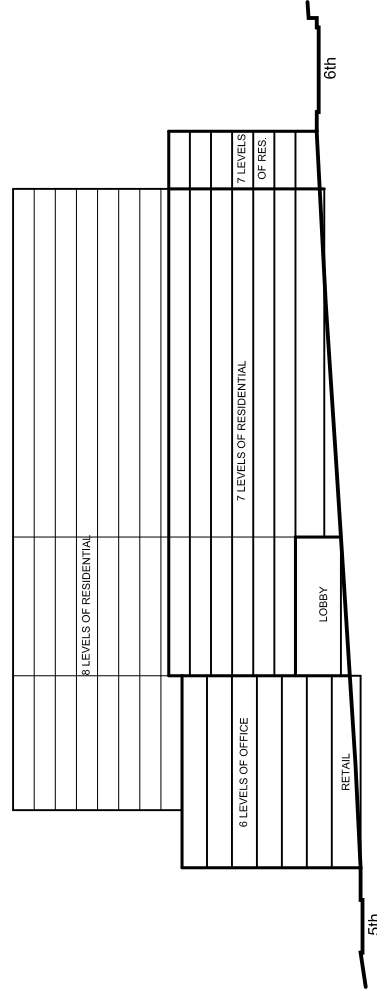
Floors 8 - 15



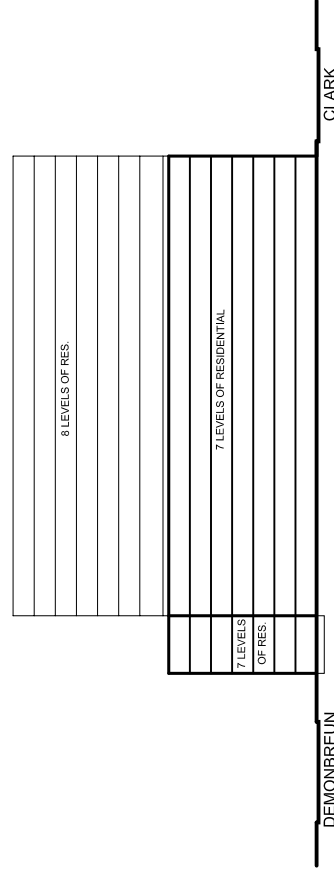
Clark Elevation



5th Ave S Elevation

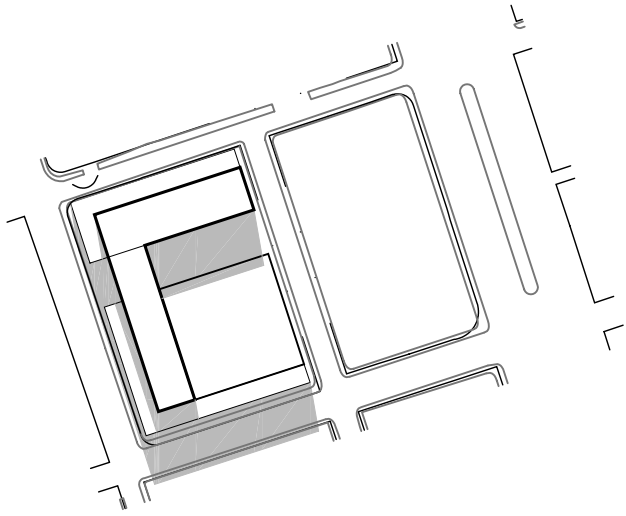


Demonbreun Elevation

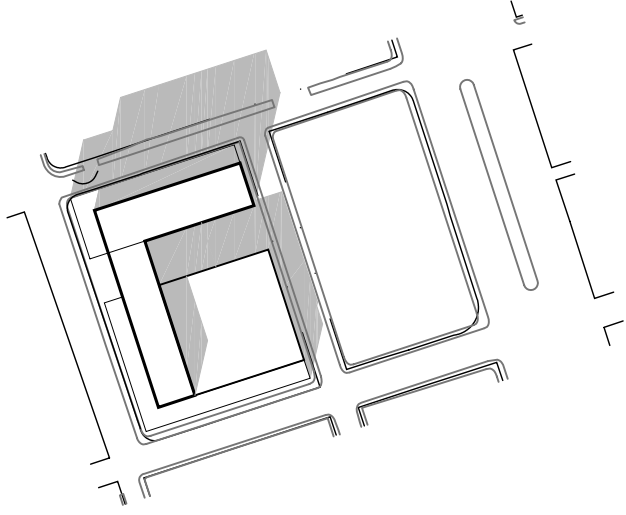


6th Ave S Elevation

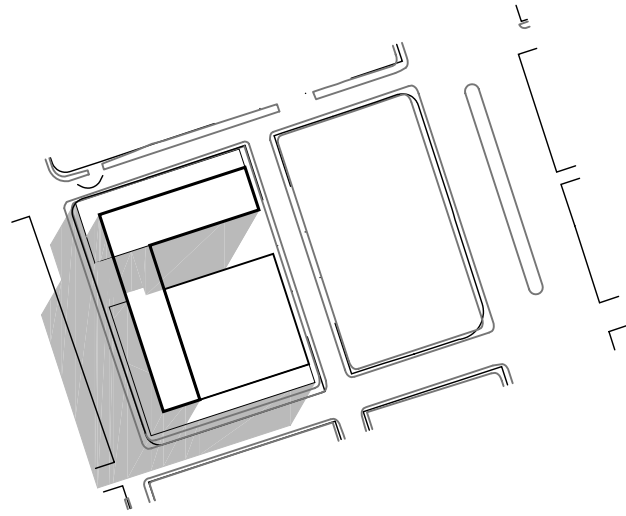
SITE A ELEVATIONS



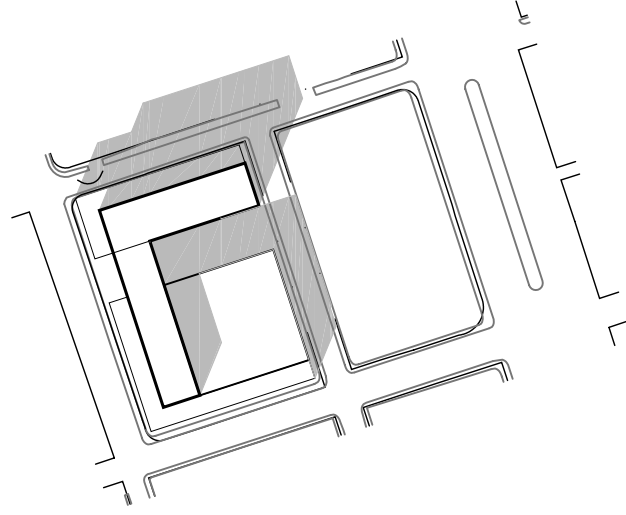
JUNE 15 morning



JUNE 15 evening



DECEMBER 15 morning



DECEMBER 15 evening

SITE A SHADOW STUDIES

Site B

0.81

	Retail	Office	Residential	Parking	Amenity	Total sq.ft.	Parking #
1	19400			10600		30000	35
2			3700	26300		30000	88
3			3700	26300		30000	88
4			3700	26300		30000	88
5			3700	26300		30000	88
6			3700	26300		30000	88
7			3700	26300		30000	88
8			14750		15250	14750	
9			14750			14750	
10			14750			14750	
11			14750			14750	
12			14750			14750	
13			14750			14750	
14			14750			14750	
15			14750			14750	
	19400	0	140200	168400	15250	328000	563

percent of total
w/o parking

12% 0% 88%

approx. res. units (800 sq.ft. units) = 175

maximum F.A.R. (5.0) = 176418
 sq. footage w/o parking= 159600
 difference= -16818 under 90%

Retail Parking Required (4/1000 sq.ft.)= 97
 Office Parking Required (3/1000 sq.ft.)= 0
 Res. Parking Required (1.5 / unit)= 263
 Total Parking Required= 360
 difference= 203 over

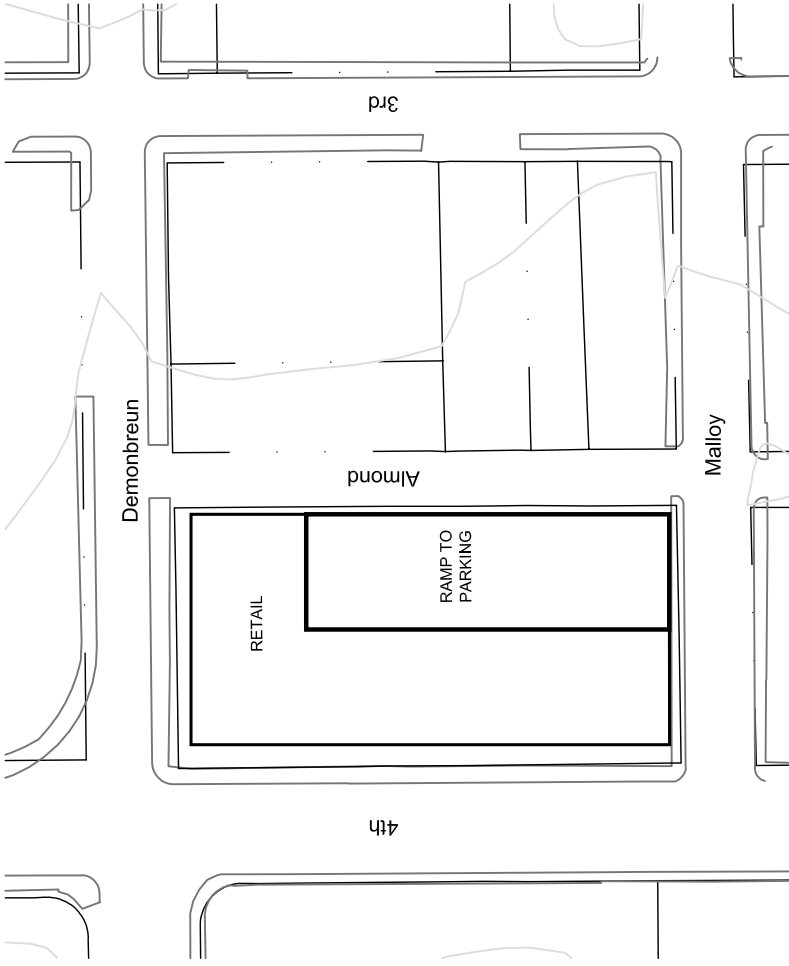
****If 75% or more of the building's usable space is residential, 5 additional floors of residential are allowed.****

	Retail	Office	Res.	Parking	Amenity	Total sq.ft.	Parking #
17			14750			14750	
18			14750			14750	
19			14750			14750	
20			14750			14750	
21			14750			14750	
	0	0	73750			73750	

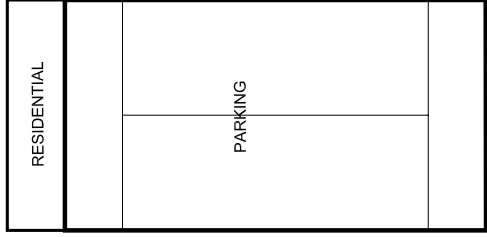
approx. res. units (800 sq.ft. units) = 92

NEW TOTALS

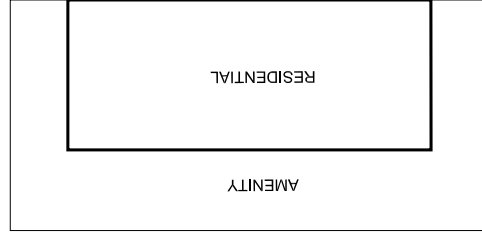
Retail Parking Required (1/250 sq.ft.)= 97
 Office Parking Required (1/300 sq.ft.)= 0
 Res. Parking Required (1.5 / unit)= 401
 Total Parking Required= 498
 difference= 65 over



Ground Floor Plan

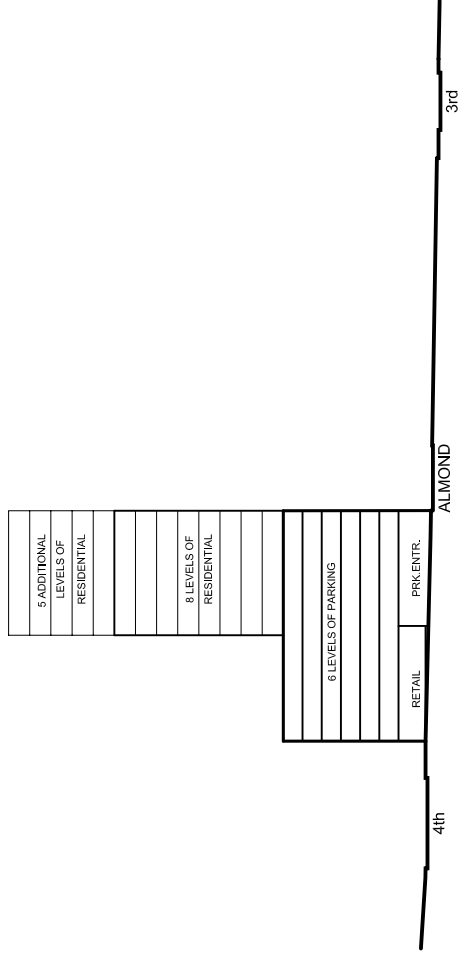


Floors 2 - 7

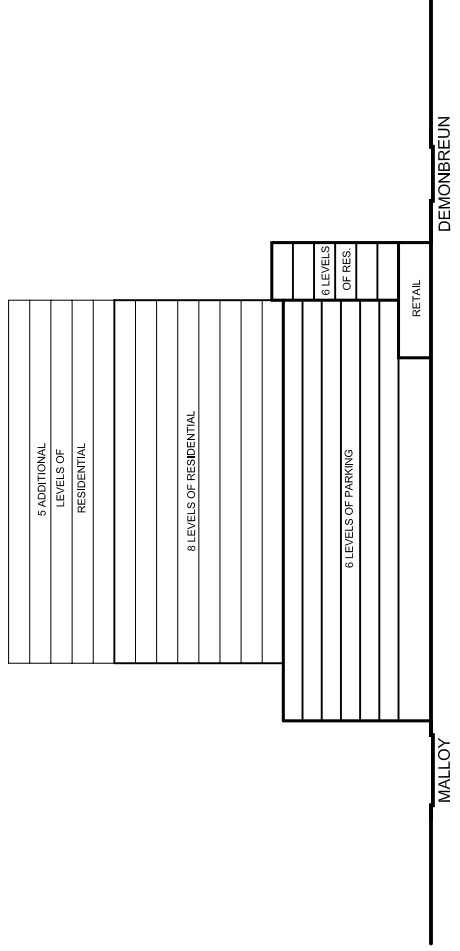


Floors 8 - 15

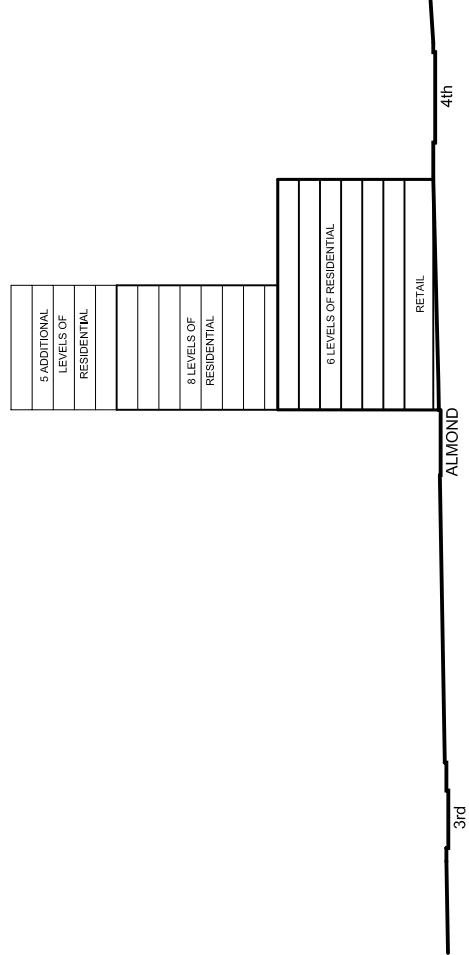
SITE B PLANS



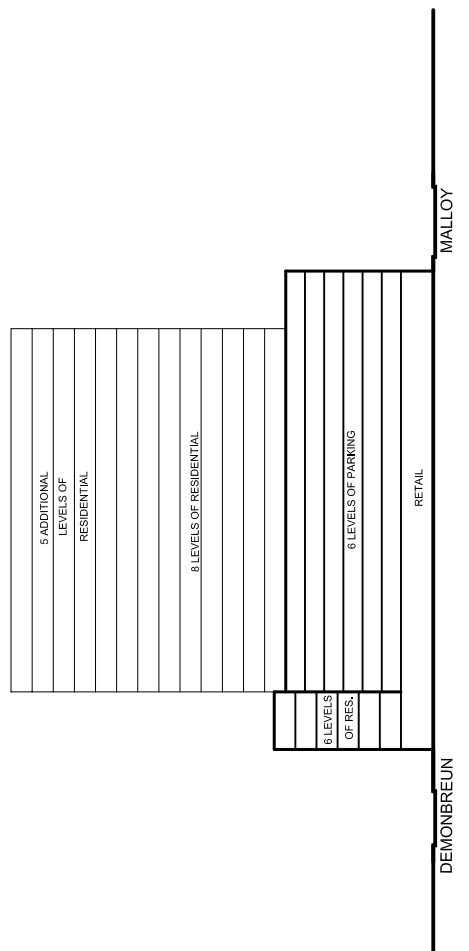
Malloy Elevation



2nd Ave S Elevation

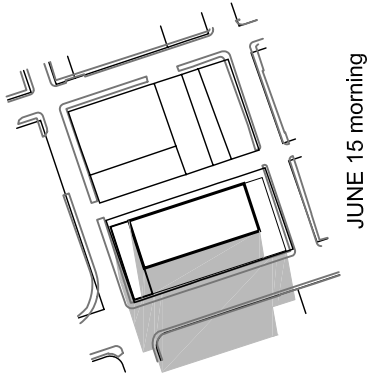


Demonbreun Elevation

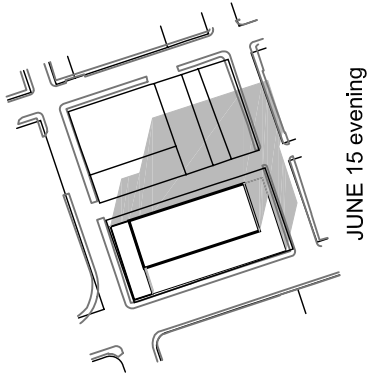


3rd Ave S Elevation

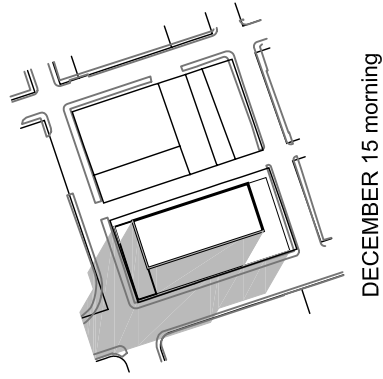
SITE B ELEVATIONS



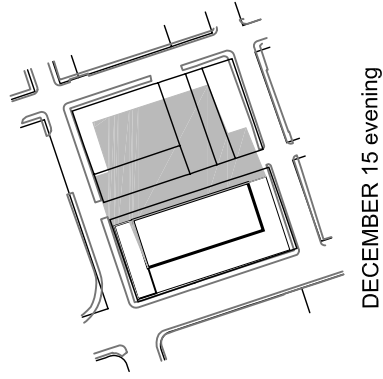
JUNE 15 morning



JUNE 15 evening



DECEMBER 15 morning



DECEMBER 15 evening

SITE B SHADOW STUDIES

Site C

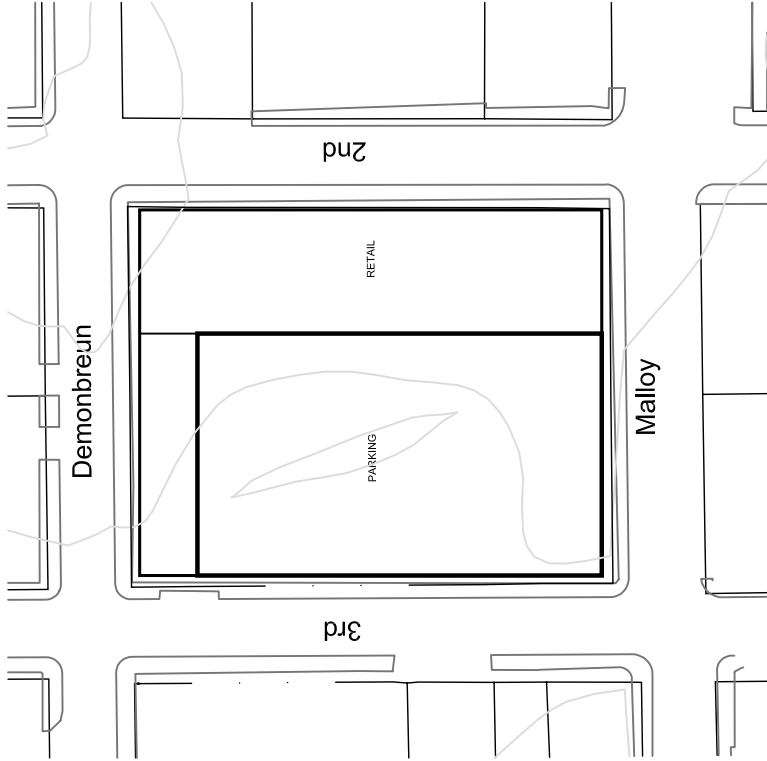
1.13

	Retail	Office	Residential	Parking	Amenity	Total sq.ft.	Parking #
2nd Ave SL	15000			27000		42000	90
3rd Ave SL			14700	27000	3100	41700	90
3			14700	27000		41700	90
4			14700	27000		41700	90
5			14700	27000		41700	90
6			14700	27000		41700	90
7			14700	27000		41700	90
8			11400	27000		38400	90
9		17100			28900	17100	
10		17100				17100	
11		17100				17100	
12		17100				17100	
13		17100				17100	
14		17100				17100	
15		17100				17100	
	15000	119700	99600	216000	32000	450300	720
percent of total w/o parking	6%	51%	43%				

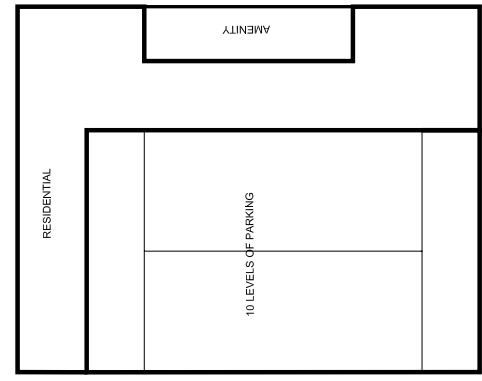
approx. res. units (800 sq.ft. units) = 125

maximum F.A.R. (5.0) = 246114
 sq. footage w/o parking = 234300
 difference = -11814 under 95%

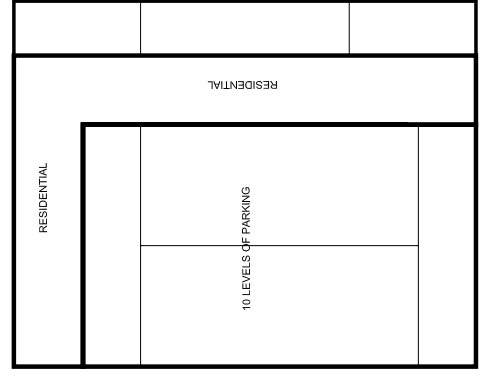
Retail Parking Required (4/1000 sq.ft.) = 75
 Office Parking Required (3/1000 sq.ft.) = 359
 Res. Parking Required (1.5 / unit) = 188
Total Parking Required = 622
 difference = 98 over



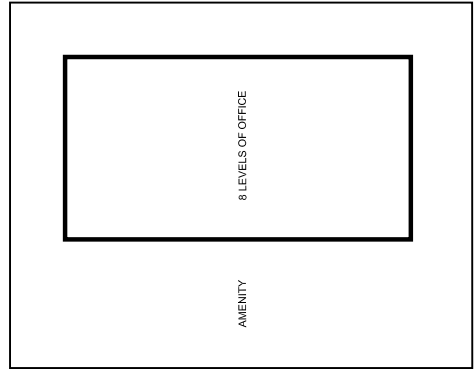
Ground Floor Plan



Floors 2 - 7

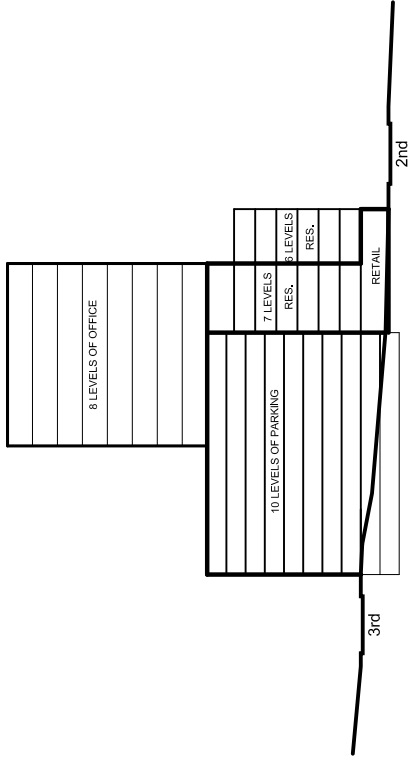


Floor 8

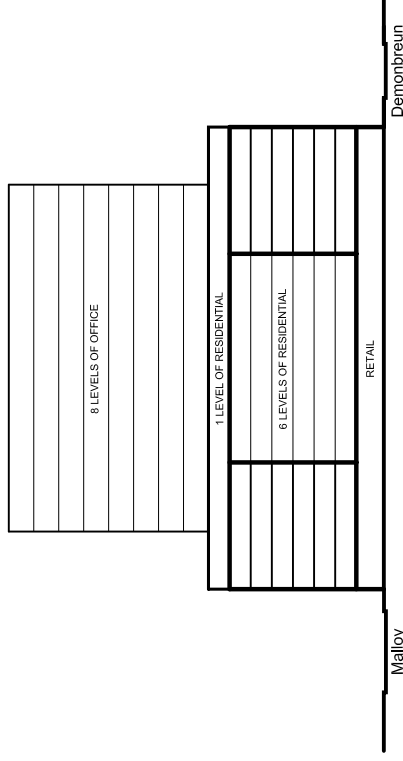


Floors 9 - 16

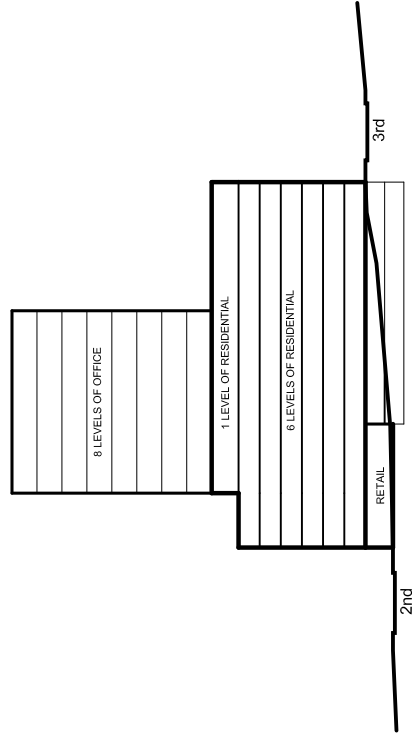
SITE C PLANS



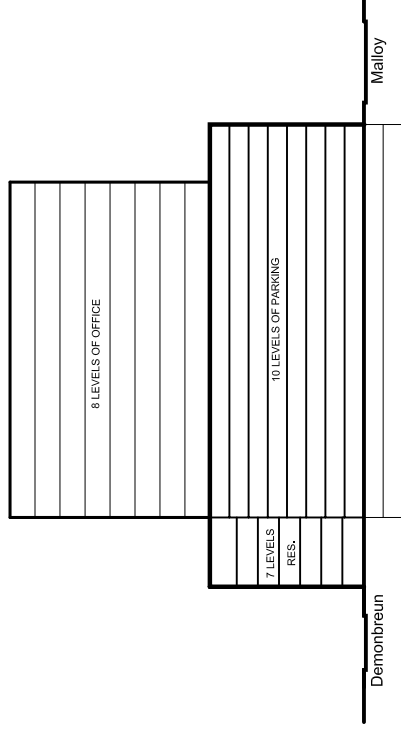
Malloy Elevation



2nd Ave S Elevation

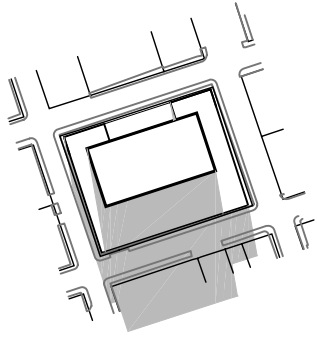


Demonbreun Elevation

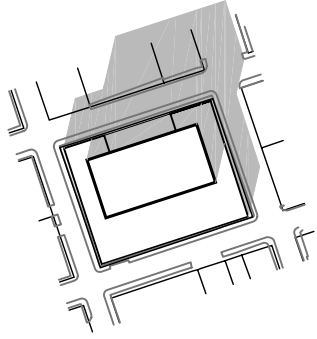


3rd Ave S Elevation

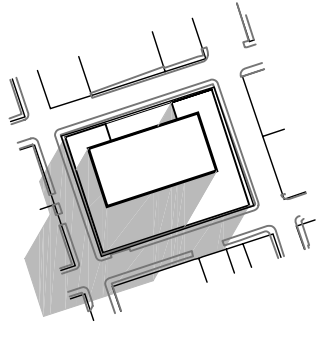
SITE C ELEVATIONS



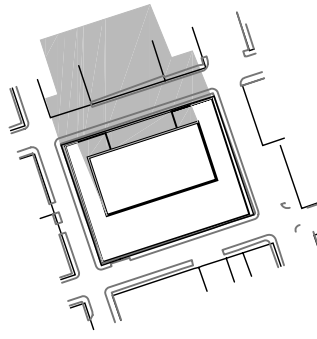
JUNE 15 morning



JUNE 15 evening

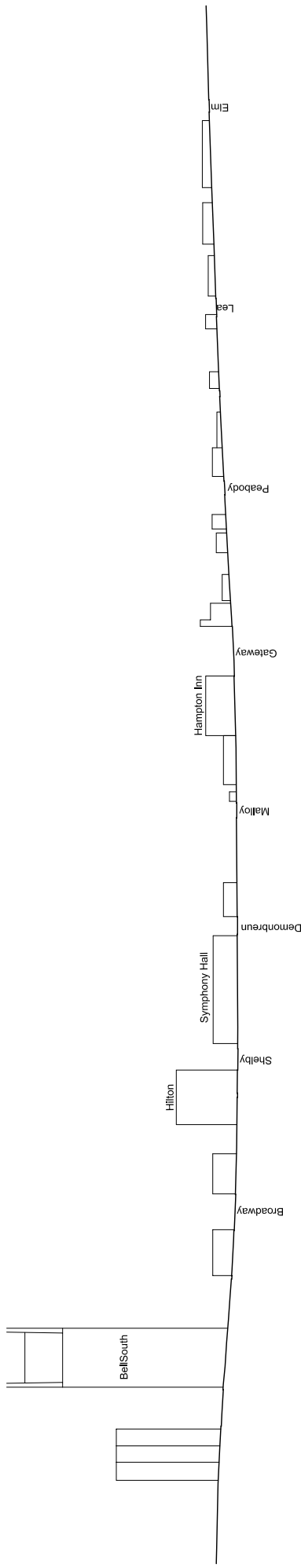


DECEMBER 15 morning

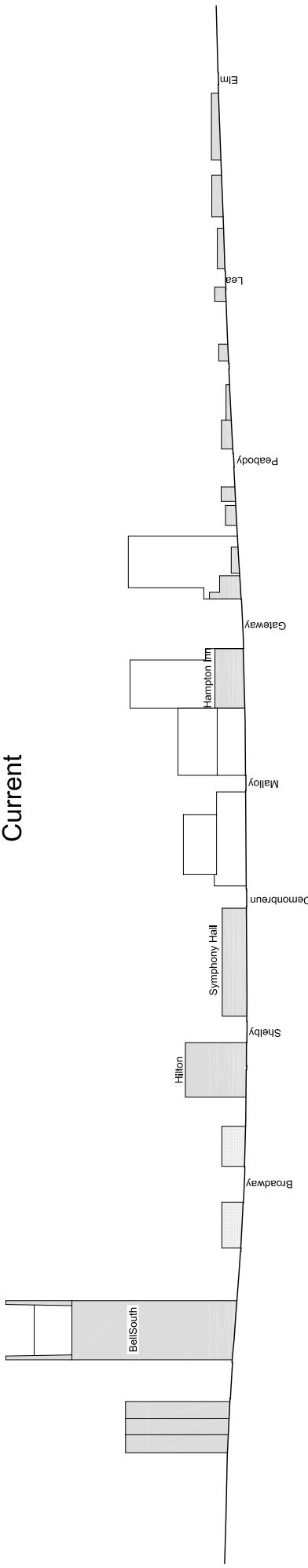


DECEMBER 15 evening

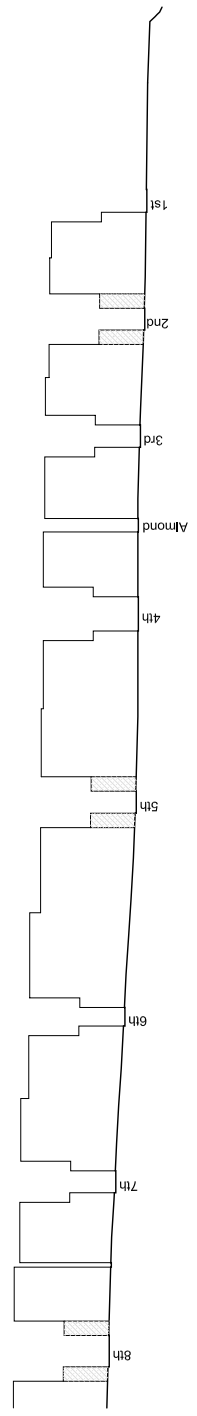
SITE C SHADOW STUDIES



4th Avenue South Section
Current



4th Avenue South Section
Proposed



Demonbreun Section
Proposed