

# Metropolitan Planning Commission



## Staff Reports

**February 11, 2021**



## Metro Planning Commission Meeting of 02/11/21

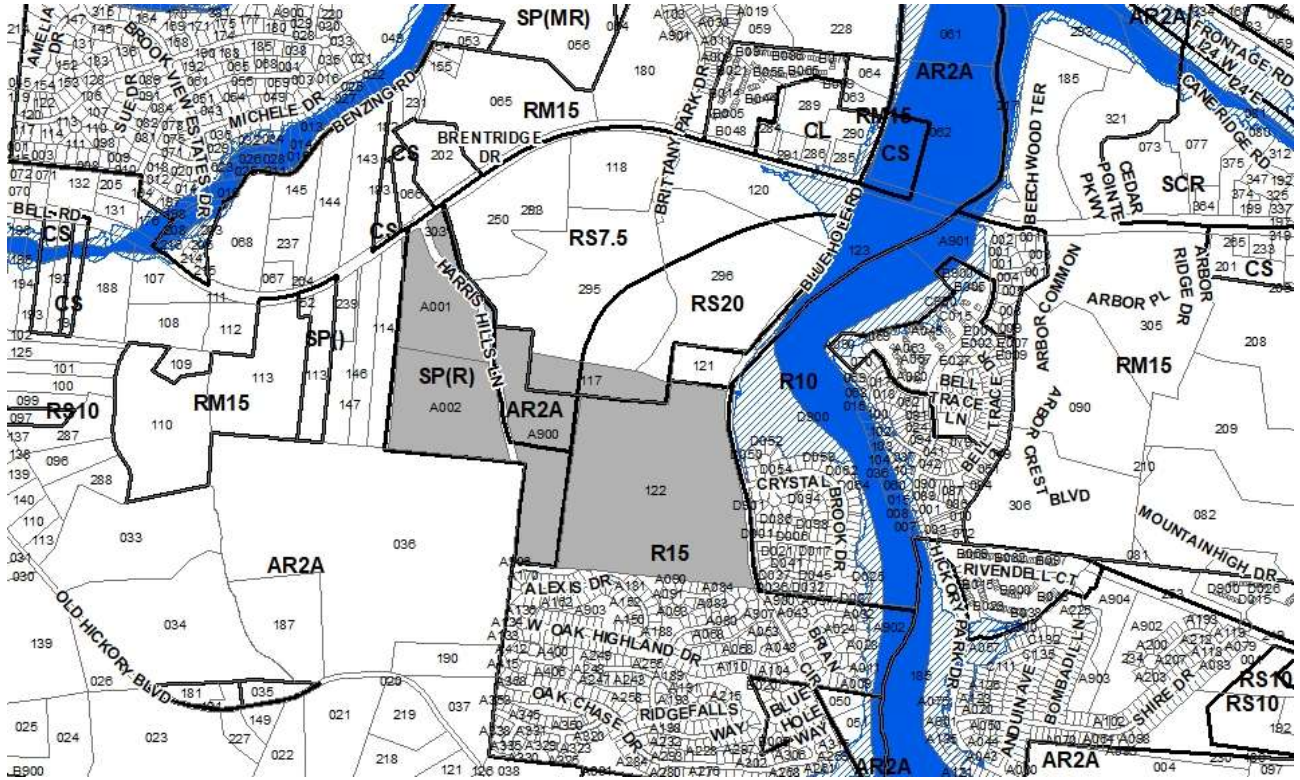
*Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.*



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# Metro Planning Commission Meeting of 02/11/21



## **2007SP-037-002**

**BELL ROAD/BLUE HOLE ROAD SP AMENDMENT**

Map 162, Parcel(s) 117, 122

Map 162-15-0-A, Parcel(s) 001-002, 900

12, Southeast

31 (John Rutherford)



**Project No.** **Specific Plan 2007SP-037-002**  
**Project Name** **Bell Road/Blue Hole Road SP Amendment**  
**Associated Case** 95P-025-007  
**Council District** 31 – Rutherford  
**School District** 2 – Elrod  
**Requested by** Lose Design, applicant; Forest View Residences, LLC and Richland South, LLC, owners.

**Deferrals** This item was deferred at the December 10, 2020, and January 21, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Elliott  
**Staff Recommendation** *Defer to the March 11, 2021, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Amend SP to permit a mixed-use development.**

SP Amendment

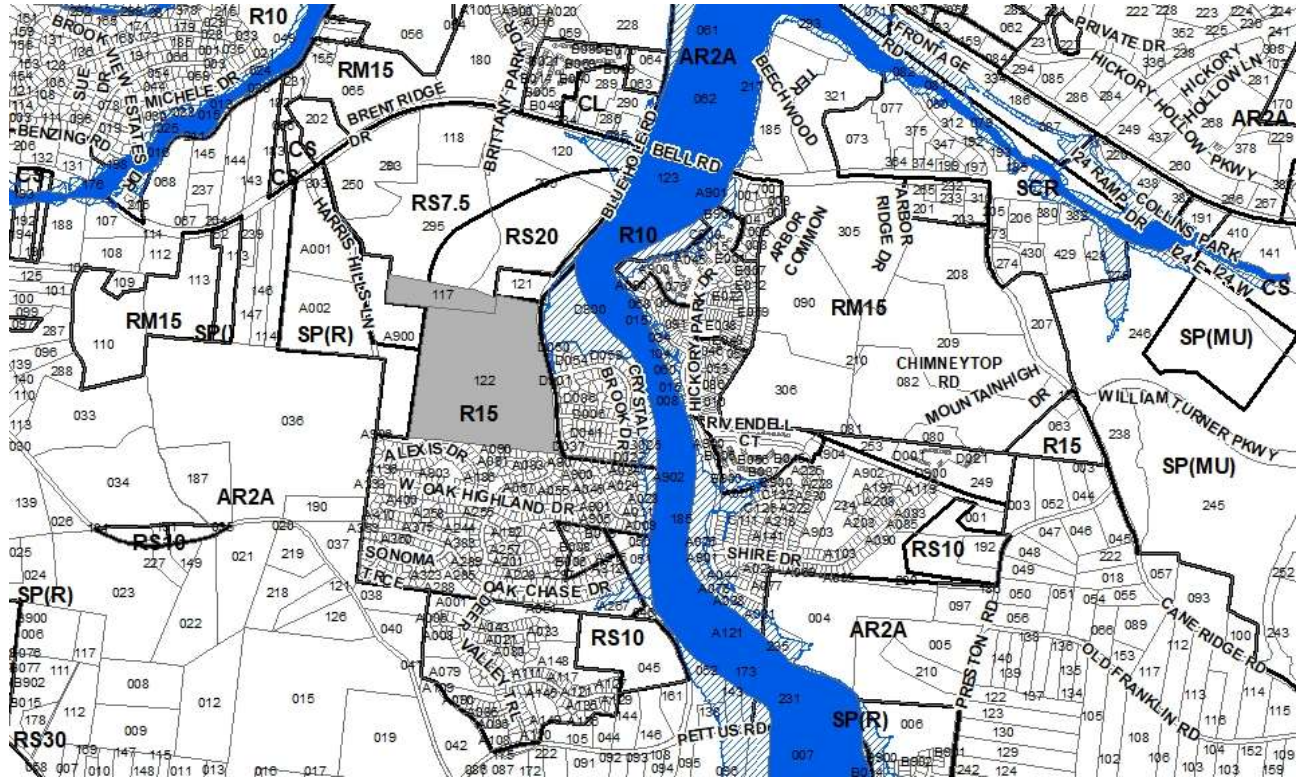
A request to amend a Specific Plan located at Bell Road (unnumbered) and 5439 Blue Hole Road and 7000 Harris Hills Lane, at the corner of Bell Road and Harris Hills Lane (101.91 acres), zoned Agricultural/Residential (AR2a), One and Two-Family Residential (R15), Single-Family Residential (RS20), One and Two-Family Residential (RS7.5), and Specific Plan (SP), to permit a mixed-use development.

**STAFF RECOMMENDATION**

Staff recommends deferral to the March 11, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 02/11/21



**95P-025-007**  
MILLWOOD COMMONS PUD (CANCELLATION)  
Map 162, Parcel(s) 117, 122  
12, Southeast  
31 (John Rutherford)



**Project No.** **Planned Unit Development 95P-025-007**  
**Project Name** **Millwood Commons PUD (Cancellation)**  
**Associated Case** 2007SP-037-002  
**Council District** 31 – Rutherford  
**School District** 2 – Elrod  
**Requested by** Lose Design, applicant; Richland South, LLC, owners.

**Deferrals** This item was deferred at the December 10, 2020, and January 21, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Elliott  
**Staff Recommendation** *Defer to the March 11, 2021, Planning Commission meeting.*

**APPLICANT REQUEST**

**Cancel a portion of an existing Planned Unit Development Overlay District (PUD).**

PUD Cancellation

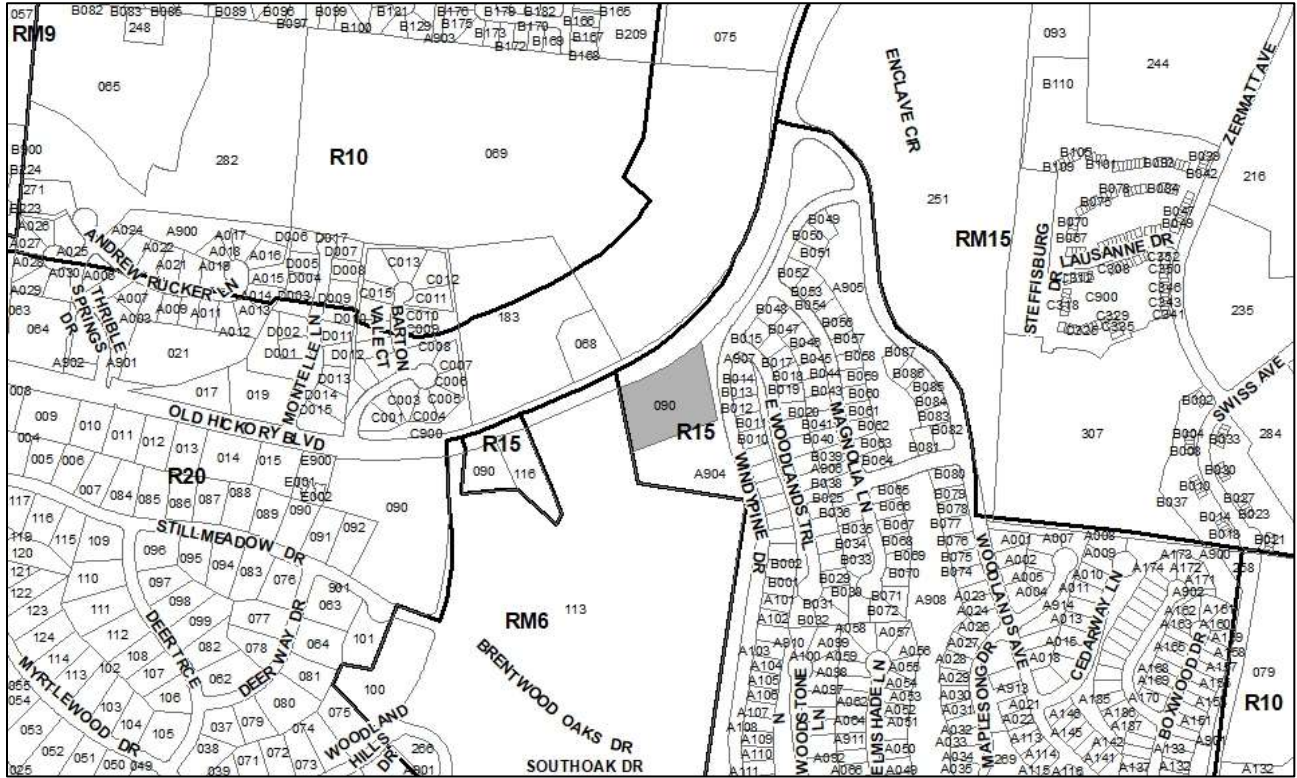
A request to cancel a portion of a Planned Unit Development Overlay District located at 5439 Blue Hole Road and Bell Road (unnumbered), approximately 560 feet north of W. Oak Highland Drive (54.81 acres), zoned One and Two-Family Residential (R15), Single-Family Residential (RS20), Single-Family Residential (RS7.5).

**STAFF RECOMMENDATION**

Staff recommends deferral to the March 11, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 02/11/21



**2021SP-003-001**  
0 OLD HICKORY BOULEVARD  
Map 161, Parcel(s) 090.07  
12, Southeast  
04 (Robert Swope)





<b>Project No.</b>	<b>Specific Plan 2021SP-003-001</b>
<b>Project Name</b>	<b>0 Old Hickory Boulevard</b>
<b>Council District</b>	04 – Swope
<b>School District</b>	2 – Elrod
<b>Requested by</b>	Dale and Associates, applicant; Alemayehu Tesfaye, owner.
<b>Staff Reviewer</b>	Rickoff
<b>Staff Recommendation</b>	<i>Defer to the February 25, 2021, Planning Commission meeting.</i>

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**APPLICANT REQUEST**

**Preliminary SP to permit 10 multi-family residential units.**

Preliminary SP

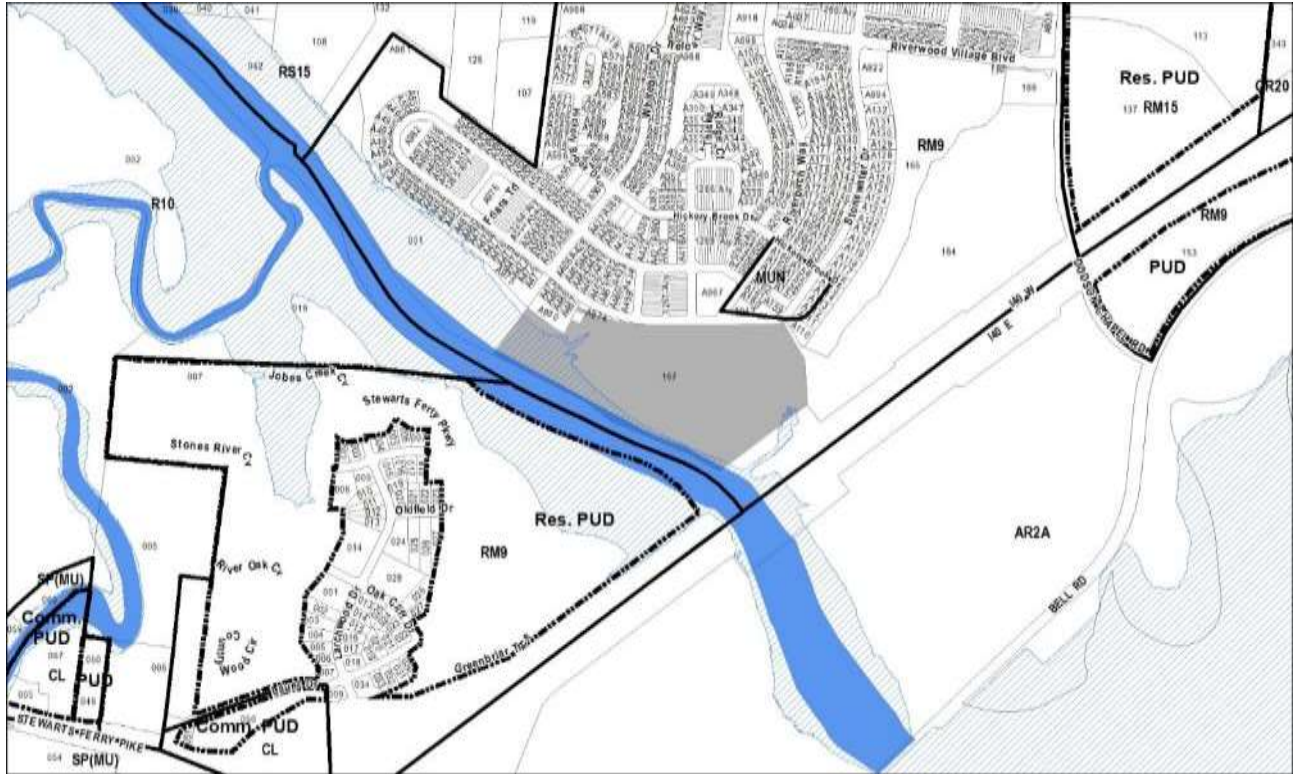
A request to rezone from One and Two-Family Residential (R15) to Specific Plan-Residential (SP-R) zoning for property located at Old Hickory Boulevard (unnumbered), approximately 1,100 feet east of Barton Vale Drive, to permit 10 multi-family units (2.54 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the February 25, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 02/11/21



**2004UD-002-011**

**VILLAGES OF RIVERWOOD SECTION M (MODIFICATION)**

Map 097, Parcel(s) 167

14, Donelson - Hermitage - Old Hickory

14 (Kevin Rhoten)



**Project No.** **Urban Design Overlay 2004UD-002-011**  
**Project Name** **Villages of Riverwood – Section M (Modification)**  
**Council District** 14 – Rhoten  
**School District** 4 – Little  
**Requested by** Dale and Associates, applicant; Villages of Riverwood and Browns Farm, owners.

**Deferrals** This item was deferred at the October 22, 2020, December 10, 2020, and January 21, 2021 Planning Commission meeting. A public hearing was held at the October 22, 2020, Planning Commission meeting and remains open.

**Staff Reviewer** Elliott  
**Staff Recommendation** *Defer to the February 25, 2021, Planning Commission meeting.*

**APPLICANT REQUEST**

**Modify the Villages of Riverwood Urban Design Overlay District.**

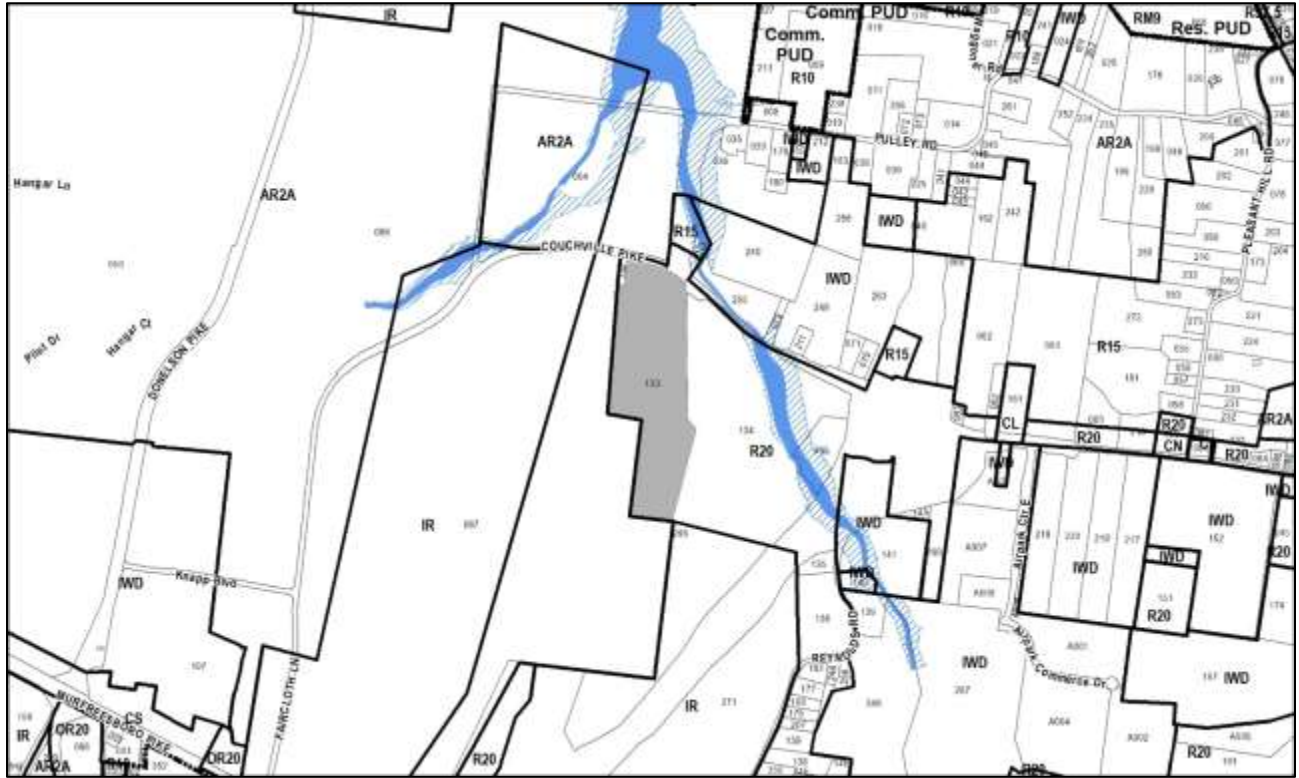
A request to modify the Villages of Riverwood Urban Design Overlay District for property located at Stonewater Drive (unnumbered), approximately 400 feet southwest of Hickory Brook Drive, zoned Multi-Family Residential (RM9) and within the Villages of Riverwood Urban Design Overlay District (23.35 acres), to change the 776 assisted living units to 210 multi-family residential units.

**STAFF RECOMMENDATION**

Staff recommends deferral to the February 25, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 02/11/21



**2021Z-017PR-001**  
Map 121, Parcel 133  
13, Antioch-Priest Lake  
29 (Delishia Porterfield)



<b>Project No.</b>	<b>Zone Change 2021Z-017PR-001</b>
<b>Council District</b>	29 – Porterfield
<b>School District</b>	7 – Player-Peters
<b>Requested by</b>	Energy Land and Infrastructure, applicant; Tommy C. Estes, owner.
<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Defer to the February 25, 2021 Planning Commission hearing.</i>

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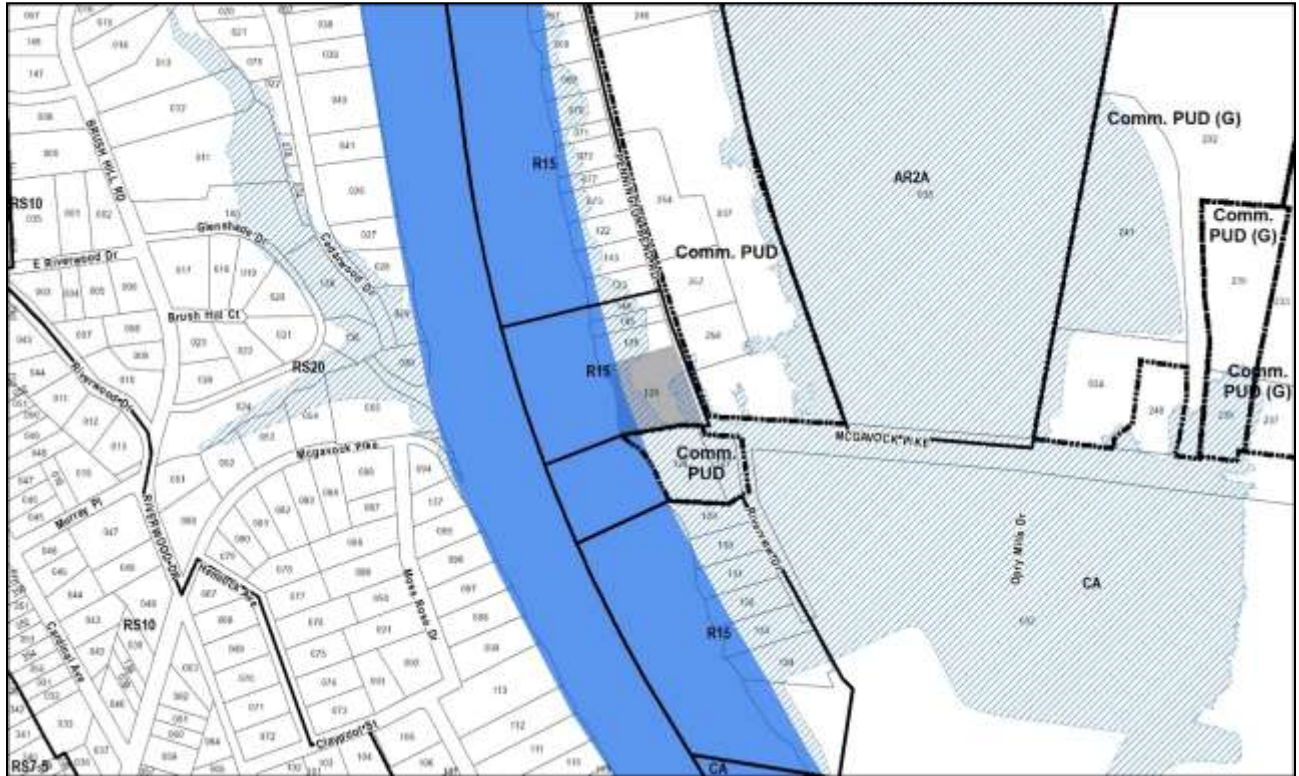
**APPLICANT REQUEST**  
**Zone change R20 to IWD.**

Zone Change  
A request to rezone from One and Two-Family Residential (R20) to Industrial Warehousing/ Distribution (IWD) zoning for property located at 2377 Couchville Pike, approximately 1,460 feet south of Pulley Road (34.77 acres).

**STAFF RECOMMENDATION**  
Staff recommends deferral to the February 25, 2021, Planning Commission hearing at the request of the applicant.



## Metro Planning Commission Meeting of 02/11/21



### **2021S-026-001**

SUBDIVISION OF THE TONY AND PAMELA ADAMS PROPERTY

Map 062-13, Parcel(s) 126

14, Donelson-Hermitage-Old Hickory

15 (Jeff Syracuse)



<b>Project No.</b>	<b>Final Plat 2021S-026-001</b>
<b>Project Name</b>	<b>Subdivision of the Tony and Pamela Adams Property</b>
<b>Council District</b>	15 – Syracuse
<b>School District</b>	4 – Little
<b>Requested by</b>	Clint T. Elliott Surveying, Inc., applicant; Tony and Pamela Adams, owners.
<b>Staff Reviewer</b>	Rickoff
<b>Staff Recommendation</b>	<i>Defer to the February 25, 2021, Planning Commission meeting.</i>

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**APPLICANT REQUEST**

**Request for final plat approval to create three lots.**

Final Plat

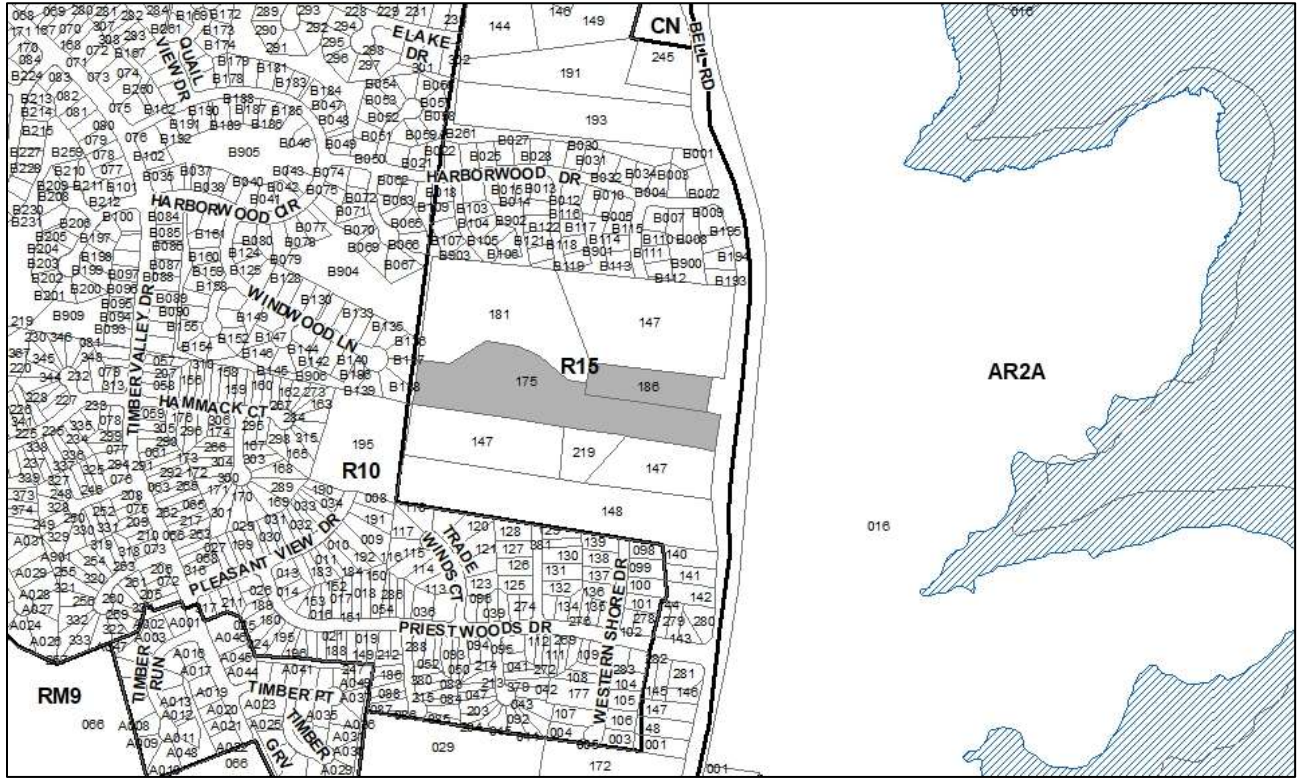
A request for final plat approval to create three lots on property located at 2203 Pennington Bend Road, at the western terminus of McGavock Pike, zoned One and Two-Family Residential (R15) (1.37 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the February 25, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 02/11/21



**2021S-014-001**  
**CARLTON ESTATES**  
Map 108, Parcel 175, 186  
14, Donelson – Hermitage – Old Hickory  
13 (Russ Bradford)





**Project No.** Concept Plan 2021S-014-001  
**Project Name** Carlton Estates  
**Council District** 13 – Bradford  
**School District** 7 – Player-Peters  
**Requested by** Jackie Dillehay, applicant; Jackie Lynn Pater, owner.

**Deferrals** This item was deferred at the January 21, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Lewis  
**Staff Recommendation** *Defer to the March 25, 2021, Planning Commission meeting.*

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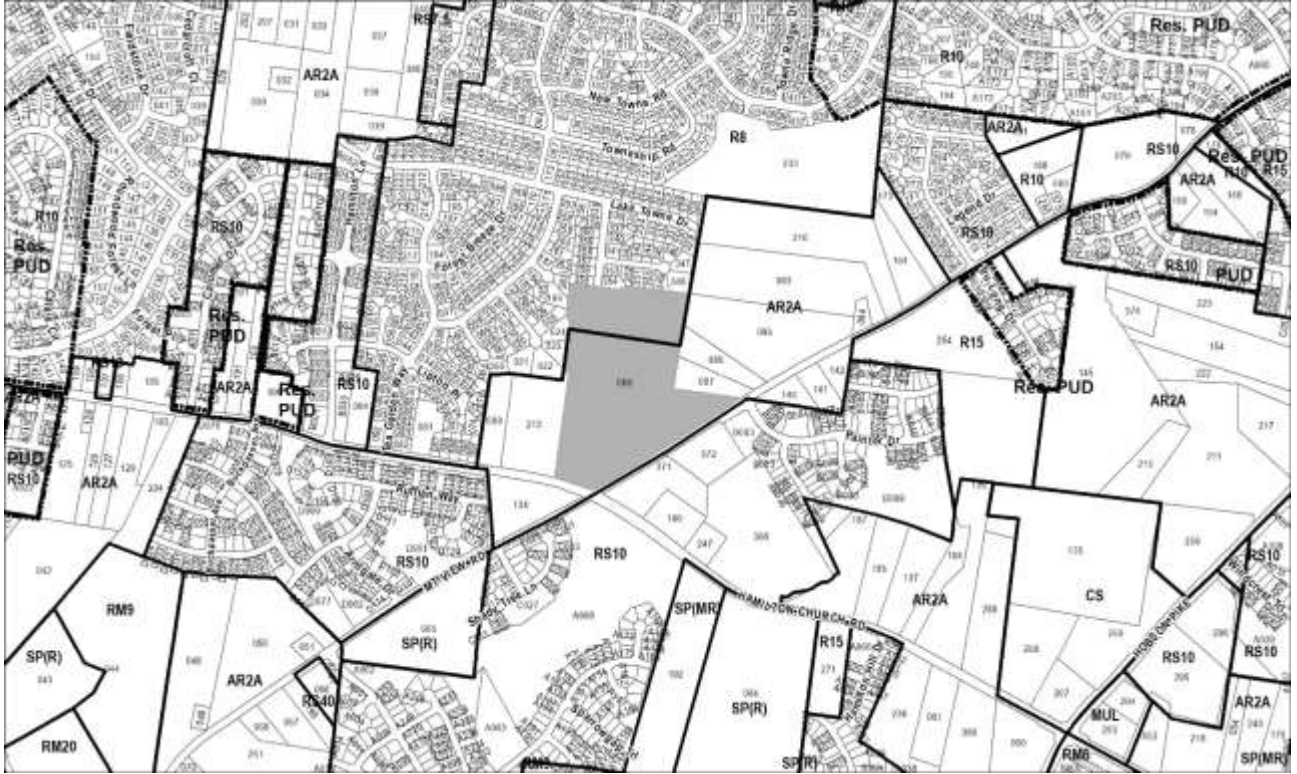
**APPLICANT REQUEST**  
**Concept plan approval to create 17 lots.**

Concept Plan  
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 One and Two-Family Residential (R15) (7.34 acres).

**STAFF RECOMMENDATION**  
Staff recommends deferral to the March 25, 2021, Planning Commission meeting at the request of the applicant.



## Metro Planning Commission Meeting of 02/11/21



### **2021SP-006-001**

6103 MT VIEW ROAD SP

Map 150, Parcel(s) 088

13, Antioch - Priest Lake

33 (Antoinette Lee)



<b>Project No.</b>	<b>Specific Plan 2021SP-006-001</b>
<b>Project Name</b>	<b>6103 Mt. View Road SP</b>
<b>Council District</b>	33 – Lee
<b>School District</b>	6 – Bush
<b>Requested by</b>	CSDG, applicant; Therese McClurg and Philip Burgess, owner.
<b>Staff Reviewer</b>	Napier
<b>Staff Recommendation</b>	<i>Defer to the February 25, 2021, Planning Commission meeting.</i>

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**APPLICANT REQUEST**

**Preliminary SP to permit 46 single family lots and 68 multi-family units.**

Preliminary SP

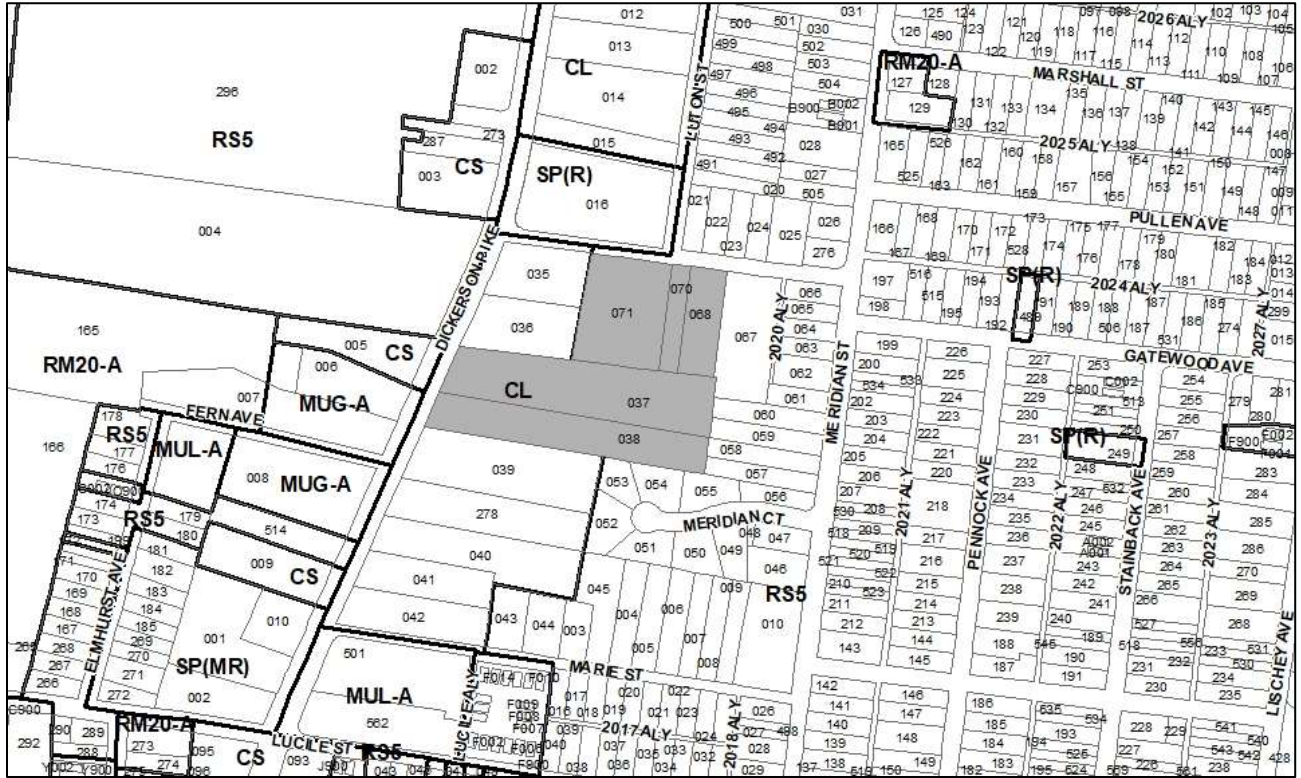
A request to rezone from One and Two-Family Residential (R8) and Agricultural/Residential (AR2a) to Specific Plan-Residential (SP-R) zoning for property located at 6103 Mt. View Road, at the northeast corner of Mt. View Road and Hamilton Church Road (22.18 acres), to permit 46 single family lots and 68 multi-family units.

**STAFF RECOMMENDATION**

Staff recommends deferral to the February 25, 2021, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 02/11/21



**2020SP-051-001**

1411 DICKERSON PIKE SP

Map 071-11, Parcel(s) 037-038, 068, 070-071

05, East Nashville

05 (Sean Parker)



**Project No.** Specific Plan 2020SP-051-001  
**Project Name** 1411 Dickerson Pike SP  
**Council District** 5 – Parker  
**School District** 05 - Buggs  
**Requested by** Smith Gee Studio, applicant; Donald E. & Michael E. Wall, and Tony Ray Clouse, owners.

**Deferrals** This item was deferred at the December 12, 2020, and January 21, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer** Lewis  
**Staff Recommendation** *Defer to the February 25, 2021, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Preliminary SP to permit a mixed-use development.**

Zone Change

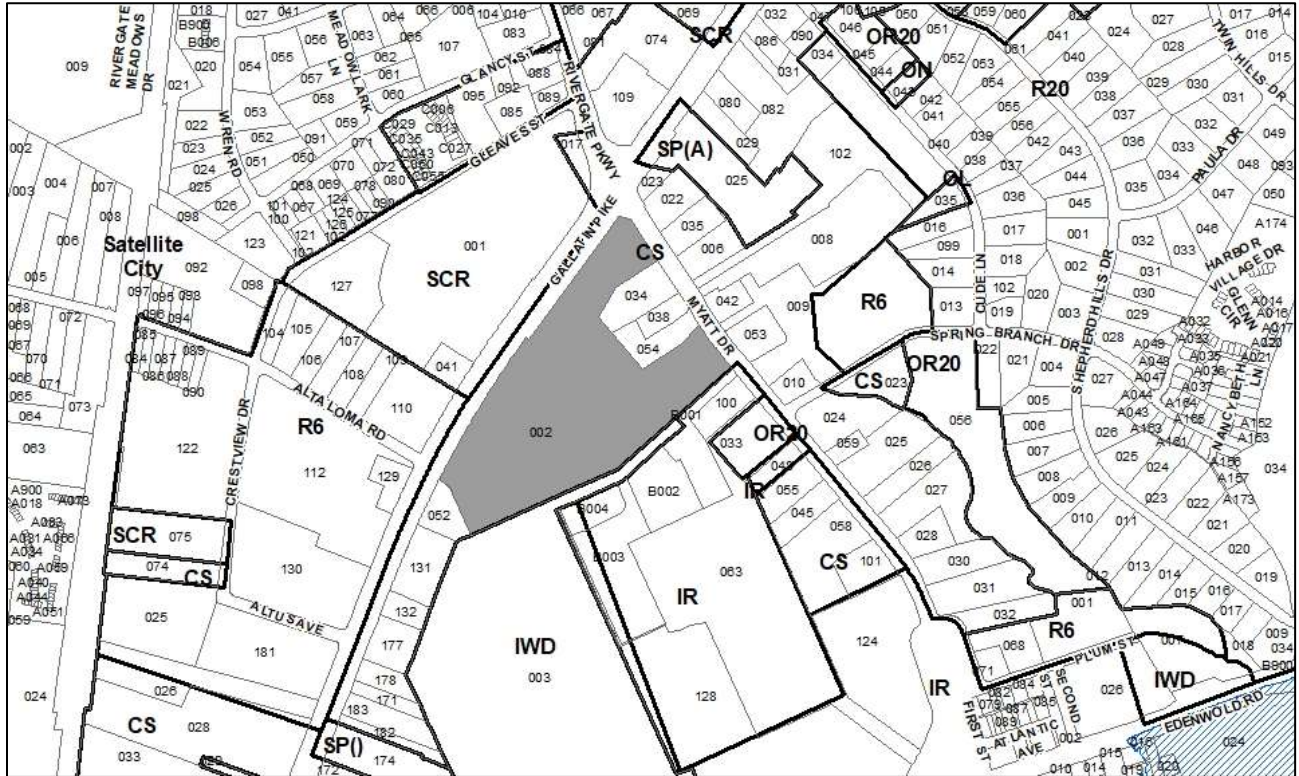
A request to rezone from Commercial Limited (CL) and Single-Family Residential (RS5) to Specific Plan – Mixed Use (SP-MU) zoning for properties located at 1411 and 1413 Dickerson Pike and 198, 200, and 204 Gatewood Avenue, approximately 260 feet east of Dickerson Pike, (6.77 acres), to permit a mixed-use development.

**STAFF RECOMMENDATION**

Staff recommends deferral to the February 25, 2021, Planning Commission meeting.



# Metro Planning Commission Meeting of 02/11/21



**2021S-015-001**

RIVERGATE STATION SEC 1 2<sup>ND</sup> RESUB OF LOT 2

Map 034-06, Parcel 002

04, Madison

10 (Zach Young)



<b>Project No.</b>	<b>Final Plat 2021S-015-001</b>
<b>Project Name</b>	<b>Rivergate Station Sec 1 2<sup>nd</sup> Resub of Lot 2</b>
<b>Council District</b>	10 – Young
<b>School District</b>	3 – Masters
<b>Requested by</b>	Gresham Smith, applicant; BAI Rivergate, LLC, owner.

Deferrals	This item was deferred at the January 21, 2021, Planning Commission meeting. No public hearing was held.
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<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Defer to the February 25, 2021 Planning Commission meeting.</i>

**APPLICANT REQUEST**

**Final plat approval to create three lots.**

Final Plat

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 Commercial Services (CS) (20.97 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the February 25, 2021, Planning Commission meeting at the request of the applicant.



**NO SKETCH**





<b>Project Nos.</b>	<b>Text Amendment 2020Z-014TX-001</b>
<b>Project Name</b>	<b>Outdoor Lighting</b>
<b>Council Bill No.</b>	BL2020-535
<b>Council District</b>	Countywide
<b>School District</b>	Countywide
<b>Requested by</b>	Councilmember Burkley Allen
<b>Staff Reviewer</b>	Hammer
<b>Staff Recommendation</b>	<i>Approve changes to Title 17 with a substitute.</i>

**APPLICANT REQUEST**

Amend Titles 16 and 17 of the Metropolitan Code pertaining to outdoor lighting.

**BACKGROUND**

NashvilleNext, Metro’s General Plan adopted in 2015, identifies energy conservation and efficiency as a county-wide goal due the effects inefficient energy use has on climate change. In 2016, the Livable Nashville Committee issued recommendations for protecting and enhancing Nashville’s livability and environmental quality including taking actions to reduce building resource-use with milestones for measuring success. The strategies identified included improving energy efficiency in residential, commercial, and institutional buildings and converting streetlights and traffic lights to LED luminaires. According to the U.S Department of Energy, approximately 35% of outdoor lighting is wasted by unshielded and poorly aimed lighting.

To begin to address energy efficiency and take steps toward meeting the goals outlined in NashvilleNext and the recommendations of the Livable Nashville Committee, Councilmember Allen has introduced legislation to amend portions of Chapter 16.20 and Chapter 17.28 of the Metro Zoning Ordinance. Chapter 16.20 establishes amendments to the National Electrical Code. Chapter 17.28 establishes environmental and operational performance standards for outdoor lighting, air pollution, contaminated soils, and storage of hazardous materials to mitigate different types of pollution and limit exposure to hazardous materials.

The existing standards for outdoor lighting in Chapter 17.28 are narrowly focused on light trespass and mitigating interference with safe vehicular movement. The chapter also bans the use of rope lighting adjacent to collector and arterial streets except within the Downtown Code. The proposed legislation does not modify or remove these light trespasses and rope lighting standards, it merely rearranges them within the section.

**PROCESS AND ENGAGEMENT**

Beginning in 2018, Councilmember Allen convened a working group of lighting professionals and representatives from Metro departments (including Planning) and community stakeholder institutions. The group discussed outdoor lighting regulations and a framework for modernizing relevant sections of the Metro Code, including Title 16 and 17. Other engagement, including with homebuilder professionals was also conducted. The proposed legislation is a more complete version of the work-in-progress that resulted from these dialogues. In January of 2021, Councilmember Allen held a virtual meeting for the public to discuss the proposed changes to Title 17.



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After the proposed legislation was referred to the Planning Commission, Planning staff also corresponded on several occasions with representatives of the Metro departments who will be either impacted by the legislation or involved in its implementation if adopted, as well as with the Councilmember. Feedback from all discussions was considered in the development and refinement of staff's recommendations.

### PROPOSED AMENDMENTS TO TITLE 16

Although the legislation includes changes to Title 16 – Buildings and Construction, this report will only address changes to Title 17 – Zoning.

### PROPOSED AMENDMENTS TO TITLE 17

**Note: this section below is the *original proposed amendment that Council referred to the Planning Commission in November 2020. The Planning staff is recommending a substitute to the 2020 text and that substitute is located in the Staff Recommendation section at the end of this report.***

The proposed bill as initially filed at Metro Council amends Chapter 17.28 of the Zoning Code by deleting Subsection 17.28.100 in its entirety and substituting the following (deleted text is shown in strike-thru; new text is shown in underline):

17.28.100 - Lighting.

The following standards shall apply in all districts:

~~A. All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one-half footcandle shall be permitted across the boundary of any adjacent residential property or a public street. When used in this chapter, the following words and terms shall have the meanings ascribed to them in this section. In the event of a conflict between a definition in this section and section 17.04.060, the definition in this section will control.~~

“Ambient lighting” means the general overall level of lighting in an area.

“Architectural lighting means outdoor lighting directed at buildings, facades, structures, monuments, and other architectural features.

“Canopy” means a roofed structure with at least one side open for pedestrian and/or vehicle access that typically provides protection from the sun or weather and is associated with providing goods or services.

“Commercial” means any lot, however zoned, in any zoning district that does not have as its primary use a single-family residential dwelling; a two, three, or four-family residential dwelling; or land used for agricultural purposes.

“Correlated color temperature (CCT)” means measured in degrees Kelvin (K), the absolute temperature of a blackbody whose chromaticity most nearly resembles that of the light source. For the purpose of this section, "CCT" is used as a simplified way to



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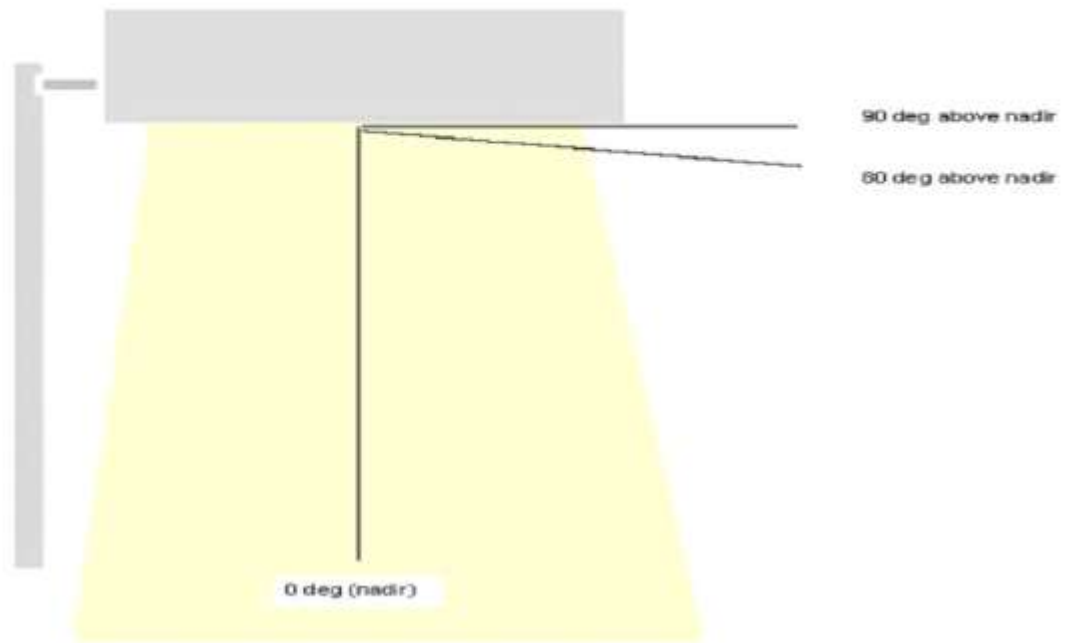
characterize the spectral properties of a light source and estimate the overall appearance of the light to the human eye.

“Floodlight” means a light designed for lighting a scene or object to a luminance greater than its surroundings.

“Foot-candle” means a unit of measure of illuminance equal to one lumen of light spread over an area of one square foot.

“Full cutoff luminaire” means a luminaire having zero intensity at or above horizontal (90°) and limited to a value not exceeding ten percent (10%) of lamp lumens at or above eighty degrees (80°). Such luminaire is determined by a photometric test and certified by the manufacturer. See diagram below:

### CUTOFF ANGLES



“Glare” means lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

“IES” means Illuminating Engineering Society Of North America.

“Illuminance” means the total luminous flux incident on a surface, per unit area.



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“Illuminance grid plot” means a photometric report indicating the average horizontal illumination delivered to each of the squares of a gridded area illuminated by one or more luminaires.

“Initial lumen” means the measurement of a lamp's lumen output at the time the lamp is burned for the first time. As a light ages, the amount of light produced is reduced.

“Installed height” means the height above grade of the lowest light emitting point of an installed luminaire.

”ISO foot-candle plots” means a plot that graphically represents a particular luminaire's lighting pattern, in illuminance, as the light strikes a horizontal surface. It includes foot-candle calculations shown with the luminaire at various mounting heights. Contour lines are drawn through illuminance values.

“Kelvin” means a unit increment of temperature used as a color temperature scale of a light bulb (see definition of "correlated color temperature (CCT)" in this section).

“LED (light emitting diode)” means an electronic semiconductor device that emits light when an electrical current is passed through it.

“Lamp” means the source of light being emitted from a luminaire, such as a bulb, LED, and/or a refractive pane.

“Light” means electromagnetic radiation within a range of wavelengths sufficient for visual perception by the normal unaided human eye.

“Light level” has the same meaning as Illuminance.

“Light output” means luminous flux (see definition of "luminous flux" in this section). The amount of light which is emitted by a lamp or luminaire.

“Light pole” means a pole on which a luminaire is mounted.

“Light spill” means unwanted transmission of light onto adjacent areas that may affect sensitive receptors such as residential properties or ecological sites.

“Light trespass” means light that falls on property other than that of the owner of the light source.

“Lighting installation” means an arrangement of one or more luminaires including any mounting hardware, brackets, and supporting structures.

“Lighting plan” means an overall plan that describes the outdoor lighting.

“Lumen” means a unit of measure of luminous flux.



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”Luminaire, Light luminaire” means the complete lighting assembly (including the lamp(s), housing, ballasts, photocells, globes, reflectors or refractors, lenses, sensors and shield(s) and excluding the support assembly or pole, mounting bracket and base) consisting of one or more lamps, together with the attachment parts designed to distribute light, position and connect the lamp to the power supply.

“Luminous flux” means the power emitted from a source of electromagnetic radiation, such as a light bulb, in the form of visible light. Luminous flux is measured in lumens and is typically specified by the manufacturer for a given lamp or luminaire.

“Nadir” means the “Nadir” means the direction pointing directly downward from the light source of the luminaire that originates from a horizontal plane at the lowest point on the luminaire. See diagram above.

“Neon light” means colored fluorescent or gas discharge tubular which can be bent into various forms for use decoratively or as signs.

“New construction,” subject to the exemption described in subsection B of this definition, means:

1. Site preparation for, and construction of, entirely new structures (including new poles) and subsequent replacement of such new structures or any part thereof.
2. Enlargement of any existing structure by the more restrictive of fifty percent (50%) of the area of the footprint of the building or fifty percent (50%) of the gross square footage of such existing structure (regardless of the number of other structures on the same site).
3. Adding new exterior lighting fixture(s), pole(s) or other amenity(ies) to existing structure(s) or pole(s) to which such fixture(s) were or are to be attached.

B. New construction does not mean the replacement of lamps in lighting fixtures, poles, or other amenities that existed prior to the passage of this ordinance.

“Open space and open space lot” means a parcel of land in a predominately undeveloped condition that is protected from development.

“Organized sporting event” means a prearranged sports or recreational event involving at least one group or team with a roster and schedule.

“Outdoor lighting” means light generated from an indoor or outdoor source that provides illumination to any exterior surface, building, sign, structure, device, or other outdoor feature (including land) which is visible to an observer located outdoors. For the purposes of this section,, the light source inside an internally illuminated sign is not considered outdoor lighting.



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“Photometric plan” means a technical plan that will indicate light distribution and the performance of lighting fixtures. It will explain the distribution of the proposed lighting and its effects on the area surrounding the site.

“Playing field” means an open outdoor field or court used for, but not limited to, playing sports such as baseball, soccer, football, tennis, volleyball, and basketball.

“Residential” means any zoning lot in a residential or agricultural zoning district that has as its primary use a residential dwelling.

“Street lighting” means one or more luminaires or light installations designed to illuminate a public roadway or intersection.

“Sidewalk lighting” means free-standing lighting for the illumination of sidewalks and walkways.

“Uplighting” means lighting applications which direct light above a horizontal plane.

~~B. No illumination shall produce direct, incident or reflected light that interferes with the safe movement of motor vehicles on public streets. Lighting prohibited by this provision shall include, but not be limited to any light that may be confused with or construed as a traffic control device.~~ Application of Provisions

This section shall be applicable to the following lighting applications for new construction only and the subsequent maintenance of all new construction:

1. Residential: Street, pedestrian, sign, flood, sidewalk, and parking lot luminaires are subject to all provisions of this chapter.
2. Residential: All other exterior lighting is subject to Section D5 only
3. Commercial: Any outdoor lighting luminaire.

~~C. Rope lighting shall not be used on a building, sign, or any property with non-residential zoning located adjacent to an arterial or collector street as identified on the Major and Collector Street Plan. This provision shall not apply to properties zoned as DTC.~~ Prohibited Lighting for New Construction

The following lighting shall not be permitted for new construction in any zoning district as of the effective date hereof:

1. Strobe lights and laser lights, including laser light shows and aerial laser lights.
2. Neon style colored light tubes
3. Flashing lights unless temporarily triggered by a security system and extinguished within thirty (30) minutes or at a time of security response.
4. Lighting which is used to outline a building, including neon, fiber optic, light emitting diode (LED), or fluorescent tube lighting which is used for this purpose (unless considered holiday lighting).
5. Any lighting luminaire that is construed as or confused with a traffic signal or traffic control device.



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6. Lighting that contributes to or causes disabling or distracting glare onto a public roadway.
7. The use of uplighting, except when lighting a flag or other government endorsed symbol.

### D. Illumination standards.

1. Light Intensity and Uniformity: The maximum illuminated surface light level for outdoor parking lots, automobile convenience stations and drive-in/drive-through canopies is ten (10) foot-candles, measured horizontally at ground level.
2. Light Direction and Control: Lighting applications shall meet the following requirements:

<u>Lighting Application</u>	<u>Maximum Inclination Above Nadir</u>	<u>Maximum Light Output</u>
<u>Architectural lighting</u>	<u>90 degrees</u>	<u>1,100 initial lumens</u>
<u>Floodlighting</u>	<u>90 degrees</u>	<u>2,200 initial lumens</u>
<u>Sidewalk lighting</u>	<u>45 degrees</u>	<u>800 initial lumens</u>

3. Correlated Color Temperature (CCT): All lighting sources, except for public playing fields, must have a correlated color temperature (CCT) at or below two thousand seven hundred degrees Kelvin (2700°K).
4. Permitted Hours of Outdoor Lighting:
  - a) Commercial: No more than fifty percent (50%) of exterior lighting shall be permitted to be illuminated, or lighting shall be dimmed to 50% illuminance except for one hour before start of business, during regular business hours as determined by said business, and one hour following close of business unless exempt for safety or security concerns. Motion detectors may be used to restore lighting to 100% for safety. All outdoor lighting shall be turned off during daylight hours.
  - b) Property Used for Governmental and Public Purposes: Any zoning lot in any zoning district used for governmental or public purposes, except for street lighting, shall comply with the permitted hours and security lighting limitations for commercial lighting zones. Outdoor lighting of the playing field of an organized sporting event on public property may remain illuminated until thirty (30) minutes after the conclusion of an event.
5. Light Trespass:
  - a) All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one-half foot-candle shall be permitted across the boundary of any adjacent residential property or a public street.



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- b) No illumination shall produce direct, incident or reflected light that interferes with the safe movement of motor vehicles on public streets. Lighting prohibited by this provision shall include, but not be limited to any light that may be confused with or construed as a traffic-control device.
- c) Rope lighting shall not be used on a building, sign, or any property with non-residential zoning located adjacent to an arterial or collector street as identified on the Major and Collector Street Plan. This provision shall not apply to properties zoned as DTC.

1. E. Luminaire standards Full Cutoff Requirement: All lighting regulated by this chapter shall be full cutoff.

2. Photocell/Timer Requirement for Parking Lot Lights: Parking lot lighting shall include photocells or timers as needed to regulate the hours of operation as required by this chapter and to prevent operation during daylight hours.

3. Canopy Requirement: All canopies must be skirted with a skirt depth of eight inches (8") or greater or use other means to limit light spill to within ten feet of the area covered by the canopy.

### F. Procedural requirements

1. Plan Submission: For applicable land development, redevelopment, and signage applications where outdoor lighting is proposed, prior to final approval by Metro Plans Inspection a letter from an engineer licensed with the state of Tennessee shall be submitted to the Department of Codes Administration confirming that the plan complies with the requirements of this section. Engineer review shall be based on the following information:

- a. A site plan complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and all adjacent uses. The site plan shall show and identify the location of each existing and proposed luminaire and shall specify its installed height, pole foundations, and method of mounting.
- b. Iso-foot-candle plots for individual lighting installations, or ten feet by ten feet (10' x 10') illuminance grid plots for multi-luminaire lighting installations which shall demonstrate compliance with all applicable requirements set forth in this chapter. The plots shall indicate the location of each existing and proposed luminaire, the installed height of said luminaires, and the overall light levels in foot-candles and initial lumens on the entire zoning lot and at the property lines.
- c. A summary table identifying the maximum and minimum light levels in foot-candles and initial lumens for all, but not limited to, parking areas,





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street or building entryways, signs, street lighting, canopies, architectural lighting and walkways.

- d. A description of each luminaire identified in the site plan including, but not limited to:
- i. Manufacturer with website.
  - ii. Lamp type.
  - iii. Bulb type including CCT (Kelvin).
  - iv. Model number.
  - v. Photograph or catalog cut.
  - vi. Photometric plan.
  - vii. Light output in initial lumens.
  - viii. Shielding or glare reduction devices.
  - ix. Energy reduction and on/off control devices.

2. Post approval Alterations: Post approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the zoning inspector for review by a Metro appointed engineer at the expense of the applicant and approval prior to final plat, with all plan submission requirements set forth in this chapter, prior to installation.

3. Inspections: The Department of Codes Administration shall have the right to conduct a post installation inspection to verify compliance with the requirements of this chapter and, if appropriate, to require remedial action within 30 days at the expense of the applicant.

4. Violations of this chapter shall be punishable as provided by section 17.28-100 <<http://www.sterlingcodifiers.com/codebook/getBookData.php?ft=3&find=5-1-6>> of this code.

5. Variances: Variances to the requirements of this chapter may be granted by the Board of Zoning Appeals as provided in Section 17.40.330 of the Metropolitan Code.

### **SUMMARY OF CURRENT CODE, LEGISLATION AND PROPOSED SUBSTITUTE**

The legislation as originally filed proposed amendments to Chapter 16.20 and Chapter 17.28 of the Zoning Code. Based on feedback and text review, staff proposes a substitute ordinance. The substitute includes changes recommended by staff in consultation with the filing Councilmember. It clarifies definitions, exempts properties that have zoning which purposefully calibrates outdoor lighting and corrects syntax errors.



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### ANALYSIS OF BL2020-535

Generally, the proposed updates will bring various sections of the Zoning Ordinance closer in line with NashvilleNext goals to conserve energy by improving energy conservation and efficiency. This section will detail the changes proposed by the bill filed at Metro Council in 2020.

The bill, as filed, is intended to require new construction, which includes new buildings, significant additions or enlargements, and new exterior luminaires, to limit uplight. The legislation is intended to apply to multifamily and commercial sites, specifically excluding single and two-family uses, as well as agricultural uses. All uses are currently subject to light trespass limitations and the intent of this bill is to continue those limitations within the structure of this ordinance. The legislation has several main standards that must be met on applicable buildings and sites, including signage.

#### Parking Lot Light Limitations

The bill limits the illuminated surface light level for outdoor parking lots, automobile convenience stations and drive-in/drive-through canopies to ten (10) foot-candles, measured horizontally at ground level.

#### Directional, Color, and Intensity Controls

Limits are placed on the direction and intensity (measured in lumens) of lighting depending on whether it is architectural lighting, floodlighting, or sidewalk lighting. The legislation, as submitted, also regulates lighting quality by placing a limitation of 2,700 kelvin on all luminaires. Color temperatures 3,000 kelvin and below are considered warm temperatures, while those above 3,000 kelvin are considered cool temperatures. Warm temperatures are considered more natural and are preferred for most outdoor applications, while cool temperatures are more often found in office or manufacturing contexts. The bill also prohibits some types of lighting including neon style color tubes and flashing lights.

#### Timing and Dimming Controls

The bill requires that all lighting regulated by this chapter be full cutoff, meaning that no light is visible above 90 degrees from nadir. This limits direct uplight by placing opaque materials between the light source and the sky.



Figure 1: Example of parking lot lighting using 10 foot-candles. Credit: Foot Candle Reference Guide

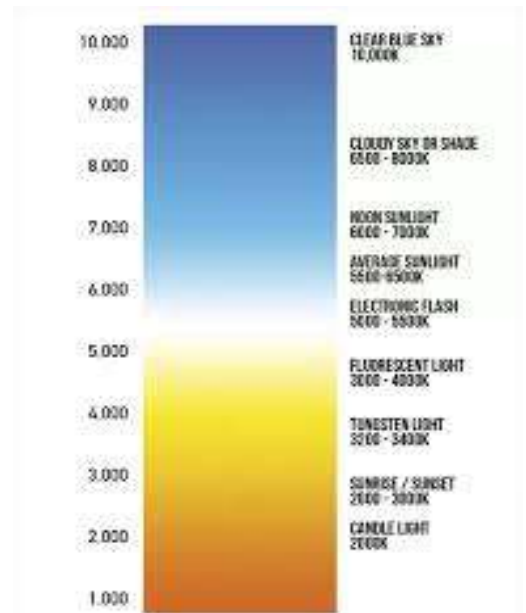


Figure 2: Descending color temperature scale measured in kelvin. Credit: Medium



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The bill also requires that parking lot lighting use timers or sensors to limit energy waste caused by using outdoor lighting during daylight or outside of hours of operation. It also requires that canopies, like those on gasoline stations, be skirted to limit light spill to the general area required to properly use the services under the canopy.

Finally, the regulation requires that all commercial exterior lighting be reduced by half or dimmed to half strength outside of general hours of operation, including one leading hour and one trailing hour unless the lighting is exempt due for life/safety purposes. The regulation specifically allows lighting to be triggered by motion sensors.

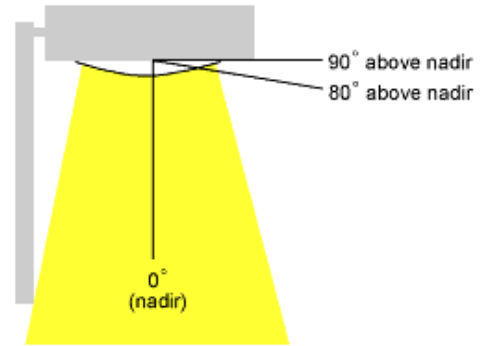


Figure 3: Nadir as shown on a full cutoff luminaire. Credit: Rensselaer Polytechnic Institute

### Enforcement

The bill's enforcement mechanism is a letter that must be returned by a qualified engineer that states that the lighting plan for the permit applicable permits where lighting is proposed. Variances and penalties for noncompliance are handled in the same way that other variances and penalties are assessed for other zoning requirements.

### **ANALYSIS OF STAFF SUBSTITUTE**

Generally, the differences between BL2020-535 and the staff substitute focus on clarifications and exemptions to the regulations where an overriding public interest exists. The content of the substitute is meant to strengthen the intent of the original bill and has been coordinated with the sponsor of this bill.

### Clarifications on Applicability

The intent of this bill is to apply the full complement of outdoor lighting standards to commercial and multifamily properties but to limit the applicability of the standards to single-family and duplex residential. To clarify this, staff has proposed changes to the definitions of "residential" and "commercial" within subsection A. As the intent of the bill is to also regulate externally illuminated signage, the staff substitute bill clarifies that it applies to signage applications with external illumination.

### Color Temperature Adjustments

BL2020-535 sets the maximum color temperature at 2,700 kelvin, which produces a warm color temperature. In consultations with the lighting designers that staff has conducted, staff has learned that 2,700 kelvin lighting is difficult to procure and that 3,000 kelvin lighting will still produce a warm color temperature, but is more widely available.

### Prohibited and Exempt Lighting

The signage chapter of Title 17 creates a framework for signage regulation that includes circumstances where signs are exempt from the regulations and circumstances where a sign is expressly prohibited. Staff is recommending that this section follow that framework in establishing circumstances where luminaires may be exempt and circumstances where all applications are expressly prohibited.



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The staff substitute includes an additional section entitled “Exempt Lighting” be added to detail outdoor lighting that is exempt from the requirements due to an overriding public interest. These exempt lights include those used for life-safety, emergency, as well as temporary lights associated with theatrical, television, performance areas, and construction, specifically excluding searchlights used to advertise the location of an event. Lighting within two Historic Preservation Zoning Overlays, the Broadway HPZO and Second Avenue HPZO, is also exempt, as the regulations for

BL2020-535 included a section that prohibits several types of outdoor lighting, including uplighting, flashing lights, and neon-colored light tubes. These prohibitions are not altered from the original bill, they are merely grouped in a section after “Exempt Lighting”.

### Limitations on Total Lumens

The sponsor of this bill has indicated that although the original BL2020-535 places limits on individual lumens, it does not use the best practice of setting lumen limitations on a sitewide basis. The proposed language creates a calculation for the limitation that is based on the number of entryways to be lighted and the square footage of the site hardscape, as hardscape is customarily used to convey pedestrians or vehicles across a site.

It also establishes an alternative to complying with this for engineers who are familiar with the Dark Skies Association’s Model Lighting Ordinance framework, which establishes acceptable lumen levels based on the context of a site across a transect. The councilmember has indicated that these lighting zones will correspond to certain transect policy areas of Nashville Next. For example, land shown within one of the T3 Suburban policies would be limited by lumens corresponding to Lighting Zone 2 of the Model Lighting Ordinance. Either compliance path is an acceptable way to meet the requirements of this subsection regardless of which compliance path is calculated to be more restrictive.

### Enforcement and Appeals Clarification

Post-alterations approvals must be completed before an associated Use and Occupancy permit can be issued, whereas BL2020-535 requires them before a final plat. As often a plat is not a step of the development process for these types of applications, but complicated new construction projects will require a Use and Occupancy permit. BL2020-535 also has a null reference to the penalty section of the zoning code and this substitute identifies the correct section for zoning infractions.

### **ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken to this bill.

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### **STAFF RECOMMENDATION**

Staff recommends approval with a substitute.

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## Metro Planning Commission Meeting of 02/11/21

### SUBSTITUTE ORDINANCE NO. BL2020-535

An ordinance amending 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~~ Sky Association guidelines (Proposal No. 2020Z-014TX-001).

WHEREAS, although artificial lighting has enabled people to be productive around the clock and has provided many benefits to civilization, an unfortunate side effect of artificial lighting is light pollution, which can have multiple negative consequences if not minimized; and

WHEREAS, light pollution of adjacent properties or of the night sky results from using too much light, directing it where it is not needed, or using it when it is not needed; and

WHEREAS, light pollution in the U.S. is estimated to waste up to 35% of the energy used for outdoor lighting, enough to power two cities the size of New York, resulting in five million tons of greenhouse gas being emitted into the air unnecessarily, costing three billion dollars in wasted energy, and squandering limited energy resources; and

WHEREAS, light pollution has significant environmental effects, including the alteration of the circadian rhythms of many animals and insects who depend on the natural light / dark cycle of day and night and the disruption of seasonal cycles used by migrating birds, sea turtles, and many other animals; and

WHEREAS, research suggests that artificial light at night can negatively affect human health, increasing risks for obesity, depression, sleep disorders, diabetes, breast cancer and more; and

WHEREAS, light pollution reduces the ability to see the constellations of the night sky, an invaluable source of wonder and curiosity, diminishing the opportunity to draw our children into fascination with Science Technology, Engineering, and Math (STEM) education; and

WHEREAS, the Livable Nashville Committee was convened in 2016 to develop a vision for protecting and enhancing Nashville's livability and environmental quality, and one of the committee's general recommendations was to structure the Metro Code and its enforcing Department around achieving sustainability goals; and

WHEREAS, among the specific recommendations of the Livable Nashville Committee was (1) the conversion of all street lights within the Urban Services District to LED to meet the International Dark-Sky Association's guidelines; and (2) the conversion of all traffic lights to LED by 2020; and

WHEREAS, the Mayor's Sustainability Advisory Committee has been convened to advise and support the City's commitment to develop a Climate Action and to provide advice on a range of sustainability issues with a goal of tackling climate change and driving urban action that reduces greenhouse gas emissions; and the energy savings from Dark Skies lighting design are consistent with these goals.



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

Section 1. That Section 16.20.150 of the Metropolitan Code of Laws is hereby amended by adding subsections 16.20.150(T) and 16.20.150(U) as follows:

(T) Article 410.10 (OR 300.21) of the 2017 Edition of the National Electrical Code is amended by adding the following:

Parking Lots - Open parking lots shall use luminaires with a “U” BUG rating (Backlight Uplighting Glare) of 0 without external shields. Luminaires shall have a Correlated Color Temperature (CCT) of 2,700 Kelvin or below. Principal walkways and parking shall have a maintained minimum illuminance of 0.2 foot-candles at grade and with a 12:1 maximum to minimum. The average light level is not to exceed 1.0 foot-candles. Spill light at the property line shall not exceed 0.1 foot-candles measured at 3’ above grade. Exception may be given for calculation points on the drive between the parking lot and roadway only. Luminaires shall be controlled by occupancy sensor after business hours or between the hours of 11 p.m. to 4 a.m., at a minimum. Occupancy sensor may turn lights off or dim to 20% during periods of no occupancy. Prior to installation, a photometric plan shall be reviewed by a certifying engineer with calculation points on a 10’ X 10’ grid.

(U) Exterior lighting design for buildings shall be consistent with the requirements of Section 17.28.100.

Section 2. That Section 17.28.100 shall be deleted in its entirety and replaced as follows:

17.28.100 - Lighting.

### A. Definitions Specific to this Section

When used in this chapter, the following words and terms shall have the meanings ascribed to them in this section. In the event of a conflict between a definition in this section and section 17.04.060, the definition in this section will control.

“Ambient lighting” means the general overall level of lighting in an area.

“Architectural lighting means outdoor lighting directed at buildings, facades, structures, monuments, and other architectural features.

“Canopy” means a roofed structure with at least one side open for pedestrian and/or vehicle access that typically provides protection from the sun or weather and is associated with providing goods or services.

“Commercial” means any lot, however zoned, in any zoning district that does not have as its primary use a single-family or two-family residential dwelling; ~~a two, three, or four-family residential dwelling~~; or land used for agricultural purposes.



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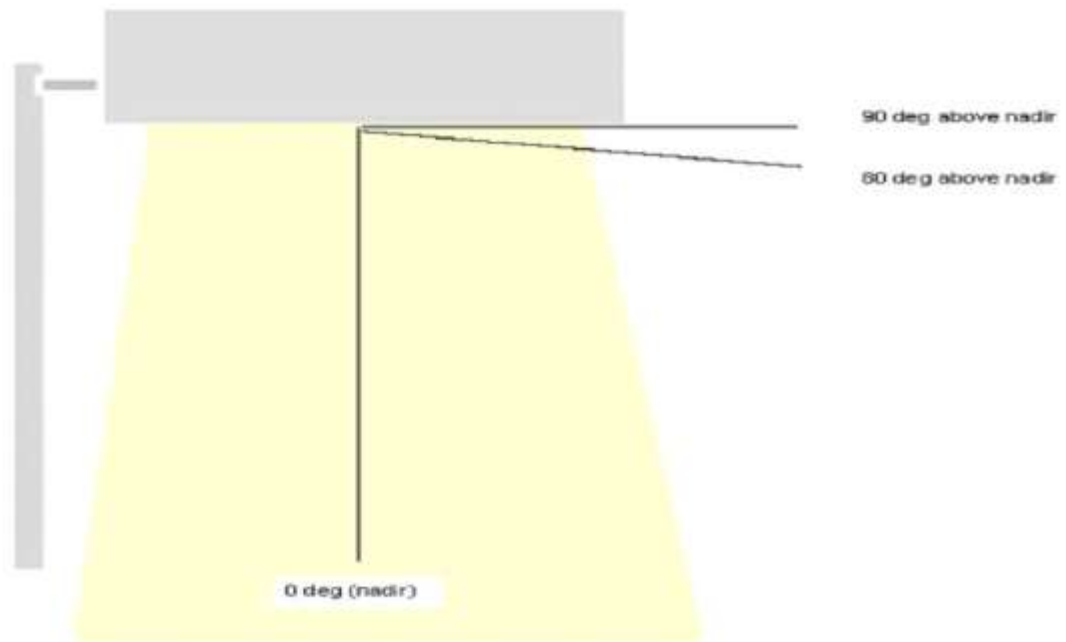
“Correlated color temperature (CCT)” means measured in degrees Kelvin (K), the absolute temperature of a blackbody whose chromaticity most nearly resembles that of the light source. For the purpose of this section, "CCT" is used as a simplified way to characterize the spectral properties of a light source and estimate the overall appearance of the light to the human eye.

“Floodlight” means a light designed for lighting a scene or object to a luminance greater than its surroundings.

“Foot-candle” means a unit of measure of illuminance equal to one lumen of light spread over an area of one square foot.

“Full cutoff luminaire” means a luminaire having zero intensity at or above horizontal (90°) and limited to a value not exceeding ten percent (10%) of lamp lumens at or above eighty degrees (80°). Such luminaire is determined by a photometric test and certified by the manufacturer. See diagram below:

### CUTOFF ANGLES



“Glare” means lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

“IES” means Illuminating Engineering Society Of North America.



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“Illuminance” means the total luminous flux incident on a surface, per unit area.

“Illuminance grid plot” means a photometric report indicating the average horizontal illumination delivered to each of the squares of a gridded area illuminated by one or more luminaires.

“Initial lumen” means the measurement of a lamp's lumen output at the time the lamp is burned for the first time. As a light ages, the amount of light produced is reduced.

“Installed height” means the height above grade of the lowest light emitting point of an installed luminaire.

”ISO foot-candle plots” means a plot that graphically represents a particular luminaire's lighting pattern, in illuminance, as the light strikes a horizontal surface. It includes foot-candle calculations shown with the luminaire at various mounting heights. Contour lines are drawn through illuminance values.

“Kelvin” means a unit increment of temperature used as a color temperature scale of a light bulb (see definition of "correlated color temperature (CCT)" in this section).

“LED (light emitting diode)” means an electronic semiconductor device that emits light when an electrical current is passed through it.

“Lamp” means the source of light being emitted from a luminaire, such as a bulb, LED, and/or a refractive pane.

“Light” means electromagnetic radiation within a range of wavelengths sufficient for visual perception by the normal unaided human eye.

“Light level” has the same meaning as Illuminance.

“Light output” means luminous flux (see definition of "luminous flux" in this section). The amount of light which is emitted by a lamp or luminaire.

“Light pole” means a pole on which a luminaire is mounted.

“Light spill” means unwanted transmission of light onto adjacent areas that may affect sensitive receptors such as residential properties or ecological sites.

“Light trespass” means light that falls on property other than that of the owner of the light source.

“Lighting installation” means an arrangement of one or more luminaires including any mounting hardware, brackets, and supporting structures.

“Lighting plan” means an overall plan that describes the outdoor lighting.





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“Lumen” means a unit of measure of luminous flux.

”Luminaire, Light luminaire” means the complete lighting assembly (including the lamp(s), housing, ballasts, photocells, globes, reflectors or refractors, lenses, sensors and shield(s) and excluding the support assembly or pole, mounting bracket and base) consisting of one or more lamps, together with the attachment parts designed to distribute light, position and connect the lamp to the power supply.

“Luminous flux” means the power emitted from a source of electromagnetic radiation, such as a light bulb, in the form of visible light. Luminous flux is measured in lumens and is typically specified by the manufacturer for a given lamp or luminaire.

“Nadir” means ~~the “Nadir” means~~ the direction pointing directly downward from the light source of the luminaire that originates from a horizontal plane at the lowest point on the luminaire. See diagram above.

“Neon light” means colored fluorescent or gas discharge tubular which can be bent into various forms for use decoratively or as signs.

“New construction,” subject to the exemption described in subsection ~~B~~4 of this definition, means:

1. Site preparation for, and construction of, entirely new structures (including new poles) and subsequent replacement of such new structures or any part thereof.
2. Enlargement of any existing structure by the more restrictive of fifty percent (50%) of the area of the footprint of the building or fifty percent (50%) of the gross square footage of such existing structure (regardless of the number of other structures on the same site).
3. Adding new exterior lighting fixture(s), pole(s) or other amenity(ies) to existing structure(s) or pole(s) to which such fixture(s) were or are to be attached.
4. New construction does not mean the replacement of lamps in lighting fixtures, poles, or other amenities that existed prior to the passage of this ordinance.

~~B. New construction does not mean the replacement of lamps in lighting fixtures, poles, or other amenities that existed prior to the passage of this ordinance.~~

“Open space and open space lot” means a parcel of land in a predominately undeveloped condition that is protected from development.

“Organized sporting event” means a prearranged sports or recreational event involving at least one group or team with a roster and schedule.



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“Outdoor lighting” means light generated from an indoor or outdoor source that provides illumination to any exterior surface, building, sign, structure, device, or other outdoor feature (including land) which is visible to an observer located outdoors. For the purposes of this section, the light source inside an internally illuminated sign is not considered outdoor lighting.

“Photometric plan” means a technical plan that will indicate light distribution and the performance of lighting fixtures. It will explain the distribution of the proposed lighting and its effects on the area surrounding the site.

“Playing field” means an open outdoor field or court used for, but not limited to, playing sports such as baseball, soccer, football, tennis, volleyball, and basketball.

“Residential” means any zoning lot in a residential or agricultural zoning district that has as its primary use a ~~residential dwelling~~ single-family home or duplex.

“Street lighting” means one or more luminaires or light installations designed to illuminate a ~~public~~ private roadway or intersection.

“Sidewalk lighting” means free-standing lighting for the illumination of sidewalks and walkways.

“Uplighting” means lighting applications which direct light above a horizontal plane.

### B. Application of Provisions

This section shall be applicable to the following lighting applications ~~for new construction only and the subsequent maintenance of all new construction~~:

- ~~1. Residential: Street, pedestrian, sign, flood, sidewalk, and parking lot luminaires are subject to all provisions of this chapter.~~
- ~~2. Residential and Agricultural: All other exterior lighting is subject to Section DE5 only~~
- ~~3. Commercial: For new construction only and the subsequent maintenance of all new construction. Any outdoor lighting luminaire.~~

### C. ~~Prohibited Lighting for New Construction~~ Exempt Outdoor Lighting

~~The following lighting shall not be permitted for new construction in any zoning district as of the effective date hereof:~~

- ~~1. Strobe lights and laser lights, including laser light shows and aerial laser lights.~~
- ~~2. Neon style colored light tubes~~
- ~~3. Flashing lights unless temporarily triggered by a security system and extinguished within thirty (30) minutes or at a time of security response.~~



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- 4. ~~Lighting which is used to outline a building, including neon, fiber optic, light emitting diode (LED), or fluorescent tube lighting which is used for this purpose (unless considered holiday lighting).~~
- 5. ~~Any lighting luminaire that is construed as or confused with a traffic signal or traffic control device.~~
- 6. ~~Lighting that contributes to or causes disabling or distracting glare onto a public roadway.~~
- 7. ~~The use of uplighting, except when lighting a flag or other government endorsed symbol.~~

The following lighting is exempt from the provisions of these outdoor lighting regulations for new construction in any zoning district as of the effective date hereof, provided such activities are permitted by this Title:

- 1. Temporary lighting for theatrical, television, performance areas and construction sites, specifically excluding upward-facing searchlights used to advertise the location of an event.
- 2. Lighting that is otherwise required for a life-safety purpose within the Metropolitan Code.
- 3. Lighting that is only erected or used under emergency conditions.
- 4. Lighting located within the Second Avenue Historic Preservation Zoning Overlay or Broadway Historic Preservation Zoning Overlay.

### D. Illumination Standards Prohibited Outdoor Lighting

- ~~1. Light Intensity and Uniformity: The maximum illuminated surface light level for outdoor parking lots, automobile convenience stations and drive in/drive through canopies is ten (10) foot candles, measured horizontally at ground level.~~
- ~~2. Light Direction and Control: Lighting applications shall meet the following requirements:~~

<del>Lighting Application</del>	<del>Maximum Inclination Above Nadir</del>	<del>Maximum Light Output</del>
<del>Architectural lighting</del>	<del>90 degrees</del>	<del>1,100 initial lumens</del>
<del>Floodlighting</del>	<del>90 degrees</del>	<del>2,200 initial lumens</del>
<del>Sidewalk lighting</del>	<del>45 degrees</del>	<del>800 initial lumens</del>

- ~~3. Correlated Color Temperature (CCT): All lighting sources, except for public playing fields, must have a correlated color temperature (CCT) at or below two thousand seven hundred degrees Kelvin (2700°K).~~

- ~~4. Permitted Hours of Outdoor Lighting:~~



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- ~~a) Commercial: No more than fifty percent (50%) of exterior lighting shall be permitted to be illuminated, or lighting shall be dimmed to 50% illuminance except for one hour before start of business, during regular business hours as determined by said business, and one hour following close of business unless exempt for safety or security concerns. Motion detectors may be used to restore lighting to 100% for safety. All outdoor lighting shall be turned off during daylight hours.~~
- ~~b) Property Used for Governmental and Public Purposes: Any zoning lot in any zoning district used for governmental or public purposes, except for street lighting, shall comply with the permitted hours and security lighting limitations for commercial lighting zones. Outdoor lighting of the playing field of an organized sporting event on public property may remain illuminated until thirty (30) minutes after the conclusion of an event.~~

### 2. Light Trespass:

- ~~a) All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one half foot candle shall be permitted across the boundary of any adjacent residential property or a public street.~~
- ~~b) No illumination shall produce direct, incident or reflected light that interferes with the safe movement of motor vehicles on public streets. Lighting prohibited by this provision shall include, but not be limited to any light that may be confused with or construed as a traffic control device.~~
- ~~c) Rope lighting shall not be used on a building, sign, or any property with non-residential zoning located adjacent to an arterial or collector street as identified on the Major and Collector Street Plan. This provision shall not apply to properties zoned as DTC.~~

~~1. E. Luminaire standards Full Cutoff Requirement: All lighting regulated by this chapter shall be full cutoff.~~

~~2. Photocell/Timer Requirement for Parking Lot Lights: Parking lot lighting shall include photocells or timers as needed to regulate the hours of operation as required by this chapter and to prevent operation during daylight hours.~~

~~3. Canopy Requirement: All canopies must be skirted with a skirt depth of eight inches (8") or greater or use other means to limit light spill to within ten feet of the area covered by the canopy.~~

The following lighting shall not be permitted for new construction in any zoning district as of the effective date hereof:

1. Strobe lights and laser lights, including laser light shows and aerial laser lights.



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2. Neon style colored light tubes.
3. Flashing lights unless temporarily triggered by a security system and extinguished within thirty (30) minutes or at a time of security response.
4. Lighting which is used to outline a building, including neon, fiber optic, light emitting diode (LED), or fluorescent tube lighting which is used for this purpose (unless considered temporary holiday lighting).
5. Any lighting luminaire that is construed as or confused with a traffic signal or traffic control device.
6. Lighting that contributes to or causes disabling or distracting glare onto a public roadway.
7. The use of uplighting, except when lighting a flag or other government endorsed symbol.

### E. Illumination standards.

#### 1. Light Intensity and Uniformity:

- a. The maximum illuminated surface light level at any point outdoor parking lots, automobile convenience stations and drive-in/drive-through canopies is ten (10) foot-candles, measured horizontally at ground level.
- b. The total installed initial luminaire lumens of all exterior lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be the sum of 7,000 base lumens for all entrances and facades plus 2.5 lumens per square foot of hardscape.
- c. As an alternative to compliance with the foregoing provisions of this section, an applicant may choose to comply with The International Dark Sky Association (IDA) model legislation of June 2011 (located at [https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/16\\_MLO\\_FINAL\\_JUNE2011.PDF](https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF)). Lighting Zones in the model legislation shall correlate to the Transect Category for the site as designated in the Community Plans of NashvilleNext as follows:

T1 Natural	LZ-0
T2 Rural	LZ-1
T3 Suburban	LZ-2
T4 Urban	LZ-2
T5 Center	LZ-2
T6 Downtown	LZ-3
D District	LZ-4



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d. Light Direction and Control: Lighting applications shall meet the following requirements:

<u>Lighting Application</u>	<u>Maximum Inclination Above Nadir</u>
<u>Architectural lighting</u>	<u>90 degrees</u>
<u>Floodlighting</u>	<u>90 degrees</u>
<u>Sidewalk lighting</u>	<u>90 degrees</u>

3. Correlated Color Temperature (CCT): All lighting sources, except for public playing fields, must have a correlated color temperature (CCT) at or below three thousand degrees Kelvin (3000°K).

4. Permitted Hours of Outdoor Lighting:

a. Commercial: No more than fifty percent (50%) of exterior lighting shall be permitted to be illuminated, or lighting shall be dimmed to 50% illuminance except for one hour before start of business, during regular business hours as determined by said business, and one hour following close of business unless exempt for safety or security concerns. Motion detectors may be used to restore lighting to 100% for safety. All outdoor lighting shall be turned off during daylight hours.

b. Property Used for Governmental and Public Purposes: Any zoning lot in any zoning district used for governmental or public purposes, except for street lighting, shall comply with the permitted hours and security lighting limitations for commercial lighting zones. Outdoor lighting of the playing field of an organized sporting event on public property may remain illuminated until thirty (30) minutes after the conclusion of an event.

5. Light Trespass:

a. All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one-half foot-candle shall be permitted across the boundary of any adjacent residential property or a public street.

b. No illumination shall produce direct, incident or reflected light that interferes with the safe movement of motor vehicles on public streets. Lighting prohibited by this provision shall include, but not be limited to any light that may be confused with or construed as a traffic-control device.

c. Rope lighting shall not be used on a building, sign, or any property with non-residential zoning located adjacent to an arterial or collector street as identified on the Major and Collector Street Plan. This provision shall not apply to properties zoned as DTC.



## Metro Planning Commission Meeting of 02/11/21

### F. Procedural requirements Luminaire standards

~~1. Plan Submission: For land development, redevelopment and new zoning applications where outdoor lighting is proposed, prior to final approval by Metro Plans Inspection a letter from an engineer licensed with the state of Tennessee shall be submitted to the Department of Codes Administration confirming that the plan complies with the requirements of this section. Engineer review shall be based on the following information:~~

~~a. A site plan complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and all adjacent uses. The site plan shall show and identify the location of each existing and proposed luminaire and shall specify its installed height, pole foundations, and method of mounting.~~

~~b. Iso foot candle plots for individual lighting installations, or ten feet by ten feet (10' x 10') illuminance grid plots for multi-luminaire lighting installations which shall demonstrate compliance with all applicable requirements set forth in this chapter. The plots shall indicate the location of each existing and proposed luminaire, the installed height of said luminaires, and the overall light levels in foot candles and initial lumens on the entire zoning lot and at the property lines.~~

~~c. A summary table identifying the maximum and minimum light levels in foot candles and initial lumens for all, but not limited to, parking areas, street or building entryways, signs, street lighting, canopies, architectural lighting and walkways.~~

~~d. A description of each luminaire identified in the site plan including, but not limited to:~~

~~i. Manufacturer with website.~~

~~ii. Lamp type.~~

~~iii. Bulb type including CCT (Kelvin).~~

~~iv. Model number.~~

~~v. Photograph or catalog cut.~~

~~vi. Photometric plan.~~

~~vii. Light output in initial lumens.~~

~~viii. Shielding or glare reduction devices.~~



## Metro Planning Commission Meeting of 02/11/21

### ~~ix. Energy reduction and on/off control devices.~~

~~2. Post approval Alterations: Post approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the zoning inspector for review by a Metro appointed engineer at the expense of the applicant and approval prior to final plat, with all plan submission requirements set forth in this chapter, prior to installation.~~

~~3. Inspections: The Department of Codes Administration shall have the right to conduct a post installation inspection to verify compliance with the requirements of this chapter and, if appropriate, to require remedial action within 30 days at the expense of the applicant.~~

~~4. Violations of this chapter shall be punishable as provided by section 17.28-100 <<http://www.sterlingcodifiers.com/codebook/getBookData.php?ft=3&find=5> 1-6> of this code.~~

~~5. Variances: Variances to the requirements of this chapter may be granted by the Board of Zoning Appeals as provided in Section 17.40.330 of the Metropolitan Code.~~

1. Full Cutoff Requirement: All lighting regulated by this chapter shall be full cutoff.

2. Photocell/Timer Requirement for Parking Lot Lights: Parking lot lighting shall include photocells or timers as needed to regulate the hours of operation as required by this chapter and to prevent operation during daylight hours.

3. Canopy Requirement: All canopies must be skirted with a skirt depth of eight inches (8") or greater or use other means to limit light spill to within ten feet of the area covered by the canopy.

### G. Procedural requirements

1. Plan Submission: For land development, redevelopment and new zoning applications where outdoor lighting is proposed, prior to final approval by Metro Plans Inspection a letter from an engineer licensed with the state of Tennessee shall be submitted to the Department of Codes Administration confirming that the plan complies with the requirements of this section. Engineer review shall be based on the following information:

a. A site plan complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and all adjacent uses. The site plan shall show and identify the location of each existing and proposed luminaire and shall specify its installed height, pole foundations, and method of mounting.





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b. Iso-foot-candle plots for individual lighting installations, or ten feet by ten feet (10' x 10') illuminance grid plots for multi-luminaire lighting installations which shall demonstrate compliance with all applicable requirements set forth in this chapter. The plots shall indicate the location of each existing and proposed luminaire, the installed height of said luminaires, and the overall light levels in foot-candles and initial lumens on the entire zoning lot and at the property lines.

c. A summary table identifying the maximum and minimum light levels in foot-candles and initial lumens for all, but not limited to, parking areas, street or building entryways, signs, street lighting, canopies, architectural lighting and walkways.

d. A description of each luminaire identified in the site plan including, but not limited to:

i. Manufacturer with website.

ii. Lamp type.

iii. Bulb type including CCT (Kelvin).

iv. Model number.

v. Photograph or catalog cut.

vi. Photometric plan.

vii. Light output in initial lumens.

viii. Shielding or glare reduction devices.

ix. Energy reduction and on/off control devices.

2. Post approval Alterations: Post approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the zoning inspector after review by a qualified engineer at the expense of the applicant and approval prior to issuance of an Use and Occupancy permit, with all plan submission requirements set forth in this chapter, prior to installation.

3. Inspections: The Department of Codes Administration shall have the right to conduct a post installation inspection to verify compliance with the requirements of this chapter and, if appropriate, to require remedial action within 30 days at the expense of the applicant.

4. Violations of this chapter shall be punishable as provided by Chapter 17.40, Article XIII of the Metropolitan Code.



## **Metro Planning Commission Meeting of 02/11/21**

5. Variances: Variances to the requirements of this chapter may be granted by the Board of Zoning Appeals as provided in Chapter 17.40, Article VIII of the Metropolitan Code.

Section 3. Be it further enacted, that this ordinance take effect 60 days after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



**SEE NEXT PAGE**



**NO SKETCH**



<b>Project Nos.</b>	<b>Text Amendment 2021Z-001TX-001</b>
<b>Project Name</b>	<b>Street Tree/Streetscape Plans</b>
<b>Council Bill No.</b>	BL2021-619
<b>Council District</b>	Countywide
<b>School District</b>	Countywide
<b>Requested by</b>	Councilmember Mary Carolyn Roberts

<b>Staff Reviewer</b>	Shepard
<b>Staff Recommendation</b>	<i>Approve with an amendment.</i>

**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



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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



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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



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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





## Metro Planning Commission Meeting of 02/11/21

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.



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- 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

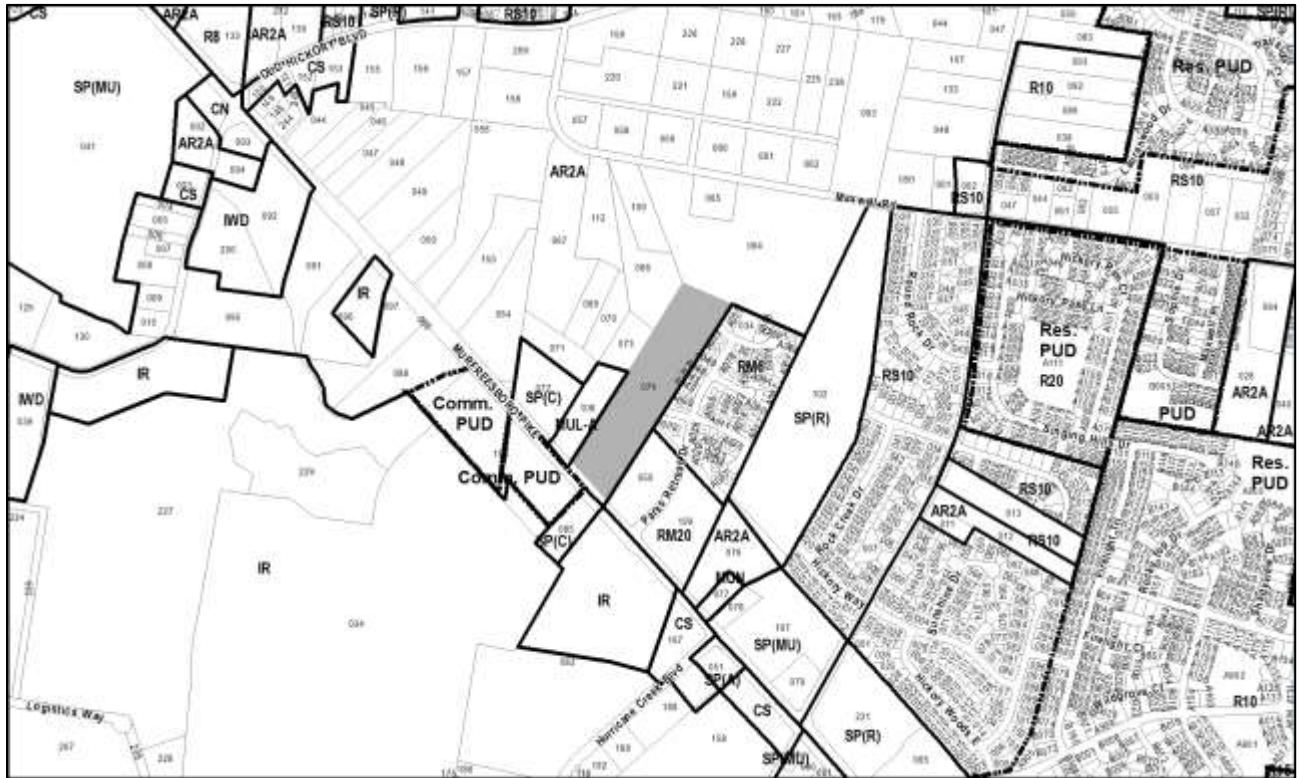
Section 3. This ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 02/11/21



### **2020SP-043-001**

4120 MURFREESBORO PIKE

Map 175, Parcel(s) 074

13, Antioch – Priest Lake

33 (Antoinette Lee)



<b>Project No.</b>	<b>Specific Plan 2020SP-043-001</b>
<b>Project Name</b>	<b>4120 Murfreesboro Pike</b>
<b>Council District</b>	33 – Lee
<b>School District</b>	6 – Bush
<b>Requested by</b>	S+H Group LLC, applicant; Anna Gannon, owner.
<b>Staff Reviewer</b>	Lewis
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**

**Preliminary SP to permit a residential development.**

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan-Residential (SP-R) 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.

**Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and 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 five lots with one duplex lots for a total of six units. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

**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.

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

T3 Suburban Mixed-Use Corridor (T3 CM) is intended to enhance suburban mixed-use corridors by encouraging a greater mix of higher density residential and mixed-use development along the corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

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



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**Proposed site plan**



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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 11.41 acre site is located on the north side of Murfreesboro Pike. The orientation of the site is rectangular, with the smallest edges located along the northern and southern property lines, as the site gains its area in its depth. There is an existing 150-foot wide TVA easement that runs east-west through the site.

There are several zoning districts surrounding the site and along Murfreesboro Pike including AR2a, RM6, RM20, Mixed-Use Limited – Alternative (MUL-A), Specific Plan – Commercial (SP-C), and Industrial Restrictive (IR). This site and surrounding properties along Murfreesboro Pike are located within an Urban Design Overlay (UDO). This overlay is intended to accomplish community goals for development along the corridor.

#### Site Plan

The proposed SP plan is semi-regulatory in design. The SP is limited to a total of 124 multi-family units. The site is intended to development at two levels of intensity with the higher density proposed along the southern part of the site, adjacent to Murfreesboro Pike, whereas the northern portion of the site decreases in density to be consistent the intensity of the existing residential development to the east.

Architectural standards including minimum glazing, raised foundations, primary entrances, and material standards are included in the preliminary SP. Architectural elevations demonstrating compliance with these standards will be required with the Final SP.

There is one vehicular access proposed on Murfreesboro Pike. The proposed public road extends north through the site and provides vehicular connections to Smokey Mountain Place and Banff Park Court in the existing residential development to the east. With development, public sidewalks shall be installed along the public roads through the site to enhance pedestrian connectivity in addition to vehicular connectivity. The plan proposes to meet the Major and Collector Street Plan (MCSP) improvements along Murfreesboro Pike, an arterial boulevard. This includes a six-foot wide planting strip, eight-foot wide sidewalk, and six-foot wide bike lane with a two-foot wide bike lane buffer.

### **ANALYSIS**

The deep site contains two policies in addition to the UDO. The southern portion of the site along Murfreesboro Pike is within the Murfreesboro Pike UDO and the T3 CM Policy. While both of the policies were intended to be designed at suburban levels of intensity, the T3 CM policy aims to create and enhance mixed-use and higher density multi-family residential uses along the corridor. This portion of the property is also within the UDO, which shares many similar goals with the



## Metro Planning Commission Meeting of 02/11/21

policy including enhancing the Murfreesboro Pike corridor, accommodations for all transit modes, connecting developments on adjacent properties, and high-quality architecture. The proposed plan meets the intent of the policy and the UDO by providing multi-family residential along the corridor, meeting the MCSP requirements for pedestrian and bike infrastructure, and providing connections to the existing development to the east.

The northern portion of the site is within the T3 NE policy. This policy is intended to create residential development at a suburban level of intensity. The SP proposes to develop this portion of the site under the RM6-A zoning district. As a lower intensity zoning district, this would meet the goal to create a distinction between the two policies. The surrounding properties to the north and west of the site have largely been developed under the existing AR2a zoning, whereas the property to the east has been developed recently with two-family residential structures. The proposed level of intensity proposed with this SP would permit development at a compatible level with this development and any future development of adjacent properties also within the T3 NE policy area.

### 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 with conditions

- Must comply with regulations set at the time of final submittal.

### WATER SERVICES RECOMMENDATION

#### Approve with conditions

- Approved as a Preliminary SP only. Public water & sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

### PUBLIC WORKS RECOMMENDATION

#### Approve

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve

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

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)	11.41	0.5 D	10 U	126	12	12

\*Based on two-family lots





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### 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)	11.41	-	124 U	897	59	72

### Traffic changes between maximum: AR2a and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+114 U	+771	+47	+60

### METRO SCHOOL BOARD REPORT

**Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High**

**Projected student generation proposed SP district: 8 Elementary 8 Middle 4 High**

The proposed SP zoning is anticipated to generate 17 additional students than the existing AR2a zoning district. 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 124 multi-family residential units. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. Parking shall comply with requirements of the Metro Zoning Code.
3. With the submittal of the final site plan, the applicant shall provide architectural elevations complying with the elevations submitted with the Preliminary SP for review and approval.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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.
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 RM20-A and RM6-A zoning districts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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.
9. 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



## **Metro Planning Commission Meeting of 02/11/21**

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.

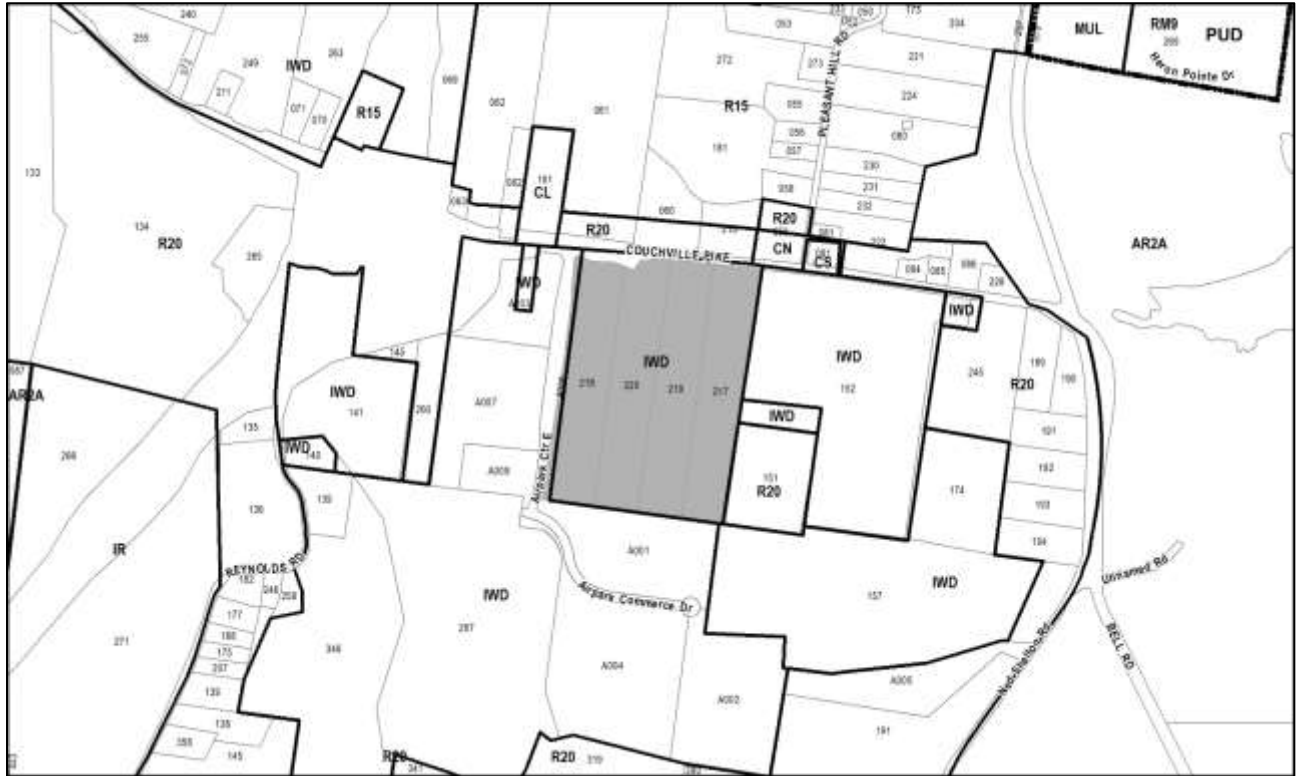
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 02/11/21



**2020S-190-001**  
**AIRPARK EAST**  
Map 121, Parcel(s) 217-220  
Map 121-11-0-A, Parcel(s) 006  
13, Antioch-Priest Lake  
29 (Delishia Porterfield)



**Project No.** Final Plat 2020S-190-001  
**Project Name** Airpark East  
**Council District** 29 – Porterfield  
**School District** 7 – Player-Peters  
**Requested by** Wilson & Associates, applicant; Airpark East Owner, LLC, owner.

**Deferrals** This item was deferred from the January 21, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Rickoff  
**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.

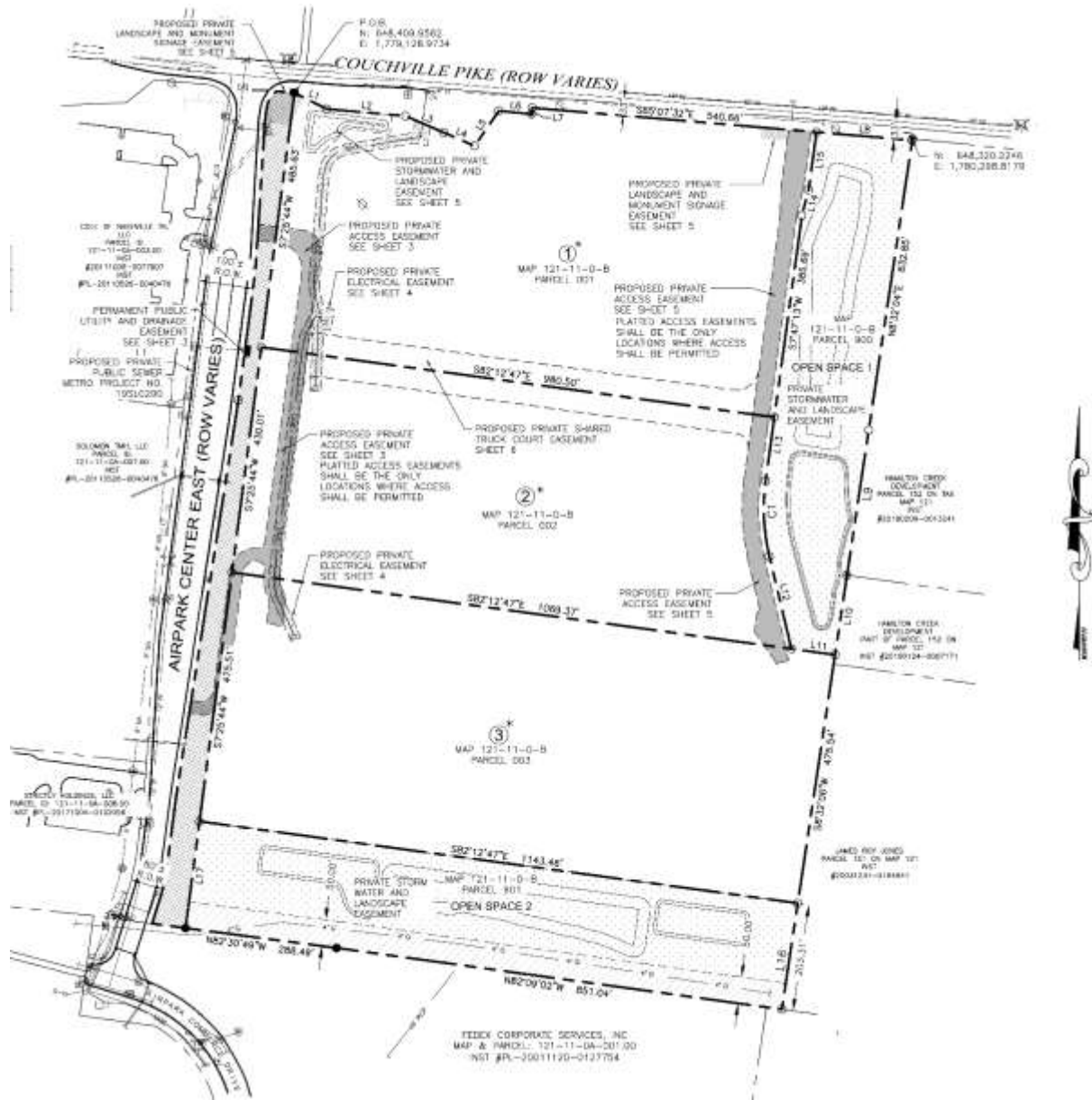
**Parcel/Site History:** This site is comprised of five parcels. The westernmost parcel (A006) was platted as an open space parcel in 2001. Parcel 218 was created by deed in 2006. Parcels 217, 219, and 220 were created by deed in 2020 to reflect right-of-way dedication along Couchville Pike.

**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



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Proposed Final Plat



## Metro Planning Commission Meeting of 02/11/21

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.



## Metro Planning Commission Meeting of 02/11/21

### **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





## Metro Planning Commission Meeting of 02/11/21

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.



## Metro Planning Commission Meeting of 02/11/21

### 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.



## **Metro Planning Commission Meeting of 02/11/21**

### **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.



## Metro Planning Commission Meeting of 02/11/21



**2014NL-001-004**

**GALLATIN PIKE NEIGHBORHOOD LANDMARK DISTRICT (REVISION)**

Map 061-11, Parcel(s) 125

05, East Nashville

08 (Nancy VanReece)



<b>Project No.</b>	<b>Neighborhood Landmark 2014NL-001-004</b>
<b>Project Name</b>	<b>Gallatin Pike Neighborhood Landmark District (Revision)</b>
<b>Council District</b>	08-VanReece
<b>School District</b>	3-Masters
<b>Requested by</b>	Robert Dewey Boyd, Jr., applicant; Natalie Hope Boyd and Robert Dewey Boyd, Jr., owners.
<b>Staff Reviewer</b>	Napier
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

**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.

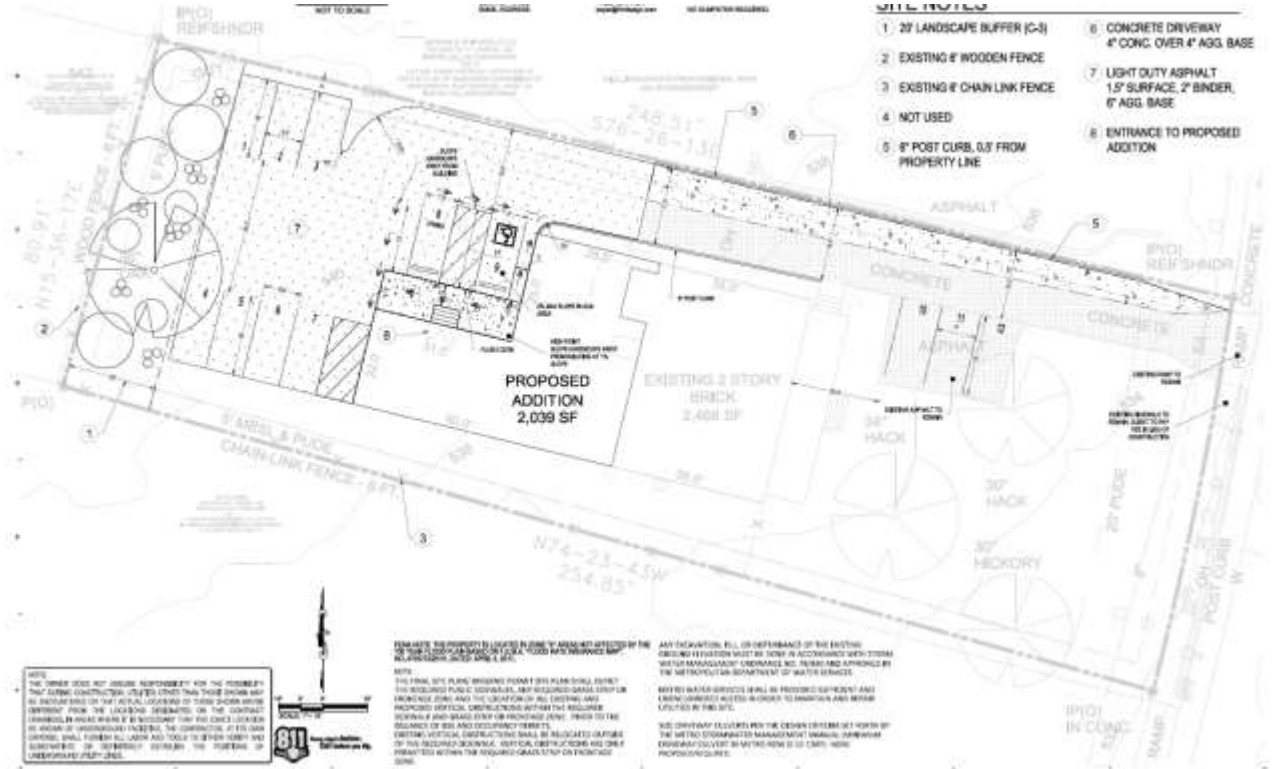
Site Plan

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



# Metro Planning Commission Meeting of 02/11/21



Development Plan



Elevation (Rear)



## Metro Planning Commission Meeting of 02/11/21

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**

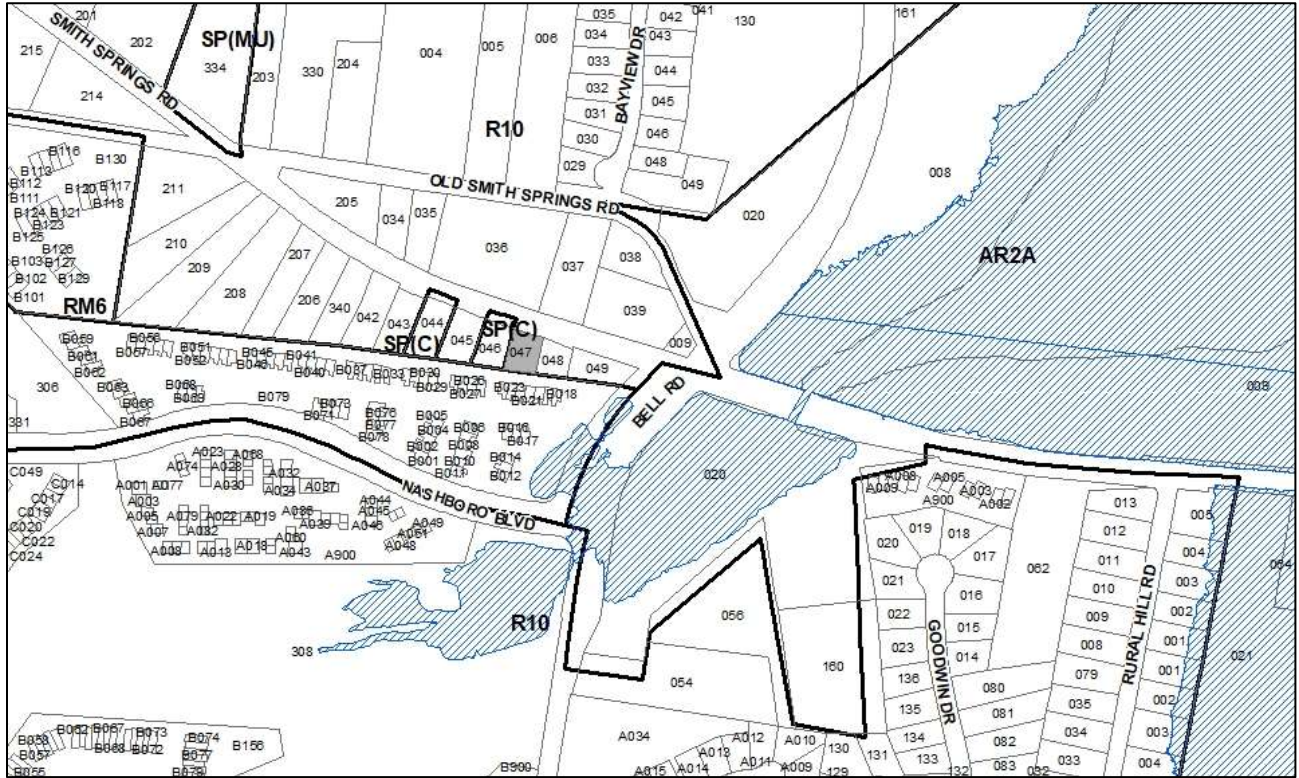
Staff recommends approval with conditions.

### **CONDITIONS**

1. Comply with all Metro Agency comments.



# Metro Planning Commission Meeting of 02/11/21



**2020Z-139PR-001**

Map 136, Parcel(s) 047  
13, Antioch - Priest Lake  
29 (Delishia Porterfield)





<b>Project No.</b>	<b>Zone Change 2020Z-139PR-001</b>
<b>Council District</b>	29 – Porterfield
<b>School District</b>	7 – Player-Peters
<b>Requested by</b>	Catherine Honea Sondgerath and Tai Orten, et al, applicants and owners.
<b>Staff Reviewer</b>	Napier
<b>Staff Recommendation</b>	<i>Approve.</i>

**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.



## Metro Planning Commission Meeting of 02/11/21

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

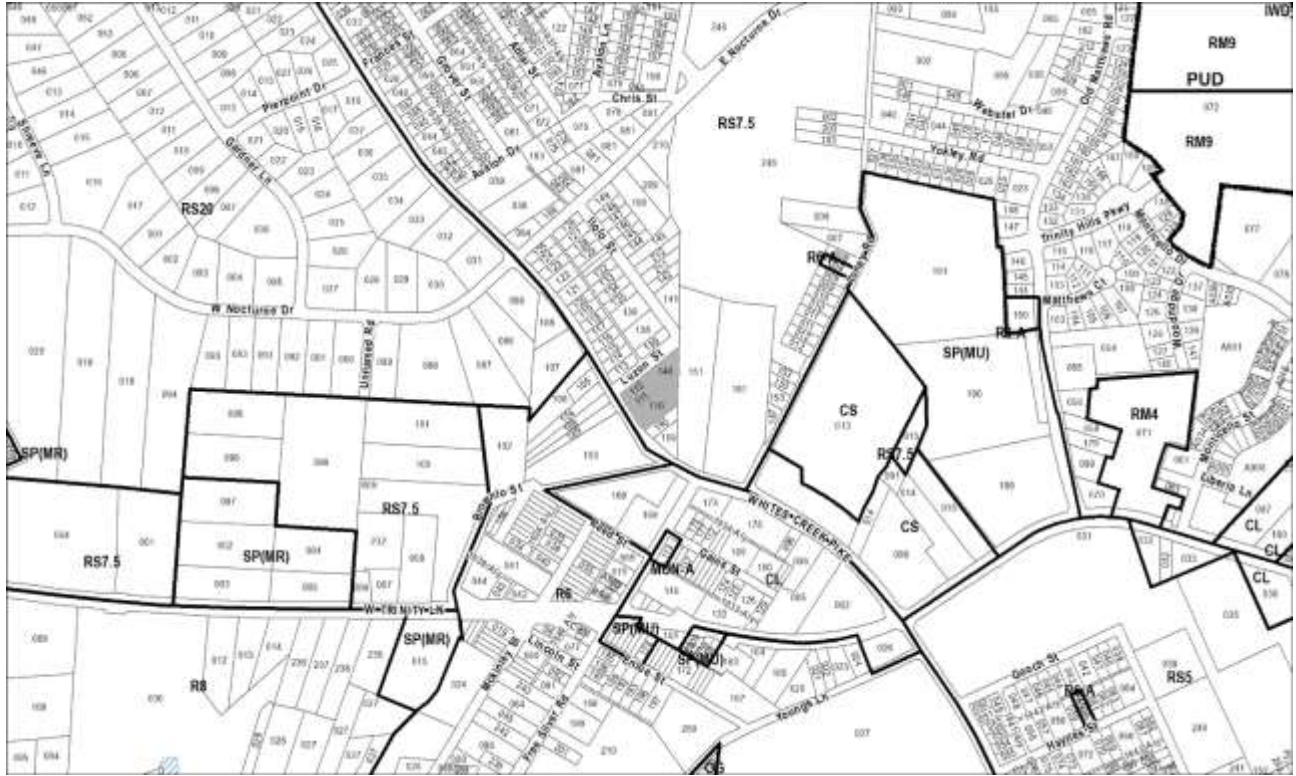
Staff recommends approval.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 02/11/21



### **2021Z-013PR-001**

Map 070-04, Parcel(s) 110-112, 140  
03, Bordeaux - Whites Creek - Haynes Trinity  
02 (Kyonzté Toombs)



**Project No.** **Zone Change 2021Z-013PR-001**  
**Council District** 02 – Toombs  
**School District** 1 – Gentry  
**Requested by** XE Development Company, LLC, applicant; John W. Turner, EST., owner.

**Deferrals** This item was deferred at the January 21, 2021, Planning Commission hearing. No public hearing was held.

**Staff Reviewer** Napier  
**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



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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



## Metro Planning Commission Meeting of 02/11/21

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.



**NO SKETCH**





<b>Project No.</b>	<b>Substitute BL2020-197</b>
<b>Project Name</b>	<b>120-Day Multifamily Permit Moratorium in the Antioch Area</b>
<b>Council Sponsors</b>	28 – Vercher
<b>Districts included in the Moratorium</b>	28 (in whole) 13, 16, 28, 29, 32, 33 (in part)
<b>School District</b>	6 – Bush 7 – Player-Peters
<b>Requested by</b>	Councilmember Tanaka Vercher
<b>Staff Reviewer</b>	Claxton
<b>Staff Recommendation</b>	<i>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.</i>

**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.

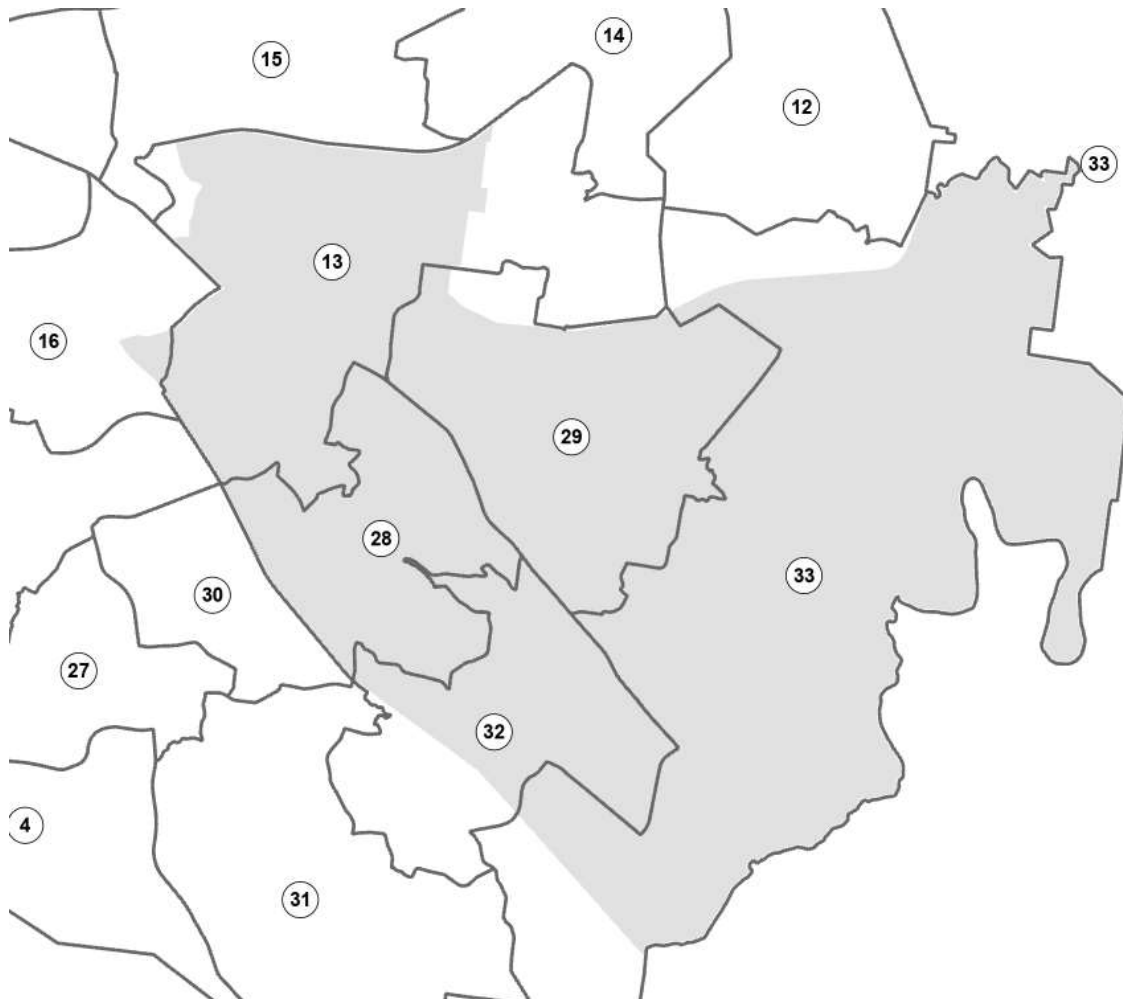


## Metro Planning Commission Meeting of 02/11/21

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.



**Study Area and Affected Council Districts**



## Metro Planning Commission Meeting of 02/11/21

### 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.



## Metro Planning Commission Meeting of 02/11/21

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 8<sup>th</sup> 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 11<sup>th</sup> 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.

<b>Item</b>	<b>Study Area</b>	<b>Countywide</b>
a. Annual rate of growth (2010 – 2017)	2.1%	1.3%
b. Growth-oriented policies (2020)	14.0%	13.0%
c. Multifamily zoning (2020)	3.7%	5.1%
d. Multifamily share of housing units (change, 2013 – 2017)	0.1%	1.4%
e. Multifamily units permitted per acre (2010 – 2020)	25	69
f. Units permitted per permit	17	45

*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.



## Metro Planning Commission Meeting of 02/11/21

### 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



## Metro Planning Commission Meeting of 02/11/21

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 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.



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### 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.



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- 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.

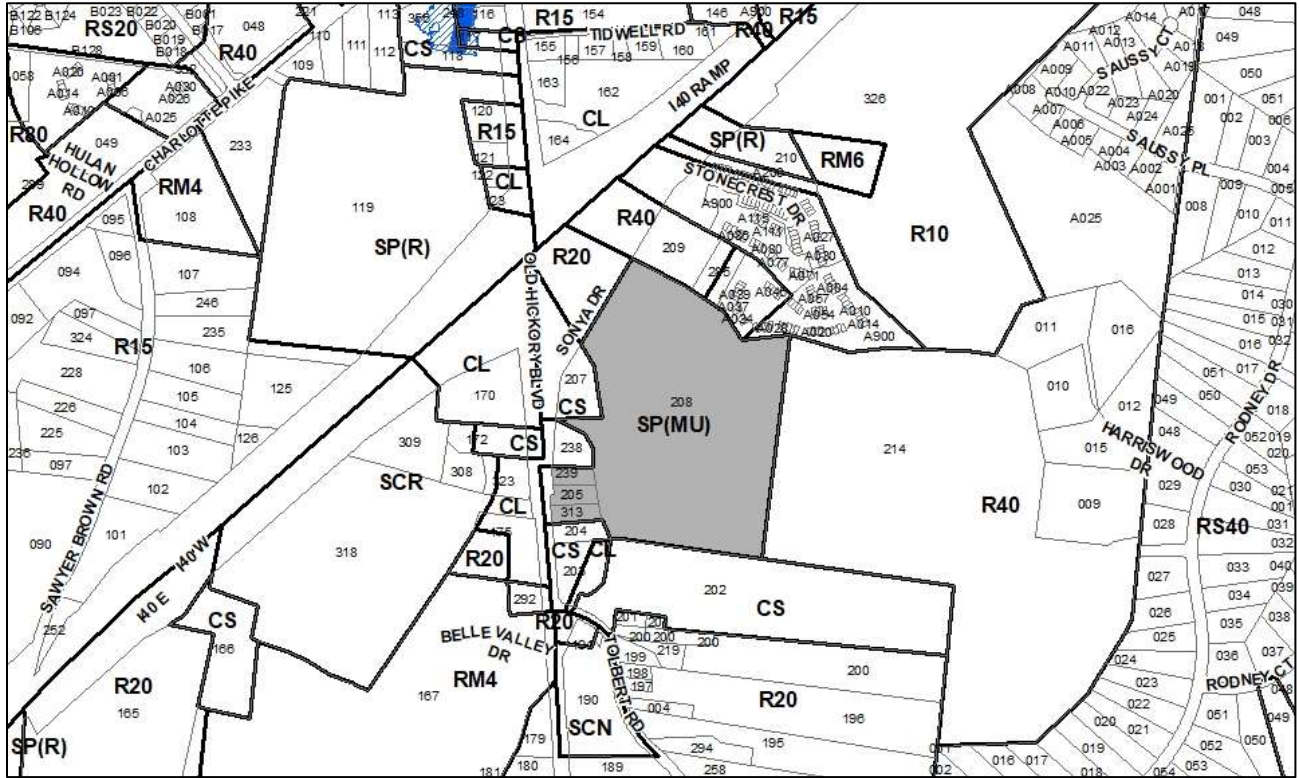




**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 02/11/21



## 2019SP-007-002

### SONYA DRIVE MIXED USE DEVELOPMENT (AMENDMENT)

Map 114, Parcel(s) 205, 208, 239, 313

06, Bellevue

22 (Gloria Hausser)



<b>Project No.</b>	<b>Specific Plan 2019SP-007-002</b>
<b>Project Name</b>	<b>Sonya Drive Mixed Use Development (Amendment)</b>
<b>Council District</b>	22 – Hausser
<b>School District</b>	9 – Tylor
<b>Requested by</b>	Kimley-Horn, applicant; Southfield Properties and AM Investors No. 2, LLC and Norwood Manor LLC, owners.
<b>Deferrals</b>	This item was deferred at the January 21, 2021, Planning Commission meeting. No public hearing was held.
<b>Staff Reviewer</b>	Elliott
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**

**Amend SP to permit 175 multi-family units.**

SP Amendment

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.

**Existing Zoning**

Specific Plan-Mixed Use (SP-MU) 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 residential uses in addition to a hotel and other commercial uses.

**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.

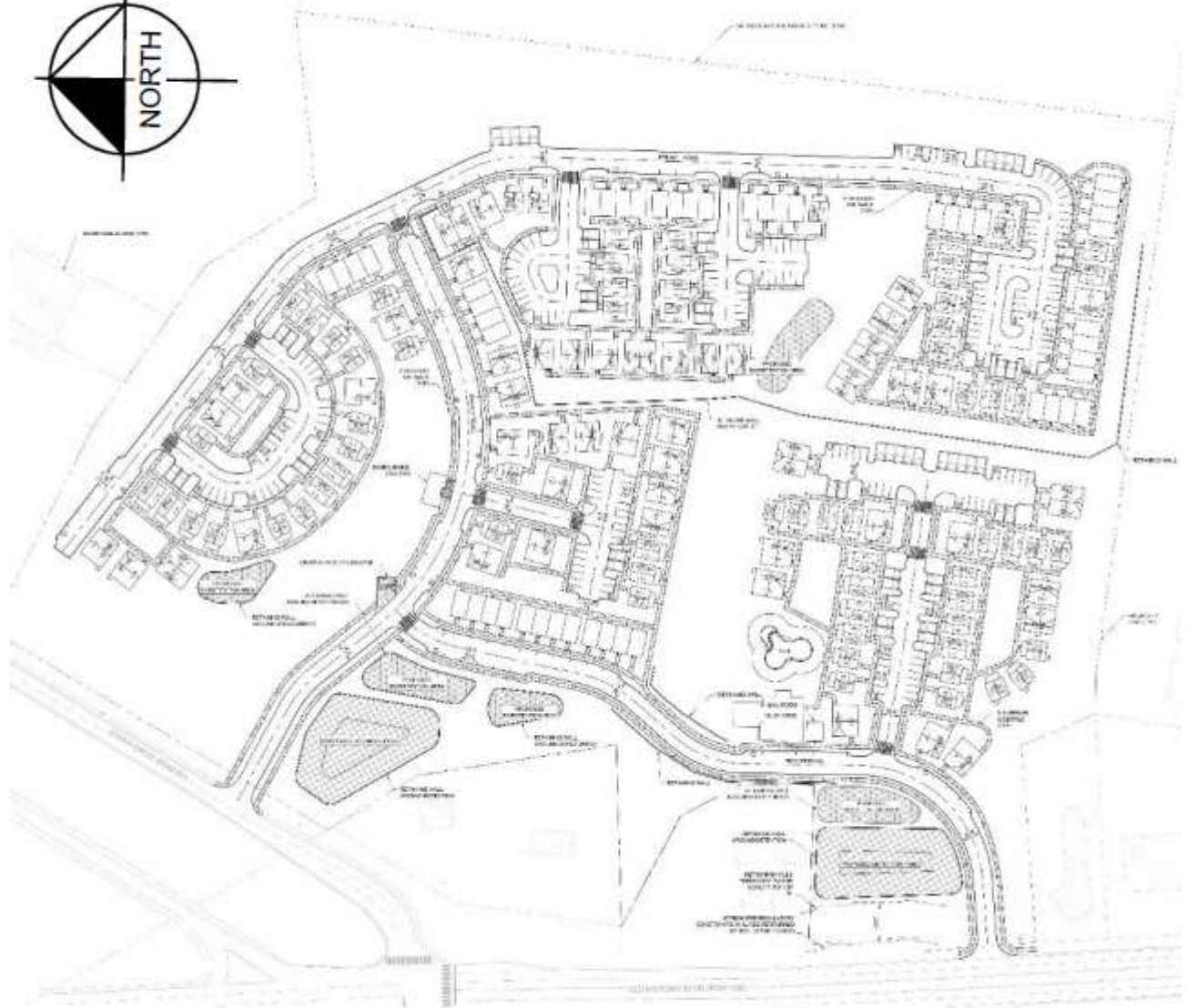
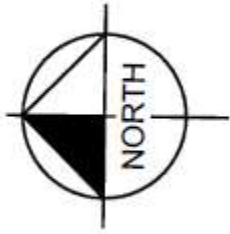
**BELLEVUE COMMUNITY PLAN**

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.

T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and



# Metro Planning Commission Meeting of 02/11/21



**Proposed Site Plan**



## Metro Planning Commission Meeting of 02/11/21

collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

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.

The Conservation policy here recognizes areas with significant slopes and streams.

### **HISTORY**

The Planning Commission approved a Specific Plan for this property on April 11, 2019, that included 94 multi-family residential units, a 170-bed hotel and 18,000 square feet of non-residential uses. The plan has the non-residential uses and hotel near the property's Old Hickory Boulevard frontage and the residential units are attached townhomes on private streets and drives.

### **SITE CONTEXT AND PLAN DETAILS**

The site is approximately thirty acres and is located south of and near the Old Hickory Boulevard interchange with I-40 near the Bellevue area of Davidson County. The site has frontage onto Old Hickory Boulevard and Sonya Drive. The site currently contains several parcels that consist of a single-family residence and vacant land uses. Sonya Drive is a local street and this portion of Old Hickory Boulevard is classified as a Scenic Arterial Boulevard in the Major and Collector Street Plan. The surrounding land uses are a mixture of single-family residential, multi-family residential, commercial, office, and institutional land uses.

The site has a stream that partially bisects the site and this stream also runs parallel to Old Hickory Boulevard for a portion of the site's frontage. The stream crosses Old Hickory Boulevard near the southern boundary of parcel 205.

The site also has significant topography with the site generally rising as you move east and north.

#### Site Plan

The site plan proposes for 175 multi-family residential units to be provided in a mixture of single-family, duplex, and attached townhome type buildings. The plan also includes enclosed garage structures to be dispersed throughout the development and an amenity center with a swimming pool is also provided. The plan proposes private drives throughout the site and sidewalks are provided along both sides of these drives in almost all locations. Throughout the site, the private drives also include on-street parking.

The site is separated into 5 pods with the surface parking being at the center of the pods. Each pod contains a variety of unit types and the units are either oriented to the private drives or to open space. Each pod has a sidewalk network around the internal surface parking area as well as around



## **Metro Planning Commission Meeting of 02/11/21**

the exterior of the units and open space areas within the pods. The units have a proposed maximum building height of 3 stories.

The stormwater detention is located at the lowest points of the site near Sonya Drive and Old Hickory Boulevard. The site has areas of significant topography so retaining walls are proposed for portions of the private drives as well as the area containing the two most eastern pods.

### **ANALYSIS**

The Specific Plan amendment proposes a mixture of housing types with a development pattern and intensity that is appropriate for the area given the land use policy. While there are portions of the site with Mixed Use Corridor policy, the limited frontage in combination with the existing stream buffers make engaging Old Hickory Boulevard challenging. The plan does provide sidewalks along the Old Hickory Boulevard corridor and along both sides of the private drive that accesses the corridor. Additionally, Public Works staff is recommending that the applicant coordinate with WeGo to install a bus stop on Old Hickory Boulevard.

The proposed building setbacks, height, unit orientation, and density are consistent with the policy and surrounding context. The topography of the site and surrounding existing development precludes this site from establishing or extending existing public street networks for the area. The proposed site plan is sensitive to the stream buffers on site and to the topography of the site by proposing to avoid disturbing the steepest portions of the site.

### **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 with conditions**

- Bioretention pond is in conflict with natural drainage channel. This conflict is not permitted and must be resolved at the time of final submittal. SP must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

### **HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION**

#### **Approve with conditions**

- Conditions are listed in the “Availability of Water & Wastewater Service” letter dated 12/16/20 from Jay Tant, Assistant General Manager, Harpeth Valley Utility District.

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve with conditions**

- Final construction plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Waste/recycle private hauler will be required for site. Comply w/ MPW traffic comments.



## Metro Planning Commission Meeting of 02/11/21

### TRAFFIC AND PARKING RECOMMENDATION

#### Approve with conditions

- All previous conditions apply.
- Construct sidewalk per the MCSP along all public road frontages.
- Coordinate with WeGo to install a bus stop on Old Hickory Boulevard.
- Development may be required to install a traffic signal or modify an existing traffic signal along Old Hickory Boulevard for proposed access.
- Install a pedestrian crossing across Old Hickory Boulevard if traffic signal is installed.

#### Maximum Uses in Existing 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)	29.6	-	94 U	670	45	56

#### Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	29.6	-	20,000 SF	1270	64	137

#### Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	29.6	-	170 Beds	1493	80	102

#### 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)	29.6	-	175 U	1283	82	98

#### Traffic changes between maximum: SP and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-2150	-107	-197

### METRO SCHOOL BOARD REPORT

**Projected student generation existing SP-MU district: 3 Elementary 2 Middle 2 High**  
**Projected student generation proposed SP-MR district: 6 Elementary 4 Middle 4 High**

The proposed SP-MR zoning is expected to generate 7 more students than the existing SP-MU zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G. Hill Middle School is identified as overcapacity. Gower Elementary School and Hillwood High School are identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.



## Metro Planning Commission Meeting of 02/11/21

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to a maximum of 175 multi-family residential units. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
4. 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 RM6-NS zoning district as of the date of the applicable request or application.
5. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. 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.
7. 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. 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.

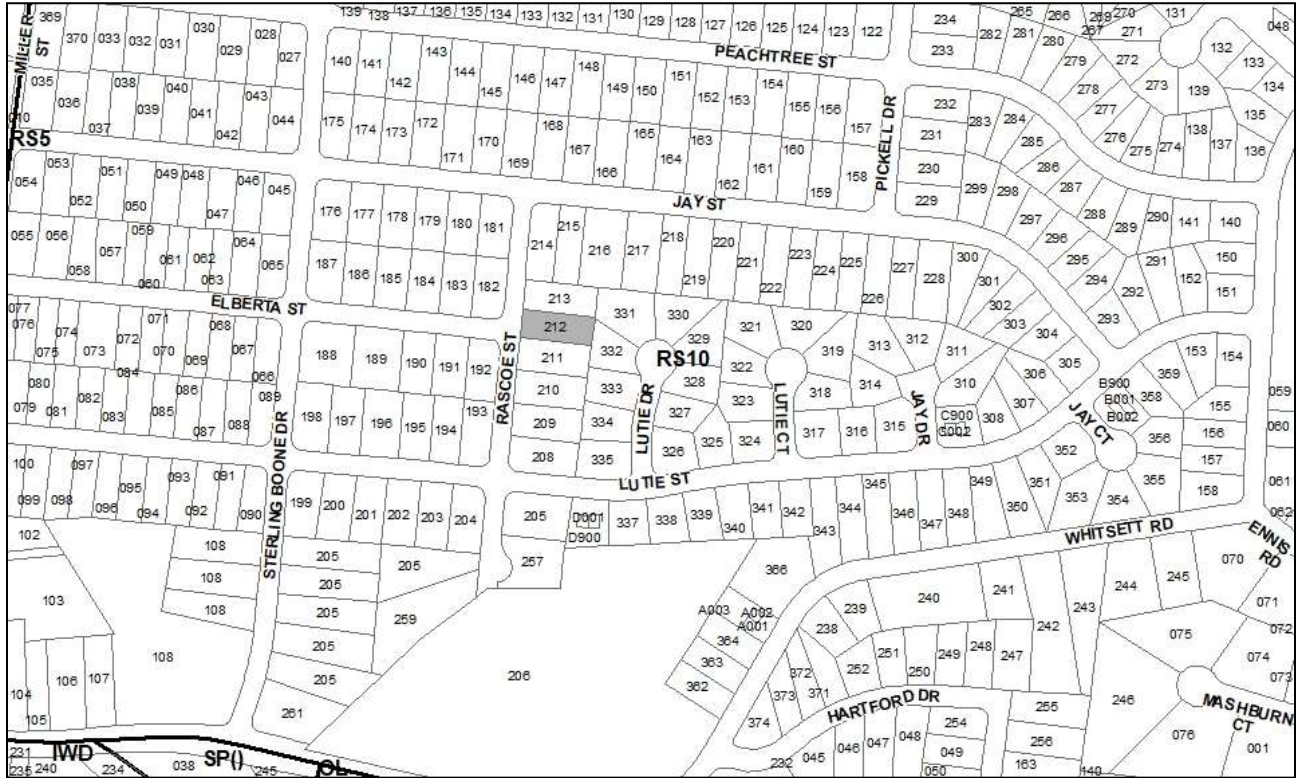




**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 02/11/21



**2020SP-050-001**  
2512 RASCOE STREET  
Map 119-06, Parcel(s) 212  
11, South Nashville  
16 (Ginny Welsch)



**Project No.** **Specific Plan 2020SP-050-001**  
**Project Name** **2512 Rascoe Street**  
**Council District** 16 – Welsch  
**School District** 7 – Player-Peters  
**Requested by** XE Development Company, LLC, applicant; Nathan Jones, owner.

**Deferrals** This item was deferred from the December 10, 2020, and January 21, 2021, Planning Commission meetings. No public hearing was held on December 10, 2020. A public hearing was held on January 21, 2021, and remains open.

**Staff Reviewer** Rickoff  
**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.*

**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 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



# 2512 Rascoe St. - Specific Plan

Case Number: 2020SP-050-001

## Development & Site Summary

The purpose of this specific plan is to permit a detached accessory dwelling unit on the subject property and maintain all other standards of Rs10 zoning for any pre-existing primary structure and any other new accessory structures built after the specific plan adoption date.

**Address:** 2512 Rascoe St. Nashville, TN 37210

**Parcel Number:** 11906021200

**Site Area:** 0.28 acres

**Existing Zoning:** Rs10

**Proposed Zoning:** SP-R

**Community Plan Policy:** T3-NM

**Council District:** 16

**Applicant:** XE Development Company, LLC

**Owner:** Nathan P. Jones

Allowable Land Uses
Detached Accessory Dwelling units and all uses permitted in Rs10

## SP Notes & Development Standards

1. The SP will allow for one detached accessory dwelling unit on the property as well as all other standards of Rs10.
2. Development standards found in Section 17.16.030.G of the Metro Zoning Code shall apply to any newly constructed detached accessory dwelling unit. No additions or expansions will be permitted to any existing detached structure that is to be used as the detached accessory dwelling unit.
3. Setbacks for any newly constructed detached accessory dwelling unit shall meet the setback found in Section 17.12.040.E. of the Zoning Code for accessory buildings. Setbacks for any pre-existing permitted accessory structure to be used as a detached accessory dwelling unit shall be grandfathered in.
4. 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.



**Proposed regulatory SP plan**



## Metro Planning Commission Meeting of 02/11/21

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.



## Metro Planning Commission Meeting of 02/11/21

### 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 Glencliff 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



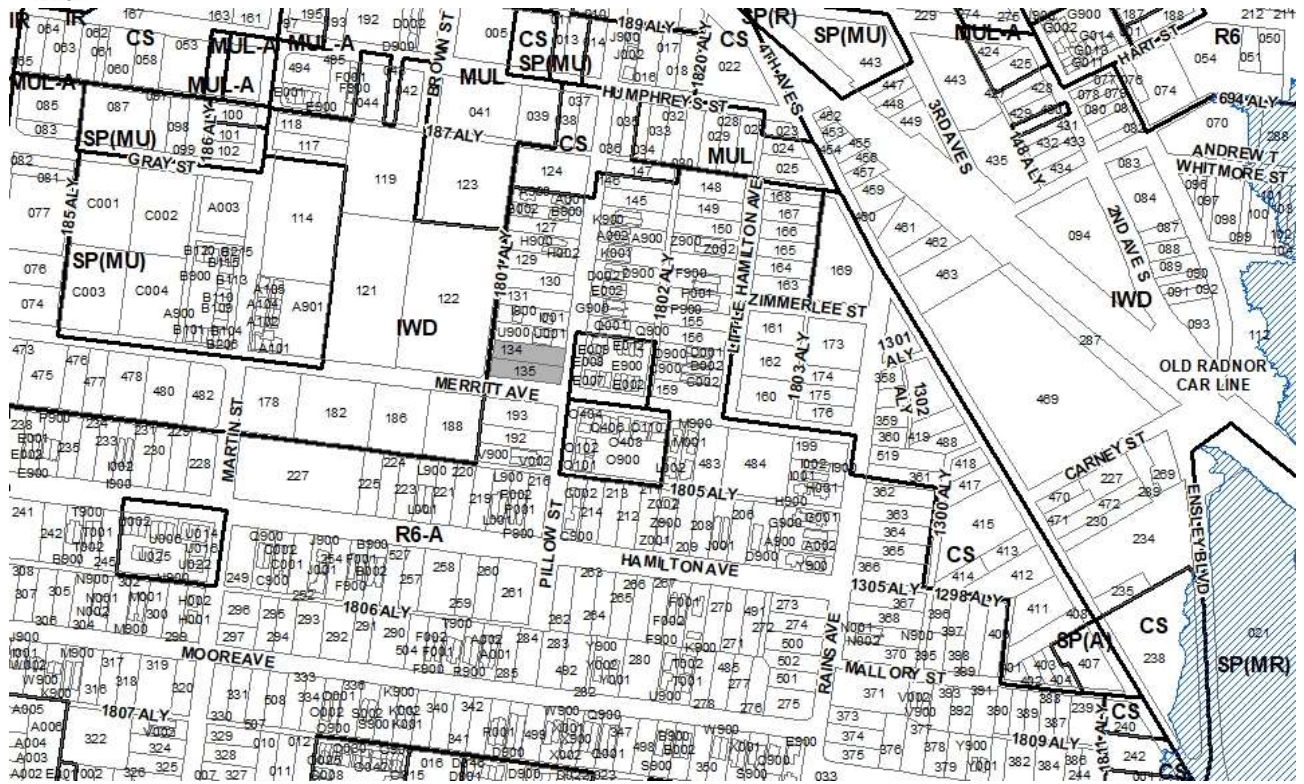
## **Metro Planning Commission Meeting of 02/11/21**

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.



# Metro Planning Commission Meeting of 02/11/21



**2020SP-052-001**

**PILLOW + MERRITT**

Map 105-07, Parcel(s) 134-135

11, South Nashville

17 (Colby Sledge)





<b>Project No.</b>	<b>Specific Plan 2020SP-052-001</b>
<b>Project Name</b>	<b>Pillow + Merritt</b>
<b>Council District</b>	17 – Sledge
<b>School District</b>	5 – Buggs
<b>Requested by</b>	Hastings Architecture, applicant; Nathaniel Wayne Russell and Robert E. Orrall, Christine Leverone Orrall, and Justine Orrall, owners.
<b>Staff Reviewer</b>	Elliott
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**

**Preliminary SP to permit a multi-family development.**

Zone Change

A request to rezone from One and Two-Family Residential Alternative (R6-A) to Specific Plan (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.

**Existing 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 2 duplex lots for a total of 4 units.*

**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 includes only one residential building type.

**SOUTH NASHVILLE COMMUNITY PLAN**

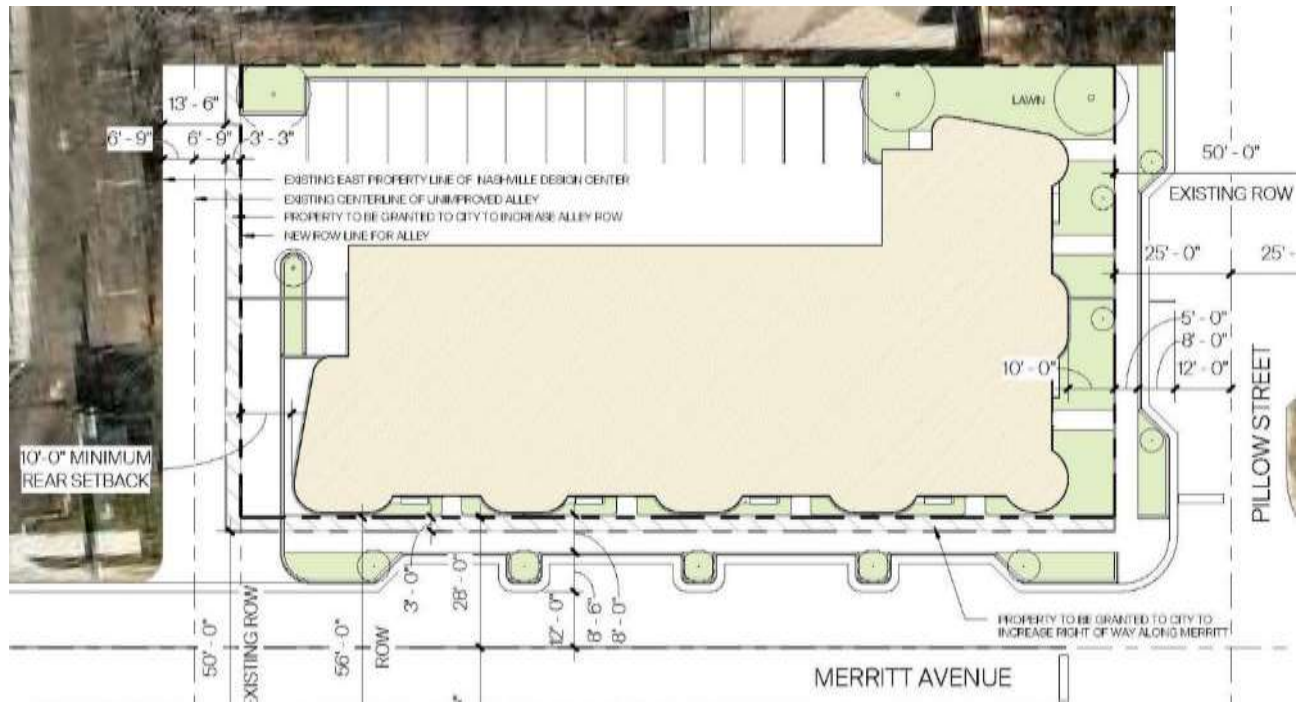
T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. 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.

Wedgewood-Houston Chestnut Hill Supplemental Policy

The Wedgewood-Houston Chestnut Hill (WHCH) Planning Study is a supplement to and part of the



# Metro Planning Commission Meeting of 02/11/21



**Proposed Preliminary Site Plan**



## **Metro Planning Commission Meeting of 02/11/21**

South Nashville Community Plan of NashvilleNext. WHICH includes different Character Areas with 15 smaller subdistricts that address land use, transportation, and community design at the neighborhood scale. Each district is unique in terms of the recommended land use mix, intensity, and appropriate building types intended to guide future development of the neighborhoods.

The site is located in Character Area 2A, South Wedgewood-Houston, which is the residential core of the Wedgewood-Houston neighborhood, built on an urban street grid.

### **SITE CONTEXT AND PLAN DETAILS**

The site is approximately one-half acre and is located at the north-west corner of the intersection of Merritt Avenue and Pillow Street in the Wedgewood-Houston neighborhood. The site currently contains two parcels, each with a single-family residence. Pillow Street is a local street and this portion of Merritt Avenue is classified as a local street with a different cross section than a standard local street section in both the Wedgewood-Houston Chestnut Hill study and the Major and Collector Street Plan. An unimproved alley is located along the western boundary of the site. The surrounding land uses are a mixture of single-family residential, two-family residential, multi-family residential, and industrial land uses.

#### Site Plan

The site plan proposes a 4-story, multi-family building with surface parking partially beneath the building and to the rear of the building. The plan proposes that home occupations be considered as an accessory use of the building. The plan proposes to improve the public alley and to draw access to the site from this alley. The building addresses Merritt Avenue and Pillow Street with an urban form and the building screens the parking area from the public realm. The parking area is proposed to be covered with pervious pavers and a 6-foot opaque fence is proposed to screen the parking area from the adjacent property on Pillow Street. A covered bicycle storage area is also identified on the site plan.

The plan proposes on-street parking on Merritt Avenue and has set back the building on Pillow Street to be sensitive to the existing development pattern on Pillow Street. The ground floor units provide pedestrian access to the street.

The building height is limited to 45 feet at the build-to line with a maximum overall height of 50 feet after a step back of 5 feet. The plan includes various bulk and design standards to ensure a high-quality urban design. The applicant has provided architectural elevations of the building and the elevations show that the building meets the specific standards that are included in the plan.

The applicant is also utilizing parking reduction allowances in the Zoning Code for proximity to public transit and surrounding sidewalk infrastructure. The plan proposes to improve Alley 1801 and begin this piece of infrastructure that is planned to extend north from Merritt Avenue to Humphreys Street. The Merritt Avenue streetscape includes on-street parking, canopy trees, grass strips, an 8-foot sidewalk, and the ground floor units provide access to the street. The Pillow Street streetscape includes on-street parking, understory and canopy trees, a bio-retention area for stormwater treatment, grass strips, and a 5-foot sidewalk.

### **ANALYSIS**

The Specific Plan proposes a building form that is appropriate for the area given the land use policy. The proposed building height, orientation, and location of the building on the site is consistent with



## **Metro Planning Commission Meeting of 02/11/21**

the Urban Neighborhood Evolving policy and the guidance provided in the Wedgewood-Houston Chestnut Hill study for the 2a subdistrict. While the building is 4 stories, the proposed building height is indicated at a maximum of 50 feet. The proposed number of units is relatively high for a building of this size and this is being driven by the applicant's desire to build "micro" units (units smaller than 500 square feet). The Wedgewood-Houston Chestnut Hill study describes in Character Area 2 that "the form of new development is the focus of this plan, with density following". Staff finds the proposed form to be consistent with the land use policies for this area.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- 1/8/21-Reviewed revised plan. Revised plan indicates that overhead utility lines along Merritt Ave. will be buried or relocated to accommodate aerial fire apparatus access to the building.

### **STORMWATER RECOMMENDATION**

#### **Approved**

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- Approved as a Preliminary SP only. Public/Private water and/or sanitary sewer construction plans must be submitted and approved prior to Final SP approval. The approved construction plans must match the Final Site Plan/SP plans. A Capacity Study must take place and the required capacity reserved by confirmation of capacity fee payment prior to Final Site Plan/SP approval. Note: No connections will be allowed to the existing 2' water main in Pillow Street. All water service connections must be directed to the existing 8' main in Merritt Avenue or the existing main upsized in Pillow Street.

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- Callout Pillow as A ST-252.
- Callout alley as a ST-263. Show ramp into alley per MPW standards.
- Show 12' concrete ribbon in alley for private/public delineation.
- Note on plans: There are to be no vertical obstructions in proposed public sidewalks.
- Show ADA compliant ramp at corner of Merritt and Pillow.
- Note: private hauler for waste/recycle disposal will be required for site.
- Comply w/MPW traffic comments.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

- Construct missing sidewalk gap on north side of Merritt Avenue between Martin Street and Pillow Street.
- TIS may be required with Final SP.



## Metro Planning Commission Meeting of 02/11/21

### Maximum Uses in Existing 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)	0.46	7.26 D	4 U	38	3	4

\*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)	0.46	-	39 U	285	18	22

### Traffic changes between maximum: R6-A and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+35 U	+247	+15	+18

## METRO SCHOOL BOARD REPORT

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

**Projected student generation proposed SP-R district: 3 Elementary 2 Middle 2 High**

The proposed SP-R zoning is expected to generate 7 more students than the existing R6-A zoning. Students would attend Fall-Hamilton Elementary School, Cameron College Prep Middle School, and Glencliff High School. Fall-Hamilton Elementary and Glencliff High School are identified as having additional capacity. Cameron College Prep Middle School is identified as being overcapacity. 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 39 multi-family residential units and home occupation uses as an accessory use. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Home occupation uses shall meet the standards of the Metro Zoning Code for home occupations.
4. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
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 RM40-A-NS zoning district as of the date of the applicable request or application.
6. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.



## **Metro Planning Commission Meeting of 02/11/21**

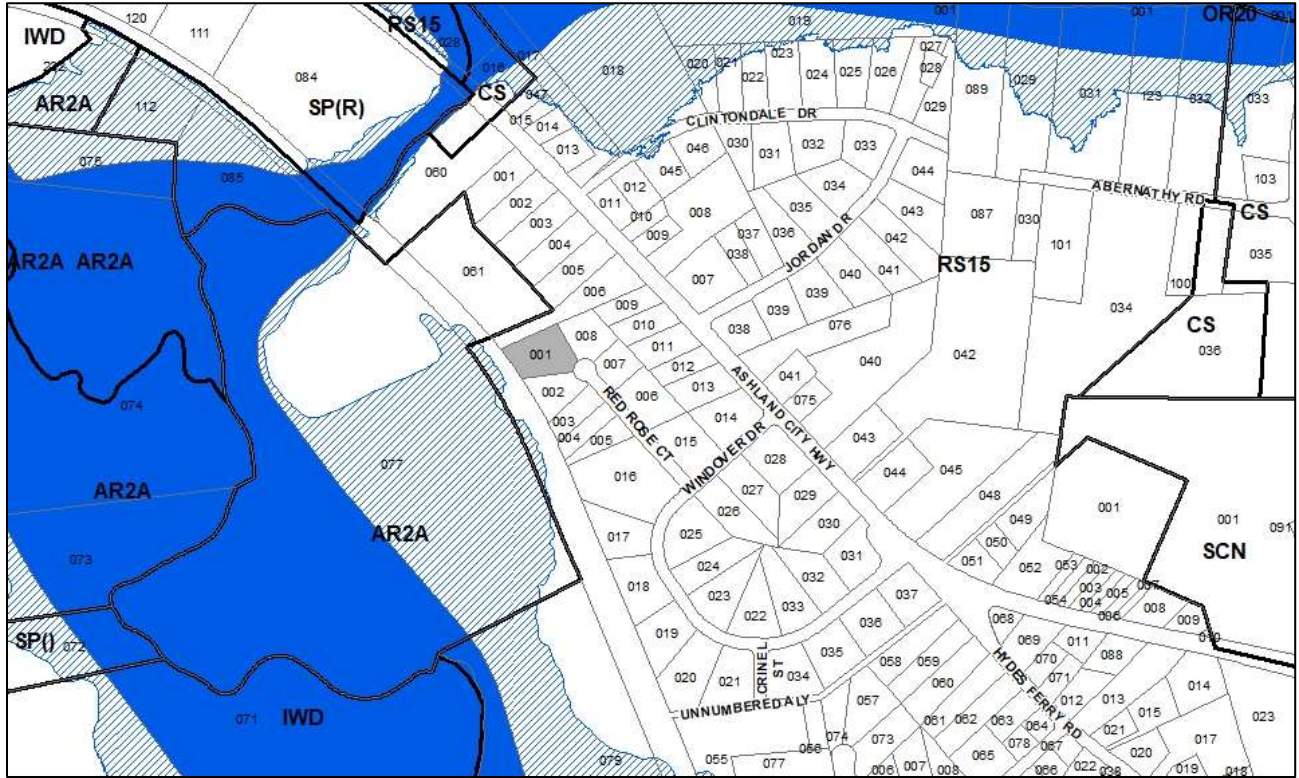
7. A corrected copy of the Preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee 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. 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.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 02/11/21



**2021SP-001-001**  
4027 RED ROSE COURT SP  
Map 069-11, Parcel(s) 001  
03, Bordeaux – Whites Creek – Haynes Trinity  
02 (Kyonzté Toombs)





**Project No.** Specific Plan 2021SP-001-001  
**Project Name** 4027 Red Rose Court SP  
**Council District** 02 – Toombs  
**School District** 1 – Gentry  
**Requested by** Shawanda Dodson Crawford, applicant; and Shawanda Dodson Crawford and Sedric Crawford, owners.

**Deferrals** The item was deferred at the January 21, 2021 Planning Commission hearing. No public hearing has been held.

**Staff Reviewer** Lewis  
**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.



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land use table  
4027 Red Rose Court Nashville, TN 37218

We are proposing land use for a standard DADU conditions per Title 17.

**Proposed Preliminary SP**



## Metro Planning Commission Meeting of 02/11/21

### 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 over-ride 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.



## Metro Planning Commission Meeting of 02/11/21

- 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



## Metro Planning Commission Meeting of 02/11/21

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.



## Metro Planning Commission Meeting of 02/11/21

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

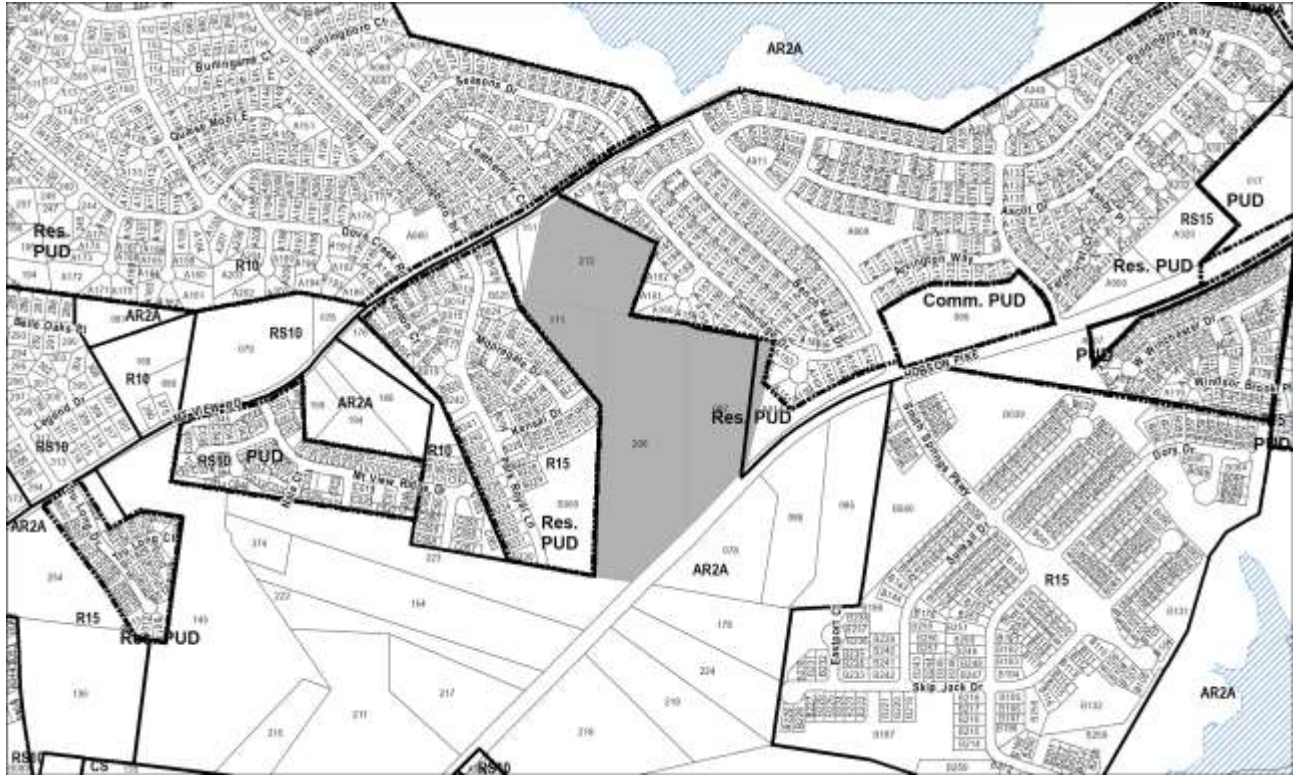
1. Permitted uses shall be limited to all uses permitted by the RS15 zoning district and one Detached Accessory Dwelling Unit (DADU).
2. The standards of Title 17 related to DADUs shall apply, 17.16.030.G.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy 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.



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 02/11/21



### **2021SP-005-001**

#### **HOBSON HEIGHTS**

Map 150, Parcels 206, 212, P/O 171

Map 151, Parcel 087

13, Antioch – Priest Lake

33 (Antoinette Lee)





**Project No.** Specific Plan 2021SP-005-001  
**Project Name** Hobson Heights  
**Council District** 33 – Lee  
**School District** 6 – Bush  
**Requested by** Wamble & Associates, applicant; Amnon Shreibman, owner.

**Deferrals** This request was deferred from the January 21, 2021, Commission meeting. No public hearing was held.

**Staff Reviewer** Swaggart  
**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.



# Metro Planning Commission Meeting of 02/11/21



**Proposed Preliminary Site Plan**



## Metro Planning Commission Meeting of 02/11/21

### 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'



## Metro Planning Commission Meeting of 02/11/21

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



## Metro Planning Commission Meeting of 02/11/21

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.



## **Metro Planning Commission Meeting of 02/11/21**

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](mailto: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.



## Metro Planning Commission Meeting of 02/11/21

### 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.



## Metro Planning Commission Meeting of 02/11/21

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.

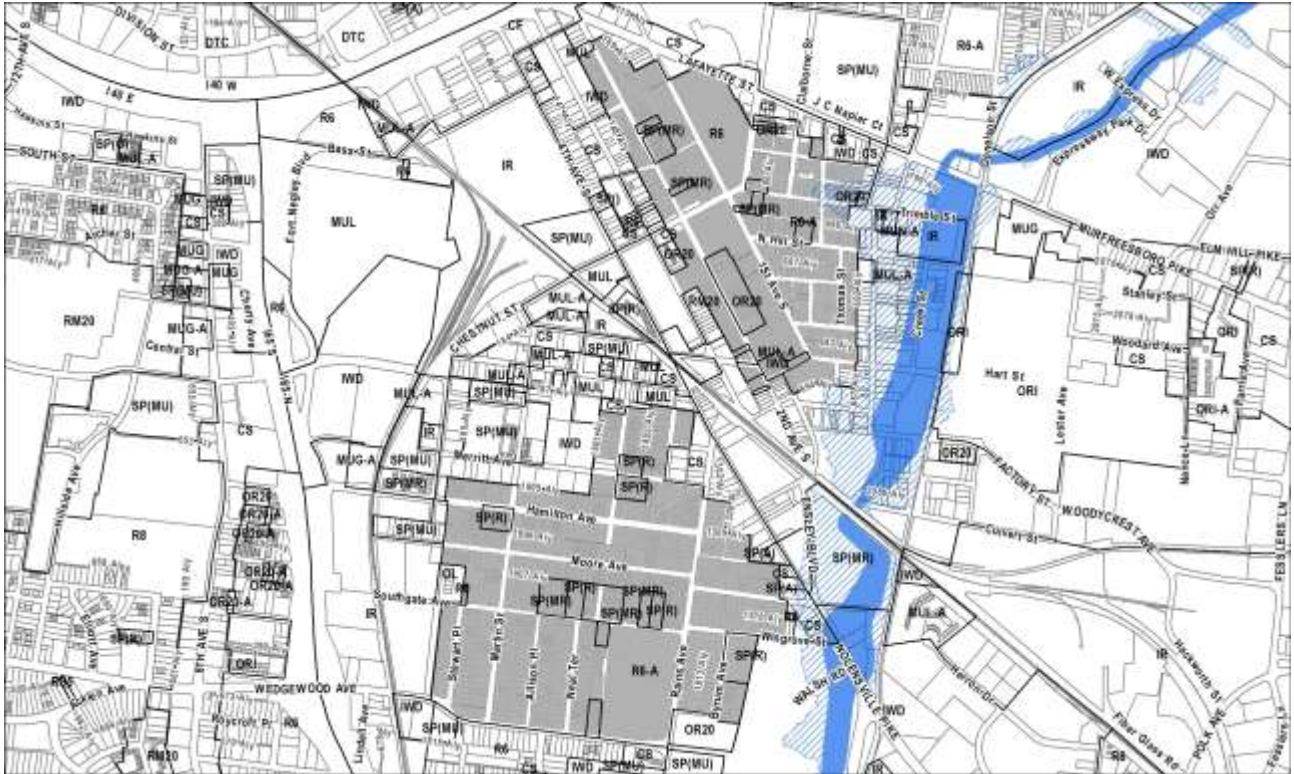




**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 02/11/21



**2021UD-001-001**

**WEDGEWOOD-HOUSTON CHESTNUT HILL URBAN DESIGN OVERLAY**

Various Maps, Various Parcels

11, South Nashville

17 (Colby Sledge)



**Project No.** Urban Design Overlay 2021UD-001-001  
**Project Name** Wedgewood-Houston Chestnut Hill Urban Design Overlay  
**Council Bill No.** BL2021-635  
**Associated Case** 2021Z-016PR-001  
**Council District** 17 – Sledge  
**School District** 5 – Buggs  
**Requested by** Councilmember Colby Sledge, applicant; various property owners

**Staff Reviewer** Jameson-Brooks  
**Staff Recommendation** *Staff recommends approval with removal of properties at 1302, 1304, 1306, and 1308 1<sup>st</sup> Avenue South from the boundary and adherence to an effective date of April 6, 2021, following Metro Council passage and the Mayor’s signature.*

**APPLICANT REQUEST**  
**Establish an Urban Design Overlay district**

Urban Design Overlay

A request to apply an Urban Design Overlay (UDO) District to various properties located south of Lafayette Street and north of Wedgewood Avenue, zoned Commercial Services (CS), Industrial Warehousing/Distribution (IWD), (Mixed Use Limited -Alternative (MUL-A), Office/Residential (OR20), One and Two-Family Residential (R6), One and Two-Family Residential-Alternative (R6-A), Multi-Family Residential-Alternative (RM20-A), and Specific Plan (SP) (188.28 acres).

**Existing Zoning**

One and Two-family Residential and Alternative (R6 and R6-A) requires a minimum 6,000 square foot lot and is intended for single and two-family dwellings at a density of 7.71 dwelling units per acre, including 25 percent duplex lots. The A district is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

Mixed Use Limited-Alternative (MUL-A) is intended for a moderate intensity mixture of residential, retail, and office uses. The A district is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

Office and Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.



## Metro Planning Commission Meeting of 02/11/21

Multi-family Residential-Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The A district is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

Specific Plan (SP) 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.

### Proposed Overlay Zoning

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

### CRITICAL PLANNING GOALS

The purpose of the Wedgewood-Houston Chestnut Hill UDO is to preserve the essential, defining qualities of the Wedgewood-Houston and Chestnut Hill neighborhoods while addressing increasing demand for residential capacity in the area. The UDO outlines a carefully calibrated approach to neighborhood development, focused on contextual growth over time. In addition, it prioritizes flexibility and diversity of housing types by incentivizing small multi-unit developments in specific places compatible with the existing urban fabric.

### WEDGEWOOD HOUSTON CHESTNUT HILL PLANNING STUDY

In 2019, the Wedgewood Houston Chestnut Hill (WHCH) Planning Study was adopted by the Planning Commission. The study was developed through a participatory process that involved the collaboration of planning staff with community stakeholders to establish a clear vision and provide detailed information and solutions to guide the future physical and regulatory characteristics of these two neighborhoods.

During the planning process, it became clear that more detailed guidelines for redevelopment in Character Areas 2 and 3 (the primarily residential portions of the study area) were necessary. The Planning Study identified key issues - affordability and displacement, and community character - to

Figure 3. Character Area & Subdistrict Map

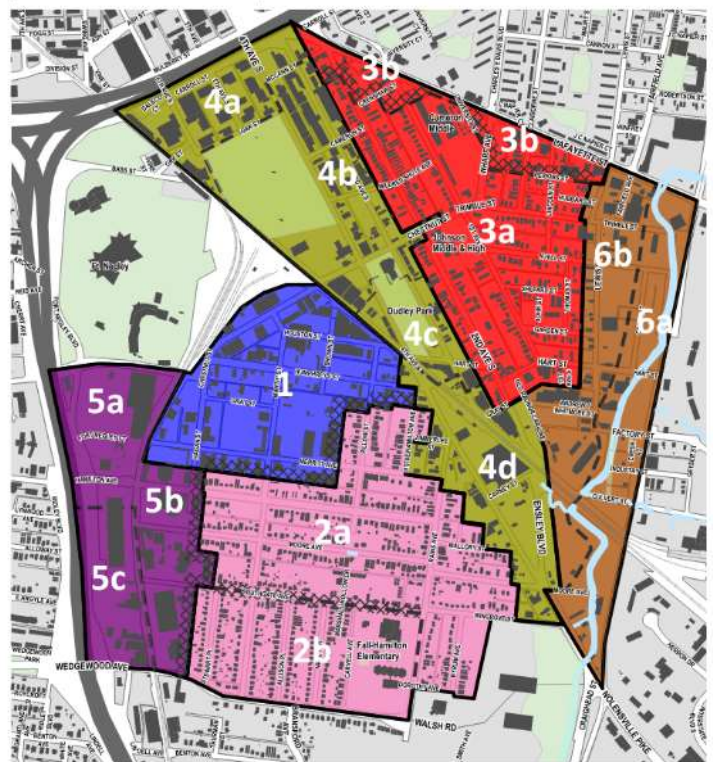


Figure 1: Character Area Map from 2019 WHCH Planning Study



## Metro Planning Commission Meeting of 02/11/21

be addressed through best practices of planning and design in these areas. Therefore, a core recommendation from the study was to establish a contextual residential infill Urban Design Overlay (UDO) paired within appropriate zone changes to achieve desired objectives.

### **SOUTH 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.

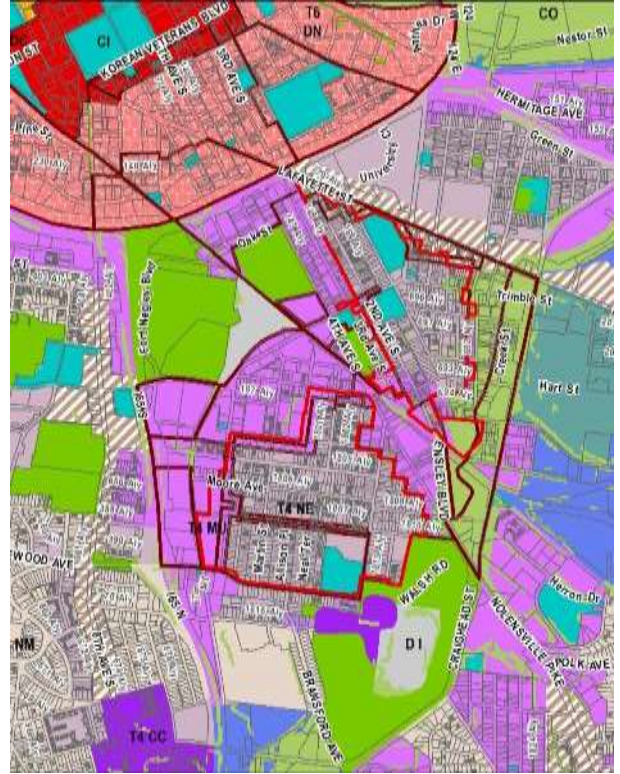


Figure 2: Policy Map Demonstrating T4 Urban Evolving Neighborhood

### **SITE CONTEXT AND PLAN DETAILS**

The 0.3 sq. mi. (188.28 acre) site encompasses the rapidly growing residential neighborhoods of Wedgewood-Houston and Chestnut Hill as well as the 2<sup>nd</sup> Avenue South corridor between Lafayette Street and Hart St. The core of the site is predominantly residential, with mixed-use, commercial and office uses along the corridors and at key intersections. It is flanked by light industrial, commercial, and support uses to the northeast on Lafayette Street, to the west along the CSX rail line, and along 4<sup>th</sup> Avenue South-Nolensville Pike.

The Major and Collector Street Plan identifies Wedgewood Avenue, 4<sup>th</sup> Avenue South, and 2<sup>nd</sup> Avenue South as Urban (T4) Arterial Boulevards within the site. In addition, Lafayette Street, Hart Street, and Lewis Street are designated Urban (T4) Collectors. The site is proximate to I-65 to the west and I-40 to the north.



## Metro Planning Commission Meeting of 02/11/21

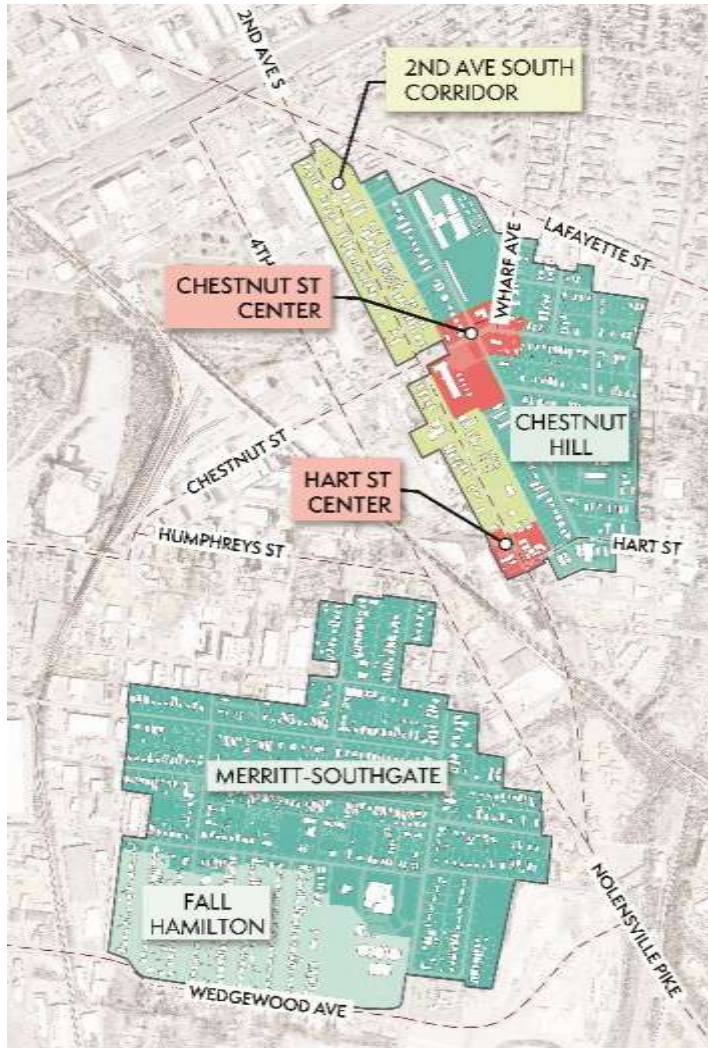


Figure 3: Framework Plan from WHCH UDO Document

### Site Plan

The Wedgewood-Houston Chestnut Hill Urban Design Overlay (WHCH UDO) was created as an implementation tool of the WHCH Planning Study that recommended the development of a contextual infill UDO for Character Areas 2 and 3 of its study area.

The UDO outlines the following goals:

- Provide a framework for a contextual urban neighborhood change in Nashville that prioritizes housing affordability & diversity & sustainable growth.
- Guide flexibility in housing in Chestnut Hill and Merritt-Southgate to address housing demand and affordability.
- Preserve the small scale, single-family character of the Fall-Hamilton neighborhood (Southgate to Wedgewood Ave.) while allowing for some compatible infill.
- Encourage the intersections of Second Ave. South with Chestnut Street and Hart Street to continue to develop as mixed-use neighborhood centers that support the surrounding area with walkable, daily uses.

The UDO standards are organized into two sections:

1. UDO standards: These standards apply to all properties within the UDO and include general best practices for the design of walkable, urban neighborhoods.
2. Character area specific standards: These standards guide the development of a specific neighborhood, corridor, or center, and utilize height, massing, and impervious surface ratio to ensure a uniform pattern of development that correspond to the Study Plan's guidance.

### **ANALYSIS**

The proposed Urban Design Overlay (UDO) guides infill development in a rapidly evolving area of South Nashville. It supports and provides standards for a mixture of housing types to ensure appropriate development patterns and intensity, given the land use policy, existing infrastructure, and proximity to arterial boulevards and corridors.

The Urban Neighborhood Evolving policy describes successful infill development as considering and being sensitive to things such as timing and elements of the existing developed character; such as the street network, block structure, and proximity to Centers and Corridors.



## **Metro Planning Commission Meeting of 02/11/21**

Paired with base zone changes, the UDO provides a necessary tool for implementing the goals of the WHCH Planning Study—namely, mitigating housing unaffordability and displacement and retaining neighborhood character. While the base zone change may help address the unaffordability and displacement issue through entitlements for greater density, the standards within the UDO ensure development of an appropriate height, massing, and density that retain the neighborhood character.

Two substantive changes have been made to the UDO following the public review period. First, the parcels at 1302, 1304, 1306, and 1308 1<sup>st</sup> Avenue South, have been removed from the UDO boundary. Secondly, the effective date of the UDO will occur on April 6, 2021, to follow passage of the bill at Metro Council and the Mayor's signature.

Staff finds the proposed UDO, including the removal of properties at 1302, 1304, 1306, and 1308 1<sup>st</sup> Ave South, from the UDO boundary and the decision to have the effective date follow council passage and the Mayor's signature, to be consistent with the policy guidance. A substitute ordinance reflecting the revised boundary, updated UDO document, and housekeeping changes to the caption will be filed.

### **FIRE MARSHAL RECOMMENDATION**

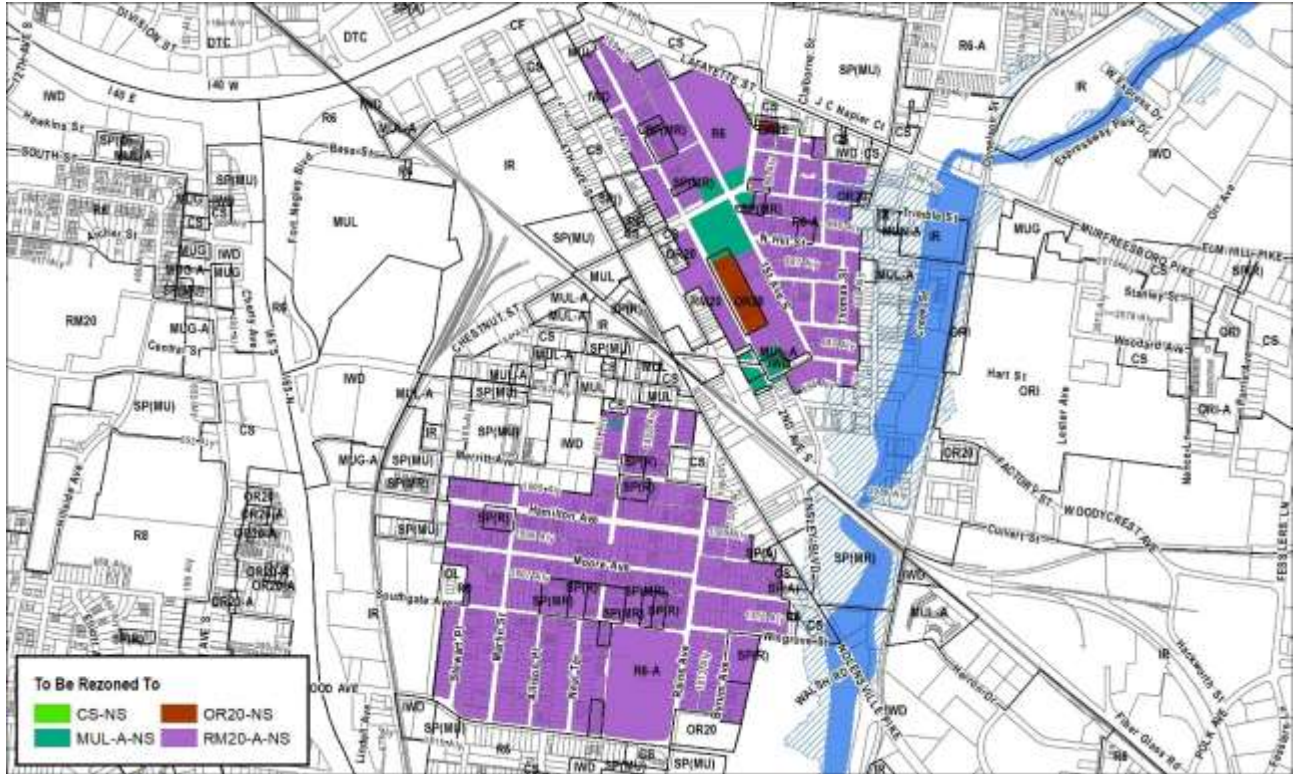
**Approve**

### **STAFF RECOMMENDATION**

Staff recommends approval with removal of properties at 1302, 1304, 1306, and 1308 1<sup>st</sup> Avenue South, from the boundary and adherence to an effective date of April 6, 2021, following Metro Council passage and the mayor's signature.



# Metro Planning Commission Meeting of 02/11/21



**2021Z-016PR-001**  
Various Maps, Various Parcels  
11, South Nashville  
17 (Colby Sledge)





**Project No.** 2021Z-016PR-001  
**Council Bill No.** BL2021-634  
**Associated Case** 2021UD-001-001  
**Council District** 17– Sledge  
**School District** 5 – Buggs  
**Requested by** Councilmember Colby Sledge, applicant; Various Owners

**Staff Reviewer** Jameson-Brooks  
**Staff Recommendation** *Approve with removal of properties currently zoned SP and certain properties along 1<sup>st</sup> Avenue S, if the UDO is approved. If the UDO is not approved, staff recommends disapproval.*

**APPLICANT REQUEST**

**Zone change to various zoning districts on various properties associated with the Wedgewood-Houston Chestnut Hill Urban Design Overlay.**

Zone change

A request to rezone from Commercial Service (CS), Industrial Warehousing/Distribution (IWD), Mixed Use Limited Alternative (MUL-A), Office and Residential (OR20), One and Two-family Residential (R6), One and Two-family Residential Alternative (R6-A), and Multi-Family Residential-Alternative (RM20-A) and Specific Plan (SP) to Mixed Use Limited-Alternative-No Short Term Rental (MUL-A-NS), Multi-family Residential-Alternative-No Short Term Rental (RM20-A-NS), Commercial Service-No Short Term Rental (CS-NS), and Office and Residential-No Short Term Rental (OR20-NS) for various properties located south of Lafayette Street and north of Wedgewood Avenue (188.33 acres).

**Existing Zoning**

One and Two-family Residential and Alternative (R6 and R6-A) requires a minimum 6,000 square foot lot and is intended for single and two-family dwellings at a density of 7.71 dwelling units per acre, including 25 percent duplex lots. The A district is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

Mixed Use Limited-Alternative (MUL-A) is intended for a moderate intensity mixture of residential, retail, and office uses. The A district is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

Office and Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.



## Metro Planning Commission Meeting of 02/11/21

Multi-family Residential-Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The A district is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

Specific Plan (SP) 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.

### **Proposed Zoning**

Commercial Service-No Short Term Rental (CS-NS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. Short term rental property, owner occupied and short term rental property, not owner occupied are prohibited.

Mixed Use Limited-Alternative-No Short Term Rental (MUL-A-NS) is intended for a moderate intensity mixture of residential, retail, and office uses. Short term rental property, owner occupied and short term rental property, not owner occupied are prohibited.

Office and Residential-No Short Term Rental (OR20-NS) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. Short term rental property, owner occupied and short term rental property, not owner occupied are prohibited.

Multi-family Residential-Alternative-No Short Term Rental (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. Short term rental property, owner occupied and short-term rental property, not owner occupied are prohibited.

### **SOUTH 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 need 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.

Civic (CI) is intended to serve two purposes. The primary intent of CI is to preserve and enhance publicly owned civic properties so that they can continue to serve public purposes over time, even if the specific purpose changes. This recognizes that locating sites for new public facilities will become more difficult as available sites become scarcer and more costly. The secondary intent of CI is to guide rezoning of sites for which it is ultimately determined that conveying the property in question to the private sector is in the best interest of the public.



## Metro Planning Commission Meeting of 02/11/21

Open Space (OS) is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. The OS Policy is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. OS policy includes public parks and may also include private land held in conservation easements by land trusts and private groups or individuals.

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.



**Figure 4** T4 NE is the predominate policy within the area to be rezoned. Other policies include Conservation (CO), Civic (CI), Open Space (OS).

### Wedgewood-Houston Chestnut Hill Planning Study

In 2019, the Wedgewood-Houston Chestnut Hill (WHCH) Planning Study was adopted by the Planning Commission. The study was developed through a participatory process that involved the collaboration of planning staff with community stakeholders to establish a clear vision and provide

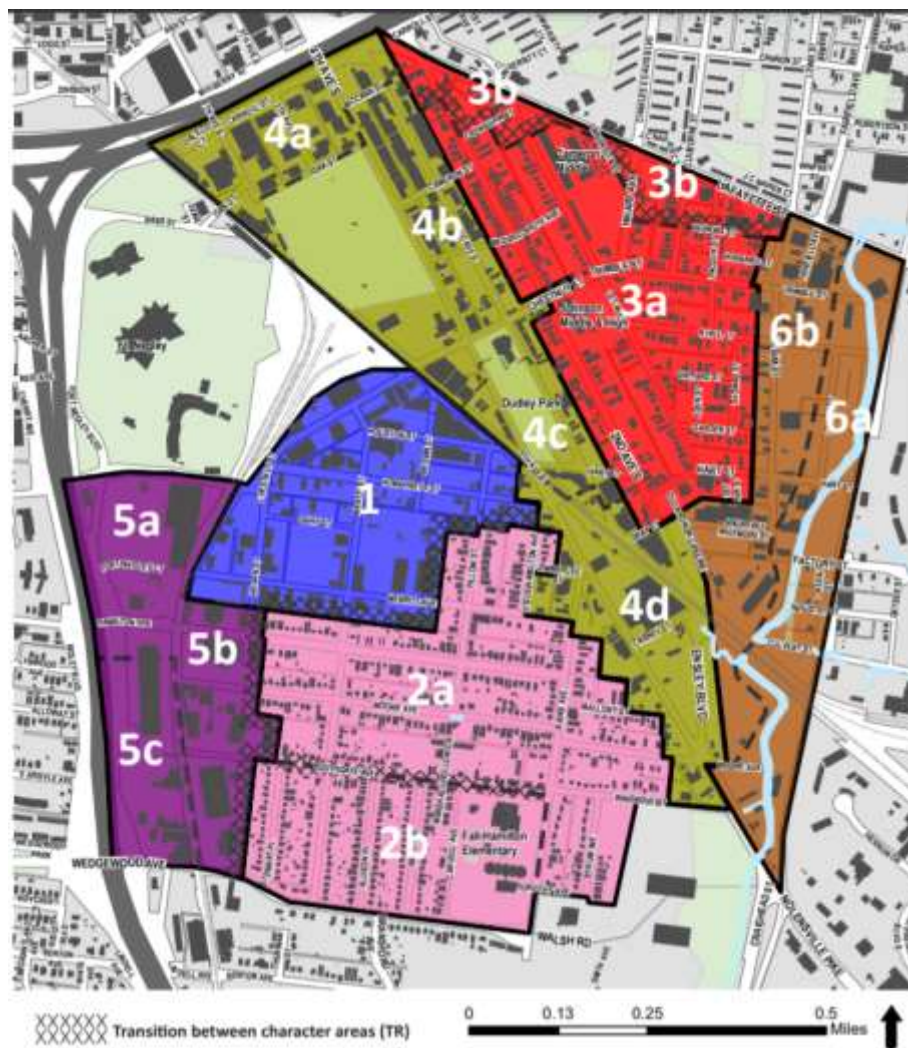


## Metro Planning Commission Meeting of 02/11/21

detailed information and solutions to guide the future physical and regulatory characteristics of these two neighborhoods.

The study established six character areas - geographic sectors with common attributes and identities - to guide redevelopment. During the planning process, it became clear that more detailed guidelines for redevelopment in Character Areas 2 and 3 (the primarily residential portions of the study area) were necessary. Therefore, a key recommendation from the study was to establish a contextual residential infill Urban Design Overlay (UDO) paired within appropriate zone changes to achieve desired objectives.

Within the plan, base zoning districts are recommended for each character area and subdistrict to provide guidance on the suitable scale and intensity of new development.



**Figure 5** The Planning Study recommends pairing rezoning with a design overlay in 2a, 2b, & 3a to achieve intended objectives.



## Metro Planning Commission Meeting of 02/11/21

### ANALYSIS

The Wedgewood-Houston Chestnut Hill Planning Study argues that “to ensure that the design objectives associated with the Community Character Policies are realized through new development, rezoning is needed” (p.94). It identifies appropriate zoning districts for each Character Area and Subdistrict and provides guidance on when more intense zoning districts should be used (refer to Figure 3).

Specifically, for Character Areas 2 and 3, the plan states “to be effective, these UDOs should be paired with rezonings to increase entitlements in appropriate locations to achieve the mix of housing units envisioned by these character areas and subdistricts.”

Table 3: Character Area and Subdistrict Zoning Guidance

	APPROPRIATE ZONING DISTRICTS		RECOMMENDED MAXIMUM ZONING
1	MUN-A MUL-A	OR20-A OR40-A RM9-A to RM40-A	MUL-A Design-based zoning
2A	R6-A RM15-A**	RM20-A** RM40-A**	RM40-A** MUN-A for T4 NC
2B	R6-A	RM20-A**	RM20-A** MUN-A for T4 NC
3A	R6-A RM20-A**	RM20-A ***	RM20-A** RM20-A ***
3B	RM20-A RM40-A MUL-A	MUG-A OR20-A OR40-A	MUL-A* MUG-A

\* in Transition  
 \*\* with contextual infill UDO  
 \*\*\* for 2nd and Chestnut

This table provides general guidance for alignment between each Character Area and Subdistrict and appropriate zoning districts. No zone change is guaranteed. Exceptional circumstances may warrant different zoning districts, which may be less intense than indicated or which may warrant more intensity than the Maximum Recommended Zoning. Refer to each district's description for detailed guidance.

Figure 6 Character Area & Zoning Guidance from the 2019 WHCH Planning Study.

Note RM20-A is listed as appropriate in 2a, 2b, & 3a.

It notes “zone changes, including design-based zone changes to achieve these specific planning goals, will be evaluated based on their ability to achieve the envisioned future character, level of change proposed, extent of community support and benefit, and the particular characteristics of the property being rezoned” (p.94).

When considering re-zonings, the policy guidance identifies several factors for consideration, including the relationship of the site to centers and corridors, the size of the site, and the character of adjacent policy areas. The site includes several Urban Mixed-Use Corridors and Arterials (T4 CM; T4-AB): Chestnut St., 2<sup>nd</sup> Avenue South, and Hart Street, and is proximate to Lafayette Street, 4<sup>th</sup> Avenue South, and Wedgewood Ave.

### ANALYSIS

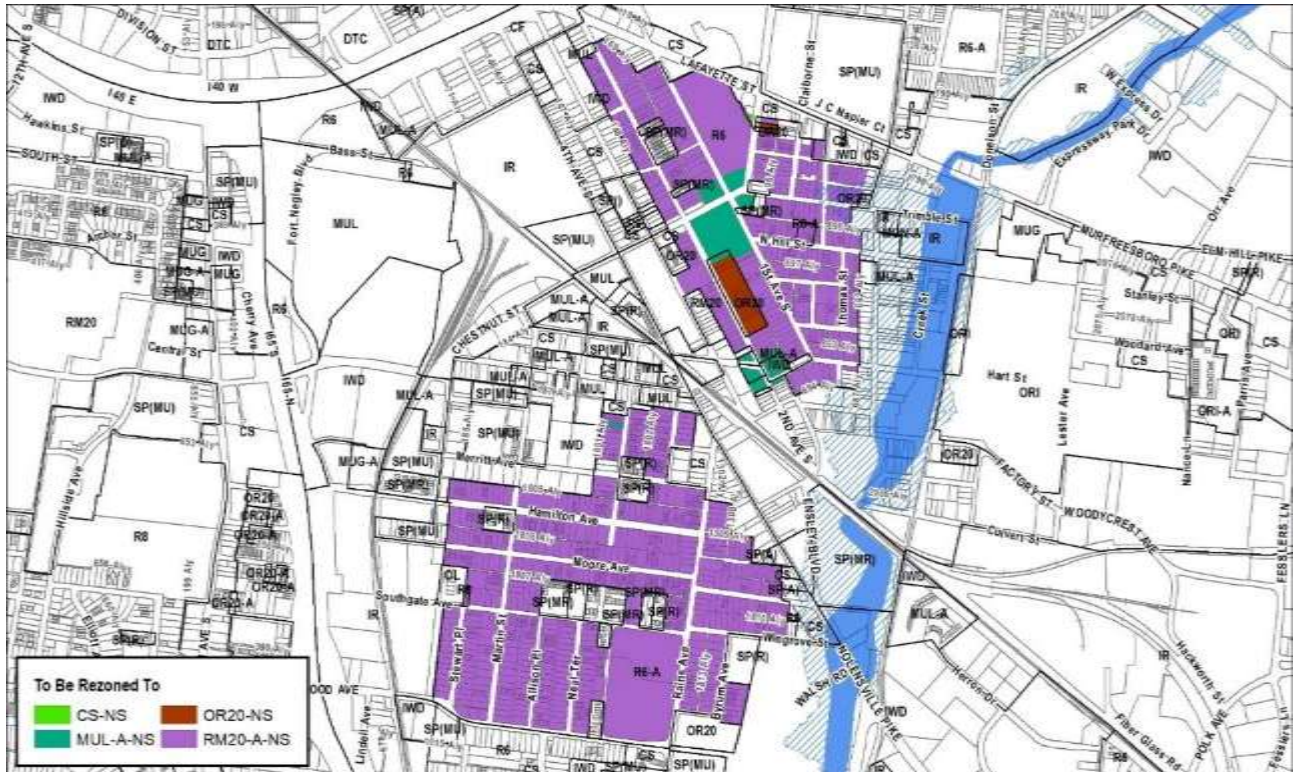
Paired with the WHCH UDO, the proposed zone changes provide a necessary tool for implementing the goals of the WHCH Planning Study—namely, mitigating housing unaffordability and displacement and retaining neighborhood character. While the standards within the UDO ensure development of an appropriate height, massing, and density that retain the neighborhood character,



## Metro Planning Commission Meeting of 02/11/21

the zone change lays the framework for mitigating unaffordability and displacement through entitlements for greater density.

The specific zoning districts proposed, primarily RM20-A-NS within the neighborhoods and MUL-A-NS at neighborhood centers, match the recommendations of the Planning Study.



**Figure 7: This map illustrates the changes that have been made to the rezoning boundary since the filing deadline. All properties zoned SP and the parcels at 1302, 1304, 1306, and 1308 1st Ave S. have been removed.**

Since the filing deadline, all properties zoned SP as well as the four parcels at 1302, 1304, 1306, and 1308 1<sup>st</sup> Ave South, were taken out of the boundary. These have been removed at the request of staff to reflect the objectives of the 2019 Planning Study and the desires of property owners obtained through the public review process. These modifications are appropriate. A substitute will be filed reflecting the updated boundaries, caption, and acreage.

Given the proximity to the corridor, surrounding policy districts, access opportunities, and policy guidance from the 2019 Planning Study, the proposed zoning districts are appropriate.

### **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.



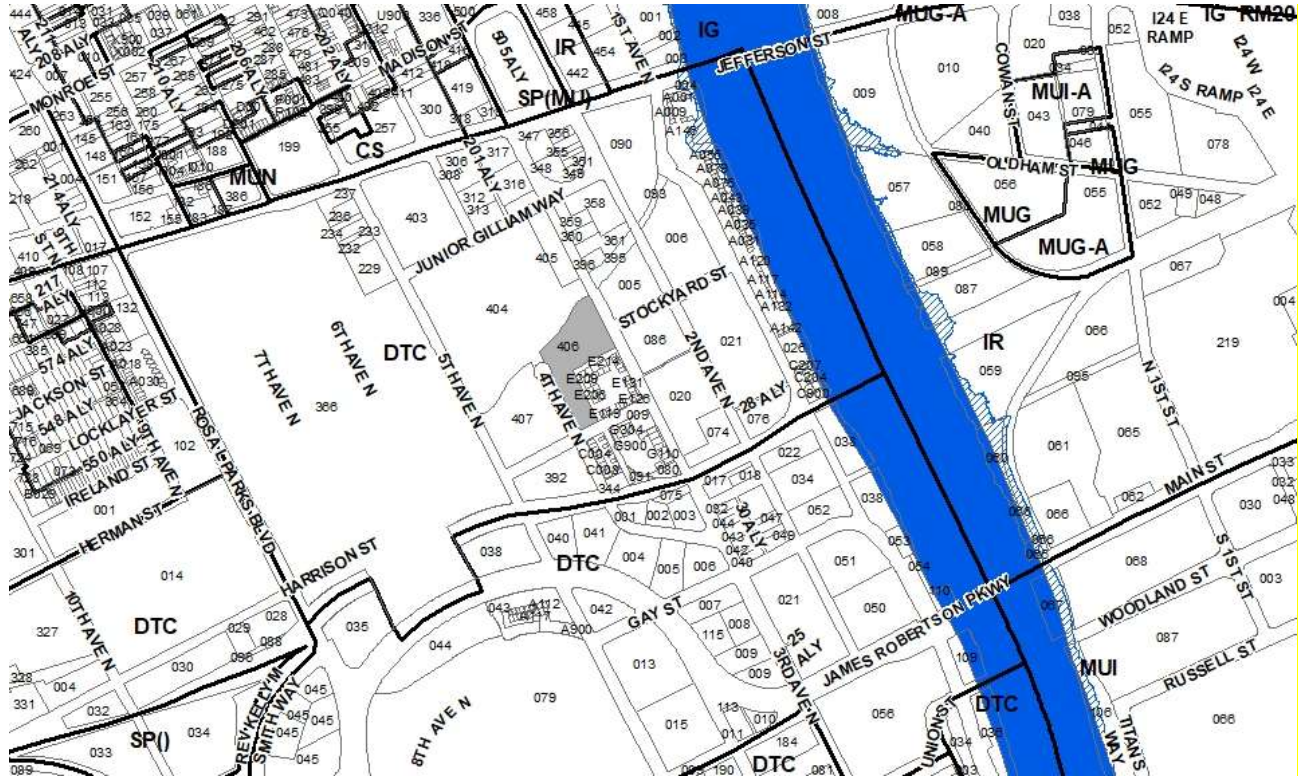
## **Metro Planning Commission Meeting of 02/11/21**

### **STAFF RECOMMENDATION**

Staff recommends approval with removal of properties currently zoned SP and properties at 1302, 1304, 1306, and 1308 1<sup>st</sup> Avenue S, if the UDO is approved. If the UDO is not approved, staff recommends disapproval.



# Metro Planning Commission Meeting of 02/11/21



**2020DTC-002-001**

**BALLPARK VILLAGE MIXED USE**

Map 082-13, Parcel 406

11, Downtown

19 (O'Connell)





<b>Project No.</b>	<b>DTC Overall Height Modification 2020DTC-002-001</b>
<b>Project Name</b>	<b>Ballpark Village Mixed Use</b>
<b>Council District</b>	19 – O’Connell
<b>School District</b>	05– Buggs
<b>Requested by</b>	Parker Hawkins, Applicant; Sulphur Dell Land, LLC owner.
<b>Staff Reviewer</b>	Hammer
<b>Staff Recommendation</b>	<i>Approve with conditions or defer without all conditions</i>

**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 3<sup>rd</sup> 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.



**Figure 1: Perspective from 3<sup>rd</sup> Avenue at intersection with Capitol Greenway**



## Metro Planning Commission Meeting of 02/11/21



**Figure 2: 3<sup>rd</sup> Avenue (East) Elevation**



**Figure 3: Capitol Greenway (North) Elevation**



**Figure 4: 4<sup>th</sup> Avenue (West) Elevation**



**Figure 5: Harrison Street (South) Elevations**



## Metro Planning Commission Meeting of 02/11/21

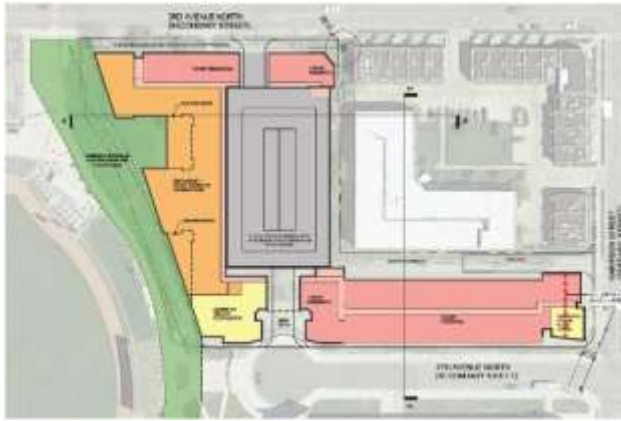


Figure 5: Ground Floor Plan – Uses



Figure 6: Ground Floor Plan – Landscape

### 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 3<sup>rd</sup> Avenue North and the terminus of 4<sup>th</sup> Avenue North. Vehicular access is taken from both the terminus of 4<sup>th</sup> Avenue North and on 3<sup>rd</sup> 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.



## Metro Planning Commission Meeting of 02/11/21

### 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



## Metro Planning Commission Meeting of 02/11/21

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.



## Metro Planning Commission Meeting of 02/11/21



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department  
800 Second Avenue South  
P.O. Box 196300  
Nashville, Tennessee 37219-6300

November 30, 2020

Attn: Kim Hartley Hawkins, ASLA  
Hawkins Partners, Inc.  
1900 Church St, Suite 403  
Nashville, TN 37203

**Re: Determination on DTC Bonus Height Program Efforts  
Ballpark Village Mixed-use Site (Parcel 08213040600)**

Mrs. Hawkins:

It has been determined that the proposed development has exhausted all efforts to use bonuses available in the Downtown Code's Bonus Height Program.

The project is within the Sulphur Dell Subdistrict and on a Secondary street, where 5 stories are permitted by-right and up to 6 stories permitted through use of available bonuses programs. The applicant is requesting 7 stories. Submitted exhibits state that the project will be using NGBS Silver (a LEED Silver analog), Upper Level Garage Liner and Pervious Pavement bonuses to earn bonus height.

Although it falls below the Bonus Height Program's quarter-acre threshold for consideration as an open space bonus, the exhibit also outlines a substantial commitment to provide a greenway connection at the north of site. Although the linear public space is 7,320 SF in size, it is a critical infrastructure connection for the neighborhood and a key contribution to the vitality of the CityCentral greenway system.

The applicant has made reasonable efforts to accomplish the intent of the Bonus Height Program and may proceed with the Overall Height Modification process. This letter serves as a determination to proceed with the Overall Height Modification process and does not indicate a project approval. This letter does not waive the requirements for other agencies such as MDHA, Fire, and NES. Deviations from commitments made as outlined herein may result in a reconsidering of these efforts and project.

Sincerely,

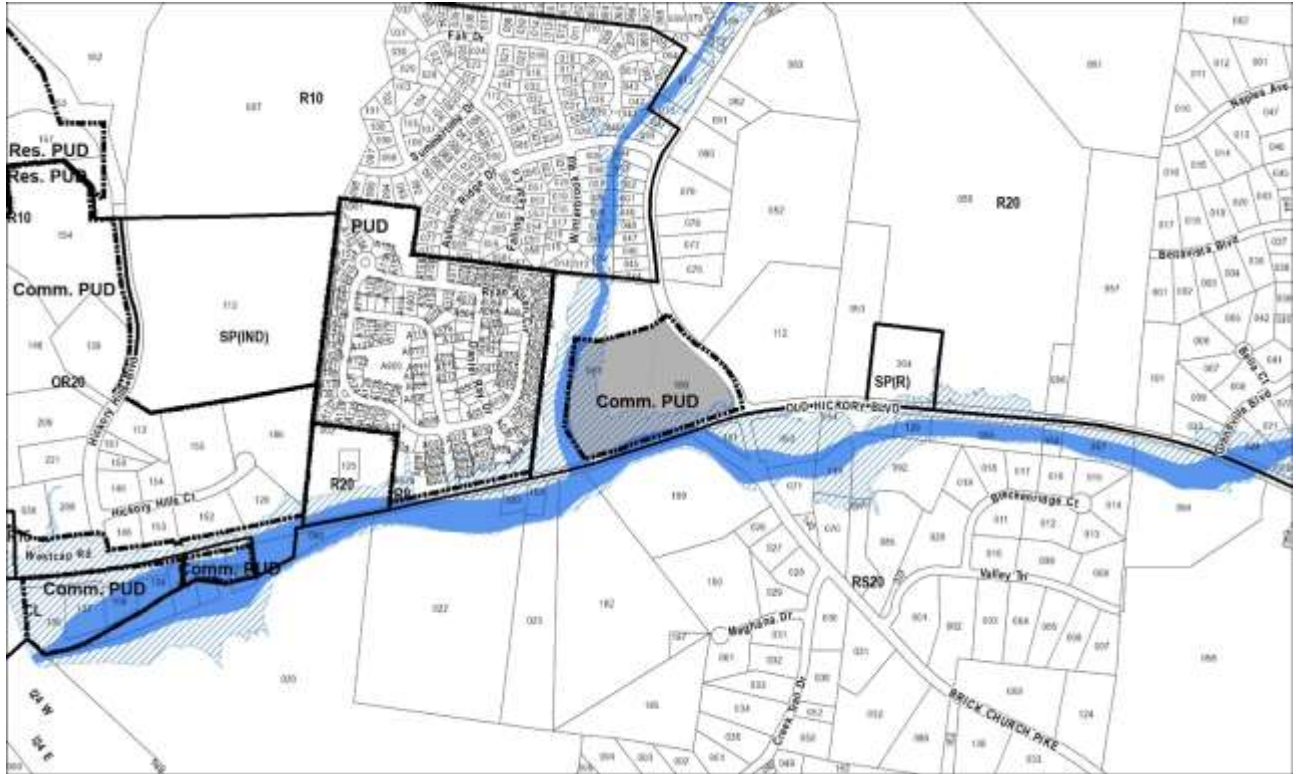
Lucy Kempf  
Executive Director  
Metro Nashville Planning Department



**SEE NEXT PAGE**



## Metro Planning Commission Meeting of 02/11/21



### **65-76P-003**

**COMMERCIAL PUD (CANCELATION)**

Map 032, Parcel 180

Map 041, Part of Parcel 003

02, Parkwood – Union Hill

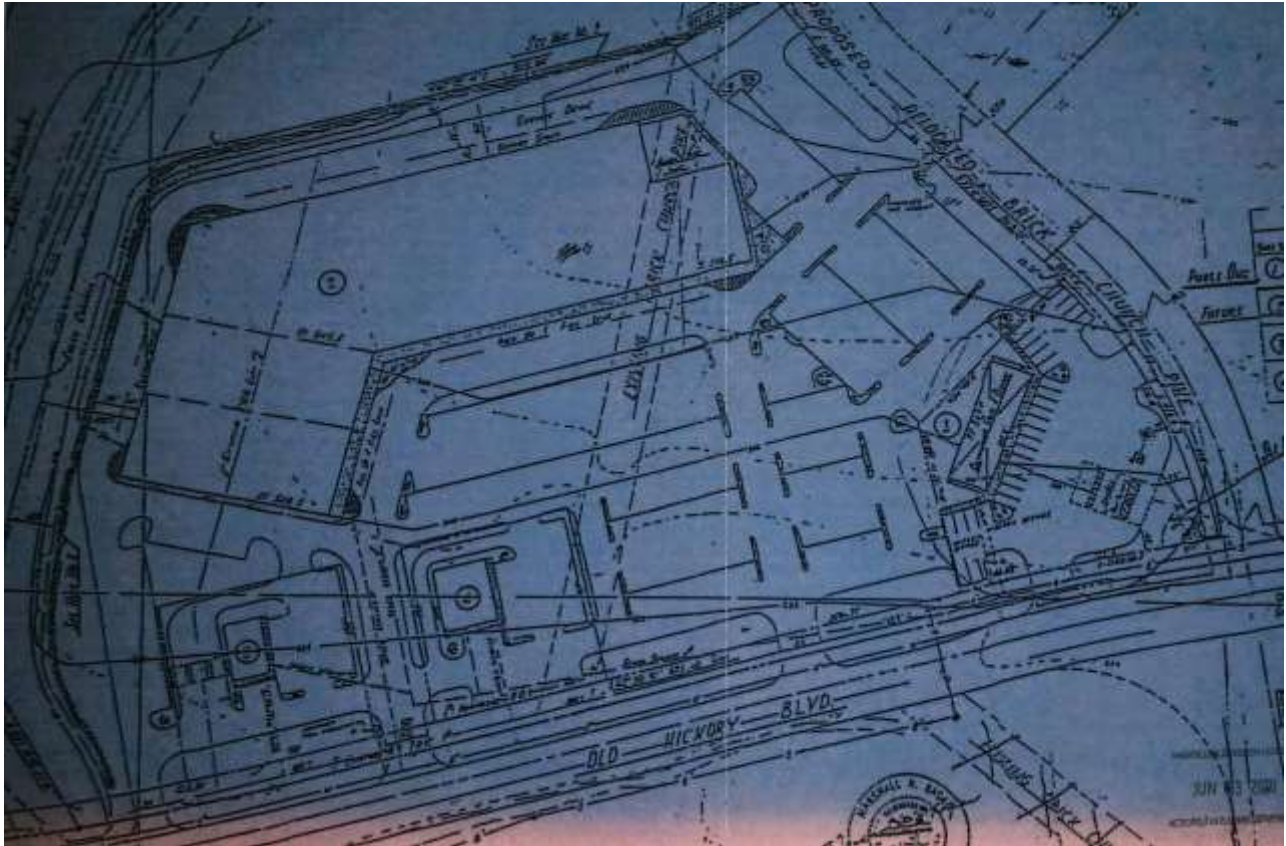
03 (Jennifer Gamble)







# Metro Planning Commission Meeting of 02/11/21



**PUD Site Plan**



## Metro Planning Commission Meeting of 02/11/21

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



## Metro Planning Commission Meeting of 02/11/21



### **2021Z-006PR-001**

Map 081-12, Parcel(s) 007

08, North Nashville

21 (Brandon Taylor)



**Project No.** Zone Change 2021Z-006PR-001  
**Council District** 21 - Taylor  
**School District** 1 – Gentry  
**Requested by** Stephen Bolton, applicant; Bolt Real Estate, LLC, owner.

**Deferrals** This item was deferred at the January 21, 2021, Planning Commission meeting. No public hearing was held.

**Staff Reviewer** Lewis  
**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.*

**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. *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



## Metro Planning Commission Meeting of 02/11/21

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 Planning Commission Meeting of 02/11/21

### **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.



## Metro Planning Commission Meeting of 02/11/21



### **2021Z-003PR-001**

Map 081-01, Parcel(s) 005

03, Bordeaux - Whites Creek - Haynes Trinity

02 (Kyonzté Toombs)





**Project No.** **Zone Change 2021Z-003PR-001**  
**Council District** 02 - Toombs  
**School District** 1 - Gentry  
**Requested by** Joseph L. Perry, applicant; Joseph L. & Willie Perry, owners.

**Deferrals** This item was deferred at the January 21, 2021, Planning Commission hearing. No public hearing was held.

**Staff Reviewer** Napier  
**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



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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



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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.



# Metro Planning Commission Meeting of 02/11/21



**2021Z-008PR-001**  
Map 119-01, Parcel(s) 495  
11, South Nashville  
16 (Ginny Welsch)



**Project No.** **Zone Change 2021Z-008PR-001**  
**Council District** 16 – Welsch  
**School District** 1 – Gentry  
**Requested by** Mitra Sharifi, applicant and owner.

**Deferrals** This item was deferred at the January 21, 2021, Planning Commission hearing. No public hearing was held.

**Staff Reviewer** Napier  
**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.



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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.

#### 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)	0.27	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 Glenclyff 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.