



MEMORANDUM

TO: PLANNING COMMISSIONERS
FROM: ERIC HAMMER, METRO NASHVILLE PLANNING DEPARTMENT
SUBJECT: CERTIFICATION OF BONUS HEIGHT COMPLIANCE WITHIN THE DTC
DATE: FEBRUARY 12, 2026

PROJECT NAME	8TH AND DEMONBREUN HOTEL
DTC SUBDISTRICT	SOBRO
Parcel(s)	09310000900
Requested by	Philip Neal, Kimley-Horn, applicant; Auto Nashville Hotel LLC, property owner

BACKGROUND

The Downtown Code requires Planning Commission certification of compliance with the provisions of the Bonus Height Program (when those provisions are utilized for a development), before building permits can be issued.

The Metropolitan Council adopted ordinance BL2025-799 in 2025, which amended the Downtown Code (DTC) to update the Bonus Height Program (BHP). Section 2 of the bill creates a transition period which allows DTC development proposals currently in later design phases to advance as planned for a period. During this period, either the 2010 version of the BHP or the 2025 version of the BHP may be used.

However, projects proposing to use the 2010 BHP must submit for Concept Plan approval within six months of the effective date, and the project must certify its bonus height with the Planning Commission within one year of the effective date. This bill was made effective **May 30, 2025**.

This project received Concept Plan approval from the Downtown Code Design Review Committee on **October 6, 2022** and is qualified to certify bonus height under the 2010 BHP until **May 30, 2026**. In order to maintain this certification, the project must be constructed during the development vesting periods provided by state statute (and as provided for by the Metropolitan Government in RS2014-1330. If the project is not constructed within the development vesting period, the project shall forfeit any entitlements earned and will need to reapply under the 2025 BHP.

APPLICANT REQUEST

Certification of compliance with the Downtown Code (DTC) Bonus Height Program (BHP) for a 36-story hotel building located at 133 8th Avenue South and within the SoBro Subdistrict of the DTC.

Please note that in some application materials, a 37th story is noted. However, the 13th floor is omitted from the story count, which is a common practice in high-rise construction. For the purposes of this memorandum, only stories 1-36 will be referenced in keeping with the way the DTC calculates height.

The applicant has utilized the following bonus height programs:

1. LEED - Silver Level
2. Underground Parking

The SoBro Subdistrict permits 30 stories by-right at this location, and unlimited stories for developments that utilize the Bonus Height Program.

ANALYSIS

The DTC Bonus Height Program allows bonus height if provisions for certain public benefits are met. The public benefits in exchange for bonus height are outlined as such:

Underground Parking

- The number of square feet of bonus height shall be equal to the number of square feet in Underground Parking. Bonuses are specific to each Subdistrict, and the SoBro Subdistrict allows 8 additional stories for this BHP option.

LEED

- Bonuses for individual buildings are given upon precertification of LEED silver, gold, and platinum (or an equivalent, nationally recognized, third-party system overseeing green building and/or sustainable development practices). Bonuses are specific to each subdistrict, and the SoBro subdistrict allows 4 additional stories for LEED Silver or equivalent.

The project has demonstrated compliance with the DTC Bonus Height Program to attain stories beyond the by-right allocation for this property using the following programs:

- 4 stories of bonus height are awarded for LEED Silver precertification. This is applied to stories 31, 32, 33, and 34.
- 52,393 SF of Underground Parking is being provided, yielding 52,393 SF of awarded bonus height. The project applies these bonuses to stories 35 and 36, which have a floor area of 15,924 SF each.

As some Underground Parking bonus was earned but not utilized, 20,545 SF is eligible for transfer to another site within the DTC. This eligibility expires if this project is not constructed during the development vesting periods provided by state statute (and as provided for by the Metropolitan Government in RS2014-1330).

Upon fulfilling remaining requirements prior to issuance of building permits, the proposed development project shall be allowed to build 36 stories of building height.

STAFF RECOMMENDATION

Approve Certification of Compliance with Conditions. Staff has reviewed the project's utilization of the DTC Bonus Height Program provisions and finds it to be compliant with the following conditions:

1. LEED certification at a Silver level shall occur prior to the issuance of a final Certificate of Occupancy for the project.
2. All entitlements certified using the 2010 BHP must comply with the provisions of Section 2 of BL2025-799.

Parcel Map

