



METROPOLITAN PLANNING COMMISSION

MINUTES

February 11, 2021
4:00 pm Regular Meeting

Meeting to be held via Teleconference

Metro Nashville Network will broadcast the February 11th meeting of the Metro Planning Commission live on Comcast channel 3 and simulcast a livestream of the meeting on Nashville.gov. To locate the livestream, visit www.nashville.gov and click on the "Live Streaming" link located on the left side of the screen.

MISSION STATEMENT

The Planning Commission guides growth and development as Nashville and Davidson County evolve into a more socially, economically and environmentally sustainable community, with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.

Commissioners Present:

Greg Adkins, Chair
Jeff Haynes
Lillian Blackshear
Brian Tibbs
Mina Johnson
Dr. Pearl Sims
Jim Lawson
Councilmember Kathleen Murphy

Commissioners Absent:

Jessica Farr
Ron Gobbell

Staff Present:

Lucy Kempf, Executive Director
Bob Leeman, Deputy Director
Kelly Adams, Admin Services Officer IV
Lisa Milligan, Planning Manager II
Shawn Shepard, Planning Manager I
Greg Claxton, Planning Manager I
Katherine Herrmann, Planner III
Alex Blonder, Legal
Lora Fox, Legal
Abbie Rickoff
Amelia Lewis, Planner II
Jason Swaggart, Planner II
Eric Hammer, Planner II
Alex Dickerson, Legal
Patrick Napier, Planner I

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission
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SPECIAL NOTICE TO THE PUBLIC

Out of an abundance of caution, and pursuant to recommendations from federal, state and local health agencies regarding avoiding group gatherings due to the COVID-19 Coronavirus, the February 11, 2021, Planning Commission meeting will be held virtually. To protect the health and safety of our community, we strongly encourage all members of the public to view or participate online.

Planning Commission meetings are shown live on the Metro Nashville Network, Comcast channel 3, and streamed online live. In addition, meeting recordings are posted on YouTube, usually on the day after the meeting. We strongly encourage the public to view this meeting remotely. Any comments to the Commission should be mailed or emailed to the Planning Department to minimize face-to-face interactions by 3 p.m. on Tuesday, February 9, 2021. Visit <https://www.nashville.gov/Planning-Department/Meeting-Information/Virtual-Public-Comment.aspx> for the most up-to-date ways to contact the Commission.

General Planning Commission Information Provided for Reference

Nine of the Planning Commission's ten members are appointed by the Metropolitan Council; the tenth member is the Mayor's representative. The Commission meets on the second and fourth Thursday of each month at 4:00 pm, in the Sonny West Conference Center on the ground floor of the Howard Office Building at 700 Second Avenue South, although this location is subject to change at times. Only one meeting may be held in July, August, and December. Special meetings, cancellations, and location changes are advertised on the [Planning Department's main webpage](#).

The Planning Commission makes the final decision on final site plan and subdivision applications. On all other applications, including zone changes, specific plans, overlay districts, and mandatory referrals, the Commission recommends an action to the Council, which has final authority.

Agendas and staff reports are [posted online](#) and emailed to our mailing list on the Friday afternoon before each meeting. They can also be viewed in person from 7:30 am – 4 pm at the Planning Department Office in the Metro Office Building at 800 2nd Avenue South. [Subscribe to the agenda mailing list](#).

Planning Commission meetings are shown live on the Metro Nashville Network, Comcast channel 3, and [streamed online live](#). In addition, meeting recordings are [posted on YouTube](#), usually on the day after the meeting.

Writing to the Commission

Comments on any agenda item can be mailed or emailed to the Planning Department by 3 pm on the Tuesday prior to the meeting.

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300

E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

For the February 11, 2021 meeting, we encourage comments remotely, by email or live remote participation, during the meeting. Please visit our webpage on Virtual Comments to find out how:

<https://www.nashville.gov/Planning-Department/Meeting-Information/Virtual-Public-Comment.aspx>

Meetings are conducted in accordance with the Commission's [Rules and Procedures](#).

Legal Notice

As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel.



The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or e-mail her at josie.bass@nashville.gov. For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:01 p.m.

B: Establish that COVID-19 requires telephonic meeting as permitted under Executive Order No. 16.

Ms. Blackshear moved and Mr. Haynes seconded the motion to establish the meeting agenda constitutes essential business of this body and that meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-10 outbreak. (8-0)

C: ADOPTION OF AGENDA

Mr. Lawson moved and Councilmember Murphy seconded the motion to adopt the agenda. (8-0)

D: APPROVAL OF JANUARY 21, 2021 MINUTES

Ms. Blackshear moved and Councilmember Murphy seconded the motion to approve the January 21, 2021 minutes. (8-0)

E: RECOGNITION OF COUNCILMEMBERS

Councilmember Gamble spoke in favor of Item 25.

Councilmember Bradford spoke in support of deferring Item 6.

Councilmember VanReece spoke in favor of Item 14.

Councilmember Allen spoke in favor of Item 10.

Councilmember Roberts spoke in favor of Item 11.

Councilmember Toombs spoke in favor of Item 11 and in support of staff recommendation of Item 27.

Councilmember Styles spoke in support of staff recommendation of Item 17.

Councilmember O'Connell spoke in favor of Item 24.

Councilmember Porterfield spoke in favor of deferring Item 4 and in support of Items 13 and 15.

F: ITEMS FOR DEFERRAL / WITHDRAWAL 1a, 1b, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 18, 20, 23a, 23b

Mr. Tibbs moved and Councilmember Murphy seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

Ms. Blackshear recused herself from Item 9.

G: CONSENT AGENDA ITEMS 11, 13, 14, 15, 16, 29, 33

Mr. Tibbs moved and Dr. Sims seconded the motion to approve the Consent Agenda. (8-0)

Ms. Blackshear recused herself from Item 16.

NOTICE TO THE PUBLIC: Items on the Consent Agenda will be voted on at a single time. No individual public hearing will be held, nor will the Commission debate these items unless a member of the audience or the Commission requests that the item be removed from the Consent Agenda.

H: ITEMS TO BE CONSIDERED

1a. 2007SP-037-002

BELL ROAD/BLUE HOLE ROAD SP AMENDMENT

Council District 31 (John Rutherford)

Staff Reviewer: Logan Elliott

A request to amend a Specific Plan located at Bell Road (unnumbered) and 5439 Blue Hole Road and 7000 Harris Hills Lane, at the corner of Bell Road and Harris Hills Lane (101.91 acres), zoned AR2a, R15, RS20, RS7.5, and SP, to permit a mixed-use development, requested by Lose Design, applicant; Forest View Residences, LLC and Richland South, LLC, owners. (See associated case #95P-025-007).

Staff Recommendation: Defer to the March 11, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2007SP-037-002 to the March 11, 2021, Planning Commission meeting. (8-0)

1b. 95P-025-007

MILLWOOD COMMONS PUD CANCELLATION

Council District 31 (John Rutherford)

Staff Reviewer: Logan Elliott

A request to cancel a portion of a Planned Unit Development Overlay District located at 5439 Blue Hole Road and Bell Road (unnumbered), approximately 560 feet north of W Oak Highland Drive (54.81 acres), zoned R15, RS20, and RS7.5, requested by Lose Design, applicant; Richland South, LLC, owner. (See associated case #2007SP-037-002).

Staff Recommendation: Defer to the March 11, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 95P-025-007 to the March 11, 2021, Planning Commission meeting. (8-0)

2. 2021SP-003-001

0 OLD HICKORY BLVD

Council District 04 (Robert Swope)

Staff Reviewer: Abbie Rickoff

A request to rezone from R15 to SP zoning for property located at Old Hickory Boulevard (unnumbered), approximately 1,100 feet east of Barton Vale Drive, (2.54 acres), to permit 10 multi-family units, requested by Dale & Associates, applicant; Alemayehu Tesfaye, owner.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-003-001 to the February 25, 2021, Planning Commission meeting. (8-0)

3. 2004UD-002-011

VILLAGES OF RIVERWOOD - SECTION M (MODIFICATION)

Council District 14 (Kevin Rhoten)

Staff Reviewer: Logan Elliott

A request to modify the Villages of Riverwood Urban Design Overlay District for property located at Stonewater Drive (unnumbered), approximately 400 feet southwest of Hickory Brook Drive, zoned RM9 and within the Villages of Riverwood Urban Design Overlay District (23.35 acres), to change the 776 assisted living units to 210 multi-family residential units, requested by Dale and Associates, applicant; Villages of Riverwood and Browns Farm, owner.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2004UD-002-011 to the February 25, 2021, Planning Commission meeting. (8-0)

- 4. 2021Z-017PR-001**
Council District 29 (Delishia Porterfield)
Staff Reviewer: Amelia Lewis

A request to rezone from R20 to IWD zoning for property located at 2377 Couchville Pike, approximately 1,460 feet south of Pulley Road (34.77 acres), requested by Energy Land and Infrastructure, applicant; Tommy C. Estes, Trustee, owner.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-017PR-001 to the February 25, 2021, Planning Commission meeting. (8-0)

- 5. 2021S-026-001**
SUBDIVISION OF THE TONY AND PAMELA ADAMS PROPERTY
Council District 15 (Jeff Syracuse)
Staff Reviewer: Abbie Rickoff

A request for final plat approval to create three lots on property located at 2203 Pennington Bend Road, at the western terminus of McGavock Pike, zoned R15 (1.37 acres), requested by Clint T. Elliott Surveying, Inc., applicant; Tony and Pamela Adams, owners.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-026-001 to the February 25, 2021, Planning Commission meeting. (8-0)

- 6. 2021S-014-001**
CARLTON ESTATES
Council District 13 (Russ Bradford)
Staff Reviewer: Amelia Lewis

A request for concept plan approval to create 17 lots on properties located at 3338 and 3346 Bell Road, approximately 735 feet south of Harborwood Drive, zoned R15 (7.34 acres), requested by Jackie Dillehay, applicant; Jackie Lynn Pater, owner.

Staff Recommendation: Defer to the March 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-014-001 to the March 25, 2021, Planning Commission meeting. (8-0)

- 7. 2021SP-006-001**
6103 MT. VIEW ROAD
Council District 33 (Antoinette Lee)
Staff Reviewer: Patrick Napier

A request to rezone from R8 and AR2a to SP zoning for property located at 6103 Mt. View Road, at the northeast corner of Mt. View Road and Hamilton Church Road (22.18 acres), to permit 46 single family lots and 68 multi-family units, requested by CSDG, applicant; Therese McClurg and Philip Burgess, owner.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-006-001 to the February 25, 2021, Planning Commission meeting. (8-0)

8. **2020SP-051-001**
1411 DICKERSON PIKE SP
Council District 05 (Sean Parker)
Staff Reviewer: Amelia Lewis

A request to rezone from CL and RS5 to SP zoning for properties located at 1411 and 1413 Dickerson Pike and 198, 200, and 204 Gatewood Avenue, approximately 260 feet east of Dickerson Pike, (6.77 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; Donald E. & Michael E. Wall and Tony Ray Clouse, owners.
Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020SP-051-001 to the February 25, 2021, Planning Commission meeting. (8-0)

9. **2021S-015-001**
RIVERGATE STATION SECTION 1 2ND RESUB OF LOT 2
Council District 10 (Zach Young)
Staff Reviewer: Amelia Lewis

A request for final plat approval to create three lots on property located at 1699 Gallatin Pike, at the southwest corner of Myatt Drive and Gallatin Pike, zoned CS (20.97 acres), requested by Gresham Smith, applicant; BAI Rivergate, LLC, owner.
Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-015-001 to the February 25, 2021, Planning Commission meeting. (7-0-1)

10. **2020Z-014TX-001**
BL2020-535/Burkley Allen
Staff Reviewer: Eric Hammer

A request to amend Titles 16 and 17 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to achieve light pollution reduction consistent with International Dark Skies Association guidelines.
Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-014TX-001 to the February 25, 2021, Planning Commission meeting. (8-0)

11. **2021Z-001TX-001**
BL2021-619/Mary Carolyn Roberts
Staff Reviewer: Shawn Shepard

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.24 and 17.40 to add language pertaining to plans for street trees and streetscape.
Staff Recommendation: Approve with an amendment.

APPLICANT REQUEST

Amend the Zoning Code pertaining to plans for street trees and streetscape.

PROPOSED AMENDMENTS TO TITLE 17

The proposal would amend Chapter 17.24, Landscaping, Buffering and Tree Replacement, to add a new Section 17.24.075 pertaining to plans for street trees and streetscape, as follows (new text shown in underline):

17.24.075 –Plans for Street Trees and Streetscape

- A. Adoption. The Metropolitan Planning Commission shall review and adopt plans for streetscapes and street trees created for specific geographic areas within Davidson County.

- B. Review and enforcement. Compliance with a street tree/streetscape plan shall be reviewed and enforced by the urban forester according to the provisions of this section. Where street trees required by an adopted plan are to be located within the public right-of-way, the urban forester shall consult with the director of public works and/or the director of water services, or their designees, in review and enforcement of the plan. A street tree/streetscape plan shall be designated as a layer in GIS and mapping systems, and all parcels affected by a street tree/streetscape plan shall be flagged on all permitting.
- C. Applicability.
 - 1. Multi-family or non-residential development or redevelopment. All provisions of this section shall apply to the development or redevelopment of multi-family or non-residential property which includes one or more of the following:
 - a. Construction of a new structure on a vacant lot, including lots on which all structures have been or are planning to be demolished; or
 - b. The cost of any one renovation equal to or greater than fifty percent of the current appraised value of all structures on the lot, or the value of multiple renovations during any five-year period equal to or greater than seventy-five percent of the current appraised value of all structures on the lot; or
 - c. The cost of any one expansion equal to or greater than twenty-five percent of the current appraised value of all structures on the lot, or the value of multiple renovations during any five-year period equal to or greater than fifty percent of the current appraised value of all structures on the lot; or
 - d. The total building square footage of any one expansion is equal to or greater than twenty-five percent of the total square footage of all structures on the lot, or the total building square footage of multiple expansions during any five-year period is equal to or greater than fifty percent of the total square footage of all the structures on the lot.
 - 2. Single-family or two-family construction. All provisions of this section shall apply to the construction of new single-family or new attached or detached two-family structure(s) on a vacant lot, including lots on which all structures have been or are planned to be demolished.
- D. Installation and maintenance.
 - 1. Trees shall be installed according to the provisions of the Metro Nashville Street Tree Specifications prepared and maintained by Metro Water Services in conjunction with Metro Public Works, Planning and Codes.
 - 2. The owner of the property frontage along with the street trees are installed shall maintain the trees installed per this title according to the provisions of the Metro Nashville Street Tree Specifications. The owner of the property frontage shall execute and record a restrictive covenant agreeing to these maintenance responsibilities.
 - 3. Trees installed pursuant to this section shall be eligible for credit toward the tree density required by Article II, Tree Protection and Replacement, of this Chapter.
- E. Modifications and amendments. The urban forester shall have the authority to grant minor modifications to the adopted street tree plan including, but not limited to, adjustments in spacing or planting location that do not alter the overall concept of the adopted street tree/streetscape plan. Minor modifications may be granted based on existing physical site conditions such as utilities, a ditch or drainage ditch, historic wall(s) or stone wall(s), existing trees, or steep topography. Modifications that alter the overall concept of the adopted plan shall be considered major and require amendment of the plan by the Metro Planning Commission.
- F. Waivers and compliance. The zoning administrator may waive, in whole or in part, the requirements of this section upon request by the property owner or its agent due to existing physical features on the property such as utilities, a ditch or drainage ditch, historic wall(s) or stone wall(s), existing trees, steep topography, or other hardship. In addition to the urban forester, the zoning administrator shall consult with the executive director of the planning department, or their designee, and where appropriate the director of public works and/or the director of water services, or their designees, prior to making any final determination.
- G. Appeals to the Board of Zoning Appeals. The provisions of this section may be varied or interpretations appealed in conformance with Chapter 17.40, Administration and Procedures. The board of zoning appeals may require a contribution to the tree bank, as provided for in Section 17.40.480 of this title, or other appropriate mitigation for the loss of the trees required by the street tree/streetscape plan as a condition of the variance. The board of zoning appeals shall not accept an application until the zoning administrator has made a determination on the requirement as set forth in this chapter.

The proposal would also amend Section 17.40.340.B of the Zoning Code to add the new section 17.24.075 to the list of Sections/Tables that may not be varied without first considering a recommendation from the Planning Commission.

ANALYSIS

The proposed amendments to Chapter 17.24 function as enabling legislation. The proposal permits the Planning Commission to adopt a street tree and/or streetscape plan for a particular corridor or geographic area of Metro, and once such a plan is adopted, the proposal permits the plan to be implemented with redevelopment as part of the landscaping requirements of the Zoning Code.

Over the last few years, Metro Nashville has updated and refined its development regulations pertaining to sidewalks and pedestrian infrastructure. Those standards focus on construction of sidewalks within and around NashvilleNext centers and corridors to benefit residents, visitors, neighborhoods, and businesses. Metro has also updated its development regulations pertaining to tree retention and replacement found in Chapter 17.24 of the Zoning Code to increase Nashville's overall tree canopy, enhance the pedestrian realm, and improve and beautify Nashville's developed areas. The most recent update to Chapter 17.24, enacted in September 2019, allowed for developers and property owners to receive tree density (TDU) credit for street trees that meet certain standards.

And more recently, in August of 2020, Council adopted requirements for the installation of street trees as part of sidewalk design within NashvilleNext centers.

Each of these efforts has been an incremental step toward the overall improvement of the pedestrian realm along Nashville's streets, and each has also highlighted the importance of unique site conditions and context in the installation and maintenance of pedestrian infrastructure and street trees. The pedestrian realm is often a relatively confined space that needs to accomplish a number of things at once. It not only provides for mobility of pedestrians, but also includes the portions of the public right-of-way dedicated to street trees, overhead and underground utilities, fire hydrants, bike racks, and transit stops or platforms. The work so far has highlighted the need for a wide variety of tools to address Metro's streetscape and street tree goals across different settings.

As part of its work, the Planning Department regularly engages with communities to develop plans for a particular corridor or neighborhood, and it is common for communities to identify street trees as a desirable component of the streetscape. The proposed amendments to the Zoning Code would enable those desires to be captured in a street tree or streetscape plan that is uniquely tailored to the corridor or neighborhood. Such plans can account for opportunities for canopy trees, or locations that are constrained by overhead or underground utilities, as well as establish installation and spacing standards that are appropriate given the unique planting conditions of the corridor. A corridor or neighborhood-specific street tree plan also creates an opportunity for more coordinated planting by specifying a limited range of appropriate species that property owners may choose from, which can contribute to placemaking and neighborhood identity goals.

In addition to enabling the adoption of a street tree/streetscape plan, the proposal also creates a mechanism to implement the plan over time with redevelopment. As part of meeting the landscaping requirements in Chapter 17.24, each site must meet a certain tree density threshold (TDU), and street trees are eligible to contribute toward the TDU requirement. In areas with an adopted street tree/streetscape plan, the effect would be that a property owner would now be required to meet the TDU in part through installation of specifically identified street trees.

The proposal establishes triggers for when compliance with the adopted plan is required. These triggers are similar to those that require installation of sidewalks, as this would generally ensure that a project that is required to install street trees is also likely to be installing sidewalks with a planting strip to accommodate those trees. Finally, the proposal establishes a process for modification of the adopted plan and for seeking relief from the requirement should an individual site have a unique hardship that was not accounted for in development of the street tree/streetscape plan. To ensure public awareness of a street tree/streetscape plan when adopted, and to facilitate implementation, adopted plans will be designated as a layer in GIS/mapping systems and all effected parcels will be flagged on permitting. Staff is recommending a minor housekeeping amendment to the bill as filed in order to clarify wording.

Zoning Administrator Recommendation

No exception taken.

Fiscal Impact Recommendation

The Metro Codes Department will implement this section of the Zoning Code at the time of building permit review as is their current practice and building permits will continue to be referred to Urban Forestry, Public Works, Metro Water Services, and Stormwater as applicable for review. The Codes Department anticipates the proposed amendment to be revenue neutral.

**AMENDMENT NO. _
TO
ORDINANCE NO. BL2021-619**

Mr. President –

I move to amend Ordinance No. BL2021-619 as follows:

- I. By amending Section 1 to add the following sentence immediately following the section title and preceding the numbered standards:

Upon creation of a plan for street trees and streetscape for a specific geographic area within Davidson County, the Metropolitan Planning Commission shall adopt the plan.

- II. By further amending Section 1 by deleting Section 17.24.075.A in its entirety and renumbering the subsequent sections.

ORDINANCE NO. BL2021-619

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.24 and 17.40 to add language pertaining to plans for street trees and streetscape, all of which is described herein (Proposal No. 2021Z-001TX-001)

WHEREAS, The Council of The Metropolitan Government of Nashville and Davidson County has prioritized the preservation of and addition to the urban tree canopy; and

WHEREAS, The Metropolitan Government recognizes the importance of street trees on the health of our environment and the aesthetics of our city; and

WHEREAS, The Metropolitan Planning Department regularly works with communities to plan the future of their major corridors; and

WHEREAS, The citizens of Nashville and Davidson County prioritize the importance of trees in the health and aesthetics of our city;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 17.24 of the Metropolitan Code is hereby amended by adding the following under Article I. – General Provisions:

17.24.075 –Plans for Street Trees and Streetscape

- A. Adoption. The Metropolitan Planning Commission shall review and adopt plans for streetscapes and street trees created for specific geographic areas within Davidson County.
- B. Review and enforcement. Compliance with a street tree/streetscape plan shall be reviewed and enforced by the urban forester according to the provisions of this section. Where street trees required by an adopted plan are to be located within the public right-of-way, the urban forester shall consult with the director of public works and/or the director of water services, or their designees, in review and enforcement of the plan. A street tree/streetscape plan shall be designated as a layer in GIS and mapping systems, and all parcels affected by a street tree/streetscape plan shall be flagged on all permitting.
- C. Applicability.
 - 1. Multi-family or non-residential development or redevelopment. All provisions of this section shall apply to the development or redevelopment of multi-family or non-residential property which includes one or more of the following:
 - a. Construction of a new structure on a vacant lot, including lots on which all structures have been or are planning to be demolished; or
 - b. The cost of any one renovation equal to or greater than fifty percent of the current appraised value of all structures on the lot, or the value of multiple renovations during any five-year period equal to or greater than seventy-five percent of the current appraised value of all structures on the lot; or
 - c. The cost of any one expansion equal to or greater than twenty-five percent of the current appraised value of all structures on the lot, or the value of multiple renovations during any five-year period equal to or greater than fifty percent of the current appraised value of all structures on the lot; or
 - d. The total building square footage of any one expansion is equal to or greater than twenty-five percent of the total square footage of all structures on the lot, or the total building square footage of multiple expansions during any five-year period is equal to or greater than fifty percent of the total square footage of all the structures on the lot.
 - 2. Single-family or two-family construction. All provisions of this section shall apply to the construction of new single-family or new attached or detached two-family structure(s) on a vacant lot, including lots on which all structures have been or are planned to be demolished.
- D. Installation and maintenance.
 - 1. Trees shall be installed according to the provisions of the Metro Nashville Street Tree Specifications prepared and maintained by Metro Water Services in conjunction with Metro Public Works, Planning and Codes.
 - 2. The owner of the property frontage along with the street trees are installed shall maintain the trees installed per this title according to the provisions of the Metro Nashville Street Tree Specifications. The owner of the property frontage shall execute and record a restrictive covenant agreeing to these maintenance responsibilities.
 - 3. Trees installed pursuant to this section shall be eligible for credit toward the tree density required by Article II, Tree Protection and Replacement, of this Chapter.
- E. Modifications and amendments. The urban forester shall have the authority to grant minor modifications to the adopted street tree plan including, but not limited to, adjustments in spacing or planting location that do not alter the overall concept of the adopted street tree/streetscape plan. Minor modifications may be granted based on existing physical site conditions such as utilities, a ditch or drainage ditch, historic wall(s) or stone wall(s), existing trees, or steep topography. Modifications that alter the overall concept of the adopted plan shall be considered major and require amendment of the plan by the Metro Planning Commission.

F. Waivers and compliance. The zoning administrator may waive, in whole or in part, the requirements of this section upon request by the property owner or its agent due to existing physical features on the property such as utilities, a ditch or drainage ditch, historic wall(s) or stone wall(s), existing trees, steep topography, or other hardship. In addition to the urban forester, the zoning administrator shall consult with the executive director of the planning department, or their designee, and where appropriate the director of public works and/or the director of water services, or their designees, prior to making any final determination.

G. Appeals to the Board of Zoning Appeals. The provisions of this section may be varied or interpretations appealed in conformance with Chapter 17.40, Administration and Procedures. The board of zoning appeals may require a contribution to the tree bank, as provided for in Section 17.40.480 of this title, or other appropriate mitigation for the loss of the trees required by the street tree/streetscape plan as a condition of the variance. The board of zoning appeals shall not accept an application until the zoning administrator has made a determination on the requirement as set forth in this chapter.

Section 2: That Subsection 17.40.340.B of the Metropolitan Code is hereby amended by adding the following to the list of Sections/Tables that may not be varied without first considering a recommendation from the planning commission:

Section 17.24.075

Section 3. This ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Approve with amendment. Consent Agenda (8-0)

Resolution No. RS2021-25

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-001TX-001 is approved with an amendment. (8-0)

**12. 2020SP-043-001
4120 MURFREESBORO PIKE**

Council District 33 (Antoinette Lee)
Staff Reviewer: Amelia Lewis

A request to rezone from AR2a to SP zoning for property located at 4120 Murfreesboro Pike, approximately 240 feet northwest of Parks Retreat Drive and within the Murfreesboro Pike Urban Design Overlay District (11.41 acres), to permit a multi-family residential development, requested by S + H Group LLC, applicant; Anna Gannon, owner.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020SP-043-001 to the February 25, 2021, Planning Commission meeting. (8-0)

**13. 2020S-190-001
AIRPARK EAST**

Council District 29 (Delishia Porterfield)
Staff Reviewer: Abbie Rickoff

A request for final plat approval to create three lots and open space on properties located at 2581, 2591, 2601 and 2611 Couchville Pike and Airpark Center East (unnumbered), at the southeast corner of Couchville Pike and Airpark Center East, zoned IWD (42.94 acres), requested by Wilson & Associates, applicant; Airpark East Owner, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create three lots and open space.

Final Plat

A request for final plat approval to create three lots and open space on properties located at 2581, 2591, 2601 and 2611 Couchville Pike and Airpark Center East (unnumbered), at the southeast corner of Couchville Pike and Airpark Center East, zoned Industrial Warehousing/Distribution (IWD) (42.94 acres).

SITE DATA AND CONTEXT

Location: The site is located on the south side of Couchville Pike, at the southeast corner of Couchville Pike and Airpark Center East, west of Ned Shelton Road.

Street type: The site has frontage on Couchville Pike and Airpark Center East. Couchville Pike is an arterial boulevard identified by the Major and Collector Street Plan (MCSP) with an existing right-of-width that varies from approximately 56 feet to 165 feet. Airpark Center East is a local street with an existing right-of-way width that varies from approximately 60 feet to 100 feet.

Approximate Acreage: 42.94 acres or 1,870,344 square feet.

Parcel/Site History: This site is comprised of five parcels. The westernmost parcel (A006) was platted as an open space parcel in 2001. Parcel 218 was created by deed in 2006. Parcels 217, 219, and 220 were created by deed in 2020 to reflect right-of-way dedication along Couchville Pike.

Zoning History: Parcel A006 has been zoned IWD since 2000, when the parcel was rezoned from R20. Parcels 217-220 were rezoned from R20 to IWD in 2019.

Existing land use and configuration: Each parcel is currently vacant. Parcel A006 is a narrow parcel that spans the eastern side of Airpark Center East, with a small amount of frontage on Couchville Pike. Parcel A006 will be retained as open space in its current configuration and will

include access easements to the proposed lots. Parcels 217-220 front Couchville Pike and are similarly sized and spaced, spanning the same depth as parcel A006.

Surrounding land use and zoning:

North: Single-Family and Two-Family Residential (R20 and R15)

South: Vacant (IWD)

East: Industrial and Vacant (IWD and R20)

West: Industrial, Vacant, and Office (IWD)

Zoning: IWD

Min. lot size: None

Max. FAR: 0.80

Max. ISR: 0.90

Min. rear setback: 20'

Min. side setback: None required

Max. height at setback line: 30'

Slope of height control plane (V to H): 1.5 to 1

Min. street setback: 5'

PROPOSAL DETAILS

Number of lots: 3

Lot sizes: Lot 1 is approximately 11.36 acres; Lot 2 is 9.92 acres; and Lot 3 is 12.53 acres. Lot 1 has frontage on Couchville Pike, and Lots 2 and 3 are located behind Lot 1 and are oriented towards Airpark Center East. The plat also proposes two open spaces. Open Space 1 is 3.8 acres and Open Space 2 is 5.32 acres. Open Space 1 has frontage on Couchville Pike and is located east of Lots 1 and 2. Open Space 2 is located south of Lot 3, along the southern boundary

Access: Access is provided from Airpark Center East and Couchville Pike via proposed shared access easements. Two access easements are proposed from Airpark Center East through the platted open space parcel (A006). One access easement is proposed from Couchville Pike, an arterial-boulevard on the Major and Collector Street Plan.

Subdivision Variances or Exceptions Requested: None

APPLICABLE SUBDIVISION REGULATIONS

The site is located within the District Employment Center (D EC) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For D EC, there are no specific regulations beyond the general requirements of Chapter 3.

3-1 General Requirements

This subdivision is required to meet the standards of Chapter 3. Staff finds that all standards are met.

3-2 Monument Requirements

Not applicable to this case. No new streets are proposed to be constructed.

3-3 Suitability of the Land

Based on available data, this site does not contain FEMA floodway or floodplain, rock formations, problem soils, sinkholes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of the inhabitants of the land and surrounding areas. This site may contain steeper slopes, as identified on Metro's topographical maps. Each lot has been identified as a critical lot, indicating areas of natural slopes greater than 20 percent. Critical lots are reviewed with a future phase, prior to issuance of building permits, consistent with the requirements of Section 17.28.030 of the Metro Zoning Code.

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of IWD zoning at the time of building permit. All proposed lots either have frontage on a public street or are accessed from the street via an access easement across an adjacent lot where a joint access provides better access management. Lot 1 has frontage on Couchville Pike, where a north/south access easement is proposed to Lots 2 and 3 for better access management. Access easements are also proposed from Airpark Center East, through parcel A006, to minimize additional curb cuts from Couchville Pike, an arterial-boulevard.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. The proposed subdivision is not located within a residential zoning district; therefore, it is not classified as an infill subdivision.

3-6 Blocks

The existing block network at Couchville Pike and Airpark Center East was created with a 2001 plat, when the Airpark Center East right-of-way was established with the creation of multiple lots south and west of the site. Airpark Center East extends south of the site and terminates at Airpark Commerce Drive, which forms a cul-de-sac to the east. The proposed lots will utilize existing streets within the existing block network, with coordinated access easements proposed to minimize potential traffic hazards.

3-7 Improvements

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

3-8 Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities

Sidewalks are required only in association with new streets. On Couchville Pike, which is an existing street, sidewalk requirements will be reviewed at the time of building permit, pursuant to Section 17.20.120 of the Zoning Code.

3-9 Requirements for Streets

No new streets are proposed. Public street requirements are reviewed by Metro Public Works. Public Works has reviewed the final plat and found it to be in compliance with the standards of this section subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

3-10 Requirements for Dedication, Reservations, or Improvements

Couchville Pike is classified by the MCSP as an arterial-boulevard with 66 feet of required right-of-way. The 33' half of standard right-of-way requirement currently exists along the Couchville Pike frontage. No additional right-of-way along Couchville Pike is required or proposed with this plat.

3-11 Inspections During Construction

Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

3-12 Street Name, Regulatory and Warning Signs for Public Streets

Not applicable to this case. No new streets are proposed.

3-13 Street Names, Regulatory and Warning Signs for Private Streets

Not applicable to this case. No new streets are proposed.

3-14 Drainage and Storm Sewers

Drainage and storm sewer requirements are reviewed by Metro Stormwater. Metro Stormwater has reviewed the proposed plat and found it to comply with all applicable standards of this section. Stormwater recommends approval.

3-15 Public Water Facilities

Public water is available to this site from Metro Water Services. Metro Water Services has reviewed the proposed plat and found it to be in compliance with all requirements of this section. Water Services recommends approval with conditions.

3-16 Sewerage Facilities

Public sewer is available to this site from Metro Water Services. Metro Water Services has reviewed the proposed plat and found it to be in compliance with all requirements of this section. Water Services recommends approval with conditions.

3-17 Underground Utilities

Not applicable to this case. Utilities in subdivisions are required to be located underground whenever a new street is proposed. No new streets are proposed.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations. Future development will be required to meet the standards of the Metro Zoning Code in regards to setbacks, sidewalks, etc. Staff recommends approval with conditions.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.
- Fire marshal site development general comment.
- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- All buildings and/or developments are required to meet the fire-flow requirements listed in the adopted code prior to construction.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- Where two separate and approved fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. The AHJ may approve variations to this requirement in the event remoteness cannot be accomplished.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- New driveway connections or access points will require a permit from the Public Works Department. Adequate sight distance must be provided per AASHTO for new driveway connections.

WATER SERVICES RECOMMENDATION

Approve with conditions

- MWS has no objection to the latest version of this subdivision (uploaded to Planning January 26, 2021). We previously noted our comments and recommend approval on January 13, 2021, subject to bonding of 19SL0290. Approval is contingent on construction and completion of MWS Project # 19-SL-290. A bond amount of \$43,000.00 is assigned to 19-SL-290.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission’s approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2020S-190-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions. Consent Agenda (8-0)

Resolution No. RS2021-26

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020S-190-001 is approved with conditions. **(8-0)**

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission’s approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2020S-190-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

14. 2014NL-001-004

GALLATIN PIKE NEIGHBORHOOD LANDMARK DISTRICT (REVISION)

Council District 08 (Nancy VanReece)

Staff Reviewer: Patrick Napier

A request to revise the Gallatin Pike Neighborhood Landmark Overlay District for property located at 4115 Gallatin Pike, approximately 270 feet south of McMahan Avenue, zoned OR20-A and located within the Gallatin Pike Urban Design Overlay District (0.49 acres), to permit a 2,039 square foot addition, requested by Robert Dewey Boyd Jr., applicant; Natalie Hope Boyd and Robert Dewey Boyd Jr., owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Neighborhood Landmark Overlay District (NLOD) Development Plan 2,039 square foot addition.

Neighborhood Landmark Development Plan

A request to revise the Gallatin Pike Neighborhood Landmark Overlay District for property located at 4115 Gallatin Pike, approximately 270 feet south of McMahan Avenue, zoned Office/Residential-A (OR20-A) and located within the Gallatin Pike Urban Design Overlay District (0.49 acres), to permit a 2,039 square foot addition.

Existing Zoning

Office/Residential-Alternative (OR20-A) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *OR20-A would permit a maximum of 14 units.*

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

PLAN DETAILS

The Gallatin Pike Neighborhood Landmark Overlay District was approved in 2014. The overlay extends along the western side of Gallatin Pike from Broadmoor Drive to Virginia Avenue. The proposed site is approximately 0.49 acres in size and contains a single-family structure. The adjacent property to the north is a doctor’s office and the adjacent property to the south is an office.

Site Plan

The plan proposes a 2,039 square foot addition located at the rear of the site. The addition will be connected to the existing structure. The proposed addition will not exceed the height of the existing structure. When the addition is completed, the appearance of the existing structure will remain as currently exists when viewed from Gallatin Pike.

Access to the development is proposed from a single private driveway located along the side property line. A 20-foot wide landscape buffer yard is provided along the rear property line adjacent to the single-family residential neighborhood behind the site. In addition to the landscape

buffer, an existing 6-foot tall wood fence provides an additional buffer between the single-family structure adjacent to this site. The Board of Zoning Appeals approved a variance from the required sidewalk improvements. The approval contained a condition which requires payment in lieu of construction.

ANALYSIS

The project is being proposed under the existing zoning entitlements. The intent of this Neighborhood Landmark Overlay District is to incentivize property owners to preserve historic residential structures by enabling mixed-use and/or commercial reuse of the properties, without detrimentally impacting the existing residential neighborhood. The proposed layout and architecture of the addition will maintain and enhance the goals of the Neighborhood Landmark Overlay District.

FIRE MARSHAL’S OFFICE RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

PUBLIC WORKS RECOMMENDATION

Approve

- Coordinate with planning on sidewalk requirement along Gallatin, per MCSP.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Provide parking per Code

STORMWATER RECOMMENDATION

Approve with conditions

- Must comply with regulations set at the time of building permit submittal

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all Metro Agency comments.

Approve with conditions. Consent Agenda (8-0)

Resolution No. RS2021-27

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014NL-001-004 is approved with conditions. **(8-0)**

CONDITIONS

1. Comply with all Metro Agency comments.

15. 2020Z-139PR-001

Council District 29 (Delishia Porterfield)

Staff Reviewer: Patrick Napier

A request to rezone from R10 to ON zoning for property located at 2649 Smith Springs Road, approximately 315 feet west of Bell Road (0.17 acres), requested by Catherine Honea Sondgerath and Tai Orten, et al, applicants and owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R10 to ON.

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Office Neighborhood (ON) zoning for property located at 2649 Smith Springs Road, approximately 315 feet west of Bell Road (0.17 acres).

Existing Zoning

One and Two Family Residential R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. R10 would permit a maximum of 1 lots with 1 single-family dwelling unit.

Proposed Zoning

Office Neighborhood (ON) is intended for low intensity office uses.

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5 minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

SITE AND CONTEXT

The 0.17 acre site is located at 2649 Smith Springs Road, approximately 315 feet west of Bell Road. Bell Road is designated as a Scenic Arterial Boulevard and Smith Springs Road is designated as an Arterial Boulevard in the Major and Collector Street Plan. The site currently has a single-family residence and is surrounded by a mixture of residential uses, office uses, and some commercial uses.

ANALYSIS

The request to rezone this property to the ON district is consistent with the intent of T3 NC policy at this location. The intent of the T3 NC policy is to create suburban neighborhood centers that are compatible with the general character of suburban neighborhoods.

The bulk standards required by the ON zone district ensure small scale office use will provide an effective transition from the intensity of Smith Springs Road to the multi-family residential structures located adjacent to this site at the rear. The allowed uses will provide an appropriate intensity when redevelopment of the site occurs. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

If the site is redeveloped under the proposed ON zone district the construction of sidewalks which meet the requirements of the Major and Collector Street Plan may be required depending on the scope of the redevelopment. The Metro Code outlines the requirements for sidewalk improvements. The requirements for the frontage of this site include an 8-foot sidewalk and a 6-foot planting strip.

FIRE MARSHAL RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	0.17	4.356 D	1 U	10	1	1

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **ON**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.17	0.6 F	4,443 SF	44	6	6

Traffic changes between maximum: **R10 and ON**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+34	+5	+5

METRO SCHOOL BOARD REPORT

The proposed ON zoning district is not expected to generate any additional students.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. Consent Agenda (8-0)

Resolution No. RS2021-28

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-139PR-001 is approved. **(8-0)**"

16. 2021Z-013PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Patrick Napier

A request to rezone from RS7.5 to RM20-A-NS zoning for properties located at 2307, 2311, and 2315 Whites Creek Pike and Whites Creek Pike (unnumbered), at the corner of Luzon Street and Whites Creek Pike (1.26 acres), requested by XE Development Company, LLC, applicant; John W. Turner, EST., owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to RM20-A-NS.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Multi-Family Residential-Alternative-No Short Term Rentals (RM20-A-NS) zoning for properties located at 2307, 2311, and 2315 Whites Creek Pike and Whites Creek Pike (unnumbered), at the corner of Luzon Street and Whites Creek Pike (1.26 acres).

Existing Zoning

Residential Single-Family (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. RS7.5 would permit a maximum of 5 units. *RS7.5 would permit a maximum of 7 lots for a total of 7 units, based upon acreage alone. Application of the subdivision regulations may result in fewer lots and units.*

Proposed Zoning

Multi-Family Residential-Alternative-No Short Term Rentals (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A-NS would permit a maximum of 25 units. The – NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not-Owner Occupied uses from the district.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

Haynes Trinity Supplemental Policy

This site is located within the Haynes Trinity Small Area Plan area of the Bordeaux-Whites Creek-Haynes Trinity Community Plan area. The intent of the supplemental policy is to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development

techniques. The policy calls for improvement of the existing street, sidewalk, bikeway, and stormwater infrastructure to T4 Urban Transect standards through new private-sector development.

T4 Urban Mixed-Use Neighborhood (T4 MU) is intended to preserve, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed, use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit.

ANALYSIS

The 1.26 acre site is located at 2307, 2311, and 2315 Whites Creek Pike and Whites Creek Pike (unnumbered), at the corner of Luzon Street and Whites Creek Pike. The site consists of four parcels and two of the four parcels contain single family structures. The surrounding parcels contain single-family structures on lots of various sizes. Whites Creek Pike is identified as an Arterial Street on the Major and Collector Street Plan (MCSP). The MCSP identifies a planned residential collector street directly across from this site.

The site is located on the edge of a large area of T4 MU policy and within the Haynes Trinity Supplemental policy area. The adjacent policy to the northeast of this site contains T4 Neighborhood Maintenance. The T4-MU policy is intended to preserve, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed, non-residential uses. The policy supports a range of residential development, including, single-family, two-family, and multi-family residential, depending on location and context.

The requested RM20-A-NS would yield a housing type which is consistent with the intent of the supplemental policy and the T4-MU policy. This site is located on an Arterial Street with significant planned infrastructure, including sidewalks and bus transit. Development of this site will support future planned infrastructure while meeting the goals of the T4MU and supplemental policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.26	5.808 D	7 U	67	6	7

Maximum Uses in Proposed Zoning District: **RM20-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.26	20 D	25 U	183	12	14

Traffic changes between maximum: **RS5 and RM20-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+18	+116	+6	+7

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed RM20-A district: 8 Elementary 4 Middle 4 High

The proposed RM20-A-NS zoning is expected to generate 13 more students than the existing RS7.5 zoning district. Students would attend Alex Green Elementary School, Brick Church Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. Consent Agenda (7-0-1)

Resolution No. RS2021-29

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-013PR-001 is approved. **(7-0-1)**”

17. SUBSTITUTE BL2020-197

120-DAY MULTI-FAMILY PERMIT MORATORIUM IN THE ANTIOCH AREA

Council District 28 (Tanaka Vercher); 29 (Delishia Porterfield)

Staff Reviewer: Greg Claxton

An ordinance declaring a 120-day moratorium upon the issuance of building and grading permits for multi-family developments on property within portions of the Antioch area, requested by Councilmember Tanaka Vercher, applicant.

Staff Recommendation: Disapprove, given similar growth rates in other parts of the County; current and proposed infrastructure investment within the study area; and uncertainty around the specific purpose of the moratorium and what such a moratorium can meaningfully accomplish with respect to neighborhood investment.

APPLICANT REQUEST

An ordinance declaring a 120-day moratorium upon the issuance of building and grading permits for multi-family developments on property within portions of the Antioch area.

BACKGROUND

On February 2, 2021, the Metro Council adopted a substitute BL2020-197 on second reading that directs the following:

That a 120-day moratorium is hereby declared upon the issuance of any building or grading permit by the Metropolitan Department of Codes Administration for any multi-family development for property within portions of the Antioch area, the geographic boundaries of which are set forth in the attached Exhibit 1 and as further depicted on the map attached hereto as Exhibit 2. The study to be conducted by the Metropolitan Planning Department should include an assessment of the capacity to deliver public services to the area, including but not limited to, public safety facilities, roadways, sidewalks, stormwater, and school capacity. Further, the study should make recommendations to the Council regarding modifications to the community plans and policies to address any deficiencies noted, as well as any necessary zoning changes.

The substitute ordinance identified the following as reasons for the moratorium, study, and plan and zoning changes:

- Unprecedented growth in the Antioch area, including substantial multifamily developments, has led to increasing pressure on existing infrastructure, public facilities, and services.
- The number of Antioch residents who participated in the NashvilleNext planning process was lower than other areas of Nashville, limiting their views on density in the plan.

The moratorium would function to:

- Prevent the Codes Department from issuing any building or grading permits for multifamily development for 120 days.
- During the 120-day moratorium, have the Planning Department assess infrastructure and facility capacity in light of growth trends and determine if policy and zoning changes are necessary to align entitlements with infrastructure limitations.
- If changes are recommended, schedule any planning or rezoning processes to carry out the recommendations after the 120-day moratorium.

Permits are considered multifamily when they are for three or more units on a single parcel. Both the moratorium study and implementation of any recommendations would be in addition to the Planning Department’s current work.

ANALYSIS

BL2020-197, as deferred with a substitute on February 2, 2021, directs the Planning Commission to study growth and infrastructure in the Antioch-Priest Lake subarea. Antioch-Priest Lake is one of fourteen community planning areas established in 1989. Each subarea has a corresponding Community Plan, adopted as part of NashvilleNext. Among other things, the Community Plan applies Community Character Policies to land within the subarea.

This analysis considers four factors at a high level:

- The planning history of the Antioch-Priest Lake subarea
- The subarea's growth, Community Character policies, and prevalence of multifamily zoning and development
- Murfreesboro Pike's role in the subarea
- Infrastructure and facilities needs

This analysis focuses on these broad trends and conditions. However, the core of the proposed moratorium is to restrict multifamily permits only. Multifamily housing takes a variety of forms and densities. Having a variety of housing types is critical to allow Nashvillians to find housing that suits their needs, whether the price of the housing or the form is housing is most important. Finding ways to accommodate all of the kinds of housing that Nashvillians need in ways that build healthy, complete communities is one of the central challenges facing Nashville.

Planning history of the Antioch-Priest Lake subarea

The Antioch – Priest Lake Community Plan was originally adopted in 1991, with an update in 1996. It was again updated in 2012, making it the most recently individually updated of Nashville's 14 Community Plans. Multiple community events and public meetings were held in the southeast part of Davidson County during the NashvilleNext process. Antioch – Priest Lake also had three representatives on the NashvilleNext Community Engagement Committee, consistent with representation from other parts of Davidson County. Nine percent of NashvilleNext participants lived in the Southeast area generally. The same geographic area was home to 16% of County residents in 2010.

However, additional planning work is appropriate and should continue to be undertaken in this area and across the county to address issues associated with growth and change. For example, since 2015, the Department has undertaken a number of small area studies to provide more fine-grained guidance on how to manage growth. This includes a current visioning project on Murfreesboro Pike at the Bell and Hamilton Church intersections. Such planning work informs our recommendations for capital planning and should continue to be undertaken throughout the county.

Finding: The Antioch – Priest Lake Community Plan is the most recently updated of all the Community Plans. Representation during NashvilleNext was consistent with other areas.

Growth

From 2010 to 2017, the Antioch – Priest Lake subarea was the third fastest growing subarea, growing at a faster rate than the county as a whole (*item a* in Table 1 below). Other fast growing subareas include Downtown, Bordeaux-Whites Creek-Haynes Trinity, and Green Hills-Midtown. The 2020 Census will provide a more complete and updated view of growth from 2010 to 2020.

One of the main tools the Department and community have to address growth is land use policy. The Antioch-Priest Lake Community Character Policies that are oriented towards growth, such as centers, corridors, and neighborhood evolving policies, are consistent with countywide averages. In other words, this part of the county does not average significantly more growth-oriented policies than others (see Table 1, *item b*). Further, the study area has slightly less land zoned to allow multifamily than the average subarea (*item c*). Since approximately 2013, the proportion of homes in Antioch – Priest Lake in multifamily units has held steady; in contrast, the multifamily share of housing in the rest of the county has grown by 1.4% (*item d*). Between 2010 and 2020, there were 1,505 multifamily units permitted in the subarea (the 8th highest subarea). Per acre, however, the study area has seen comparatively fewer multifamily permits issued than the rest of the county (*item e*; per acre, Antioch – Priest Lake ranks 11th out of 14 subareas). When multifamily permits are issued, they are for fewer units than multifamily permits in the county as a whole (*item f*). Note that the form of building in the area complicates *item f*. For example, multifamily in the urban core often takes the form of single, large buildings, whereas multifamily in suburban areas may take the form of large complexes with several separate buildings that are permitted individually.

Finding: The subarea is growing faster than the county as a whole, but multifamily development appears to play little role in its rate of population growth. Other subareas are also growing at similar or faster rates. Many subareas are building a higher share of multifamily homes.

Infrastructure and facilities

Identifying and prioritizing public investments to improve quality of life is central to the Department's mission and is a key challenge in a number of high growth areas across the entire county. The Planning Department supports any effort to more meaningfully address community needs through our work, whether through the capital planning process, during development review or as part of a long-range plan. However, staff is unclear about the specific purpose of the moratorium and how it will meaningfully address infrastructure deficiencies.

Metro continues to improve upon the process and policy for infrastructure planning and delivery throughout the county. Planning staff has also provided a list of other projects that could improve planning outcomes in this area under the Conclusion section of this report.

At the level of individual projects, development proposals in Antioch are reviewed using Metro's adopted regulations to ensure each new development contributes the infrastructure needed to support it. Generally, the Zoning Code requires traffic impact studies for new developments over 75 residential units or 50,000 square feet of nonresidential space. It is not uncommon for Metro Departments to require new sidewalks, water and sewer improvements, traffic signs and signals, or turn lanes with new development. Departments are required to assess needed infrastructure improvements with new development proposals.

Metro continues to improve the regulations and other requirements to ensure that investments are secured to support growth. In the last three years, with leadership from Metro Council, the city has updated its requirements for traffic impact studies, sidewalks, tree preservation, street trees, and stormwater management.

However, infrastructure issues go beyond individual development projects and reflect broader trends of growth and change, including changes outside each individual subarea or even beyond the county. The following findings are based on data and plans that are readily at hand and should not be considered a substitute for a more detailed, area-wide study. However, based on existing information readily at hand, staff finds the following.

- An analysis of TDOT's estimates of average daily traffic counts at stations distributed throughout the county finds that traffic in Antioch – Priest Lake has grown approximately at the rate of traffic throughout the county. From 2010 to 2018, the average year-over-year change at TDOT monitoring stations throughout the county was 2.7%; the average year-over-year change in Antioch-Priest Lake was 2.8%. (The subarea with the highest increase in traffic grew at 6.4%.)
- MNPS zoned schools in Antioch – Priest Lake have the second and current five-year highest capacity utilization among subareas. However, comparing capacity utilization figures is complicated by Metro's school choice system, charter schools, and private schools. Nevertheless, MNPS' capital plans and recent investments reflect a focus on adding school capacity in the clusters that serve Antioch – Priest Lake. Previously funded projects include an addition to Antioch High School, a new Cane Ridge Elementary School, Eagle View Elementary School, and Smith Springs Elementary. The District's capital budget proposes two new elementary schools and one new middle school within these two clusters.
- Both NashvilleNext and the Plan to Play Parks Master Plan recognize that the southeast part of the county is relatively low in parkland. However, Metro has made several parks investments in recent years, including a renovated community center (Antioch), two new community centers (Southeast and Smith Springs), and the purchase and master planning of a new regional park (Mill Ridge). Phase 1 of Mill Ridge has been funded (\$12 million; the 2017 Master Plan estimated full build out of the park would cost \$80 million).
- Flooding complaints from 2017 to August 2020 show some concentrations of stormwater complaints in Antioch Priest Lake. However, Nashville's older urban core (particularly Downtown and South Nashville) is where these complaints are most concentrated.
- In 2019, Metro Water identified water capacity issues for new development within the Southeast subarea, west of the study area. Working with Metro Council, it established a recovery fee for a new water pump so that new each new development would address a shared need for an additional pump station. Though it has a number of maintenance and improvement projects in its Capital Improvements Budget request, Metro Water has not identified a similar substantial deficiency in water or sewer capacity related to new development within Antioch – Priest Lake.
- Public safety has been a concern among southeast residents for a number of years. Metro recently purchased land on Murfreesboro Pike for a new Southeast police precinct. General Services has included a request for construction of the police precinct in the Capital Improvements Budget.

Findings: While the study area identifies areas for infrastructure investment, such as schools and parks, these gaps do not appear to be more heavily concentrated than in other parts of the county. Further, recent and proposed Metro investments seek to improve infrastructure and facilities in the study area. It is therefore unclear what additional purpose a moratorium serves. Staff seeks additional information about what specific infrastructure deficiencies should be investigated.

Murfreesboro Pike

Every recent consideration of transit in Nashville, including NashvilleNext, nMotion, and nMotion's subsequent high-capacity transit studies, have identified Murfreesboro Pike as a critical component of Nashville's transit system. Most recently, *Metro's Transportation Plan* recommends the Murfreesboro-Bell corridor for bus rapid transit. The Murfreesboro-Bell corridor links residents in Antioch – Priest Lake with jobs and services at the Airport, the Tier 1 Center at the Crossings, and Downtown. The corridor has already seen major investments toward that end: transit signal priority and pedestrian infrastructure to improve access to transit.

Murfreesboro Pike offers an opportunity to expand ridership through redevelopment. Several key sites along the route are occupied by aging, low density commercial strip centers. Locating BRT stops at these locations and updating zoning to require high-quality, transit oriented design in redevelopment allows the local community to meet several

goals at once: improving pedestrian infrastructure, encouraging alternatives to car travel, improving affordability while increasing demand for nearby homes, and expanding the market for goods and services in a walkable environment.

Finding: Murfreesboro Pike has been identified as a key corridor for future transit improvements and expanded services. The corridor has several sites that are opportunities for high quality transit-oriented redevelopment to increase local services, improve walkability and affordability, and expand transit ridership. A diversity of housing types, including multifamily, is an important component of a unified and equitable vision around Murfreesboro Pike.

CONCLUSIONS

In the terms identified by the draft legislation for BL2020-197, the Antioch-Priest Lake area does not stand out as having substantially faster growth or higher levels of multifamily development than other parts of the county. Generally, Antioch-Priest Lake is characterized by being in line with the rest of the county in policies oriented to growth, zoning for multifamily development, or multifamily construction.

Nashvillians throughout the county seek a wide range of improvements in their communities, from public investments in infrastructure and facilities to private investments that give them more or better choices for where to live, shop, or work. Within its own investments, Metro must carefully prioritize to ensure fairness across all of Nashville's different communities. Establishing clear priorities is an ongoing process to determine the areas of greatest need within each type of infrastructure or facility. Some existing examples of such prioritization include:

- MNPS' annual capital budgeting based on school capacities and biannual facilities conditions assessments.
- Walk n Bike sidewalk and bikeway prioritization approaches
- The Nashville Transportation Plan's project-based planning
- Strategic plans created by the Parks Department, Nashville Library, and Arts Commission

Together, these and future prioritizations are needed to ensure that no part of the County is underserved. Establishing a moratorium on multifamily housing in one community planning area will not further clarify these priorities. Therefore, staff recommends disapproval.

However, staff has identified a number potential actions that could address the concerns stated in the bill. Metro, stakeholders, and the community should continue discussions around these to identify appropriate and feasible next steps. Several of these would require resources beyond what the Planning Department has at hand.

- Include corridor land use planning for Murfreesboro Pike when seeking funding for preliminary design of bus rapid transit. While the Community Character Policies currently in place along the corridor generally support transit-oriented development, more fine-grained planning can support investment. Further, refinements to land use regulations should be adopted to ensure high-quality design and human-scaled walkable development.
- Build upon performance and prioritization metrics for capital planning to target investments to the areas in greatest need.
- Review community and countywide needs in programming the land recently purchased by Metro for the Southeast Police Precinct and new Emergency Communications Center at 2491 Murfreesboro Pike and associated parcels.
- Fund a mobility study in conjunction with the Southeast Community Plan update to identify plausible strategies to upgrade the road network from rural routes to suburban corridors, including strategies to identify an appropriate role for the private sector. While not focused on Antioch-Priest Lake, the study should identify representative tools that can also be used in other growing areas.
- Evaluate regulatory standards, infrastructure needs, and/or funding strategies to improve stormwater runoff and local flooding in rapidly redeveloping areas, as recommended by the Multi-Hazard Mitigation Plan (2020 update).
- Host community discussions about Antioch-Priest Lake's infrastructure and facilities needs to inform Planning and Councilmembers about community priorities.
- Conduct a study of Mill Creek flooding and drainage improvements, in coordination with the Army Corps of Engineers.
- Undertake quick, site-specific visioning (potentially by the Department (such as the current Murfreesboro/Bell/Hamilton Church study), Civic Design Center, or student-led projects) to inform Councilmembers of potential redevelopment strategies for large, aging suburban commercial centers.
- Re-assess supplemental policies based on the Rural Hill Road Detailed Neighborhood Design Plan. These supplemental policies have not yet generated the envisioned development pattern and could be refined to better reflect current community desires.
- Continue to explore potential for public-private partnership to revitalize the Global Mall at the Crossings site to create a comprehensive walkable neighborhood within Antioch.
- Develop or apply design-based zoning districts such as Urban Design Overlays, Contextual Overlays, or Specific Plans to ensure high quality design when considering new proposals.

RECOMMENDATION

Staff recommends that the Planning Commission disapprove the bill, as substituted on February 2, 2021.

Mr. Claxton presented the staff recommendation of disapproval given similar growth rates in other parts of the county; current and proposed infrastructure investment within the study area, and uncertainty around the specific purpose of the moratorium and what such a moratorium can meaningfully accomplish with respect to neighborhood investment.

Tom White, 315 Deaderick St., spoke in opposition to the moratorium.

Miguel (last name unclear) spoke in opposition to the moratorium.

Janet (last name unclear), 2989 Baby Ruth Lane, spoke in opposition to the moratorium.

Andy Neuman, 2812 27th Ave S; spoke in opposition to the moratorium.

Darrel Harris, Cherry Creek Apartments, spoke in opposition to the moratorium.

John Donlon, 21 Vaughns Gap Rd., spoke in opposition to the moratorium.

Name and address unclear spoke in opposition to the moratorium.

Name and address unclear spoke in opposition to the moratorium.

Mr. Norman, spoke in opposition to the moratorium.

Lolly (last name unclear) spoke in opposition to the moratorium.

Nicole (last name unclear) spoke in opposition to the moratorium.

Wanda (last name unclear) spoke in opposition to the moratorium.

Gregory Estes, 834 Reeves Rd., spoke in favor of the moratorium.

Nick, 5084 Smith Springs Pkwy., spoke in favor of the moratorium.

Councilmember Vercher spoke in favor of the moratorium.

Councilmember Styles spoke and said District 32 should not have been included in the moratorium bill and if considered needs to be removed.

Chairman Adkins closed the Public Hearing.

Ms. Blackshear noted that some of the data points are not as recent as they should be; while understanding both sides, she spoke in favor of staff recommendation, although there does need to be something done on this. The councilmember's concerns are very valid.

Mr. Haynes spoke in favor of staff recommendation and also requested that council give the Planning Department funds for more staff.

Ms. Johnson agreed with Mr. Haynes that we need additional planning staff. She noted concerns with the way the bill is written as well as concerns with liability and fairness to people who have been working towards building developments.

Councilmember Murphy spoke in favor of staff recommendation.

Mr. Lawson lost internet connection and left the meeting.

Dr. Sims stated that a moratorium might not be the right solution; we don't have the resources to make it work.

Mr. Tibbs explained that while he sees both sides, he supports staff recommendation of disapproval.

Mr. Tibbs moved and Ms. Johnson seconded the motion to disapprove, given similar growth rates in other parts of the County; current and proposed infrastructure investment within the study area; and uncertainty around the specific purpose of the moratorium and what such a moratorium can meaningfully accomplish with respect to neighborhood investment. (7-0)

Resolution No. RS2021-30

“BE IT RESOLVED by The Metropolitan Planning Commission that BL2020-197 is disapprove, given similar growth rates in other parts of the County; current and proposed infrastructure investment within the study area; and uncertainty around the specific purpose of the moratorium and what such a moratorium can meaningfully accomplish with respect to neighborhood investment. (7-0).

Chairman Adkins left the meeting.

**18. 2019SP-007-002
SONYA DRIVE MIXED USE DEVELOPMENT (AMENDMENT)**

Council District 22 (Gloria Hausser)

Staff Reviewer: Logan Elliott

A request to amend a Specific Plan for properties located at 616, 618, and 620 Old Hickory Boulevard and 7315 Sonya Drive, approximately 400 feet north of Tolbert Road (29.6 acres), to permit a maximum of 175 multi-family units, requested by Kimley-Horn, applicant; Southfield Properties and AM Investors No. 2, LLC and Norwood Manor LLC, owners.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019SP-007-002 to the February 25, 2021, Planning Commission meeting. (8-0)

**19. 2020SP-050-001
2512 RASCOE ST**

Council District 16 (Ginny Welsch)

Staff Reviewer: Abbie Rickoff

A request to rezone from RS10 to SP zoning for property located at 2512 Rascoe Street, approximately 260 feet south of Jay Street, (0.28 acres), to permit a detached accessory dwelling unit and all other uses permitted under RS10 zoning, requested by XE Development Company, LLC, applicant; Nathan Jones, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a detached accessory dwelling unit and all other uses permitted under RS10.

Preliminary SP

A request to rezone from Single-Family Residential (RS10) to Specific Plan (SP) zoning for property located at 2512 Rascoe Street, approximately 260 feet south of Jay Street, to permit a detached accessory dwelling unit and all other uses permitted under RS10 zoning (0.28 acres).

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of one single-family residential unit.*

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

SITE CONTEXT AND PLAN DETAILS

The 0.28-acre site is located on the east side of Rascoe Street, north of Lutie Street and west of Lutie Drive. The property is developed with a single-family unit and detached accessory structure. The surrounding area to the north and west includes primarily single-family residential land uses. The development pattern to the east, and along and north of Lutie Street, includes a high concentration of two-family residential uses. Property located immediately east of the site is developed with a two-family residential unit.

The plan proposes to permit one detached accessory dwelling unit (DADU) and all other uses of the RS10 zoning district. Development standards of any newly constructed DADU would comply with

the requirements of Sec.17.16.030.G of the Metro Zoning Ordinance. No additions or expansions will be permitted to any existing detached structure that is to be used as the DADU.

SOUTH NASHVILLE COMMUNITY PLAN

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to maintain the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low- to moderate-density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

ANALYSIS

Guidance from the T3 NM policy recommends that the developed character be maintained, and that when change occurs over time, efforts should be made to retain the existing character. In this case, the site has previously developed with a primary residence and detached structure to the rear, similar to many of the surrounding developed properties. The site’s existing detached structure is located at the rear of the property, close to the existing detached structures developed on adjacent properties to the north and east. Additionally, the development pattern shifts to primarily two-family residential uses for properties located along Lutie Drive, directly behind the site. Given the existing development pattern and locational characteristics, staff finds the proposed SP standards to be consistent with the intent of the T3 NM policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Coordinate with planning on sidewalk requirement.

WATER SERVICES RECOMMENDATION

Approve

- Approved as preliminary only.

STORMWATER RECOMMENDATION

Approve with conditions

- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Provide parking per code.

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.28	4.356 D	1 U	10	1	1

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.28	-	2 U	15	1	2

Traffic changes between maximum: **RS10 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+5	0	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP district: 0 Elementary 0 Middle 0 High

The proposed SP will generate no additional students than what is typically generated under the existing RS10 zoning district. Students would attend Whitsitt Elementary School, Cameron College Prep Middle School, and Glenclyff High School.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within this SP shall be limited to a detached accessory unit (DADU) and all other uses of the RS10 zoning district.
2. Development standards found in Sec. 17.16.030 of the Metro Zoning Ordinance shall apply to any newly constructed DADU. No additions or expansions shall be permitted to any existing detached structure that is to be used as the DADU.
3. The final SP may be waived and combined with building permit review.
4. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone, and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Rickoff presented the staff recommendation of approval with conditions and disapproval without all conditions.

Joshua McDonald, 1416 Breckenridge Ct., spoke in favor of the application.

Ms. Blackshear closed the Public Hearing.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions.

Ms. Johnson expressed concerns with using SP's to allow DADU's.

Councilmember Murphy agreed with Ms. Johnson, this seems to be a "go around" from what the regulations are.

Vote taken: (2-3-0); Dr. Sims, Councilmember Murphy, and Ms. Johnson voted against. Ms. Blackshear did not vote per Lora Fox's explanation that the Chair does not typically vote unless there is a tie.

The Commission revisited this item after hearing Item 21. Ms. Fox explained that she was incorrect about the rules and that Ms. Blackshear could vote on the item and suggested reconsidering the vote on Item 19.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions. (3-3); Dr. Sims, Councilmember Murphy, and Ms. Johnson voted against.

Director Kempf recommended that Ms. Blackshear entertain a motion for a one-meeting deferral of the item since the vote was a tie.

Mr. Haynes moved and Mr. Tibbs seconded the motion to defer to the February 25, 2021 Planning Commission meeting. (6-0)

Resolution No. RS2021-31

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-050-001 is deferred to the February 25, 2021 Planning Commission meeting. (6-0).

**20. 2020SP-052-001
PILLOW+MERRITT**

Council District 17 (Colby Sledge)
Staff Reviewer: Logan Elliott

A request to rezone from R6-A to SP zoning for properties located at 1321 and 1323 Pillow Street, at the northwest corner of Merritt Avenue and Pillow Street, (0.46 acres), to permit a maximum of 39 multi-family residential units, requested by Hastings Architecture, applicant; Nathaniel Wayne Russell and Robert E. Orrall, Christine Leverone Orrall, and Justine Orrall, owner.

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020SP-052-001 to the February 25, 2021, Planning Commission meeting. (8-0)

**21. 2021SP-001-001
4027 RED ROSE COURT SP**

Council District 02 (Kyonzté Toombs)
Staff Reviewer: Amelia Lewis

A request to rezone from RS15 to SP zoning for property located at 4027 Red Rose Court, approximately 660 feet west of Windover Drive, (0.94 acres), to permit a detached accessory dwelling unit, requested by Shawanda Dodson Crawford, applicant; Shawanda Dodson Crawford and Sedric Crawford, owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

**APPLICANT REQUEST
Preliminary SP to permit a DADU.**

Zone Change

A request to rezone from Single-Family Residential (RS15) to Specific Plan – Residential (SP-R) zoning for property located at 4027 Red Rose Court, approximately 660 feet west of Windover Drive, (0.94 acres), to permit a detached accessory dwelling unit (DADU).

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of two lots, based solely on a minimum lot size of 15,000 square feet as required by the zoning.*

Proposed Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan would permit a detached accessory dwelling unit (DADU).*

BORDEAUX - WHITES CREEK - HAYNES TRINITY COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and

infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

SITE CONTEXT AND PLAN DETAILS

The site is located at the end of Red Rose Court, a cul-de-sac, that extends from Windover Drive, west of Ashland City Highway. The site has been developed with an existing single-family structure. The western property line abuts an existing rail line.

The surrounding properties to the northeast, east, and south are zoned RS15 and have been developed with single-family structures, similar to the subject site. The properties to the west and northwest of the subject site are vacant and industrial, zoned Agricultural/Residential (AR2a).

The proposed preliminary SP plan is regulatory and would permit the addition of a DADU on the subject site. The DADU would be required to comply with all Metro Zoning Code Regulations. Chapter 17.16.030.G. outlines the following standards for DADUs:

G. Accessory Dwelling, Detached. A detached self-sufficient dwelling unit shall be allowed accessory to a principal structure subject to the following standards:

1. Applicability.
 - a. While the following conditions listed below apply to a detached accessory dwelling they do not counter-act or override the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.
 - b. No accessory structure shall exceed two hundred square feet when there is a detached accessory dwelling on the lot.
2. Lot Area. The lot area on which the detached accessory dwelling is to be placed shall comply with Table 17.12.020A.
3. Ownership.
 - a. No more than one detached accessory dwelling shall be permitted on a single lot in conjunction with the principal structure.
 - b. The detached accessory dwelling cannot be divided from the property ownership of the principal dwelling.
 - c. The detached accessory dwelling shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.
4. Setbacks. The setbacks for a detached accessory dwelling shall meet the setbacks found in Section 17.12.040.E. for accessory buildings.
5. Site Requirements. A detached accessory dwelling may only be located behind the principal structure.
6. Driveway Access.
 - a. On lots with no alley access, the lot shall have no more than one curb-cut from any public street for driveway access to the principal structure as well as the detached accessory dwelling.
 - b. On lots with alley access, any additional access shall be from the alley and no new curb cuts shall be provided from public streets.
 - c. Parking accessed from any public street shall be limited to one driveway for the lot with a maximum width of twelve feet.
7. Bulk and Massing.
 - a. The living space of a detached accessory dwelling shall not exceed seven hundred square feet.
 - b. On lots less than ten thousand square feet, the footprint of a detached accessory dwelling shall not exceed seven hundred fifty square feet.
 - c. On lots ten thousand square feet or greater, the footprint of a detached accessory dwelling shall not exceed one thousand square feet.
 - d. The detached accessory dwelling shall maintain a proportional mass, size, and height to ensure it is not taller than the principal structure on the lot. The detached accessory dwelling height shall not exceed the height of the principal structure as measured to the eave line, with a maximum eave height of ten feet for single-story and seventeen feet for two-story detached accessory dwellings.
 - e. The roof ridge line of the detached accessory dwelling must be less than the primary structure and shall not exceed twenty-seven feet in height.
8. Design Standards.
 - a. The detached accessory dwelling shall be of similar style, design and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.
 - b. The detached accessory dwelling may have dormers that relate to the style and proportion of windows on the detached accessory dwelling and shall be subordinate to the roof slope by covering no more than fifty percent of the roof.
 - c. Detached accessory dwellings may have dormers that are setback a minimum of two feet from the exterior wall.
9. Historic Properties.
 - a. Metro Historic Zoning Commission Action. Any existing or proposed detached accessory dwelling in a historic overlay district shall comply with the adopted regulations and guidelines of the applicable historic overlay.

- b. Detached accessory dwellings with a second story dwelling unit shall enclose the stairs interior to the structure and properly fire rate them per the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.
- 10. Restrictive Covenant. Prior to the issuance of a permit, an instrument shall be prepared and recorded with the register's office covenanting that the detached accessory dwelling is being established accessory to a principal structure and may only be used under the conditions listed above.

ANALYSIS

The site is within the T3 NE Policy which is intended to create and enhance suburban neighborhoods. If redevelopment occurs, it is anticipated to be developed in suburban residential patterns, but at higher densities and with greater housing variety than classic suburban neighborhoods. There is little room for infill development within the existing residential area as it is primarily built out with single-family homes. However, the proposed SP meets the intent to add density and provide housing variety without disrupting the existing development pattern. This density is not incompatible with the surrounding uses, as it would permit one additional unit to be constructed. Additionally, the lot itself is larger than the minimum lot size of the zoning district. All Metro Zoning Code standards will be required to be met with the constructed of the proposed DADU.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- APPROVED AS A NEW OR PRELIMINARY SP ONLY. The proposed development lies along a very undersized water main (2.25-inch galvanized), which may not be adequate to serve the flow demanded by this development. Please reach out to Christian Thompson, (MWS's Development Technical/Construction Plan Review), to determine if this main can adequately serve this development. If inadequate, a larger public water main will likely be required, which also requires submittal and approval of public water construction plans, before the plat can be reviewed.

PUBLIC WORKS RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.94	2.904 D	1 U	10	1	1

Maximum Uses in Proposed Zoning District: **SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.94	-	2 U	19	2	2

*Based on two-family lots

Traffic changes between maximum: **RS15 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+9	+1	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP is not anticipated to generate any additional students beyond what is generated under the current zoning. Students would attend Cumberland Elementary, Haynes Middle School, and Whites Creek High School. All

three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to all uses permitted by the RS15 zoning district and one Detached Accessory Dwelling Unit (DADU).
2. The standards of Title 17 related to DADUs shall apply, 17.16.030.G.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Lewis presented the staff recommendation of approval with conditions and disapproval without all conditions.

Shawanda Dodson Crawford, applicant, spoke in favor of the application.

Ms. Blackshear closed the Public Hearing.

Mr. Haynes spoke in favor of staff recommendation.

Ms. Johnson explained that an SP might not be the right tool to use in this location and spoke in opposition to staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Mr. Tibbs moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions. (5-1). Ms. Johnson voted against.

Resolution No. RS2021-32

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-001-001 is approved with conditions and disapproved without all conditions. (5-1).

CONDITIONS

1. Permitted uses shall be limited to all uses permitted by the RS15 zoning district and one Detached Accessory Dwelling Unit (DADU).
2. The standards of Title 17 related to DADUs shall apply, 17.16.030.G.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

6. The Final SP plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

22. 2021SP-005-001

HOBSON HEIGHTS

Council District 33 (Antoinette Lee)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a and RS15 to SP zoning on property located at 6334 Hobson Pike and Hobson Pike (unnumbered) and part of property located at 6324 Hobson Pike, approximately 930 feet southwest of Smith Springs Parkway, (29.17 acres), to permit up to 232 residential units, requested by Wamble & Associates, applicant; Amnon Shreibman, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

Zone change to permit a maximum of 232 residential units.

Zone Change

A request to rezone from Agricultural and Residential (AR2a) and Single-Family Residential (RS15) to Specific Plan – Mixed Residential (SP-MR) zoning on property located at 6334 Hobson Pike and Hobson Pike (unnumbered) and part of property located at 6324 Hobson Pike, approximately 930 feet southwest of Smith Springs Parkway, (29.17 acres), to permit up to 232 residential units.

Existing Zoning

Agricultural/Residential requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 15 residential lots with three duplex lots for a total of 18 residential units.*

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *A very small portion of the site is located in the RS15 zoning district and is not large enough to permit any single-family lots.*

Proposed Zoning

Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing types.

Previous Plan

A staff report for this request was published for the January 21, 2021, Planning Commission meeting; however, the request was deferred prior to the meeting. The previous plan reviewed in the staff report published prior to deferral included an extension of the existing Kensal Drive stub street. Following the deferral, the applicant revised the plan to remove the connection.

SITE CONTEXT AND PLAN DETAILS

The approximately 30-acre site is located in Antioch, between Mt. View Road and Hobson Pike. Murfreesboro Pike is approximately two miles to the west. Mt. View Road runs along the northern site boundary and Hobson Pike runs along the southern site boundary. The site is bound on the east and west by single-family subdivisions zoned R15 and RS15. Both subdivisions are also in a Planned Unit Development (PUD). The site is relatively flat and densely wooded. Metro records do not identify any site constraints such as steep slopes, streams, flood plain wetlands or cemeteries. One property making up the site that is located along Mt. View Road contains a single-family home.

Site Plan

As proposed, the plan would permit up to 232 residential units consisting of single-family lots, single-family lots permitting detached and attached accessory dwelling units, and attached and detached townhomes. The plan does not permit any form of short-term rentals, stacked flats (apartments), or duplexes (attached and detached). The overall density, if built to the maximum number of units, is approximately eight units per acre. Unit types are divided between four districts.

District 1 is located in the northern part of the site and includes 54 single-family residential lots. District 1 includes, but is not limited to, the following bulk standards:

- Min. Lot Size: 4,500 sq. ft.
- Min. Lot Width: 50'
- Min. Front Setback: 20'
- Min. Side Setback: 5'
- Min. Rear Setback: 10' adjacent to landscape buffer yard/20' when not adjacent to a landscape buffer yard
- Max. Height: 3 stories in 40'

All lots in District 1 have access to a new public street. The plan includes character images for homes in District 1 as well as standards pertaining to home design. All the homes in District 1 are front loaded and the plan requires that front loaded garages be recessed at least six feet behind the front façade.

District 2 is located in the interior of the site and immediately south of District 1 and includes 22 single-family lots. Each lot in District 2 permits an attached or detached accessory dwelling unit allowing up to a maximum of 44 residential units within the district. The plan includes standards for accessory dwelling units pertaining to, but not limited to ownership, size, height, location, and access. These standards are consistent with the standards in the Metro Zoning Code for accessory dwelling units. District 2 includes, but is not limited to the following bulk standards:

- Min. Lot Size: 4,000 sq. ft.
- Min. Lot Width: 50'
- Min. Front Setback: 10'
- Min. Side Setback: 5'
- Min. Rear Setback: 5'
- Max. Height: 3 stories in 40'

All units in District 2 front onto a new public street. The plan includes character images for homes in District 2 as well as standards pertaining to home design. The plan requires that the primary access for all units front a public street and requires that all homes be accessed from the rear by either public allies or private driveways.

District 3 is located interior to the site and is immediately south of District 2 and includes 58 multi-family units. Units in District 3 consist of multiple pods of attached residential units. District 3 includes, but is not limited to, the following bulk standards:

- Front Setback: 10' min. 20' max.
- Rear Setback: 5' from alley or greater than 15'
- Max. Height: 3 stories in 40'

Units in District 3 front either a new public street or open space. The plan includes character images for homes in District 3 as well as standards pertaining to home design. The plan requires that the primary access for all units front a public street or open space and requires that all homes be accessed from the rear.

District 4 is located interior to the site and along Hobson Pike and is immediately south of District 3. It includes 76 multi-family units. Units in District 4 consist of multiple pods of attached residential units. District 4 includes, but is not limited to, the following bulk standards:

- Front Setback: 10' min. 20' max.
- Rear Setback: 8' from parking area
- Max. Height: 3 stories in 40'

Units in District 4 front either a new public street or open space. The plan includes character images for homes in District 4 as well as standards pertaining to home design. The plan requires that the primary access for all units front a public street or open space. Parking for homes in District 4 are provided by surface parking areas located behind all units.

Access into the site is provided from Mt. View Road and Hobson Pike. Sidewalks and planting strips are provided along all new public streets and meet the local standard. The plan requires that sidewalks along Mt. View Road and Hobson Pike meet the Major and Collector Street Plan (MCSP).

The plan provides approximately 9.4 acres of open space and includes formal as well as informal open space. Approximately two acres is designated as formal and the remaining approximately seven acres is designated as informal and includes buffer yards, landscaping areas and areas for stormwater facilities. Formal open space is spread out through the site and within each district.

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

ANALYSIS

As proposed, staff finds that the plan is generally consistent with the T3 NE land use policy. The T3 NE land use policy recognizes areas where adding housing diversity is appropriate. The policy supports all forms of residential from single-family to multi-family. While the policy promotes housing diversity, location and surrounding context play a significant role in determining the appropriate housing type and density for a particular area. Design is also important in ensuring that the unit type or mixture of unit types are appropriate. Among other things, appropriately designed development should provide transitions in housing type and density, provide a well-connected street and sidewalk network, provide formal outdoor recreational space and preserve sensitive land features.

The proposed plan includes several housing options: traditional single-family lots, single-family lots that allow for accessory dwelling units (ADU), and multi-family in the form of attached and detached townhomes. The single-family option includes both front loaded and rear/alley loaded building types. This allows for additional diversity within the single-family market. The design provides adequate transition from Hobson Pike to Mt. View Road in housing type and density. The location of single-family lots and multi-family units are situated in a way that integrates the proposed development into the existing pattern.

The diversity of housing proposed with the development provides for options for consumers ranging from detached single-family, single-family with an accessory unit, and multi-family units. Providing for a diversity of housing is important to create vibrant communities that serve a range of residents.

As proposed, the plan connects Hobson Pike and Mt. View Road with a new public street. All new public streets will include local standard sidewalks. The Major and Collector Street Plan (MCSP) classifies Mt. View Road as a residential collector and Hobson Pike as a residential arterial. Sidewalk and roadway improvements along Mt. View Road and Hobson Pike will be required to meet the MCSP standards. The plan provides abundant formal open space that will provide for outdoor recreation. These open spaces are not concentrated in one area, but are spread out and will provide easy access.

As aforementioned, the previous plan, which was reviewed by staff but deferred prior to MPC consideration, included a street connection to the Kensal Green Subdivision. When Kensal Green Subdivision was approved by the Planning Commission, it included three stub streets that were intended to connect when adjacent properties developed in the future. Kensal Drive, which stubs into the project site, is one of these planned connections. Currently, Kensal Green has only one vehicular access point which serves 46 existing homes.

An interconnected street network provides for safe pedestrian, bicycle and vehicular movements between developments. It also provides for multiple access points for the use of fire, police, and other emergency service providers. Staff has included a condition to include an extension of Kensal Drive to the proposed north south road. Should the Planning Commission choose, a gated emergency only access with full pedestrian access would be an option that could still provide for the life safety needs.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

- Approved as a Preliminary SP only. Private water and/or sanitary sewer site utility construction plans must be submitted and approved prior to Final SP approval. The approved site utility plans must match the Final Site Plan/SP plans. A Capacity Study has taken place and the required capacity must be reserved by confirmation of capacity fee payment prior to Final Site Plan/SP approval.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Final construction drawings shall comply with the design regulations established by the Department of Public Works. Show ramps, roads, sidewalks, etc. per MPW standards and specifications.
- Show 'Now Entering Private Drive' signage off public roads within site where applicable.
- Private hauler will be required for waste/recycle disposal.
- Show location for postal service in compliance with USPS Policy. Vehicles should be out of roadway when accessing kiosks and mailbox clusters. USPS POC: SANDY.L.ALSMAN@USPS.gov, Caryville, TN Office: (423) 562-3243, USPS Links below: 'https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/residential-delivery.htm' 'https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/operations-developers-and-builders-guide.pdf'

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- An eastbound left-turn lane with 100' of storage shall be constructed on Hobson Pike at Proposed Access.
- In lieu of a westbound right-turn at the intersection of Hobson Pike at Proposed Access, developer shall contribute \$75,000 for transportation improvements within the area of the project.

Maximum Uses in Existing Zoning District: **AR2a/RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	29.17	0.5 D	18 U	215	18	20

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	-	-	134 U	973	63	77

Maximum Uses in Proposed Zoning District: **SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	-	-	98 U	1021	75	100

Traffic changes between maximum: **AR2a/RS15 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+214 U	+1779	+120	+157

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a/RS15 district: 4 Elementary 3 Middle 3 High

Projected student generation existing SP-MR district: 26 Elementary 21 Middle 17 High

The proposed SP-MR zoning is expected to generate 54 additional students beyond what is typically generated under the current AR2a/RS15 zoning districts. Students would attend Mt. View Elementary School, J.F. Kennedy Middle

School, and Antioch High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 232 residential units as identified on the proposed SP plan. Garage sale and Home Occupation shall also be permitted as accessory uses consistent with Metro Zoning Code standards. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited.
2. Street improvements along Mt. View Road and Hobson Pike shall meet the Major and Collector Street Plan (MCSP).
3. The plan shall be revised to include an extension of Kensal Drive to the proposed north/south road. The extension should meet local street standards.
4. District 2 is limited to a maximum of 22 primary residential units and a maximum of 22 detached accessory units.
5. Parking pads shall not be permitted within front yard of District 1. Parking shall only be permitted on the driveway. Maximum driveway width shall be 16 feet.
6. When a residential unit fronts open space, the open space in front of the unit shall be at least 40' in width.
7. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone, and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the development shall be subject to the standards, regulations and requirements of the RS3.75 zoning district for single-family lots and the RM9 zoning district for multi-family units as of the date of the applicable request or application.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Blackshear recused herself from this item; Councilmember Murphy took over as Chair.

Mr. Swaggart presented the staff recommendation of approval with conditions and disapproval without all conditions.

Duane Cuthbertson, 409 Merritt Ave., spoke in favor of the application and requested that condition #3 be removed.

Councilmember Lee spoke in favor of the application.

Councilmember Murphy closed the Public Hearing.

Mr. Haynes asked about the importance of street connections between adjacent neighborhoods.

Ms. Kempf said street connections are important for life-safety reasons and also for improved mobility in the community as a whole.

Ms. Johnson is sympathetic to existing neighborhood, but it's beneficial in larger picture. Encouraged community and councilmember to think about gated access and improving traffic safety.

Dr. Sims spoke in favor of staff recommendation including condition #3.

Mr. Tibbs spoke in favor of staff recommendation including condition #3.

Mr. Tibbs moved Dr. Sims seconded the motion to approve with conditions and disapprove without all conditions. (5-0-1). Ms. Blackshear recused herself.

Resolution No. RS2021-33

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-005-001 is approved with conditions and disapproved without all conditions. (5-0-1).

CONDITIONS

1. Permitted uses shall be limited to a maximum of 232 residential units as identified on the proposed SP plan. Garage sale and Home Occupation shall also be permitted as accessory uses consistent with Metro Zoning Code standards. Short term rental property owner-occupied and short term rental property not owner-occupied shall be prohibited.
2. Street improvements along Mt. View Road and Hobson Pike shall meet the Major and Collector Street Plan (MCSP).
3. The plan shall be revised to include an extension of Kensal Drive to the proposed north/south road. The extension should meet local street standards.
4. District 2 is limited to a maximum of 22 primary residential units and a maximum of 22 detached accessory units.
5. Parking pads shall not be permitted within front yard of District 1. Parking shall only be permitted on the driveway. Maximum driveway width shall be 16 feet.
6. When a residential unit fronts open space, the open space in front of the unit shall be at least 40' in width.
7. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone, and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the development shall be subject to the standards, regulations and requirements of the RS3.75 zoning district for single-family lots and the RM9 zoning district for multi-family units as of the date of the applicable request or application.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

23a. 2021UD-001-001

WEDGEWOOD-HOUSTON CHESTNUT HILL URBAN DESIGN OVERLAY

Council District 17 (Colby Sledge)

Staff Reviewer: Harriett Brooks

A request to apply an Urban Design Overlay (UDO) District to various properties located south of Lafayette Street and north of Wedgewood Avenue, zoned CS, IWD, MUL-A, OR20, R6, R6-A, RM20-A, and SP (188.28 acres), requested by Councilmember Colby Sledge, applicant; various owners. (see associated case 2021Z-016PR-001).

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021UD-001-001 to the February 25, 2021, Planning Commission meeting. (8-0)

23b. 2021Z-016PR-001

Council District 17 (Colby Sledge)

Staff Reviewer: Harriett Brooks

A request to rezone from CS, IWD, MUL-A, OR20, R6, R6-A, RM20-A and SP to MUL-A-NS, RM20-A-NS, CS-NS, and OR20-NS for various properties located south of Lafayette Street and north of Wedgewood Avenue (188.33 acres), requested by Councilmember Colby Sledge, applicant; various owners. (see associated case 2021UD-001-001).

Staff Recommendation: Defer to the February 25, 2021, Planning Commission meeting.

24. 2021DTC-002-001
BALLPARK VILLAGE MIXED USE
Council District 19 (Freddie O'Connell)
Staff Reviewer: Eric Hammer

A request for an overall height modification on property located at 3rd Ave. N. (unnumbered), zoned DTC, to permit a mixed use development, requested by Hawkins Partners, Inc., applicant; Sulphur Dell Land, LLC, owner.

Staff Recommendation: Approve with conditions or defer without all conditions.

APPLICANT REQUEST

Modification of overall height standards of the DTC, Sulphur Dell Subdistrict, to allow seven stories of building height where five is permitted by right.

DTC Overall Height Modification

A request for a modification of overall building height on property located at 0 3rd Avenue North, within the Sulphur Dell Subdistrict of the Downtown Code (DTC).

Existing Zoning

Downtown Code (DTC) is the underlying base zoning and is designed for a broad range of residential and non-residential activities associated with an economically healthy, socially vibrant, and sustainable Downtown.

PROJECT OVERVIEW

The project proposes a 7-story residential structure consisting of 425 residential units, 10,000 square feet of retail space, and 6,000 square feet of restaurant space. The ground floor of the building is lined with active uses on all three street frontages and activates the proposed greenway connection on the northern portion of the property.

PLAN DETAILS

The property is located south of First Horizon Park, north of Harrison Street and between 3rd Avenue North and the terminus of 4th Avenue North. Vehicular access is taken from both the terminus of 4th Avenue North and on 3rd Avenue North, as there are no alleys abutting this property. Loading and refuse collection will occur internal to the parking structure, which will be designed to properly accommodate those functions.

The project also proposes a significant piece of public infrastructure, a greenway connection on the north side of the property, which would be built to Metro Parks standards but maintained by the developer and open to public use in perpetuity.

OVERALL HEIGHT MODIFICATION PROCESS

The Overall Height Modification is a process embedded in the zoning for all properties zoned DTC. It allows the Planning Commission to allow additional height on a property beyond what is allowed by the subdistrict where the property is located. 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 use 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, and improvement of the project's relationship to surrounding properties.

OVERALL HEIGHT MODIFICATION ANALYSIS

Bonus Height Program

In the Sulphur Dell Subdistrict for properties with frontage on a secondary street, properties are entitled to five stories and an additional story may be earned, up to a maximum of six stories, through use of the 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. Efforts include committing to requirements of the Upper Floor Garage Liner, Pervious Surfaces, and LEED (or comparable green building program) bonuses. The bonus yield of the commitments is beyond the one story available via the Bonus Height Program.

Community Meeting

The applicant held a virtual community meeting on January 4, 2021 and sent notices to properties within 300 feet. Several questions generally discussed were neighborhood traffic, parking, distances between the site and adjacent residential buildings, the proposed parking garage screening, and construction timing. This meeting was recorded and is viewable upon request.

Prior to the required community meeting, three other informal community meetings were held on various dates in November and December. These additional meetings were not required as part of the Overall Height Modification process but were set up by the applicant as a way to solicit germane feedback from neighbors prior to beginning this process. Planning staff monitored these meetings.

Metropolitan Development and Housing Agency Design Review Committee Meeting

The Metropolitan Development and Housing Agency Design Review Committee (MDHA DRC) convened on January 5, 2021 and voted (with none opposed) to conceptually approve the project. The committee also voted (with none opposed) to recommend approval to modify the overall height from 5 to 7 stories, as proposed.

Input from Metro Departments

Metro Parks and Greenways has been consulted by the applicant and has conveyed the requirements and specifications for this greenway section as well as the agreements necessary for the section to be used permanently and maintained in perpetuity. A Traffic Impact Study (TIS) is under review by Metro Public Works staff. A TIS is typically required with most all new construction Downtown and is not part of the Overall Height Modification criteria

Exceptional Design

The Planning Commission reviews Overall Height Modifications and may grant the modification for exceptional design, including but not limited to unique architecture, exceptionally strong streetscape, and improvement of the project's relationship to surrounding properties.

This proposed building uses durable materials and a design that borrows from the material palette of surrounding properties and the area's industrial elements. The proposed building fully lines the parking garage with active uses on all streets and open spaces, including the north frontage on the new greenway segment. Additionally, decorative and functional screening is applied to the parking structure at the interior lot line that abuts the adjacent residential buildings.

The extension of the greenway and proposed trail-oriented development is critical to the design of the site. Presently, the Capitol Greenway runs from Bicentennial Mall to the Cumberland River Greenway, with a segment crossing through the concourse of the First Horizon Stadium. This was out of necessity when First Horizon Park was constructed. However, it means that on event days at First Horizon Park or shutdowns of the facility, the Capitol Greenway is severed in two, with users diverting onto Junior Gillam Way or Harrison Street as a detour. This operational issue severely impacts the greenway's value as both a transportation and recreational corridor.

The applicant has proposed to locate a new greenway segment, built to Metro Parks standards, within their property. This segment will run parallel to the existing obstructed section of the greenway and serve as a connection in perpetuity, with construction and maintenance performed by the owner of the subject property. Although the greenway extension is too linear to be eligible for the Bonus Height Program's Open Space bonus due to acreage, it is a critical piece of infrastructure that will allow continual, unobstructed access for the public. In addition, the building will front the greenway extension with trail-oriented ground floor uses that will activate the space.

STAFF RECOMMENDATION

Due to the exceptional design of the site, architecture, and adjacent public infrastructure, staff recommends approval with the following conditions and deferral without all conditions:

CONDITIONS

1. The greenway connection and associated improvements shall be built to the standards of Metro Parks and Greenways and shall comply with all agreements and approvals of Metro Parks Board required to build and accept this greenway segment.
2. The developer shall develop a Memorandum of Understanding in conjunction with Metro Parks and Metro Legal and shall include all necessary elements to ensure the design and operational intent of a public greenway is fulfilled, as defined by Metro Parks.
3. The developer shall secure any and all necessary approvals of other agencies and property owners that are required to provide the greenway as conceptually shown on these plans.
4. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, shall be completed via the bonus height process prior to building permit approval.
5. Final screening of the parking garage shall demonstrate that the material does not reflect light towards adjacent residential buildings or allow direct visibility of vehicular lights.

Ms. Blackshear recused herself from this item; Councilmember Murphy continued as Chair.

Mr. Hammer presented the staff recommendation of approval with conditions or deferral without all conditions.

Mark Brambrut, 303 Peachtree Center, spoke in favor of the application.

Kim Hawkins, 1900 Church St., spoke in favor of the application.

Phil Pettenger, 815 3rd Ave. N., spoke in favor of the application.

T.J. Fritz, 346 Harrison St., spoke in favor of the application.

Councilmember Murphy closed the Public Hearing.

Ms. Johnson spoke in favor of the application, very exceptional plan.

Dr. Sims spoke in favor of the application, it's the perfect building for the perfect place.

Mr. Tibbs spoke in favor the application; this is going to be a great development.

Mr. Haynes asked several clarifying questions and then spoke in favor of the application.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions and deferral without all conditions. (5-0-1). Ms. Blackshear recused herself.

Resolution No. RS2021-34

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021DTC-002-001 is approved with conditions or defer without all conditions. (5-0-1).

CONDITIONS

1. The greenway connection and associated improvements shall be built to the standards of Metro Parks and Greenways and shall comply with all agreements and approvals of Metro Parks Board required to build and accept this greenway segment.
2. The developer shall develop a Memorandum of Understanding in conjunction with Metro Parks and Metro Legal and shall include all necessary elements to ensure the design and operational intent of a public greenway is fulfilled, as defined by Metro Parks.
3. The developer shall secure any and all necessary approvals of other agencies and property owners that are required to provide the greenway as conceptually shown on these plans.
4. All bonus height actions identified in this application, including those that require a deed or restrictive covenant, shall be completed via the bonus height process prior to building permit approval.
5. Final screening of the parking garage shall demonstrate that the material does not reflect light towards adjacent residential buildings or allow direct visibility of vehicular lights.

25. 65-76P-003

BL2021-610/Jennifer Gamble

COMMERCIAL PUD (CANCELLATION)

Council District 03 (Jennifer Gamble)

Staff Reviewer: Jason Swaggart

A request to cancel a Planned Unit Development on portions of property located at Brick Church Pike (unnumbered) and 4204 Brick Church Pike, at the northwest corner of Old Hickory Boulevard and Brick Church Pike, zoned R20, (12 acres), requested by Councilmember Jennifer Gamble, applicant; Gordon F. McCammon and Robert C. Helson, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Cancel Planned Unit Development Overlay District (PUD).

PUD Cancellation

A request to cancel a Planned Unit Development (PUD) on portions of property located at Brick Church Pike (unnumbered) and 4204 Brick Church Pike, at the northwest corner of Old Hickory Boulevard and Brick Church Pike, zoned One and Two-Family Residential (R20), (12 acres).

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots.

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provisions of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provisions of essential utilities and streets.

REQUEST DETAILS

The PUD was approved by Council in 1976 for 38,100 square feet of various commercial uses. A periodic review was requested in 2020, and on October 22, 2020, the Planning Commission found the PUD to be inactive. The Commission also recommended that the PUD be canceled and that the underlying R20 zoning district be rezoned to MUN-A. This request is to cancel the PUD. There is no associated zone change. While the Commission recommended that the PUD be canceled and rezoned, there is no requirement for it to be canceled and/or rezoned. Cancelling the PUD and maintaining the current zoning can serve as a temporary holding pattern.

PARKWOOD – UNION HILL COMMUNITY PLAN

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5 minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

ANALYSIS

Staff recommends that the PUD be canceled as requested. While the underlying R20 base zoning district is not a district encouraged by the T3 NC land use policy, it is not directly inconsistent with the policy and is consistent with the surrounding zoning. The PUD was approved prior to the application of the T3 NC land use policy. When policies are updated, it is routine to apply policy in a manner that recognizes a City Council approved plan. In this case, the PUD is approved for commercial and the application of the T3 NC policy is consistent with that plan. Cancelling the PUD and reverting to the base zoning, allows for consideration of other zoning districts that are compatible with T3 NC policy should applications be filed.

STAFF RECOMMENDATION

Staff recommends approval of the cancellation.

Mr. Swaggart presented the staff recommendation of cancelling the PUD.

Jane Smith, Brick Church Pike, spoke in opposition to cancelling the PUD.

Dr. Gordon McCammon spoke in opposition to cancelling the PUD.

Robert Helson, 178 Lynn Rd., Gallatin, TN, spoke in opposition to cancelling the PUD.

Larry Putnam, Old Hickory Blvd., spoke in opposition to cancelling the PUD.

Ms. Dawson, 5353 Ryan Allen Circle, Whites Creek, TN, spoke in favor of cancelling the PUD.

Shawn Henry, 315 Deaderick St., spoke in opposition to cancelling the PUD.

Councilmember Gamble said there were at least three community meetings to discuss this project and asked that the Planning Commission support staff recommendation.

Ms. Blackshear closed the Public Hearing.

Mr. Tibbs spoke in favor of cancelling the PUD.

Dr. Sims spoke in favor of cancelling the PUD.

Councilmember Murphy spoke in favor of cancelling the PUD.

Ms. Johnson spoke in favor of cancelling the PUD.

Mr. Haynes spoke in favor of a deferral so we can tie cancelling the PUD with the appropriate zoning.

Mr. Haynes moved for a two-meeting deferral. There was no second to the motion.

Mr. Tibbs moved and Dr. Sims seconded the motion to approve. (5-1). Mr. Haynes voted against.

Resolution No. RS2021-35

“BE IT RESOLVED by The Metropolitan Planning Commission that 65-76P-003 is approved. (5-1).”

26. 2021Z-006PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Amelia Lewis

A request to rezone from RS5 to R6-A zoning for property located at 1712 Arthur Avenue, approximately 260 feet northwest of Jane Street (0.17 acres), requested by Stephen Bolton, applicant; Bolt Real Estate, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential – Alternative (R6-A) zoning for property located at 1712 Arthur Avenue, approximately 260 feet northwest of Jane Street (0.17 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of one lot and one unit, based on acreage alone.*

One and Two-Family Residential – Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6-A would permit a maximum of one lot with two units based on acreage alone. Final determinations regarding duplex eligibility would be determined by the Metro Codes Department.*

NORTH NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

ANALYSIS

The 0.17 acre site is located on the east side of Arthur Avenue. The site is currently vacant. Alley 537 abuts the rear property line. The surrounding properties are primarily zoned RS5 and have been developed with single-family uses. There are also several vacant properties along Arthur Avenue and within the surrounding area. The site is located south of Buchanan Street.

The intent of the T4 NE Policy is to create and enhance neighborhoods to include greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The policy states that when considering rezonings, in addition to consistency with the intent of the policy, the site’s location in relation

to centers, corridors and multi-modal transportation options, the size of the site, environmental conditions on and near the site, and the character of adjacent Transect and policy areas, should be considered.

The proposed zoning district is consistent with the intent of the T4 NE Policy to create and enhance residential neighborhoods. The adjacent policy area is T4 NM (Urban Neighborhood Maintenance), which is to maintain existing residential neighborhoods. The proposed zoning district permits additional residential opportunities at an intensity consistent with the surrounding properties.

The size of the site exceeds the minimum lot size of the proposed zoning district and has frontage along a public street and is served by the improved alley at the rear of the site. The Alternative zoning district provides standards to create an urban, built form in line with the urban intent of the policy. There are no environmental conditions on the site. Additionally, the site is located just south of Buchanan Street, an active mixed-use corridor.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **RS5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.17	8.712 D	1 U	10	1	1

Maximum Uses in Proposed Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.17	7.26 D	2 U	19	2	2

*Based on two-family lots

Traffic changes between maximum: **RS5 and R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			+1 U	+9	+1	+1

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High

The proposed R6-A zone district is not anticipated to generate any additional student than what could be generated under the existing RS5 zoning. Students would attend Thomas A. Edison Elementary, J.F. Kennedy Middle School, and Antioch High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Lewis presented the staff recommendation of approval.

Steven Bolton, applicant, spoke in favor of the application.

Ms. Blackshear closed the Public Hearing.

Mr. Tibbs spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve. (6-0)

Resolution No. RS2021-36

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-006PR-001 is approved. (6-0).

27. 2021Z-003PR-001

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Patrick Napier

A request to rezone from RS10 to R8-A zoning for property located at 1911 Hailey Ave, approximately 315 feet northeast of Esther Avenue (0.45 acres), requested by Joseph L. Perry, applicant; Joseph L. & Willie Perry, owners.

Staff Recommendation: Disapprove the requested R8-A zoning district and approve the R10 zoning district.

APPLICANT REQUEST

Zone change RS10 to R8-A.

Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential - Alternative (R8-A) zoning for property located at 1911 Hailey Avenue, approximately 315 feet northeast of Esther Avenue (0.45 acres).

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 1 lot with 1 residential unit.*

Proposed Zoning

One and Two-Family Residential - Alternative (R8-A) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. R8 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.

Recommended Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. R10-A would permit a maximum of one duplex lot for a total of two units.

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

ANALYSIS

The site is located at 1911 Hailey Avenue, approximately 315 feet northeast of Esther Avenue. Surrounding land uses contain a mixture of single and two-family residences. The surrounding area is predominantly zoned RS10. The subject property is located within the interior of the neighborhood and accessed via a network of local streets.

The T3 NE policy indicates that successful infill redevelopment takes into account the existing developed character and the proximity to centers and corridors. The subject parcels are located several blocks from the nearest corridor and the property is not located within a Center in the North Nashville Community Plan. Due to the location of the properties within the policy area and the context of the surrounding area, staff finds the request zoning to be inconsistent with the policy

The requested zone district, R8-A would yield 4 units, which represents an increase of residential intensity far beyond the existing context. Staff recommends the R10 zone district, which would permit the development of no more than two units, which represents a modest increase in the intensity of the site. The R10 zone district will achieve the goal of the policy to create suburban neighborhoods with moderate density and additional housing choice.

Maximum Uses in Existing Zoning District: **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.45	4.356 D	1 U	10	1	1

Maximum Uses in Proposed Zoning District: **R8-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.45	5.445 D	4 U	38	3	4

*Based on two-family lots

Traffic changes between maximum: **RS10 and R8-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+3 U	+28	+2	+3

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed R8-A district: 0 Elementary 0 Middle 0 High

The proposed R8-A zoning will generate no more students than the existing RS10 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval of the requested R8-A zoning district and approval the R10 zoning district.

Mr. Napier presented the staff recommendation of disapproval of the requested R8-A zoning district and approval of the R10 zoning district.

Joseph Perry, applicant, spoke in favor of the application.

Councilmember Toombs stated that she held a community meeting and there was some opposition about the number of units proposed, so she will support staff recommendation.

Ms. Blackshear closed the Public Hearing.

Mr. Haynes spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Mr. Tibbs moved and Mr. Haynes seconded the motion to disapprove the requested R8-A zoning district and approve the R10 zoning district. (6-0)

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-003PR-001 is disapproved the requested R8-A zoning district and approve the R10-zoning district. (6-0).

28. 2021Z-008PR-001

Council District 16 (Ginny Welsch)

Staff Reviewer: Patrick Napier

A request to rezone from RS5 to R6-A zoning for property located at 119 Oriel Avenue, approximately 400 feet west of Miller Street (0.27 acres), requested by Mitra Sharifi, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential– Alternative (R6-A) zoning for property located at 119 Oriel Avenue, approximately 400 feet west of Miller Street (0.27 acres), requested by Mitra Sharifi, applicant and owner.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 single-family residential unit based on acreage alone.*

Proposed Zoning

One and Two-Family Residential–Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit a maximum of 1 lot, with 1 duplex for a total of 2 units.*

SOUTH NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

ANALYSIS

The property is located 119 Oriel Avenue, approximately 400 feet west of Miller Street. The proposed zone change is consistent with policy at this location. The surrounding neighborhood contains a diverse mixture of residential uses. These uses include single-family, two-family, and multi-family residential. The proposed zoning district would permit a two-family unit or a detached accessory dwelling unit, which would create additional housing options within the neighborhood.

The additional density permitted by the proposed district is also appropriate given its proximity to Foster Avenue. The Major and Collector Street Plan identifies Foster Avenue as an Arterial Street, which contains significant planned infrastructure improvements such as 8' sidewalks and separated bike lanes. The development standards for R6-A are consistent with the goals of the T4 NM policy. The proposed district requires that buildings be placed at the street, parking be located behind structures/away from the street, and that access be derived from alley ways.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Fire Code issues will be addressed in the permit phase.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

Traffic study may be required at time of development.

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.27	8.712 D	2 U	19	2	2

Maximum Uses in Proposed Zoning District: **R6-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.27	7.26 D	2 U	19	2	2

*Based on two-family lots

Traffic changes between maximum: **RS5 and R6-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	0	0	0

METRO SCHOOL BOARD REPORT

The proposed R6-A zoning district would not generate any more students than what is typically generated under the existing RS5 zoning district. Students would attend Whitsitt Elementary, Cameron CP Middle School, and Glencliff High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval as the request is consistent with T4 NM policy.

Mr. Napier presented the staff recommendation of approval.

Mitra Sharifi, applicant, spoke in favor of the application.

Valery Parham, 2303 Foster Ave., spoke in favor of the application.

(Name unclear), 116 Oriel Ave., spoke in favor of the application.

Ms. Blackshear closed the Public Hearing.

Dr. Sims spoke in opposition to the application.

Mr. Tibbs spoke in favor of the application.

Mr. Haynes spoke in favor of the application.

Ms. Johnson spoke in favor of the application.

Councilmember Murphy spoke in favor of the application.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve. (5-1). Dr. Sims voted against.

Resolution No. RS2021-38

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-008PR-001 is approved. (5-1).

I: OTHER BUSINESS

29. Contract renewal for Miranda Clements & Amelia Lewis

Resolution No. RS2021-39

"BE IT RESOLVED by The Metropolitan Planning Commission that a contract renewal for Miranda Clements & Amelia Lewis is **approved. (8-0)**

- 30. Historic Zoning Commission Report
- 31. Board of Parks and Recreation Report
- 32. Executive Committee Report

Resolution No. RS2021-40

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is **approved. (8-0)**

- 33. Accept the Director's Report
- 34. Legislative Update

J: MPC CALENDAR OF UPCOMING EVENTS

February 25, 2021

MPC Meeting

4 pm, location to be determined

March 11, 2021

MPC Meeting

4 pm, location to be determined

March 25, 2021

MPC Meeting

4 pm, location to be determined

K: ADJOURNMENT

The meeting adjourned at 9:28 p.m.