



Tall Tale: City, developers debate height restrictions

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Skies are looking greener, if anything, for the Atlanta firm that wants to build a 418-foot-tall crowned skyscraper between Second and Third avenues downtown north of Demon-breun Street.

The developers, who were in Nashville late last week meeting with city officials, have been facing a roadblock: a height limitation Metro established last February limiting buildings south of Broadway (SoBro) to 220 feet.

But the area councilman, Mike Jameson, has now said he will likely support the taller version of the building, whose anchor tenant would be local law giant Bass, Berry & Sims, if the developers plant a garden — technically called a green roof — on top of it, an environmentally-friendly move Jameson believes would outweigh any downsides to the height.

And Mayor Bill Purcell, though not exactly endorsing the project, said via a spokesperson last week, "It's a very exciting project for the SoBro area."

The tower, the working name for which is The Crown because of its proposed decorative cap, will be the second project in recent months that could be a victim of the 220-foot height limitation, which the Metro Planning Commission enacted in February in anticipation of new projects hitting the area.

But is it really downtown?

The reason is that Metro, according to Planning Department officials, considers the area not yet a part of downtown proper but of the larger SoBro district and says permitting especially tall buildings there would dilute efforts to pack more density into central downtown for the purpose of — sometime in the future — reaching a population "tipping point" that would encourage more retail construction and more mass transit. But at the same time, just north of the Crown site and fronting Broadway is the three-story historic building home to the Trail West western wear emporium. Now, Arkansas-based developer The Barber Group wants to build a 19-story contemporary building to house a Westin Hotel, incorporating some of the site's existing historic buildings into its base and facade.

And if you want to know just how high 220 feet is: by comparison, the Statue of Liberty rises to 305 feet.

Although the height of the Westin building would fall below the 220-foot limit, its Third Avenue side, as drafted, is out of compliance with the city's sky plane regulations because it does not taper back enough as it rises.

So Barber officials will have to apply to Metro for an exemption in order to build the tower, which will also need approval by the Metro Development and Housing Agency Design Review Committee because the property sits within an MDHA "redevelopment district," under which special tax incentives are sometimes made available to developers but in which the city has established extra design regulations (Of note, the Westin developers are not requesting any financial aid such as tax increment financing).

Rick Bernhardt and Ann Roberts, the directors of the Metro Planning Department and Metro Historical Commission, respectively, and who sit on the design board, are opposed to the project as is, saying its height will detract from the historical and design integrity of Lower Broad.

Meanwhile, a third project, the Encore condominium tower being co-developed by Atlanta-based Novare Group and Nashville skyscraper king Tony Giarratana at the southwest corner of the Third

Avenue and Demonbreun Street intersection in SoBro, was forced in March to be scaled back from 23 to 20 stories (and, consequently, by 37 units to 333) to comply with the 220-foot height limitation.

As for The Crown — and as confirmed by Bass, Berry & Sims Managing Partner Keith Simmons last week — it is likely that the Atlanta developer, Barry Real Estate Companies Inc., will seek a zoning change for the site rather than go before the Metro Board of Zoning Appeals to seek an exemption from the height limitation.

And if Barry Real Estate does so — and seeks a rezoning to the new Specific Plan zoning code (letting the land owner and Councilman Jameson customize the property however they see fit) — it will still have to make its case before the Metro Planning Commission, although the final say would rest in the hands of the Metro Council, where Jameson said he is likely to back the project if it has the green roof.

Planning Department Policy Analyst Jennifer Carlat defended the 220-foot limitation, saying the number is not arbitrary but one that will allow developers to build as much as possible under existing, and older, SoBro limitations regarding square footage.

Carlat, in addition to citing the Planning Department's concern for letting density bleed out of the downtown core, said Planning considers the business-oriented central downtown a separate district from SoBro, which she characterized as primarily an entertainment and residential district, saying these separate strengths should be built upon as such.

And T.K. Davis, design director for the nonprofit Nashville Civic Design center, gave his backing to the height limitation — at least for any new buildings along Demonbreun — saying the street is so narrow that excessively tall buildings along it could block all sunlight. Davis said, instead, developers should eye Gateway Boulevard, a little further south, as they construct tall buildings in SoBro.

Further, The Plan of Nashville, the community-generated planning guide whose crafting the Civic Design Center oversaw, warns that tall buildings in SoBro should be limited in order to preserve the sightline of downtown from the Gateway Bridge area, which offers some of the most breathtaking views of downtown.

But Tom White, the Tune, Entrekin, and White attorney who is representing both Giarratana and Barry Real Estate, disputed the idea that tall buildings would detract from the view.

"The proposed Crown building would clearly be one of the most signature buildings Nashville's ever seen — I think it's premier enough in quality to be on par with a smaller-scale version of the Chrysler Building or the Empire State Building in New York City," White said. "I look upon it as merely an extension of the center city and, frankly, a nice complement."

Making Barry's task more challenging, however, is that a rendering of The Crown has not been released. Simmons, however, said the shape of the building as designed at this stage draws influence from the square towers of Christ Church Cathedral and Union Station in downtown Nashville. The Crown's façade draws from the Frist Center for the Visual Arts, and its street level would offer retail outlets along Demonbreun and Second Avenue. The Demonbreun side of the building would be aligned to match the Schermerhorn Symphony Center setback.

Only a decade ago, SoBro, still the home of many light industrial entities, was known for several bawdy houses.

Another SoBro developer, Michael Hayes — the Nashville development director for Baltimore-based Struever Bros., Eccles & Rouse, which will develop condos and restaurants to complement the future Nashville Sounds stadium — said redevelopment of the south-of-Broadway Demonbreun block will be critical to the redevelopment of the rest of the district, maintaining that a "bridge" of attractive development is necessary to link SoBro with Broadway.

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