

Metropolitan Planning Commission



Staff Reports

February 25, 2021



Metro Planning Commission Meeting of 02/25/21

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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Project No. 2021CP-008-001
Project Name North Nashville Community Plan Amendment
Associated Case 2021SP-004-001
Council District 21 – Taylor
School District 1 – Gentry
Requested by Kimley Horn, applicant; Hoosier Capital, L.P., owner.

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

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

APPLICANT REQUEST

Amend the North Nashville Community Plan.

Plan Amendment

A request to amend the North Nashville Community Plan by changing from District Industrial (D IN) Policy to T4 Urban Mixed Use Neighborhood (T4 MU) Policy for properties located at 623 and 701 41st Avenue North and 700 42nd Avenue North, approximately 500 feet west of 40th Avenue North, zoned Industrial Restrictive (IR) (6.88 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the March 11, 2021, Planning Commission meeting.



Project No. Specific Plan 2021SP-004-001
Project Name 41st Avenue SP
Associated Case 2021CP-008-001
Council District 21 – Taylor
School District 1 - Gentry
Requested by Kimley Horn, applicant; Hoosier Capital, L.P., owner.

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

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

APPLICANT REQUEST

Preliminary SP to permit 151 Multi-Family Residential units.

Zone Change

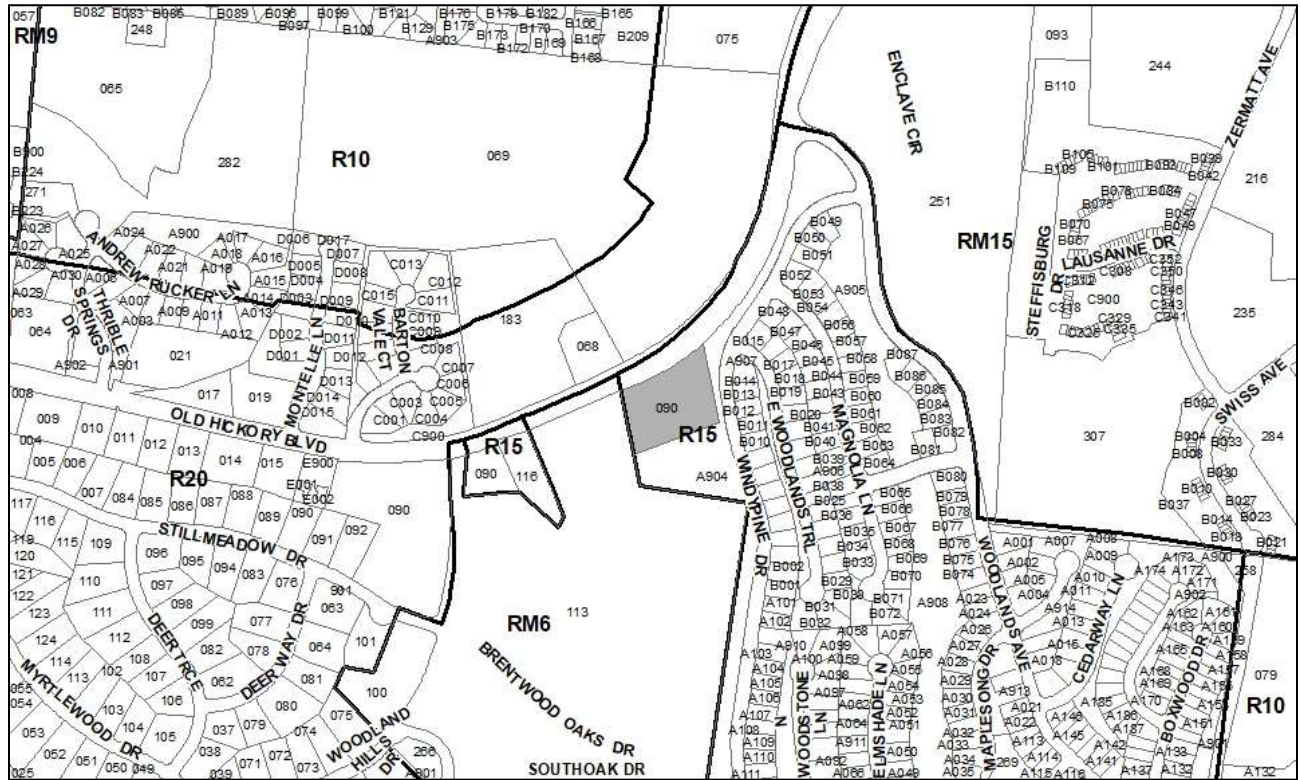
A request to rezone from Industrial Restrictive (IR) and Office Residential (OR20) to Specific Plan – Residential (SP) zoning on properties located at 704 41st Ave N, 4105 Clifton Avenue and Clifton Avenue (unnumbered) and 4020 Indiana Avenue, approximately 475 feet west of 40th Ave N, (5.11 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the March 11, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 02/25/21



2021SP-003-001

0 OLD HICKORY BOULEVARD

Map 161, Parcel(s) 090.07

12, Southeast

04 (Robert Swope)



Project No.	Specific Plan 2021SP-003-001
Project Name	0 Old Hickory Boulevard
Council District	4 – Swope
School District	2 – Elrod
Requested by	Dale and Associates, applicant; Alemayehu Tesfaye, owner.
Staff Reviewer	Rickoff
Deferrals	This item was deferred from the February 11, 2021, Planning Commission meeting. No public hearing was held.
Staff Recommendation	<i>Defer indefinitely.</i>

APPLICANT REQUEST

Preliminary SP to permit 10 multi-family residential units.

Preliminary SP

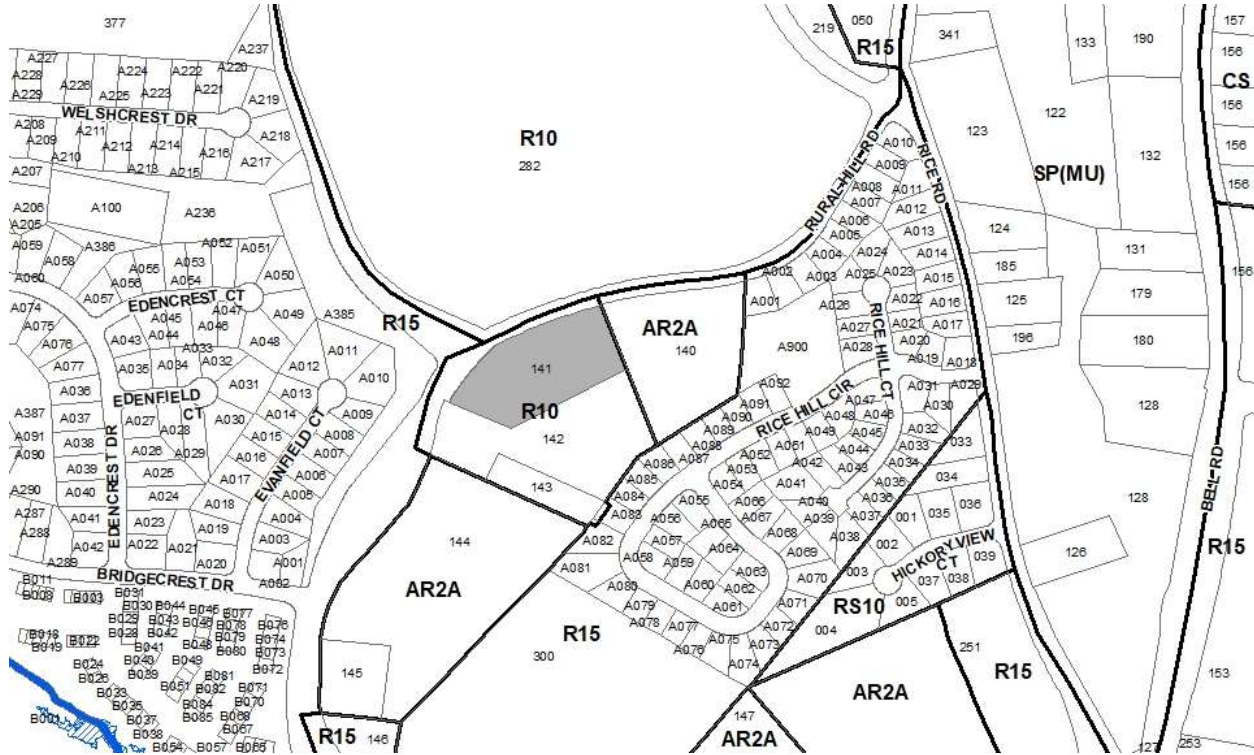
A request to rezone from One and Two-Family Residential (R15) to Specific Plan-Residential (SP-R) zoning for property located at Old Hickory Boulevard (unnumbered), approximately 1,100 feet east of Barton Vale Drive, to permit 10 multi-family units (2.54 acres).

STAFF RECOMMENDATION

Staff recommends indefinite deferral at the request of the applicant.



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2017S-250-002
RURAL HILL ROAD BEND
Map 149, Parcel 141
13, Antioch – Priest Lake
32 (Joy Styles)



Project No.	Final Plat 2017S-250-002
Project Name	Rural Hill Road Bend
Council District	32 – Styles
School District	6 – Bush
Requested by	Doyle Elkins, applicant; Sammy Said and Magdi Hanna, owners.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Defer to the March 25, 2021, Planning Commission meeting.</i>

APPLICANT REQUEST

Final plat to create eight residential lots.

Final Plat

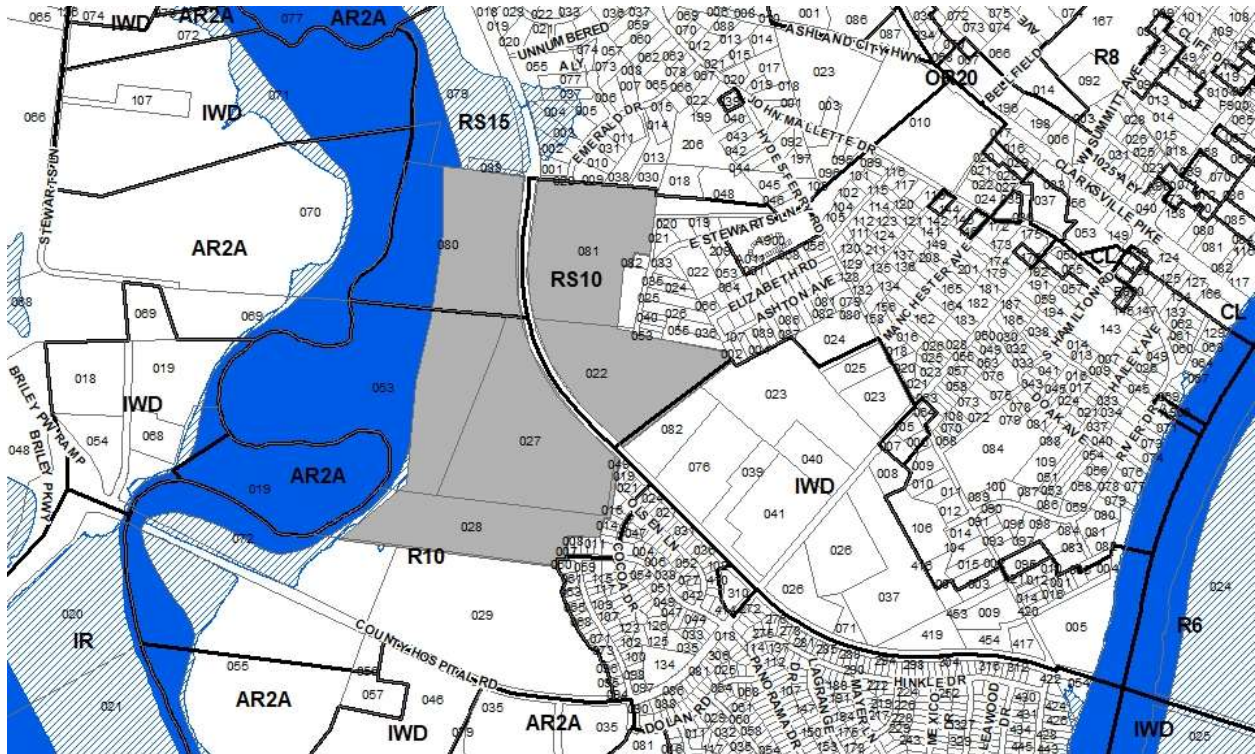
A request for final plat approval to create eight lots on property located at 1152 Rural Hill Road, approximately 630 feet north of Bridgecrest Drive, zoned One and Two-Family Residential (R10) (2.31 acres).

STAFF RECOMMENDATION

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



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2020S-145-001

BORDEAUX AGRIHOOD

Map 069, Parcel 081

Map 069, Part of Parcel 080

Map 080, Parcel(s) 022, 027

Map 080, Part of Parcel(s) 028, 053

03, Bordeaux - Whites Creek - Haynes Trinity

01 (Jonathan Hall);

02 (Kyonzté Toombs)



Project No. **Concept Plan 2020S-145-001**
Project Name **Bordeaux Agrihood**
Council District 1 - Hall; 2 - Toombs
School District 1 - Gentry
Requested by Dewey Engineering, applicant; Wildflower Partners LLC, owner.

Deferrals This item was deferred at the August 27, 2020, September 10, 2020, September 24, 2020, and November 12, 2020, December 10, 2020, and January 21, 2021, Planning Commission meetings. No public hearing was held.

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

APPLICANT REQUEST

Concept plan approval to create 412 lots for a total of 456 units.

Concept Plan

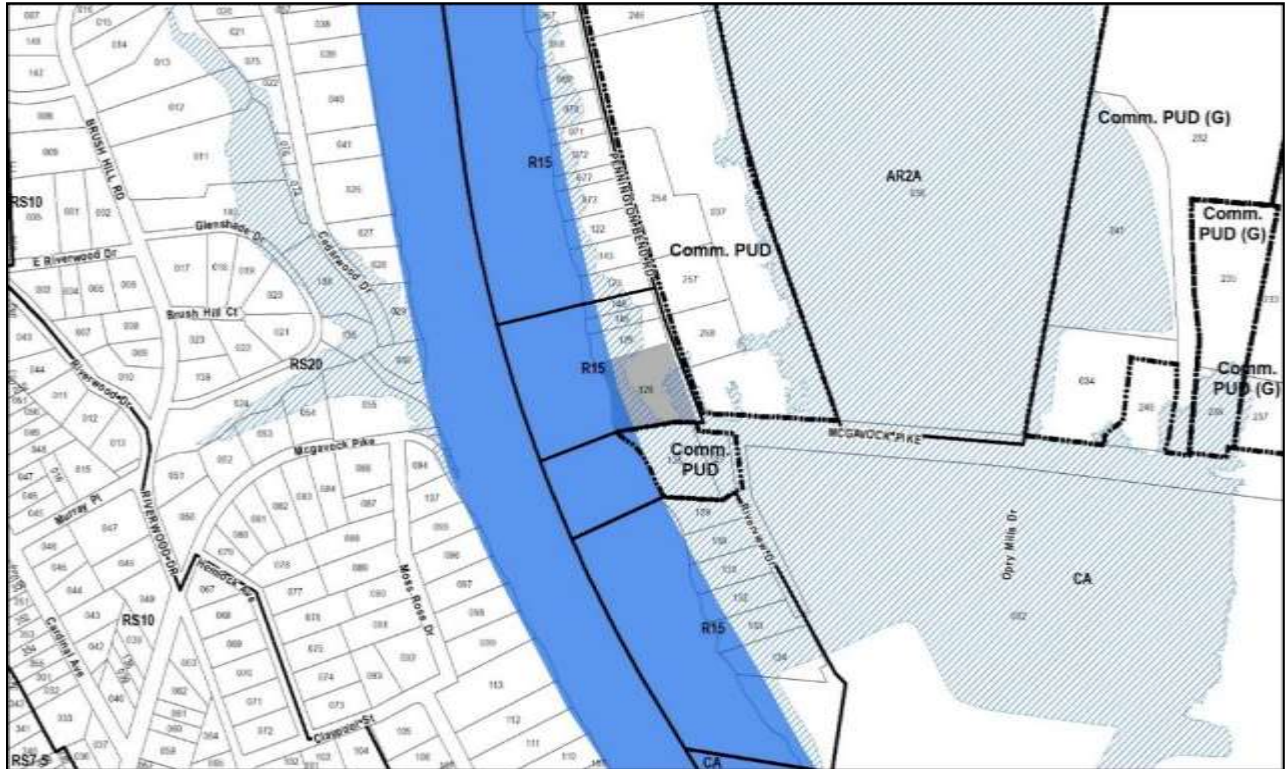
A request for concept plan approval to permit a maximum of 368 single-family lots and 44 two-family lots for a maximum of 456 residential units for properties located at 1501 E. Stewarts Lane, E. Stewarts Lane (unnumbered), and County Hospital Road (unnumbered), approximately 1,575 feet northwest of County Hospital Road, zoned One and Two-Family Residential (R10), Single-Family Residential (RS10) and Single-Family Residential (RS15) (129.2 acres).

STAFF RECOMMENDATION

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



Metro Planning Commission Meeting of 02/25/21



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)



Project No.	Final Plat 2021S-026-001
Project Name	Subdivision of the Tony and Pamela Adams Property
Council District	15 – Syracuse
School District	4 – Little
Requested by	Clint T. Elliott Surveying, Inc., applicant; Tony and Pamela Adams, owners.
 Deferrals	 This item was deferred from the February 11, 2021 Planning Commission meeting. No public hearing was held.
 Staff Reviewer	 Rickoff
Staff Recommendation	<i>Defer to the March 11, 2021, Planning Commission meeting.</i>

APPLICANT REQUEST

Request for final plat approval to create three lots.

Final Plat

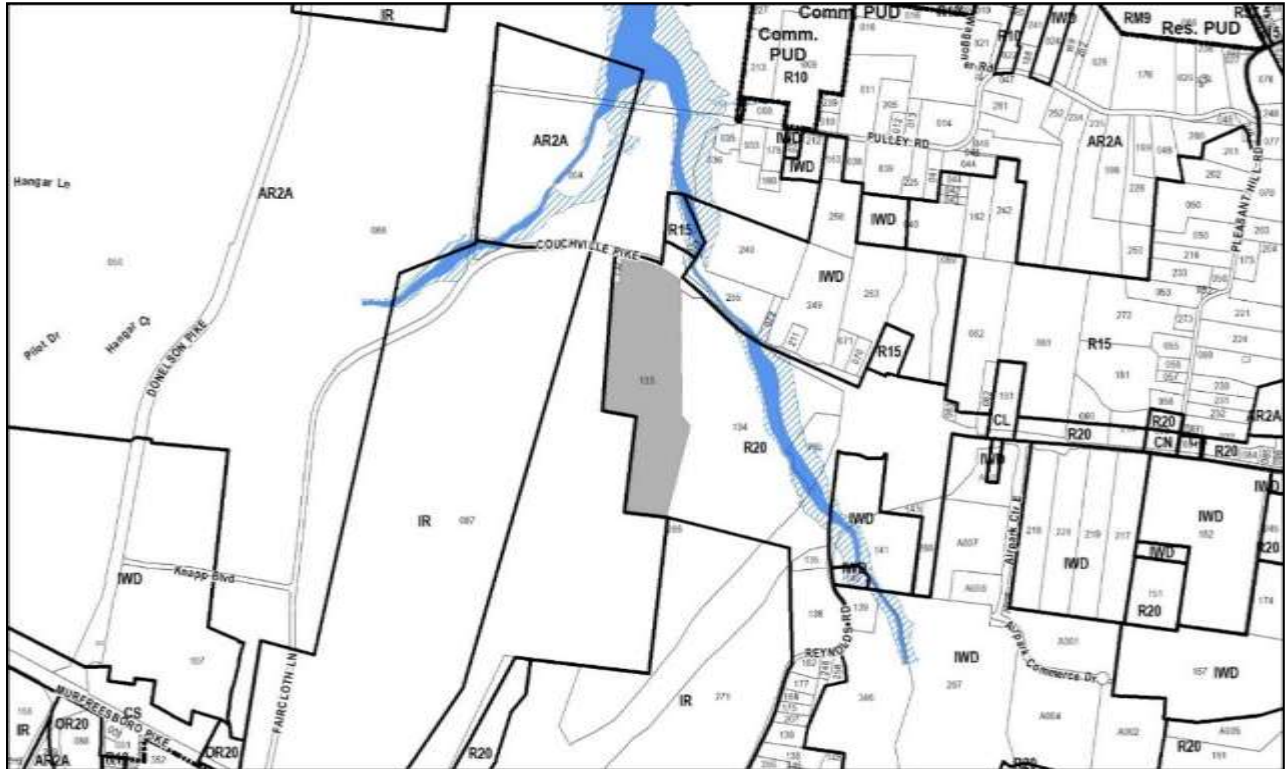
A request for final plat approval to create three lots on property located at 2203 Pennington Bend Road, at the western terminus of McGavock Pike, zoned One and Two-Family Residential (R15) (1.37 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the March 11, 2021, Planning Commission meeting.



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



Project No. **Zone Changes 2021Z-017PR-001**
Council District 29 – Porterfield
School District 7 – Player-Peters
Requested by Energy Land and Infrastructure, applicant; Tommy C. Estes, owner.

Deferrals The item was deferred at the February 11, 2021, Planning Commission hearing. No public hearing was held.

Staff Reviewer Lewis
Staff Recommendation *Defer to the March 11, 2021 Planning Commission hearing.*

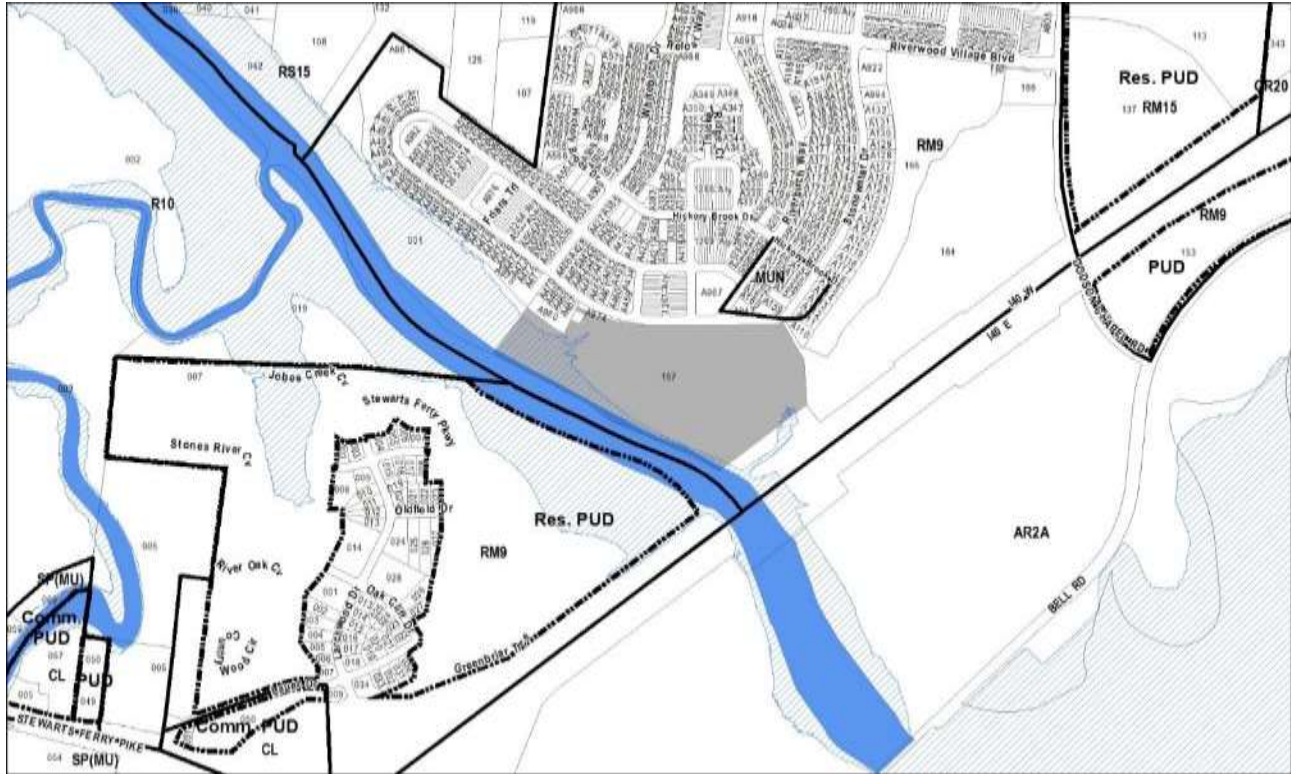
APPLICANT REQUEST
Zone change R20 to IWD.

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 March 11, 2021, Planning Commission hearing at the request of the applicant.



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2004UD-002-011

VILLAGES OF RIVERWOOD SECTION M (MODIFICATION)

Map 097, Parcel(s) 167

14, Donelson - Hermitage - Old Hickory

14 (Kevin Rhoten)



Project No.
Project Name

Urban Design Overlay 2004UD-002-011
Villages of Riverwood – Section M
(Modification)

Council District
School District
Requested by

14 – Rhoten
4 – Little
Dale and Associates, applicant; Villages of Riverwood and Browns Farm, owner.

Deferrals

This item was deferred at the October 22, 2020, December 10, 2020, January 21, 2021, and February 11, 2021 Planning Commission meeting. A public hearing was held at the October 22, 2020 Planning Commission meeting and remains open.

Staff Reviewer
Staff Recommendation

Elliott
Defer to the March 11, 2021, Planning Commission meeting.

APPLICANT REQUEST

Modify the Villages of Riverwood Urban Design Overlay District.

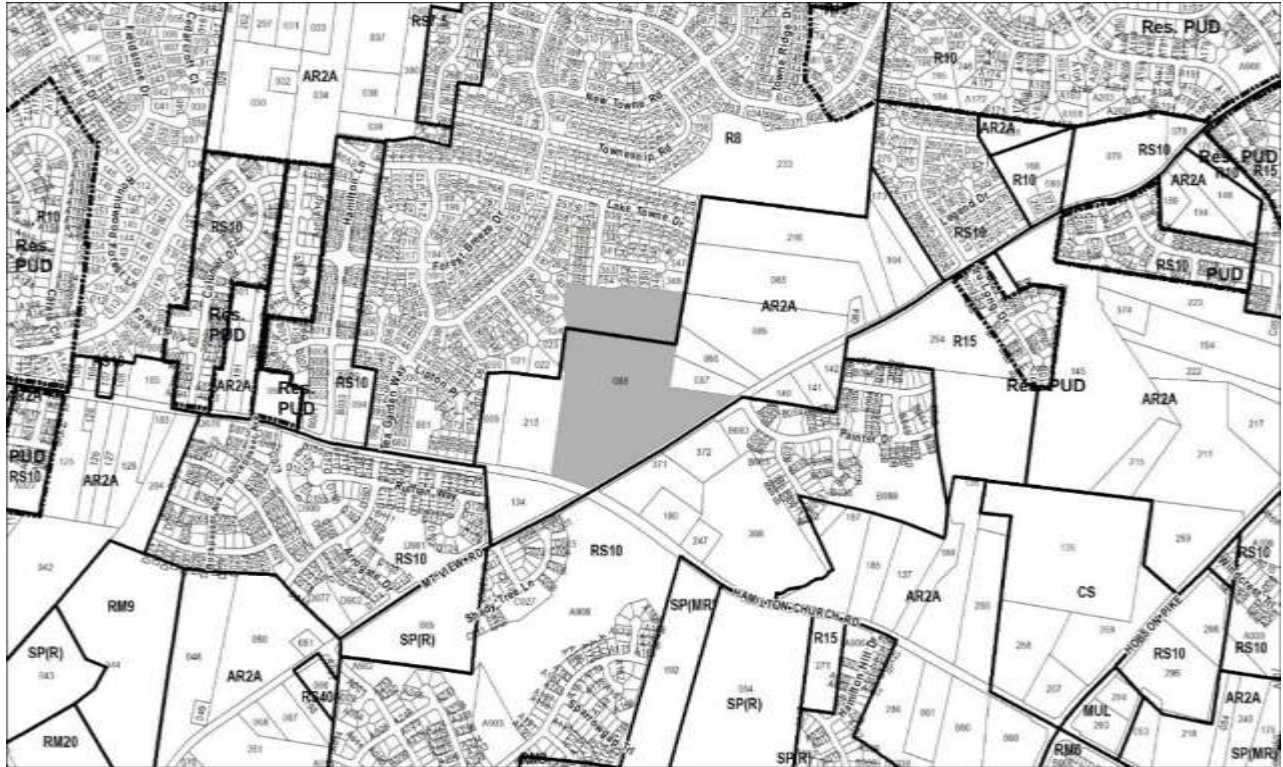
A request to modify the Villages of Riverwood Urban Design Overlay District for property located at Stonewater Drive (unnumbered), approximately 400 feet southwest of Hickory Brook Drive, zoned Multi-Family Residential (RM9) and within the Villages of Riverwood Urban Design Overlay District (23.35 acres),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

STAFF RECOMMENDATION

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



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2021SP-006-001

6103 MT. VIEW ROAD SP

Map 150, Parcel(s) 088

13, Antioch - Priest Lake

33 (Antoinette Lee)



Project No. Specific Plan 2021SP-006-001
Project Name 6103 Mt. View Road SP
Council District 33 – Lee
School District 6 – Bush
Requested by CSDG, applicant; Therese McClurg and Philip Burgess, owners.

Deferrals The item was deferred at the February 11, 2021, Planning Commission hearing. No public hearing was held.

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

APPLICANT REQUEST

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

Preliminary SP

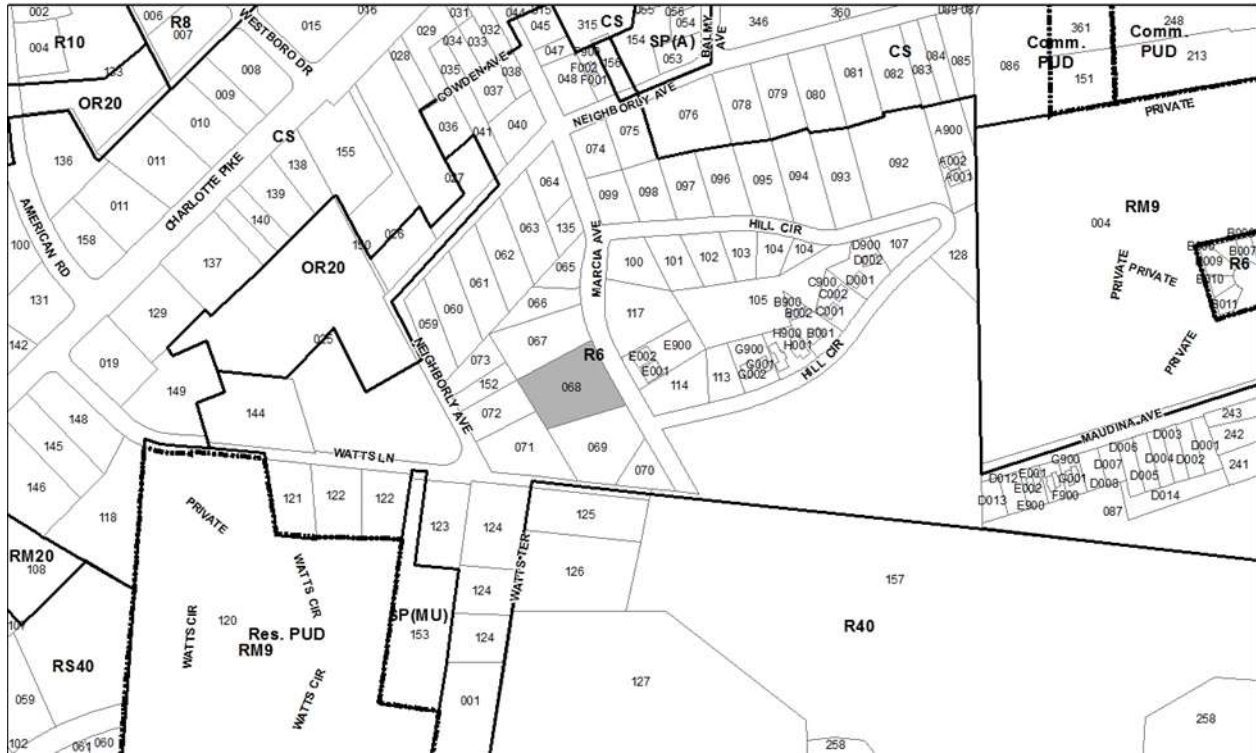
A request to rezone from One and Two-Family Residential (R8) and Agricultural/Residential (AR2a) to Specific Plan-Residential (SP-R) zoning for property located at 6103 Mt. View Road, at the northeast corner of Mt. View Road and Hamilton Church Road (22.18 acres), to permit 46 single family lots and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

STAFF RECOMMENDATION

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



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2019S-086-001

RESUBDIVISION OF LOTS 3 & 4 ON THE PLAT SHOWING THE DIVISION OF THE JOHN B. COWDEN PROPERTY

Map 103-01, Parcel(s) 068

07, West Nashville

20 (Mary Carolyn Roberts)



Project No.	Final Plat 2019S-086-001
Project Name	Resubdivision of Lots 3 & 4 on the Plat Showing the Division of the John B. Cowden Property
Council District	5 – Roberts
School District	9 – Tylor
Requested by	Clint T. Elliott Surveying, applicant; Luke Ryan and Xenia Hom, owners.
Staff Reviewer	Dunnivant
Staff Recommendation	<i>Approve with conditions.</i>

APPLICANT REQUEST

Final Plat to create up to 11 lots.

Final Plat

A request for final plat approval to create three lots on property located at 211 Marcia Avenue, approximately 545 feet south of Neighborly Avenue, zoned One and Two-Family Residential (R6) (0.91 acres).

SITE DATA AND CONTEXT

Location: West side of Marcia Avenue and north of Watts Lane.

Street Type: Marcia Avenue is a local street with approximately 56’ of right-of-way and approximately 22’ of pavement width.

Approximate Acreage: 0.91 acres or 39,630 square feet.

Parcel/Site History: This site is comprised of one parcel. Parcel 068 was originally created by deed in 1949.

Zoning History: The site has been zoned R6 since 1974.

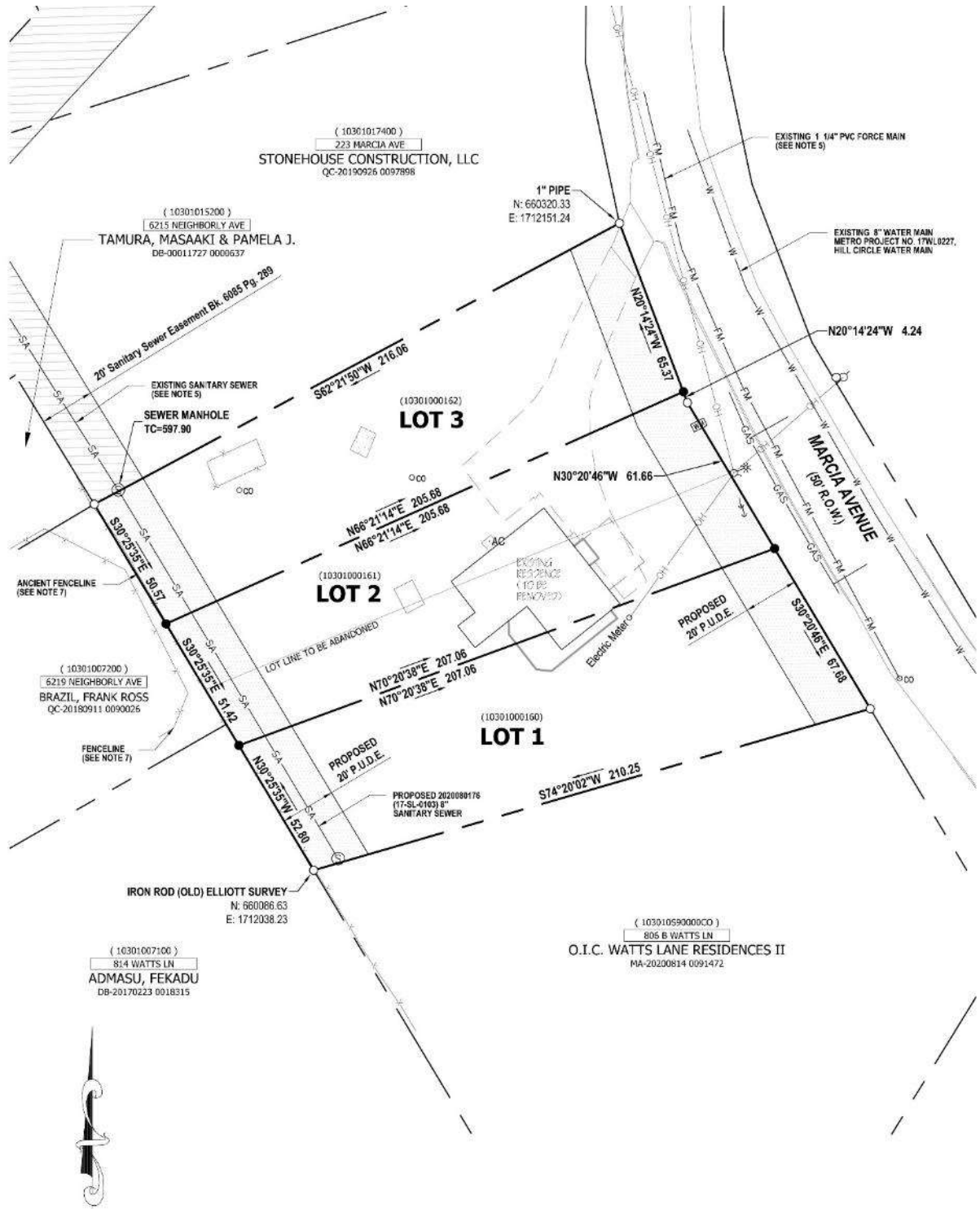
Existing land use and configuration: The site consists of a single-family residence.

Surrounding land use and zoning:

- **North:** Vacant (R6)
- **South:** Two Family Residential (R6)
- **East:** Two Family Residential (R6)
- **West:** Single Family Residential (R6)



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Proposed final plat



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Zoning: Single-Family Residential (R6)

- Min. lot size: 6,000 square feet
- Max. height: 3 stories
- Min. street setback: 20’.
- Min. rear setback: 20’
- Min. side setback: 5’
- Max. building coverage: 0.50

PROPOSAL DETAILS

This proposal is for subdivision approval under existing zoning entitlements. No rezoning is proposed with this application.

Number of lots: 3

Lot sizes: Lots range in size between 11,939 sq. ft. to 12,252 sq. ft.

Access: Access is from Marcia Avenue

Subdivision Variances or Exceptions Requested: None

APPLICABLE SUBDIVISION REGULATIONS

The site is within the Suburban Neighborhood Evolving (T3 NE) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T3 NE, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

Staff finds that all standards are met.

3-2 Monument Requirements

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

3-3 Suitability of the Land

Not applicable to this case. Based on available data, this site does not contain FEMA floodway or floodplain, steep slopes as identified on Metro’s topographical maps, 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.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size 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 R6 zoning at the time of building permit. All proposed lots have frontage on a public street, Marcia Avenue.



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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. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan.

3-5.3 Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving and/or Special Policies, except within Designated Historic Districts.

a. All minimum standards of the zoning code are met.

All minimum standards of the Zoning Code are met.

b. Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.

Each lot has frontage on an existing public street.

c. The current standards of all reviewing agencies are met.

All standards of the reviewing agencies have been met.

d. The proposed lots comply with any applicable special policy. If the property is also within Neighborhood Maintenance policy and the special policy was adopted to preserve community character, not create infill opportunities, then the standards of Section 3-5.2 also apply.

3-5.4 Criteria for Determining Compatibility for Designated Historic Districts.

Not applicable to this case.

3-5.5 Infill Subdivision Frontage. Infill lots with a street frontage of less than 50' and without access to an improved alley are required to be accessed via a shared drive.

All lots have frontage over 50 feet.

3-5.6 Reasonable Conditions

Staff recommends no additional conditions as the proposal meets the infill requirements.

3-6 Blocks

Not applicable to this case. This proposal is for an infill subdivision. No new blocks are being created.

3-7 Improvements

Not applicable to this case. No public infrastructure or improvements are required with this subdivision. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.



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- 3-8 Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities**
Not applicable to this case. Sidewalks are required only in association with new streets. The proposed subdivision is located on an existing street. Sidewalks may be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code.
- 3-9 Requirements for Streets**
Not applicable to this case. The proposal is for an infill subdivision located on an existing street. No new streets are proposed.
- 3-10 Requirements for Dedication, Reservations, or Improvements**
Not applicable to this case. The subdivision does not adjoin or encompass either a greenway corridor shown on the Countywide Greenways Plan or Countywide Parks Master Plan, it is not located on a substandard street, or on a route depicted on the Major and Collector Street Plan.
- 3-11 Inspections During Construction**
This section is applicable at the time of construction, which for this proposed subdivision, will occur only after issuance of a building permit approved by Metro Codes and all other reviewing agencies.
- 3-12 Street Name, Regulatory and Warning Signs for Public Streets**
Not applicable to this case. The proposal is for an infill subdivision located on an existing street. No new streets are proposed.
- 3-13 Street Names, Regulatory and Warning Signs for Private Streets**
Not applicable to this case. The proposal is for an infill subdivision located on an existing street. 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**
Metro Water Services has reviewed this proposed final plat for water and has recommended approval.
- 3-16 Sewerage Facilities**
Metro Water Services has reviewed this proposed final plat for sewer and has recommended approval with conditions.
- 3-17 Underground Utilities**
Not applicable to this case. Utilities are required to be located underground whenever a new street is proposed. The proposal is for an infill subdivision located on an existing street. No new streets are proposed.



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PLANNING STAFF COMMENTS

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

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Provide adequate sight distance for driveways.

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. 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.
2. Comply with all conditions and requirements of Metro agencies.
3. Approval is contingent on construction and completion of MWS Project # 17-SL-103. A bond amount of \$21,000.00 is assigned to 17-SL-103

RECOMMENDED ACTION

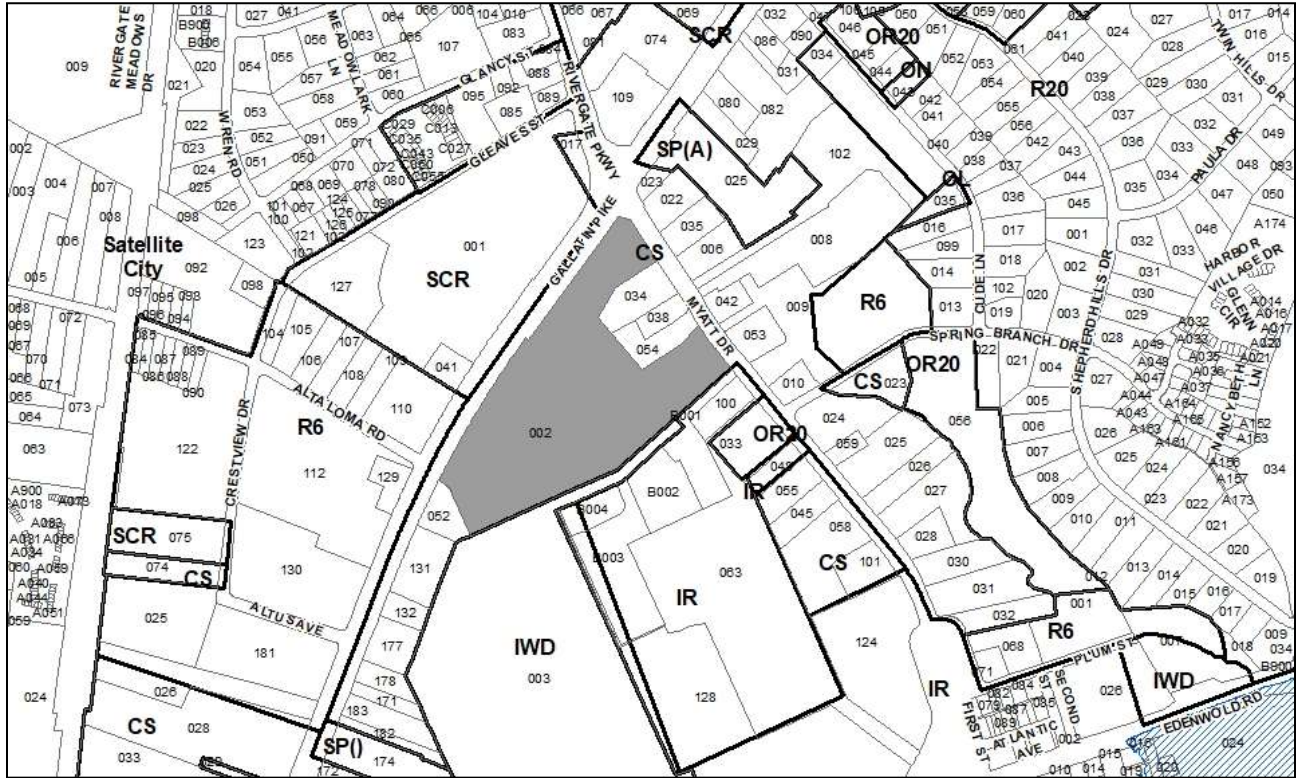
Motion to approve proposed subdivision Case No. 2019S-086-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.



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2021S-015-001
RIVERGATE STATION SECTION 1 2ND RESUB OF LOT 2
Map 034-06, Parcel 002
04, Madison
10 (Zach Young)



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

Deferrals	This item was deferred at the January 21, 2021, February 11, 2021, and February 25, 2021 Planning Commission hearings. No public hearing was held.
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Staff Reviewer	Lewis
Staff Recommendation	<i>Defer to the March 11, 2021 Planning Commission meeting.</i>

APPLICANT REQUEST

Final plat approval to create three lots.

Final Plat

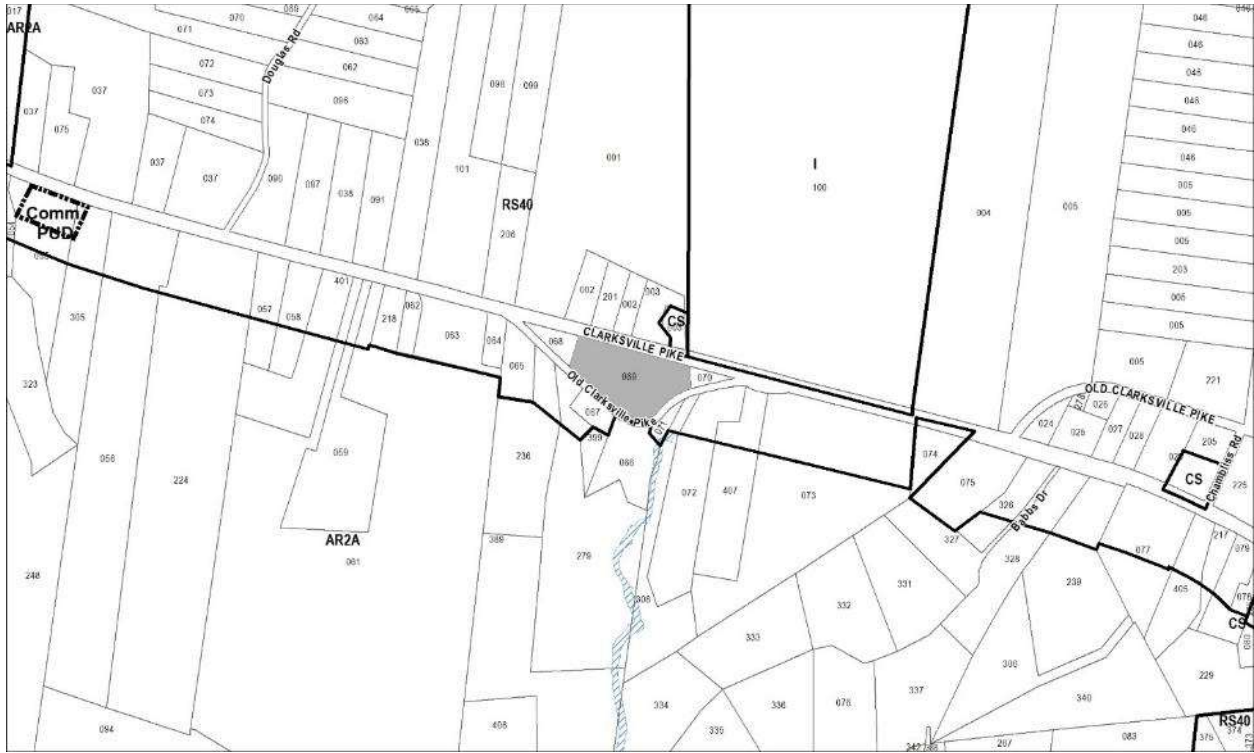
A request for final plat approval to create three lots on property located at 1699 Gallatin Pike, at the southwest corner of Myatt Drive and Gallatin Pike, zoned Commercial Services (CS) (20.97 acres).

STAFF RECOMMENDATION

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



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2021S-035-001
SUBDIVISION OF THE CHRIS PHILLIP PROPERTY
Map 021, Parcels 069
01, Joelton
01 (Jonathan Hall)



Project No.	Final Plat 2021S-035-001
Project Name	Subdivision of the Chris Phillip Property
Council District	1 – Hall
School District	1 – Gentry
Requested by	Chandler Surveying, applicant; Chris Phillip, owner.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve with conditions including a variance from Section 4.2-5.a.1.b, and Section 4.2-5.a.1.d. of the Metro Subdivision Regulation.</i>

APPLICANT REQUEST

Final plat to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 6421 Clarksville Pike, approximately 1,930 feet east of Douglas Road, zoned Single-Family Residential (RS40), (3.6 acres).

SITE DATA AND CONTEXT

Location: The site is located on the south side of Clarksville Pike, between Clarksville Pike and Old Clarksville Pike.

Street Type: The Major and Collector Street Plan (MCSP) classifies Clarksville Pike as a residential arterial (T2-R-AB2S). Old Clarksville Pike is classified as a local street.

Approximate Acreage: 3.6 acres or 564,537 square feet.

Parcel/Site History: The site is comprised of one parcel: Map 021, Parcel 069. The parcel was created prior to 1974.

Zoning History: The property is zoned Single-Family Residential (RS40). Prior to 1998, it was zoned One and Two-Family Residential (R40).

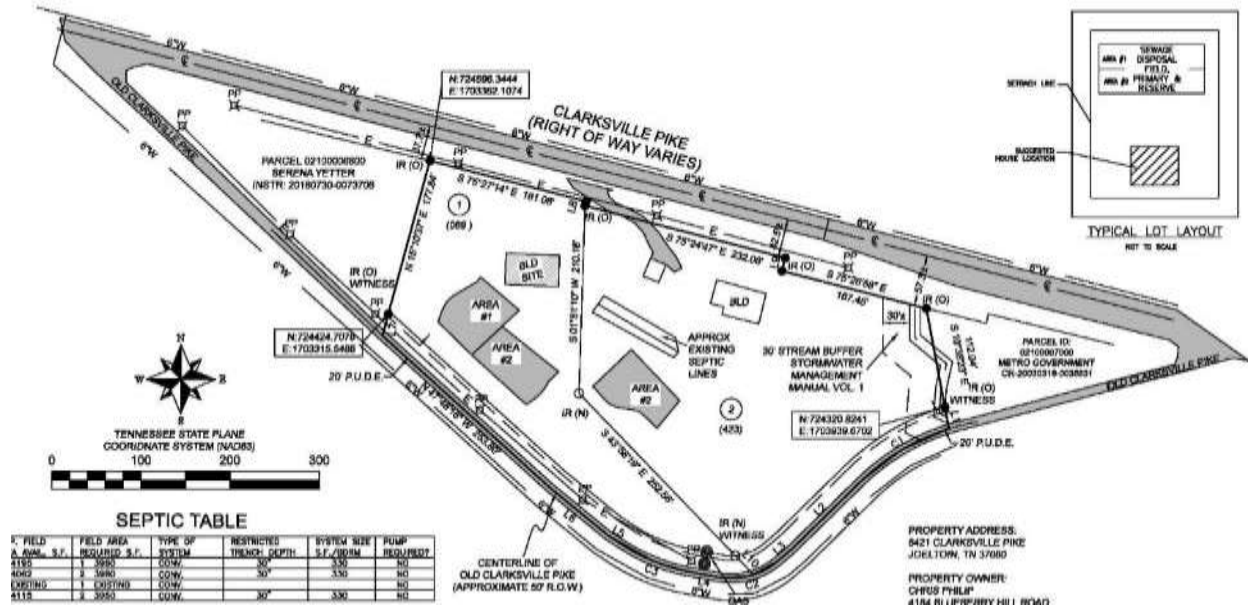
Bulk Standards for RS40:

- Min. lot size: 40,000 square feet
- Max. height: 3 stories
- Min. street setback for properties on Clarksville Pike: 40'
- Min. rear setback: 20' (Old Clarksville Pike)
- Min. side setback: 15'
- Maximum Building Coverage: 0.25

Existing land use: Single-Family Residential.



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Proposed Plat



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Surrounding land use/ zoning:

- North: Residential/Single-family residential (RS40) and Commercial (CS)
- South: Residential/Agricultural and Residential (AR2a) and Single-family residential (RS40)
- East: Residential/Single-family residential (RS40)
- West: Residential/Single-family residential (RS40)

PROPOSAL DETAILS

Number of lots: 2 lots.

Lot sizes: Lot 1 is approximately 1.59 acres (69,329 sq. ft.) and lot 2 is approximately 2.59 acres (109,254 sq. ft.).

Access: Both lots have direct access to Clarksville Pike and Old Clarksville Pike.

APPLICABLE SUBDIVISION REGULATIONS

The site is within the T2 Rural Maintenance (T2 RM) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T2 RM, the Rural Character Subdivision Regulations found in Chapter 4 are utilized. There are several subdivision options in the Rural Subdivision Regulations. This proposal utilizes the Countryside Character Design Open Alternative option as described in Section 4-2.5.a. of the subdivision regulations.

4-2.5 Rural Character Design

a. Countryside Character Option. This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along primary roadways through the use of setbacks, building placement, existing vegetation and natural topographic features that obscure the view of development from the street.

1. Open Alternative – Street frontage without existing vegetative or topographical screening. For purposes of this section, “surrounding parcels” is defined as the five R, RS, AR2a, or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.

a. Building Setback along existing public streets.

Complies. The building setbacks are required to be varied, and a minimum setback line is required to be platted when the average setback of abutting parcels is more than the minimum required street setback established by the zoning. The front setback of the abutting parcel is approximately 40 feet and is consistent with minimum required setback required by the Zoning Code.

b. Lot Depth along existing public streets.

Does not comply. This provision requires a 340-foot lot depth. As proposed, lots are less than 340 feet deep.

c. Lot size along existing public streets.

Complies. A compatibility analysis was conducted per this requirement. Minimum lot size is either equal to or greater than 70% of the lot size of the



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average size of surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. The outcome of the analysis is that the minimum lot size required for this subdivision is 27,007 square feet. The smallest lot proposed is 69,329 square feet in size.

d. Lot frontage abutting existing public streets.

Lot 1 does not comply. A compatibility analysis was conducted per this requirement. The outcome of the analysis is that the minimum lot frontage along Clarksville Pike required for this subdivision is 350 feet. The shortest lot frontage proposed is 181 feet.

e. Street lights.

Not applicable. No street lights are proposed with this plat.

f. Cluster lot option.

Not applicable to this case. The plat does not propose utilization of the cluster lot option.

Subdivision Variances or Exceptions Requested: Yes. This request requires a variance from Section 4.2-5.a.1.b. pertaining to the required lot depth and Section 4.2-5.a.1.d. pertaining to the required minimum lot width along Clarksville Pike.

Section 1-11, Variances, permits the Planning Commission to grant variances to the Subdivision Regulations when it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations. While the regulations grant the Commission the authority to grant variances, the regulations state that “such variance shall not have the effect of nullifying the intent and purpose of the Subdivision Regulations.” In order to grant a variance, the Commission must find that:

1. The granting of the variance shall not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.
4. The variance shall not in any manner vary from the provisions of the adopted General Plan, including its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County (Zoning Code).

Variance Analysis

Variance Request #1

Section 4.2-5.a.1.b. requires that the minimum lot depth along a public street be 300' plus the required front setback. In this case the minimum required lot depth is 340'. As proposed, the lot depth varies with the deepest part being approximately 213 feet. The existing parcel is irregular in shape and is somewhat of a triangle. Due to the shape and depth of the parcel, it is impossible to subdivide the property and meet this requirement. Staff finds that the proposed depth does not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant the variance.



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Variance Request #2

Section 4.2-5.a.1.d. requires the minimum width for lot frontage be equal to or a least 70% of the average frontage of surrounding parcels or equal to or greater than the shortest, whichever is greater. Due to the location of the subject property, the abutting parcel, 6451 Clarksville Pike, to the northwest is the only parcel for comparison. This parcel has approximately 350' of frontage along Clarksville Pike. Lot 2 exceeds 350'; however, the frontage for Lot 1 is only 181 feet. There is a wide range of lot widths in the immediate area. Many are less than 181 feet and some are not. Given the property's location and range of lot widths in the area, staff finds that the proposed width does not conflict with the intent of the Rural Subdivision Regulations and meets all of the requirements for the Commission to grant the variance.

PLANNING STAFF COMMENTS

Staff finds that the proposed two lot subdivision is consistent with the intent of the Rural Subdivision Regulations. Furthermore, staff finds that the variances necessary to permit the proposed subdivision are appropriate and meet the standards for the Commission to approve the variance requests.

COMMENTS FROM OTHER REVIEWING AGENCIES

STORMWATER RECOMMENDATION

Approve

FIRE MARSHAL 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

Not applicable

METRO HEALTH DEPARTMENT

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions including a variance from Section 4.2-5.a.1.b, and Section 4.2-5.a.1.d. of the Metro Subdivision Regulation.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.



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2. 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.

RECOMMENDED ACTION

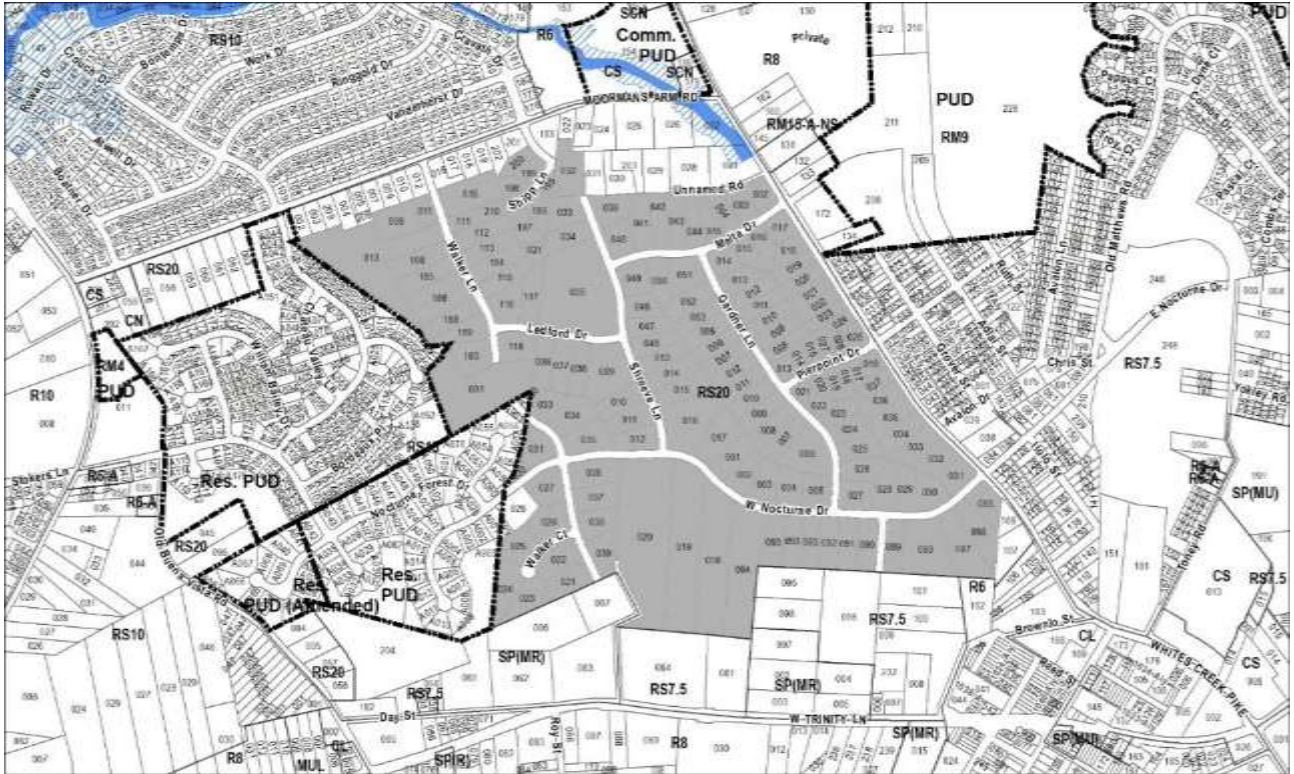
Motion to approve proposed subdivision Case No. 2021S-035-001, and the associated variances based upon the finding that the subdivision meets the intent of the Rural Subdivision Regulations, all other applicable subdivision requirements, complies with the applicable standards of the Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.



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2021NHC-001-001
HAYNES HEIGHTS
Various Maps, Various Parcels
03, Bordeaux – Whites Creek – Haynes Trinity
02 (Kyonzté Toombs)



Project No. Neighborhood Conservation 2021NHC-001-001
Project Name Haynes Heights
Bill No. BL2021-645
Council District 2 - Toombs
School District 1 - Gentry
Requested by Councilmember Kyontzé Toombs, applicant; various property owners.

Staff Reviewer Lewis
Staff Recommendation *Approve if the item receives a recommendation of approval from the Metro Historic Zoning Commission prior to the Planning Commission meeting. If no recommendation is received from MHZC prior to the meeting, staff recommends deferral to the March 11, 2021, Planning Commission meeting.*

APPLICANT REQUEST

Apply a Neighborhood Conservation Overlay District.

Neighborhood Conservation Overlay

A request to apply a Neighborhood Conservation Overlay District to various properties within the Haynes Heights area, located north of W. Trinity Lane and west of Whites Creek Pike, zoned Single-Family Residential (RS20) (171.29 acres).

Existing Zoning

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

Proposed Overlay

Neighborhood Conservation Overlay District (NHC) is applied to geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development.

BORDEAUX – WHITES CREEK – HAYNES TRINITY 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.

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



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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.

REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) is scheduled to consider this application at its February 19, 2021, meeting. Historic Zoning Commission staff recommended approval of this application. Metro Historic Commission Staff provided the following background information:

Developed by and for African Americans during the Jim Crow era, the Haynes Heights neighborhood was populated by doctors, lawyers and educators, among others. Haynes Heights allowed members of the Black community the type of neighborhood that they envisioned for themselves and their families, one that was not available to them in established neighborhoods of segregated Nashville. Leaders within Nashville's Black communities took notice of the subdivision and noted it as a sign of progress. They called the area the "clean outskirts of the city" and believed the private financial backing of the development showed how African Americans had an appreciation for finer living conditions the same as other racial groups.

The Haynes Heights neighborhood remains intact and largely unchanged. Many of the homes are contributing resources to the National Register eligible district, with very few demolitions, new construction or major alterations. The lots still include large, front yards and there have been minimal subdivisions of property. The values and goals of early residents to create their own family-oriented, middle- to upper-class oasis in a world of segregation and racism remains embodied in the physical layout and architecture of this neighborhood.

The neighborhood meets criterion 3 of section 17.36.120 of the ordinance for its mid twentieth century architecture and criterion 1 for its association with the development of an African American mid- to upper-class neighborhood during the Jim Crow era.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

A recommendation from the Metro Historic Zoning Commission (MHZC) held on February 19, 2021, was not available prior to the publication of this report.

STAFF RECOMMENDATION

Staff recommends approval of the Neighborhood Conservation Overlay District if the item receives a recommendation of approval from the Metro Historic Zoning Commission prior to the Planning Commission meeting. If no recommendation is received from MHZC prior to the meeting, staff recommends deferral to the March 11, 2021, Planning Commission meeting.



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2020Z-075PR-001
Map 081-16, Parcel(s) 021
08, North Nashville
21 (Brandon Taylor)



Project No.	Zone Change 2020Z-075PR-001
Council District	21 - Taylor
School District	1 - Gentry
Requested by	CRD LLC, applicant; Mayvise Word, owner.
Staff Reviewer	Lewis
Staff Recommendation	<i>Approve</i>

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 1407 14th Avenue North, approximately 70 feet northwest of Heiman Street (0.19 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 would permit a maximum of one duplex lot for a total of two units based on acreage along. Final determinations regarding duplex eligibility would be determined by the Metro Codes Department.*

NORTH 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 site is located on the west side of 14th Avenue North, just north of where Heiman Street and 14th Avenue North intersect. The 0.19 acre site is currently vacant. The rear property line of the site abuts Alley 541. The Interstate 40 and Interstate 65 interchange is located east of the site. The properties to the north, south, and west are primarily zoned RS5, with some properties zoned R6. These properties are a mix of single-family residential, two-family residential, and vacant land uses.

The Urban Neighborhood Maintenance (T4 NM) Policy on the site is intended to retain the existing character of the neighborhoods as change occurs. These areas are intended to be moderate to high dense residential areas. When considering rezonings in T4 NM Policy areas, policy guidance lists



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several factors to be considered, including: the size of the site, environmental conditions on and near the site, infrastructure in and around the site, and the character of adjacent Transect and policy areas. There are several factors that indicate that the proposed zoning district is appropriate for this site. The size of the site exceeds the minimum lot size of the zoning district, the site has frontage along a public street and alley access, and no sensitive environmental features that would be negatively impacted. The land use policy surrounding the site is T4 NM, meaning if the area develops or redevelops, it should be in a pattern similar to the existing character of the neighborhood. The proposed zoning district would permit the development of one to two units on the site, which are the primary land uses in the area. Additionally, the proposed zoning district uses the Alternative designation, to provide standards to create an urban, built form in line with the urban intent of the policy.

FIRE RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. 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)	0.19	8.712 D	1 U	10	1	1

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)	0.19	7.26 D	2 U	19	2	2

*Based on two-family lots

Traffic changes between maximum: **RS5 and R8-A**

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning is not anticipated to generate any additional more students than the existing RS5 zoning district. Students would attend Churchwell Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having



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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 of the requested rezoning.



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2020Z-093PR-001

Map 070-07, Parcel(s) 068-070

03, Bordeaux - Whites Creek - Haynes Trinity

02 (Kyonzté Toombs)



Project No.	Zone Change 2020Z-093PR-001
Council District	2 – Toombs
School District	1 – Gentry
Requested by	DY Properties II LLC, applicant and Rosetta S. Edmondson, A. Sawyers and DY Properties II LLC, owners.
Staff Reviewer	Elliott
Staff Recommendation	<i>Approve.</i>

APPLICANT REQUEST

Zone change from R8 to RM20-A-NS.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-Family Residential-Alternative-No Short Term Rental (RM20-A-NS) zoning for properties located at 917, 919, and 921 W. Trinity Lane, approximately 720 feet east of Old Buena Vista Road (0.53 acres).

Existing Zoning

One and Two-Family Residential (R8) 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 1 duplex lot for a total of 2 units.*

Proposed Zoning

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. The _NS designation prohibits Short Term Rental Property – Owner Occupied and Short Term Rental Property - Not-Owner Occupied uses from the district. *RM20-A-NS would permit a maximum of 6 units.*

BORDEAUX - WHITES CREEK - HAYNES TRINITY COMMUNITY PLAN

T4 Urban Residential Corridor (T4 RC) is intended to maintain, enhance and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or 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. T4 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

Supplemental Policy

This site is located within the Haynes Trinity Small Area Plan area of the Bordeaux-Whites Creek-Haynes Trinity Community Planning 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.



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SITE AND CONTEXT

The 0.53-acre site is located on the north side of W. Trinity Lane with the rear of the site abutting unimproved right-of-way for Day Street. Recently, an approximately 26-acre Specific Plan zoning district (2019SP-072-001) was approved by the Planning Commission and adopted by Metro Council (2020-212) on the property north of unimproved Day Street and plans to abandon the Day Street right-of-way that this subject property has frontage on. The property is currently vacant and is surrounded by other vacant land, single-family, and institutional land uses.

ANALYSIS

The subject site fronts onto an Arterial Boulevard and is within the Urban Residential Corridor policy (T4 RC). The intent of the T4 RC policy is to enhance the W. Trinity Lane Corridor with high-density residential developments that are served by a variety of transportation modes. Staff finds the proposed RM20-A-NS zoning district to be consistent with the T4 RC land use policy as the requested zoning district will allow for a level of intensity and building form that is appropriate for this urban area that intends to be multi-modal and have “complete streets”. The proposed alternative zoning district has bulk standards that will require future development to be urban in form and will create a walkable environment that addresses the W. Trinity Lane Corridor in an appropriate fashion.

The requested zone change is also consistent with the Haynes Trinity Small Area Plan as the requested zoning district will enhance the area’s housing choice with development that bolsters the pedestrian experience on W. Trinity Lane.

FIRE MARSHAL RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **R8**

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)	0.53	5.445 D	6 U	57	5	6

*Based on two-family lots

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)	0.53	20 D	10 U	73	5	6

Traffic changes between maximum: **R8 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
-	-	-	+4 U	+16	-	-



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METRO SCHOOL BOARD REPORT

Projected student generation existing R8 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed RM20-A-NS district: 2 Elementary 1 Middle 1 High

The proposed RM20-A-NS zoning district will generate 1 additional student beyond what would be generated under the existing R8 zoning district. Students would attend Cumberland Elementary, Joelton 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 of rezoning the property to RM20-A-NS.



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2021Z-019PR-001
Map 119-10, Parcel(s) 229
11, South Nashville
16 (Ginny Welsch)



Project No.	Zone Change 2021Z-019PR-001
Council District	16 – Welsch
School District	7 – Player-Peters
Requested by	Botros Gamal Aiyad, applicant and owner.
Staff Reviewer	Elliott
Staff Recommendation	<i>Approve.</i>

APPLICANT REQUEST

Zone change from RS10 to OL.

Zone Change

A request to rezone from Single-Family Residential (RS10) to Office Limited (OL) zoning for property located at 81 Thompson Lane, at the southeast corner of Tuggle Avenue and Thompson Lane (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 1 unit.*

Proposed Zoning

Office Limited (OL) is intended for moderate intensity office uses.

SOUTH NASHVILLE COMMUNITY PLAN

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small-to medium-sized footprints.

SITE AND CONTEXT

The 0.28-acre site is located at the southeastern corner of the intersection of Tuggle Avenue and Thompson Lane. The site currently contains a single-family residence and the site draws access from Thompson Lane. Thompson Lane is classified as an Arterial Boulevard in the Major and Collector Street Plan. The property is surrounded by single-family and office uses. The approved Specific Plan that exist directly across Tuggle Avenue permits a single-family residence and general office uses.

ANALYSIS

The subject site fronts onto an Arterial Boulevard and is within the Transition policy. The proposed zoning district is consistent with the intent of the Transition policy to transition between higher-intensity uses on major thoroughfares and lower density residential neighborhoods. The proposed zoning district permits low to moderate intensity office uses and is consistent with the Transition policy and is compatible with the surrounding zoning districts.



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FIRE MARSHAL RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

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: **OL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.28	0.75 F	9,147 SF	90	11	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+80	+10	+10

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval.



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2021Z-020PR-001
Map 071-12, Parcel 312
05, East Nashville
05 (Sean Parker)



Project No.	Zone Change 2021Z-020PR-001
Council District	5 - Parker
School District	5 - Buggs
Requested by	Adam Myers, applicant; Riggins Group LLC, owner.
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 1518 Jones Avenue, approximately 70 feet north of Marshall Street (0.19 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 2 single-family lots, based on acreage alone. Application of the Subdivision Regulations may result in fewer lots in this location.*

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 with 2 duplex lots for a total of 4 units. Final determinations regarding duplex eligibility are made by the Metro Codes Department.*

EAST 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.

Highland Heights Study Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy, which was approved and adopted by the Planning Commission on June 14, 2018. The Highland Heights Study was completed after an extensive community engagement process, which resulted in updates to the community character policies for the area. The community character policy for this site, changed from T4 NE to T4 NM with adoption of the Highland Heights plan.



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The Highland Heights Study also established a supplementary Building Regulating Plan and Mobility Plan for the area. This site is within the R3 subdistrict of the Building Regulating Plan, which is intended to maintain existing moderate-density, predominantly single-family residential development pattern, while allowing for slightly higher intensities at intersections of significant streets. The R3 subdistrict supports both single-family and two-family residential uses. The Mobility Plan component of the Highland Heights Study identifies Jones Avenue as a North-South Connector street. The Major and Collector Street Plan identifies Jones Avenue as a Residential Collector Street.

ANALYSIS

The 0.19 acre site is located at 1518 Jones Avenue, approximately 70 feet north of Marshall Street. The adjacent properties along Jones Avenue are zoned RS5. There are several parcels across Jones Avenue from this site which are zoned MUN-A. The predominate character of the neighborhood surrounding this site contains single-family residential uses with some two-family residential uses.

The requested rezoning district is consistent with the goals and guidance in the T4 NM Policy and the R3 subdistrict in the Highland Heights Plan. The R6-A zoning district is included in the appropriate zoning districts in the R3 subdistrict and the zoning district also supports development consistent with the building types for the R3 subdistrict including up to two residential units, either detached or attached. The request for rezoning meets several of the goals in the T4 NM Policy, including the provision of additional housing and increased intensity consistent with the surrounding area. The alternative standards of the zoning district are intended to create an urban form on the site, as called for in the urban policy.

FIRE 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

- A traffic study may be required at the 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)	0.19	8.712 D	1 U	10	1	1

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)	0.19	7.26 D	2 U	19	2	2



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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
-	-	-	+1 U	+9	+1	+1

METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning will generate no more students than the existing RS5 zoning district. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood 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



Project Nos.	Text Amendment 2020Z-014TX-001
Project Name	Outdoor Lighting
Council Bill No.	BL2020-535
Council District	Countywide
School District	Countywide
Requested by	Councilmember Burkley Allen

Deferrals This item was deferred at the February 11, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer Hammer
Staff Recommendation *Approve changes to Title 17 with a substitute.*

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



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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.

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.



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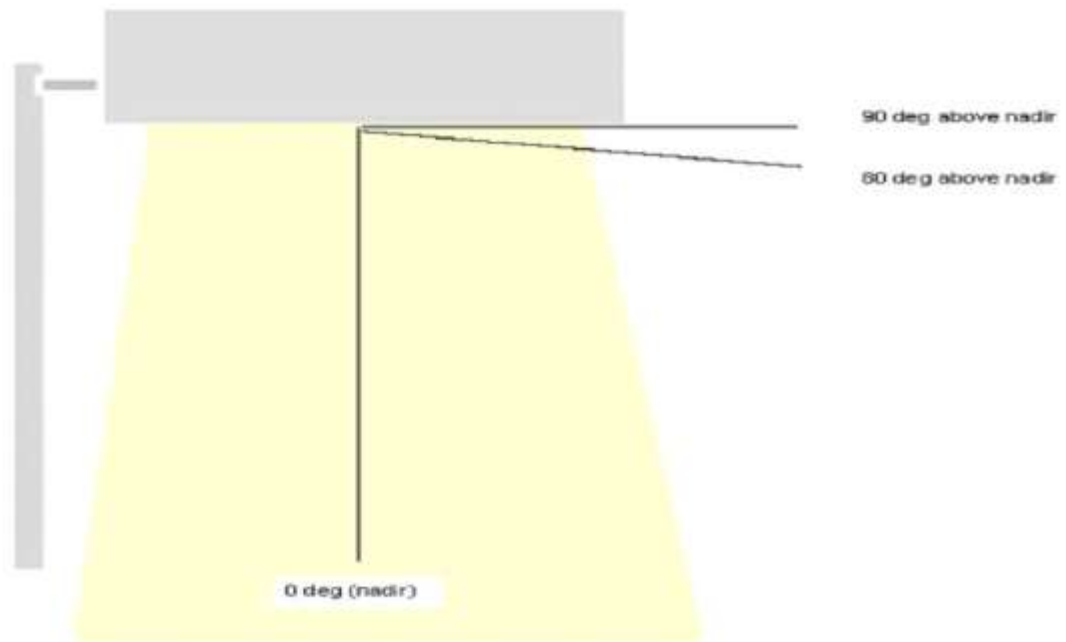
“Correlated color temperature (CCT)” means measured in degrees Kelvin (K), the absolute temperature of a blackbody whose chromaticity most nearly resembles that of the light source. For the purpose of this section, "CCT" is used as a simplified way to characterize the spectral properties of a light source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



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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.

“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.



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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.

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.



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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.

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



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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 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.



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

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.

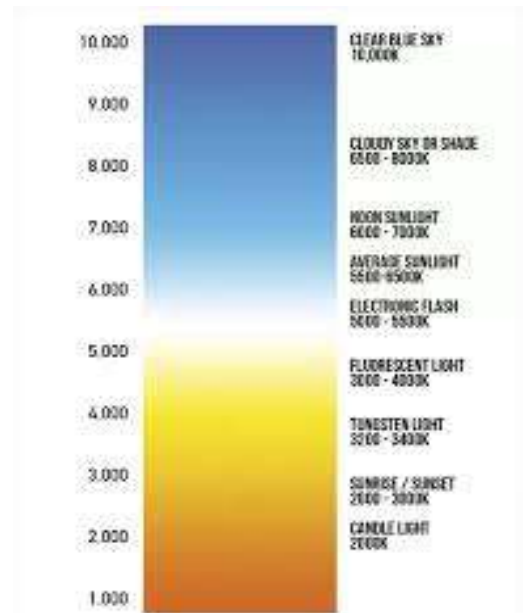


Figure 2: Descending color temperature scale measured in kelvin. Credit: Medium

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.



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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.

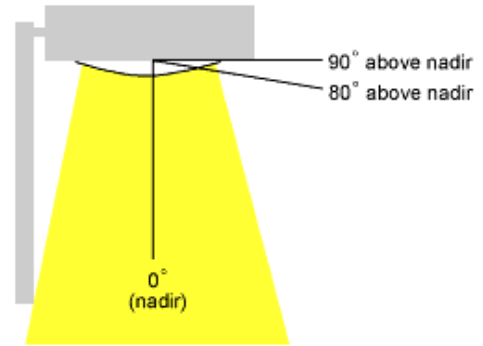


Figure 3: Nadir as shown on a full cutoff luminaire. Credit: Rensselaer Polytechnic Institute

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. Additional changes may be made by the sponsor to the bill following Planning Commission review to further clarify impacts on properties within the Downtown area.

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



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circumstances where luminaires may be exempt and circumstances where all applications are expressly prohibited.

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.

STAFF RECOMMENDATION

Staff recommends approval with a substitute.



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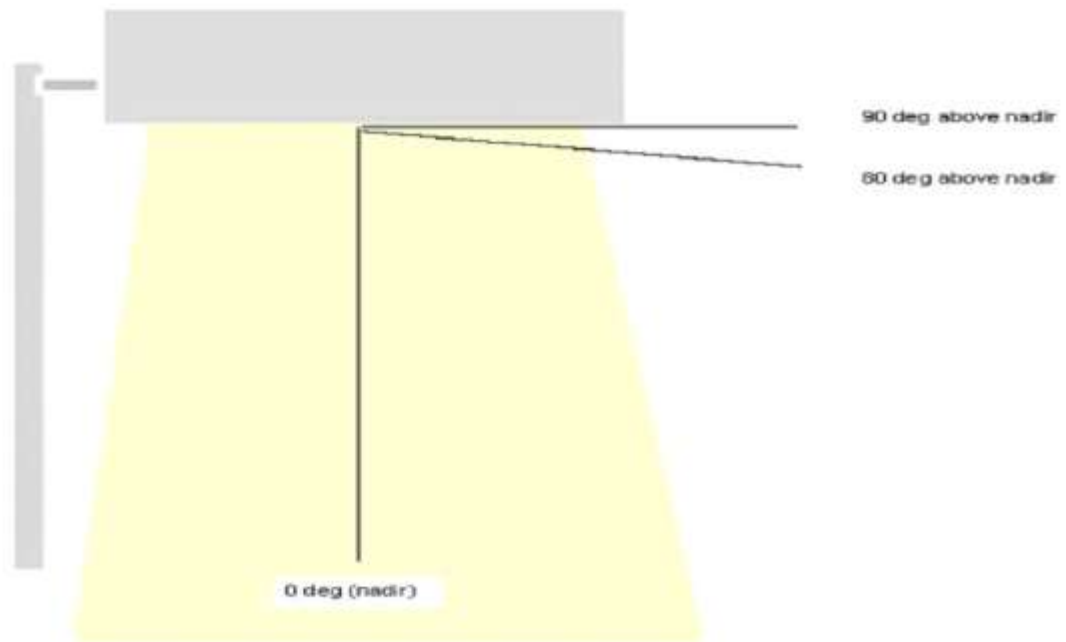
“Correlated color temperature (CCT)” means measured in degrees Kelvin (K), the absolute temperature of a blackbody whose chromaticity most nearly resembles that of the light source. For the purpose of this section, "CCT" is used as a simplified way to characterize the spectral properties of a light source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

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

- ~~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). 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.



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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.~~



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~~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.



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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



Project Nos.	Text Amendment 2021Z-002TX-001
Project Name	Detached Accessory Dwelling Unit (DADU) Overlay District
Council Bill No.	BL2021-620
Council District	Countywide
School District	Countywide
Requested by	Councilmember Burkley Allen
Staff Reviewer	Shepard
Staff Recommendation	<i>Approve with an amendment.</i>

APPLICANT REQUEST

Amend the Zoning Code to create a Detached Accessory Dwelling Unit (DADU) Overlay District.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend the Zoning Code to create a Detached Accessory Dwelling Unit (DADU) Overlay District. The proposed overlay would permit a detached, self-sufficient dwelling unit accessory to a principal structure. The overlay would permit DADUs subject to existing standards for detached accessory dwelling units in Section 17.16.030.G of the Zoning Code, which includes requirements for, but not limited to, ownership, lot area, setbacks, bulk and massing, design, and access. The process to apply the overlay is the same as a rezoning. This bill does not apply the overlay to any areas; it only creates the tool that can be utilized.

BACKGROUND

The Metro Zoning Code defines “accessory dwelling, detached” or DADU, as a detached dwelling unit separate from the principal single-family structure. A DADU shall be clearly subordinate in size, height, and purpose to the principal structure and it shall be located on the same lot as the principal structure. A DADU may be an independent structure, or it can be a dwelling unit above a garage, or it can be attached to a workshop or other accessory structure on the same lot as the principal structure.

DADUs are currently permitted with conditions on lots within a historic overlay district; on lots within urban design overlay districts that includes development standards for accessory dwellings; or on lots zoned R/R-A (One and Two-Family Residential), RM/RM-A (Multifamily Residential) or Office/Residential that have an improved alley abutting a rear or side property line or are over 15,000 square feet in size. DADUs are not currently permitted on lots zoned RS/RS-A (Single-Family Residential) unless there is a historic overlay district or urban design overlay district in place that includes standards for accessory dwellings.

Section 17.16.030.G outlines the conditions that must be met to permit a DADU in any of the districts listed above. This section establishes conditions for ownership, lot area, setbacks, access, bulk and massing, and design.

ANALYSIS

The proposed amendments to the Zoning Code would create a new overlay district, the Detached Accessory Dwelling Unit Overlay District. An overlay district may be applied to provide additional



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land use and/or design standards on top of the base zoning. This overlay district could be applied to permit DADUs in single-family zoning districts outside of historic or urban design overlays, or in other districts where DADUs are not currently permitted.

NashvilleNext identifies the importance of a diversity of housing options to meet the needs of various income levels, interests, ages, and abilities, allowing all Nashvillians to reside close to jobs, services and transit, and to remain in their neighborhoods as their needs change over time. Diverse housing, when incorporated into neighborhoods in a manner that is sensitive to context and character, can strengthen neighborhoods maintain economic and social diversity. The Combined Action Plan section of NashvilleNext identifies policies related to each element of the plan and specific actions to be taken to achieve them. Housing Policy 2.1 encourages creation of real housing choice across all development patterns and identifies a near term goal to amend the Zoning Code as needed to provide increased opportunities for innovative housing types, including accessory dwelling units, that are sensitive to context.

The proposed DADU overlay is consistent with NashvilleNext policy goals to increase diversity of housing, and to create opportunities to locate housing near major corridors and centers. The limited size of DADUs may help them remain more affordable, and DADUs may also create an opportunity for an income stream via rental that could help the owner of the principal dwelling remain in their home. By incorporating existing design standards for DADUs, the proposed overlay will help ensure that where DADUs are permitted, they are sensitive to the context and character of the neighborhood. The DADU overlay may be applied to specific geographic areas where owners and neighbors are interested in the flexibility to incorporate accessory dwellings.

The proposed DADU overlay includes standards for application that require a minimum of 30 contiguous lots, including lots on opposing block faces or opposite sides of alleys. As proposed the overlay also must be bounded on all sides by streets, alleys, railroads, rivers or other separations so that lot lines are not shared with properties that are not in the overlay district. These standards are intended to ensure the overlay is applied in a manner that results in a consistent development pattern and that minimizes any potential impacts of the overlay on single-family residential zoned properties that are not in the overlay district. Staff recommends amendments to the proposed applicability standards to clarify that the overlay is applicable to properties zoned RS/RS-A and to simplify the boundary standards to concentrate on the primary goal, which is to separate the boundary of the overlay district from single-family residential zoned properties outside of it.

Additionally, to better ensure that newly constructed DADUs permitted within the overlay have opportunity to serve as a housing choice and are sensitive to the residential context, the standards of the overlay prohibit newly constructed DADUs from being utilized for a Short Term Rental Property – Owner Occupied use. Principle dwellings and DADUs existing prior to application of the DADU overlay will retain the Short Term Rental Property and other use allowances of the base zoning. Staff recommends a minor amendment to clarify the applicability of this provision in instances where an existing accessory structure is converted to a DADU following application of the overlay.

ZONING ADMINISTRATOR RECOMMENDATION

The Zoning Administrator supports this legislation.



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FISCAL IMPACT RECOMMENDATION

The Metro Codes Department will implement this section of the Zoning Code at the time of permit review as is their current practice. The Codes Department anticipates the proposed amendment to be revenue neutral.

STAFF RECOMMENDATION

Staff recommends approval with an amendment to clarify the applicability standards and permitted uses within the overlay as described in the analysis above.

ORDINANCE NO. BL2021-620

An ordinance amending Chapters 17.36 and 17.40 of Title 17 of the Metropolitan Code to create a Detached Accessory Dwelling Unit (DADU) Overlay District. (Proposal No. 2021Z-002TX-001).

WHEREAS, the relative lack of affordable housing in the center-city of Nashville is an obstacle to living close to jobs and educational opportunities; and

WHEREAS, the fastest growing demographics in Nashville are in households without children, who frequently do not require a large dwelling unit; and

WHEREAS, NashvilleNext Plan envisions increased density along major corridors into and around the city while preserving the character of existing neighborhoods as the corridor housing transitions into the surrounding neighborhoods; and

WHEREAS, Public transit along these corridors is a more effective and environmentally friendly way to commute to work or other destinations, and can provide opportunities for residents to live without a car; and

WHEREAS, Many neighborhoods have downzoned from R to RS to reduce the economic pressure to demolish existing homes and replace them with two full size homes on a single lot; and

WHEREAS, Many homeowners in RS zoned areas have expressed a desire to add a detached structure to their home that can be used in a variety of ways, including for long-term rentals, that can be “neighborhood friendly” with a properly designed overlay; and

WHEREAS, a Detached Accessory Dwelling Unit can provide additional income allowing some homeowners to remain in their homes despite gentrification and rising costs; and

WHEREAS, Overlays are generally implemented with majority support of the affected neighbors, giving existing homeowners say in their housing opportunities and in their neighbors’ opportunities.

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



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Section 1. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following new Article XIV entitled “Detached Accessory Dwelling Unit (DADU) Overlay District”.

17.36.680 Purpose and intent.

The DADU overlay district provides additional housing options in the Urban Zoning Overlay.

17.36.690 Overlay designation.

A DADU overlay district shall be created within the Urban Zoning Overlay according to the procedures of Chapter 17.40, Article III and depicted as a geographical area on the official zoning map.

17.36.700 Design guidelines.

A detached self-sufficient dwelling unit shall be allowed accessory to a principal structure subject to the standards set forth in Section 17.16.030.G of this zoning code.

17.36.710 Permitted land uses.

The range of land uses permitted within a DADU overlay district shall be those permitted by the underlying zoning district(s) as established by the zoning district land use table of Section 17.08.030 and accessory dwelling, detached. On any lot where a new accessory dwelling, detached is built, short term rental property, owner occupied, is not a permitted use in the accessory dwelling unit.

17.36.720 Bulk Provisions.

The bulk provisions of the base zoning district shall apply.

17.36.730 Detached Accessory Dwelling Unit Overlay District.

A. Application of a DADU overlay.

1. A DADU overlay shall consist of a minimum of 30 contiguous lots. For the purposes of this overlay, lots on opposing block faces and opposite sides of alleys shall be considered contiguous.
2. A DADU overlay shall be bounded on all sides by streets, alleys, railroads, rivers or other separations so that no lot lines are shared with properties that are not in the overlay district.

B. Planning Commission Recommendation. The planning commission shall review a proposed DADU overlay district application for conformance with the General Plan. The planning commission shall act to recommend approval or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the metro clerk, the zoning administrator and all other appropriate governmental departments.

C. Council Consideration. The metropolitan council shall consider an ordinance establishing a DADU overlay district according to the procedures of Article III of this chapter (Amendments). All property owners within and proximate to a proposed DADU overlay district shall be notified according to the procedures of Article XV of this chapter.

D. Final Site Plan Approval. For property located within a DADU overlay district, a final site plan application shall be submitted for review and approval by the Zoning Administrator in a manner consistent with the procedures of Section 17.40.170A. The applicant is required to submit all necessary information to the Zoning Administrator and to certify the accuracy of the submitted information.



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E. Changes to a DADU Overlay District Boundary. A proposed change in the geographic boundary of a DADU overlay district on the official zoning map shall be considered by the council according to the procedures of Article III of this chapter (Amendments).

Section 2. Section 17.40.740 of the Metropolitan Code is hereby amended by deleting subsection C.3 in its entirety and substituting with the following:

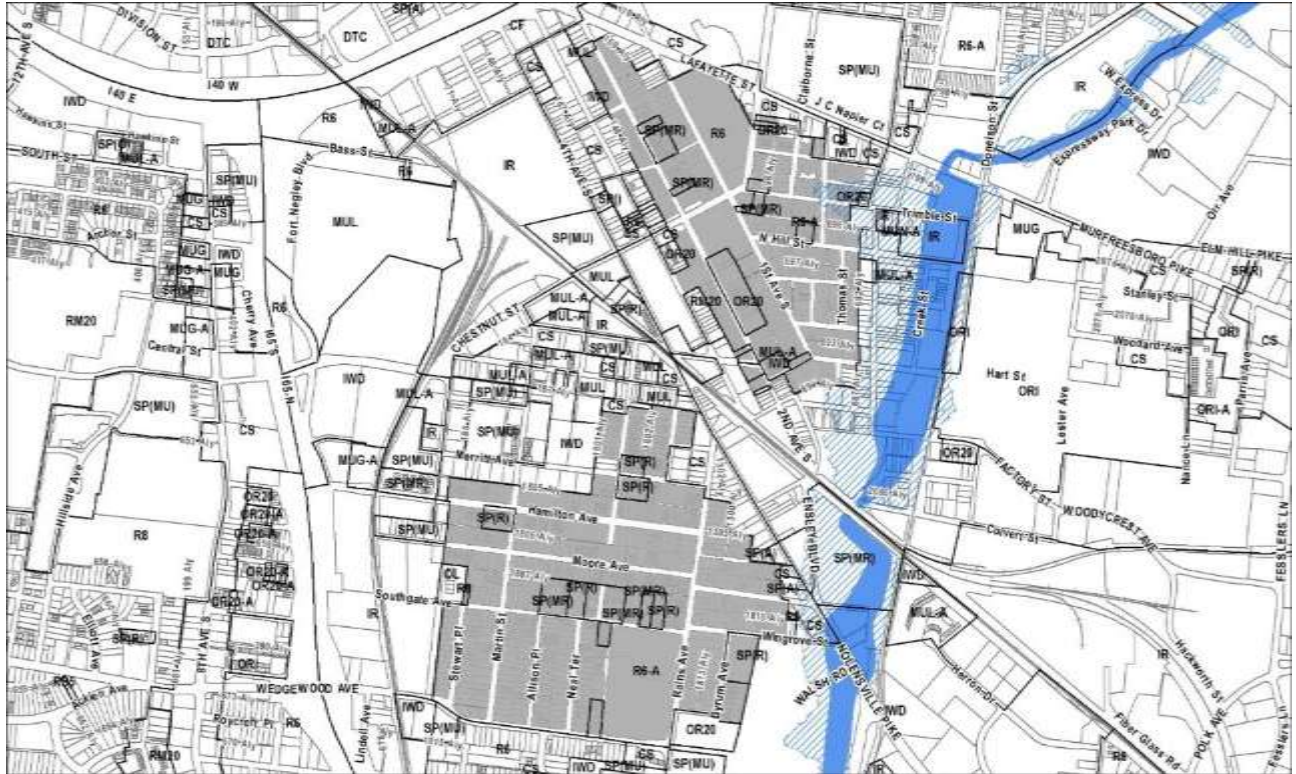
“Applying the urban design overlay district, historic preservation district, neighborhood conservation district, urban zoning overlay district, contextual overlay district, corridor design overlay district, detached accessory dwelling unit overlay district, or detached accessory dwelling unit overlay district as provided in Chapter 17.36;”

Section 3. That this Ordinance shall take effect five (5) days from and 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.

Sponsor(s) Burkley Allen, Sean Parker, Ginny Welsch, Freddie O’Connell



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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 owners

Deferrals This item was deferred at the February 11, 2021, Planning Commission meeting. A public hearing was not held on the item.

Staff Reviewer Jameson-Brooks
Staff Recommendation *Approve with removal of properties at 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st 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) (187.38 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.



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

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.

Figure 3. Character Area & Subdistrict Map

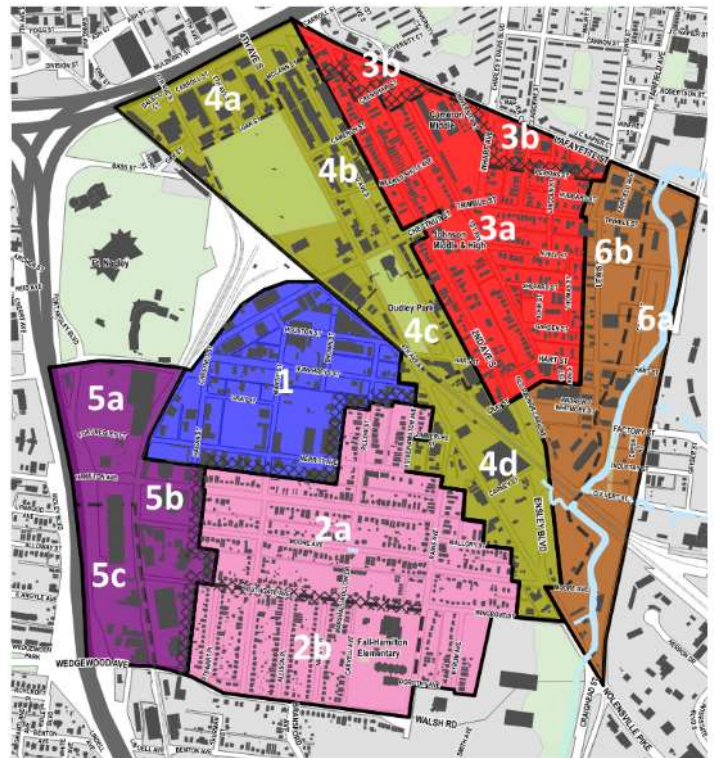


Figure 1: Character Area Map from 2019 WHCH Planning Study



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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 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.

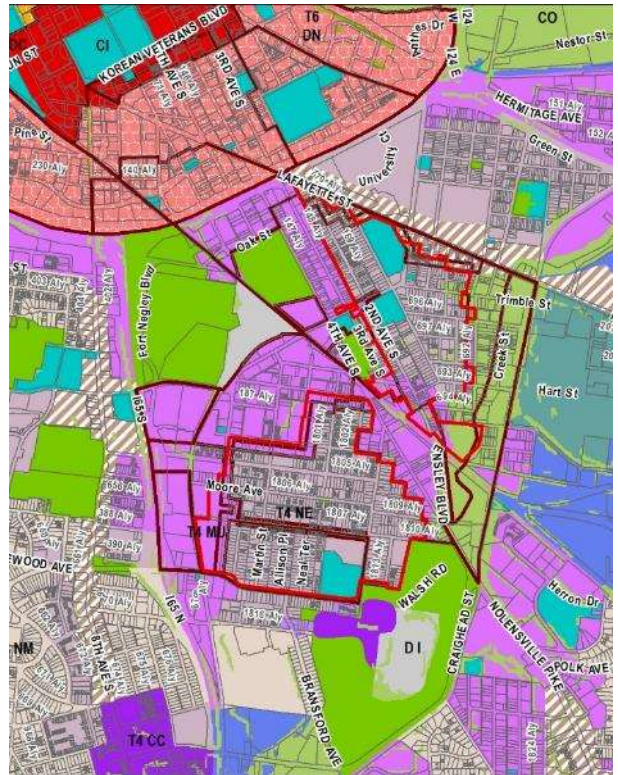


Figure 2: Policy Map Demonstrating T4 Urban Evolving Neighborhood

SITE CONTEXT AND PLAN DETAILS

The 0.3 sq. mi. (187.38 acre) site encompasses the rapidly growing residential neighborhoods of Wedgewood-Houston and Chestnut Hill as well as the 2nd 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 4th Avenue South-Nolensville Pike.

The Major and Collector Street Plan identifies Wedgewood Avenue, 4th Avenue South, and 2nd Avenue South as Urban (T4) Arterial Boulevards within the site. In addition, Lafayette Street, Hart Street, and Lewis Street are designated Urban (T4) Collectors. While the neighborhood is primarily urban in character, about one-third of properties within the area are without alleys, and over 10,000 linear feet without alley access. The site is proximate to I-65 to the west and I-40 to the north.



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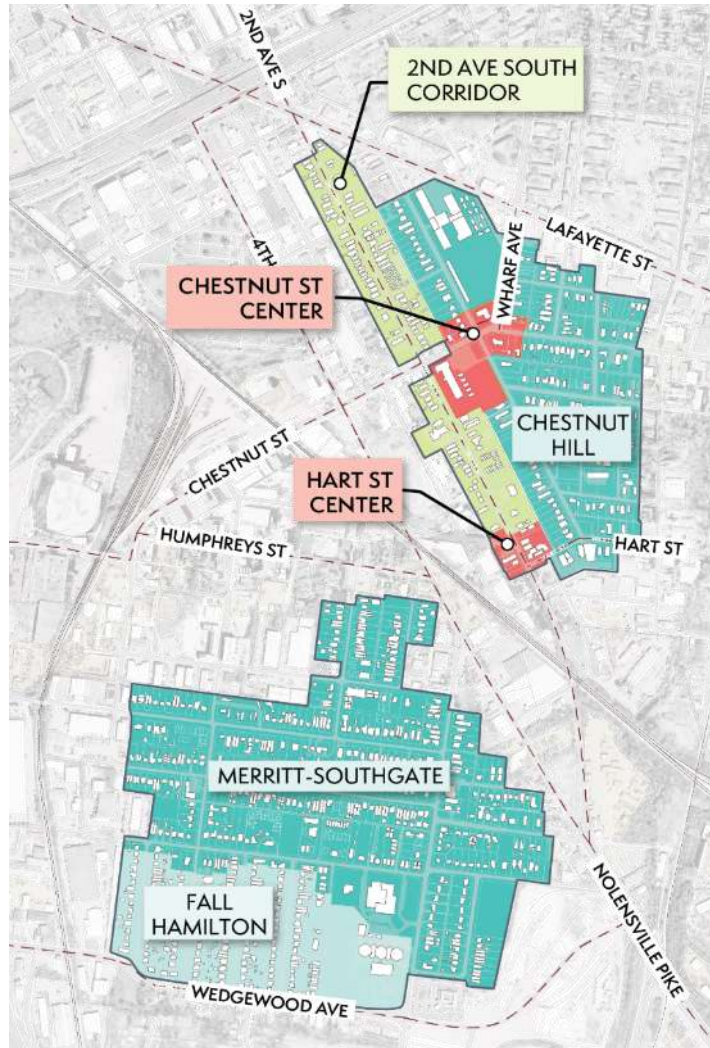


Figure 3: Framework Plan from WHCH UDO Document

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. Multi-family building types are limited to areas with alleys. In order to fully implement policy, a survey of



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properties without alleys and estimates on what it would cost to clear and construct at these locations, and any limitations or necessary work to construct this infrastructure should be studied in detail in the future. If the study finds that it is cost effective to construct these alleys, Metro should consider putting the construction of these alleys into a future CIB and spending plan.

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 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st 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 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st Avenue 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 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st Avenue South, from the boundary and adherence to an effective date of April 6, 2021, following Metro Council passage and the Mayor's signature.



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021Z-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

Deferrals This item was deferred at the February 11, 2021, Planning Commission meeting. A public hearing was not held on the item.

Staff Reviewer Jameson-Brooks
Staff Recommendation *Approve with removal of properties currently zoned SP and certain properties along 1st 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.



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

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



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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.

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.

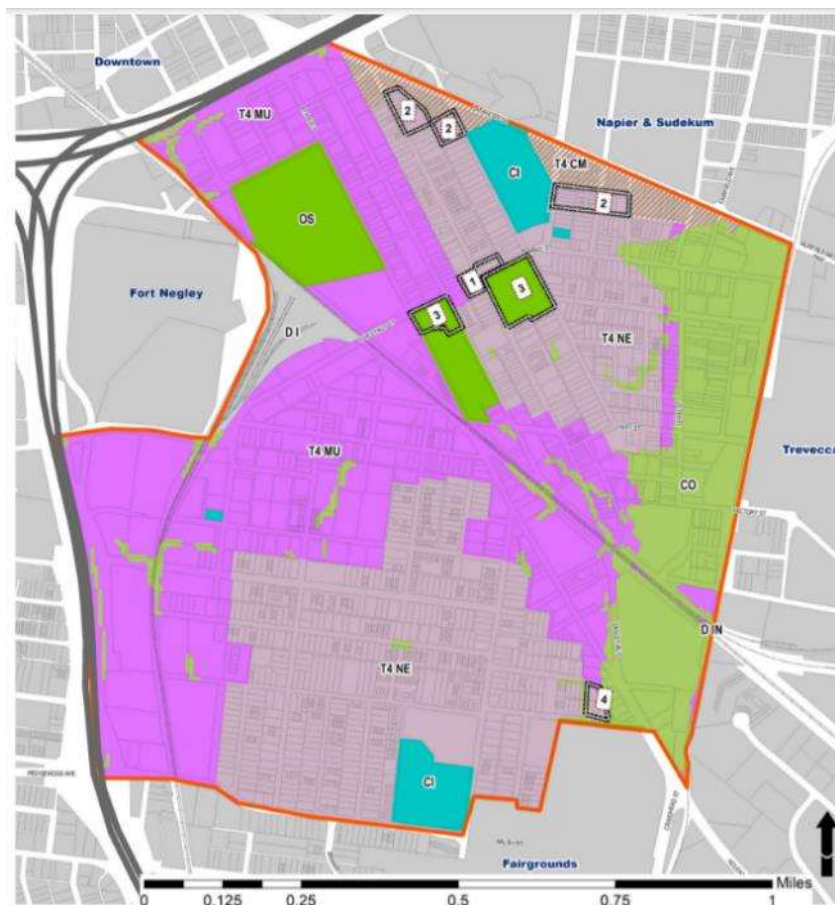


Figure 4 T4 NE is the predominate policy within the area to be rezoned. Other policies include Conservation (CO), Civic (CI), Open Space (OS).

Wedgewood-Houston Chestnut Hill Planning Study



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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.

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.

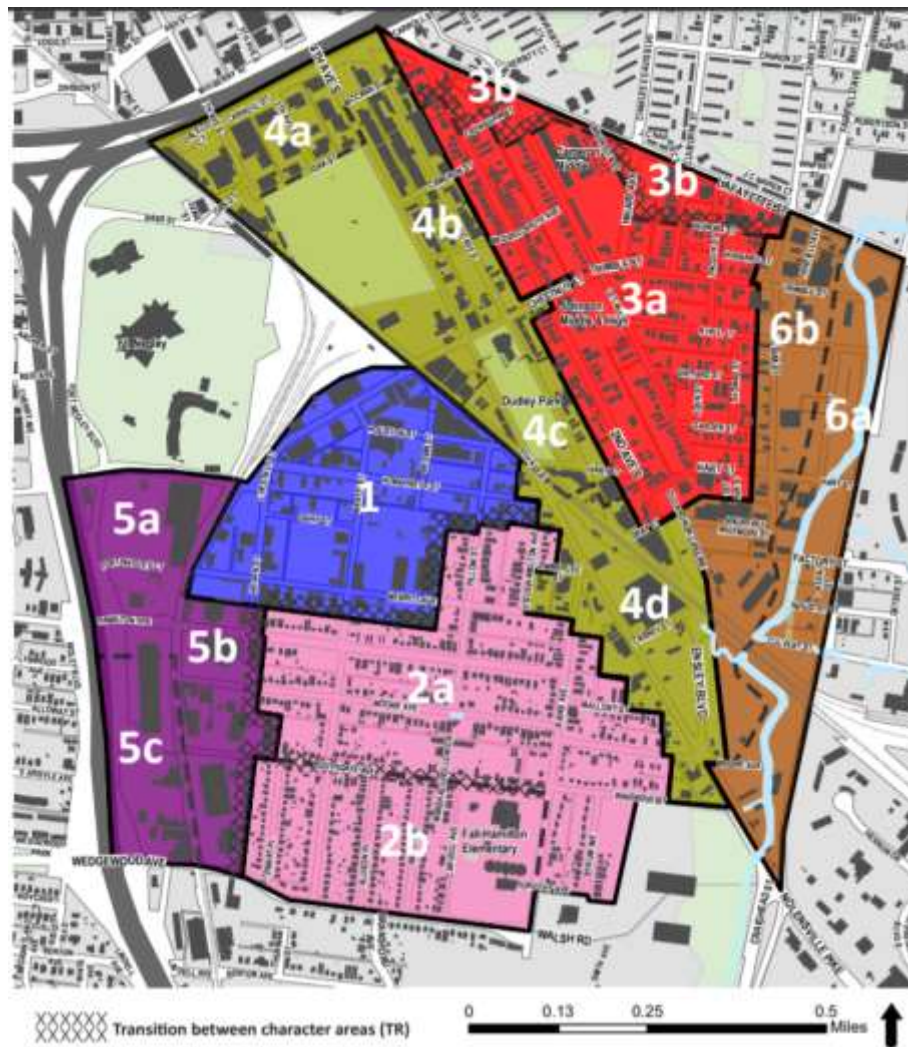


Figure 5 The Planning Study recommends pairing rezoning with a design overlay in 2a, 2b, & 3a to achieve intended objectives.



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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., 2nd Avenue South, and Hart Street, and is proximate to Lafayette Street, 4th 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,



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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.

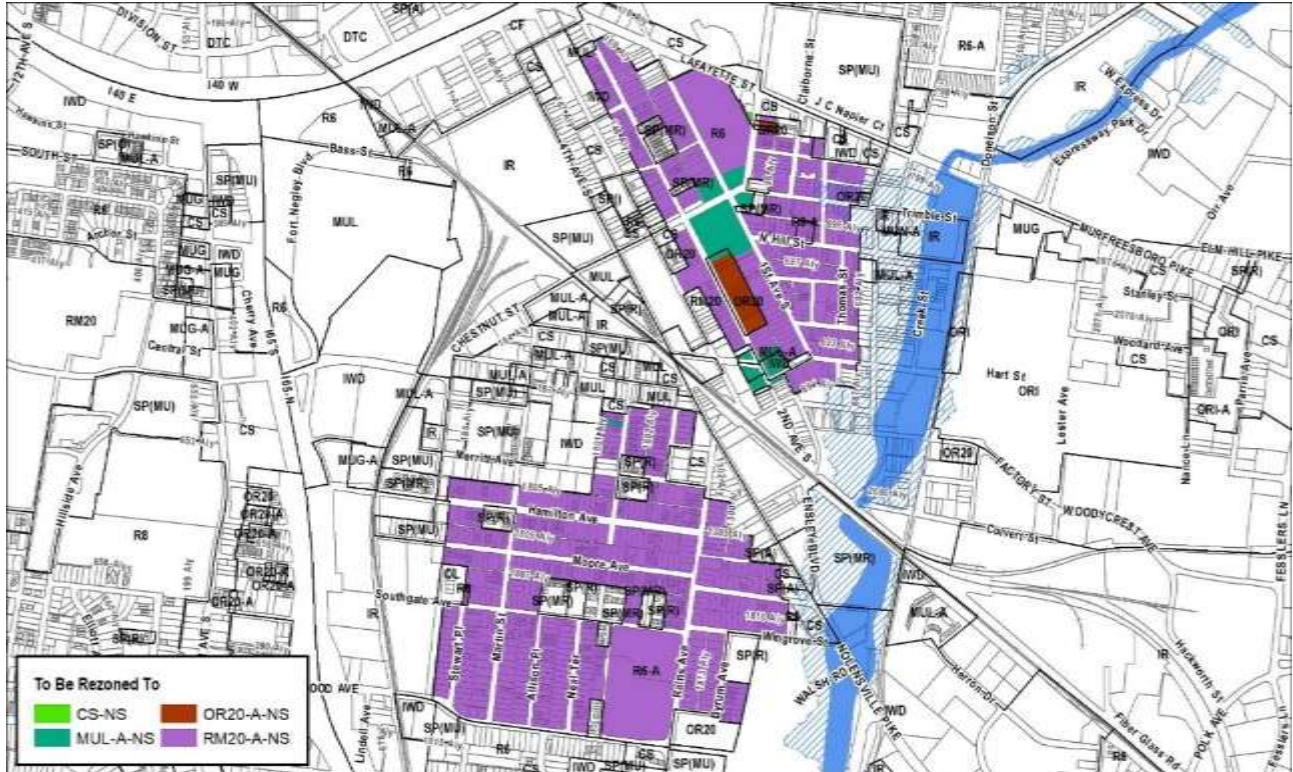


Figure 7: This map illustrates the changes that have been made to the rezoning boundary since the filing deadline. All properties zoned SP and the parcels at 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st Ave S. have been removed.

Since the filing deadline, all properties zoned SP as well as the parcels at 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st Avenue 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.



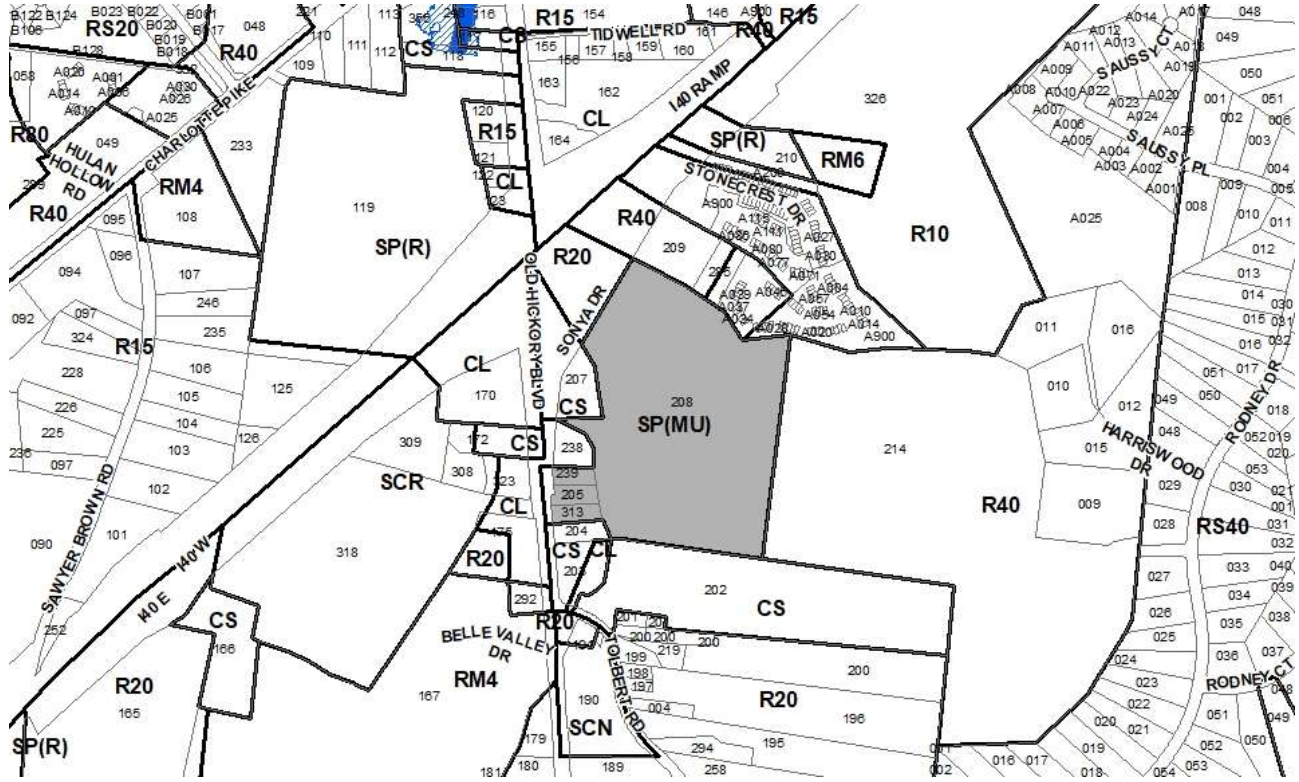
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STAFF RECOMMENDATION

Staff recommends approval with removal of properties currently zoned SP and properties at 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st Avenue South, if the UDO is approved. If the UDO is not approved, staff recommends disapproval.



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2019SP-007-002

SONYA DRIVE MIXED USE DEVELOPMENT (AMENDMENT)

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

06, Bellevue

22 (Gloria Hausser)



Project No. Specific Plan 2019SP-007-002
Project Name Sonya Drive Mixed Use Development
(Amendment)
Council District 22 – Hausser
School District 9 – Tylor
Requested by Kimley-Horn, applicant; Southfield Properties and AM
Investors No. 2, LLC and Norwood Manor LLC, owners.

Deferrals This item was deferred at the January 21, 2021, and
February 11, 2021, Planning Commission meetings. No
public hearing was held.

Staff Reviewer Elliott
Staff Recommendation *Approve with conditions and disapprove without all
conditions.*

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

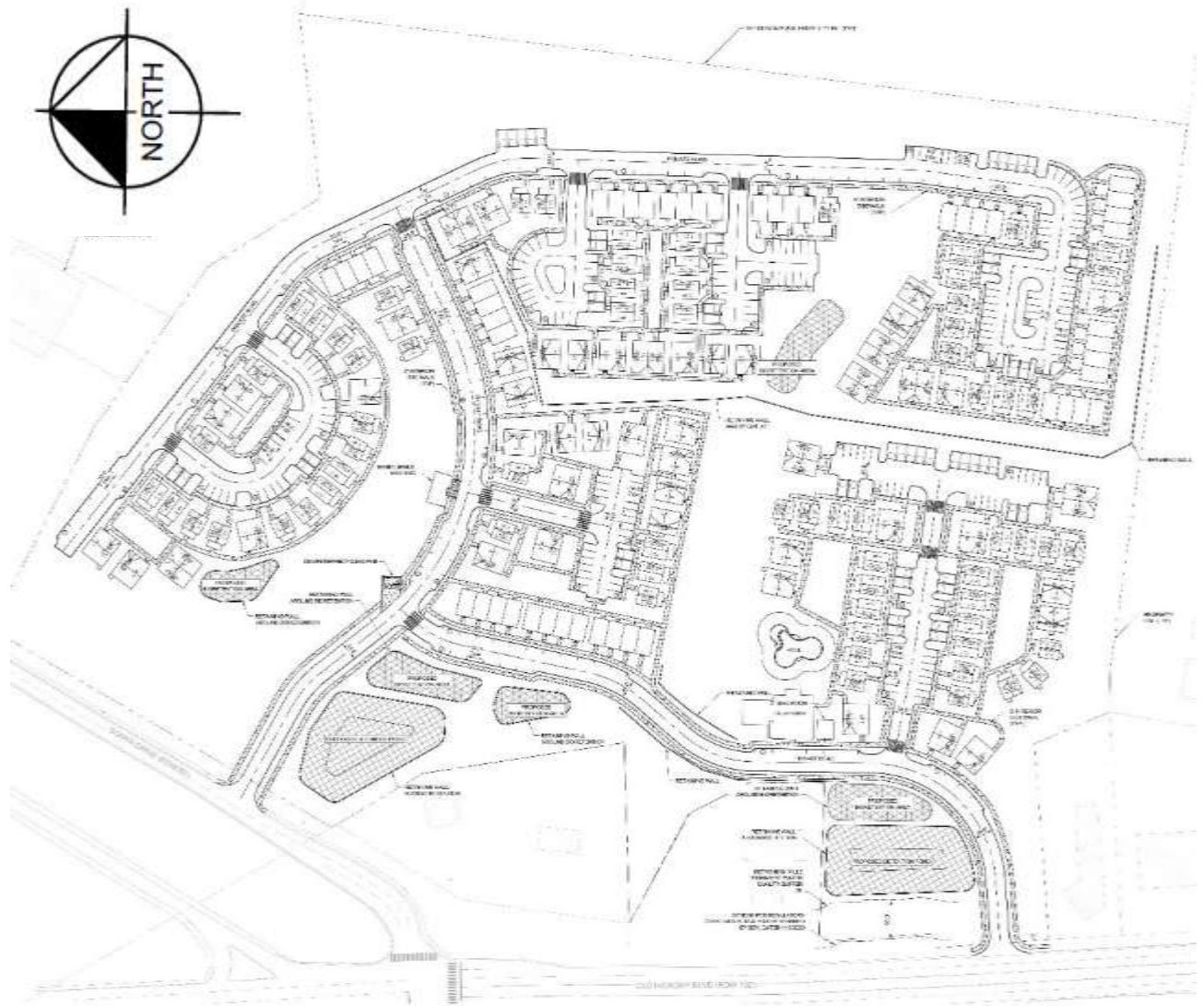
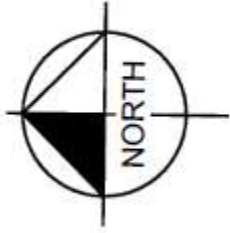
Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing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



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Proposed Site Plan



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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.

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.



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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 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 constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual



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field conditions. Waste/recycle private hauler will be required for site. Comply w/MPW traffic comments.

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



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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.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

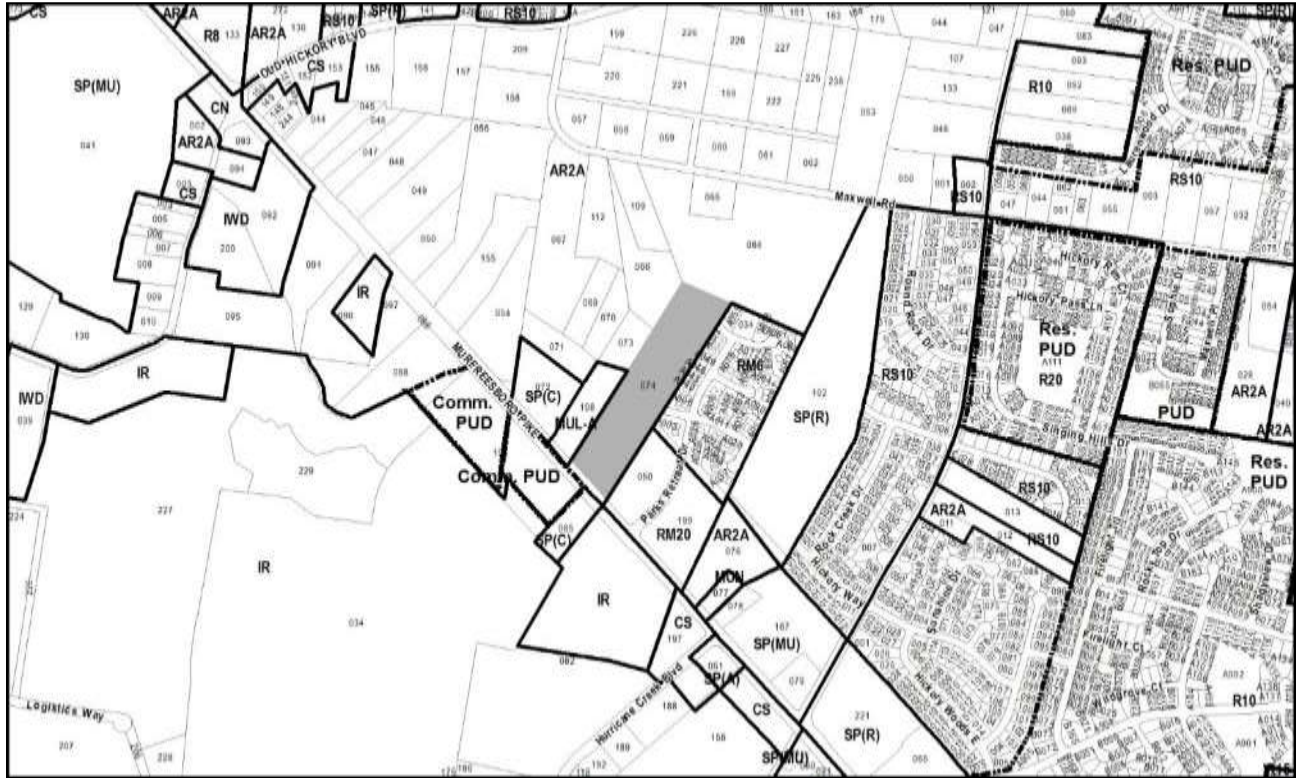
1. Permitted uses shall be limited to a maximum of 175 multi-family residential units. Short term rental properties – owner occupied and short term rental properties – not owner occupied are prohibited.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The development shall 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.



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2020SP-043-001
4120 MURFREESBORO PIKE
Map 175, Parcel(s) 074
13, Antioch – Priest Lake
33 (Antoinette Lee)



Project No. Specific Plan 2020SP-043-001
Project Name 4120 Murfreesboro Pike
Council District 33 – Lee
School District 6 – Bush
Requested by S+H Group LLC, applicant; Anna Gannon, owner.

Deferrals This item was deferred at the February 11, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer Lewis
Staff Recommendation *Approve with conditions and disapprove without all conditions.*

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.



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Proposed site plan



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

SITE CONTEXT AND PLAN DETAILS

The 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 with 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



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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 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



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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



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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.

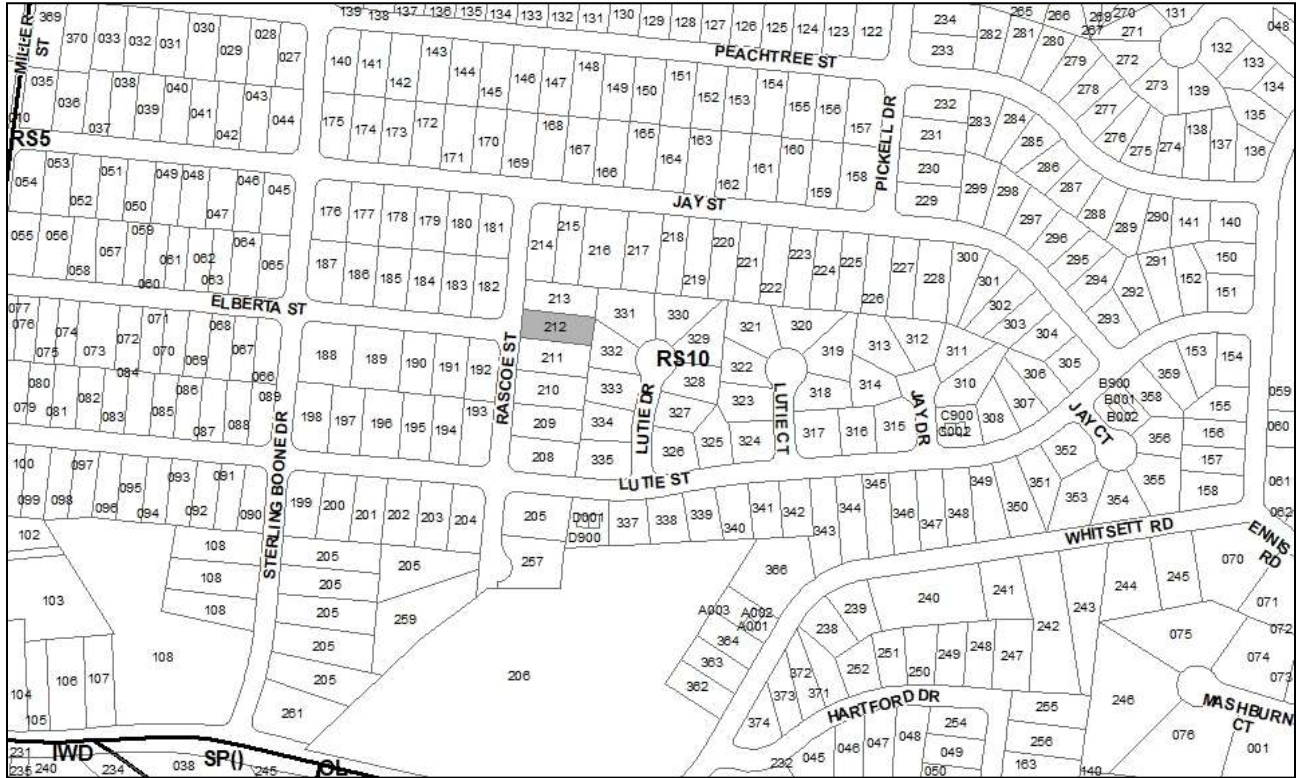
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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Metro Planning Commission Meeting of 02/25/21



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, January 21, 2021, and February 11, 2021, Planning Commission meetings. No public hearing was held on December 10, 2020. A public hearing was held on January 21, 2021, and February 11, 2021 and was closed.

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



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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.



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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



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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.



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2020SP-051-001
1411 DICKERSON SP
Map 071-11, Parcel(s) 037-038, 068, 070-071
5, East Nashville
05 (Sean Parker)



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

Deferrals This item was deferred at the December 12, 2020, January 21, 2021, and February 11, 2021, Planning Commission Hearings. No public hearing was held.

Staff Reviewer Lewis
Staff Recommendation *Approve with conditions and disapprove without all conditions.*

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.

Existing Zoning

Commercial Limited (CL) is intended for retail, consumer service, financial, restaurant, and office uses.

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. *Approximately 2.5 acres of the site is zoned RS5. This would permit a maximum of 21 lots, based solely on a minimum lot size of 15,000 square feet as required by the zoning. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

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. *A portion of the site is located within the Dickerson Pike Sign UDO.*

Proposed 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



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Proposed site plan



Metro Planning Commission Meeting of 02/25/21

implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

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.

Supplemental Policy

The site is located within the Highland Heights Small Area Plan. The Highland Heights Plan was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The Building Regulating Plan established subdistricts to provide specific guidance on the type of development for each subdistrict.

The site is within two different subdistricts. The properties along Dickerson Pike are within the M2 Subdistrict. The M2 Subdistrict lists plex house, manor house, low-rise townhomes, courtyard flats, low and mid-rise flats, low-rise mixed-used and, or mid-rise mixed-use structures as appropriate building types. The area along Dickerson Pike should “evolve toward a balanced mixture of residential and commercial land uses along the corridor that provides an opportunity for a varied development pattern in regard to the size, scale, and density.”

The second subdistrict applies to the parcels along Gatewood. This subdistrict, R5, is intended “to create and enhance neighborhoods — to include greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques that form a transition from Dickerson Pk.'s higher density mixed-use. The policy anticipates that an additional means of access, increased connectivity, and a more specific and certain built environment can improve the quality of life of neighborhood residents.” Appropriate building types in this subdistrict range from duplexes to low and mid-rise flats.

A Mobility Plan was also a component of the Highland Heights Plan, to enhance and improve connectivity within this area of East Nashville. The mobility plan shows a proposed local street



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north-south through the site, to create a road connection between Gatewood Avenue and Marie Street.

SITE CONTEXT AND PLAN DETAILS

The 6.77 acre site is located near the southeast corner of Dickerson Pike and Gatewood Avenue. The site has frontage along the east side of Dickerson Pike and along the south side of Gatewood Avenue, as it wraps around the properties immediately at the intersection.

The properties to the north and south along Dickerson Pike are zoned CL. The properties to the east of the site along Gatewood Avenue and southeast of the site are zoned RS5. On the north side of Gatewood Avenue across from the site are zoned Specific Plan – Residential (SP-R) and RS5. The SP permits multi-family residential.

Site Plan

The plan proposes a maximum of 270 multi-family units and 10,000 square feet of commercial space in five buildings across the 6.77 acre site.

Along the northern portion of the site, there are two multi-family buildings fronting Gatewood Avenue, identified on the site plan as Buildings A and B. The height of these buildings is a three-four split. Given the slope of the site, these buildings appear three stories from Gatewood Avenue. Buildings A and B wrap the frontages of Gatewood Avenue and the proposed street through the site. On the southeastern portion of the site, the road continues through the site to the southern property line. On the east side of the proposed road is Building E and on the west side is Building D. Both of these buildings are limited to four stories in height.

The proposed plan shows a five-story, mixed-use building along Dickerson Pike. Building C, as shown on the plan contains commercial space in the portion of the building along Dickerson Pike. The commercial space is limited to the first floor, with the four stories above proposed as residential.

There is a proposed collector street north-south through the site. This proposed road is aligned with Luton Street on the north side of Gatewood Avenue. There are currently two vehicular access points proposed with the plan. The vehicular entrance along Gatewood Avenue is proposed between buildings A and B. Along Dickerson Pike, an entrance is located south of building C. This access point will have a shared access easement in place for the adjacent property to the south to use in the future.

In accordance with the zoning code, landscape buffers are provided along the eastern property line and along the eastern portion of the southern property line, where the adjacent property is zoned RS5. Architectural standards for glazing, raised foundations, entrances, windows, and material standards are included with the proposed SP. At the time of Final SP, architectural elevations showing compliance with these standards will be required.

ANALYSIS

The proposed plan has been designed to address the existing context surrounding the site, as well as addressing the goals of the CCM Policy and the Highland Heights Small Area Plan. The proposed mixed-use structure meets the intent of the policy to provide high density residential and mixed-



Metro Planning Commission Meeting of 02/25/21

uses along the Dickerson Pike Corridor. The northern portion of the site along Gatewood Avenue and the southeast portion of the site, is limited to residential uses. This pattern of uses is consistent with the surrounding land use patterns with commercial uses along the corridor stepping down in intensity to the single-family residential uses along Meridian Street. The proposed development standards in the SP including building height, setbacks, and architectural standards meet the building regulating plan for the Highland Heights Plan.

The proposed road through the site meets the goals of the Mobility Plan of the Highland Heights Plan to increase connectivity through the site. It sets up a valuable connection for any future development to the south, enhancing north-south connectivity in this area. In addition to vehicular connections, it also provides pedestrian connections along Gatewood Avenue, Dickerson Pike, and along the proposed road.

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

- Additional water quality/ detention area might be required. To be determined during Final SP submission.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary or New SP only. Private water and/or sanitary sewer site utility construction plans must be submitted and approved prior to Final SP approval. The approved construction plans must match the Final Site Plan/SP plans. Any 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 plans and road grades shall comply with the design regulations established by the Department of Public Works. The roadway construction drawings shall comply with the MPW Subdivision Street Design Standards. Review standards to ensure the plans comply. Add MPW standard construction notes to the cover sheet:

- All work within the Public right-of-way requires an Excavation Permit from the Department of Public Works.
- Proof-rolling of ALL street sub-grades is required in the presence of the Public Works Inspector, request to be made 24 hours in advance.
- Stop signs to be 30 inch by 30 inch.
- Street signs to have six inch white letters on a nine inch green aluminum blade.
- All signs to have 3M reflective coating.



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- Luton St.(North of Gatewood site access) appears to have 50 ft. existing ROW. Show local street connector through site as a ST-252 to match Luton.
- Coordinate with Metro planning on sidewalk requirements along Dickerson and Gatewood frontages.
- Call out/Show sidewalks, ramps, etc. per MPW standard sections and details.
- Dickerson Pike access will require a shared agreement with South parcel(3900).
- Indicate installation of “Now Entering Private Property” signage at all driveway connections to the proposed public roadways.
- Indicate solid waste and recycling plan for this development.
- Indicate ADA compliant ramps at the intersection of all public roads with the sidewalks.
- Comply w/MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Luton Street shall be extended south of Gatewood Avenue to edge of property line and dedicate as a new public road.
- The proposed access on Dickerson Pike shall be constructed on the southern property line to provide shared access to the property to the south. An access easement shall be recorded.
- An enhanced pedestrian crossing across Dickerson Pike near Gatewood Avenue shall be installed. Continue to coordinate with Public Works prior to Final SP submittal on type of crossing (beacons, HAWK, raised median, traffic signal, etc.).
- Coordinate with WeGo on bus stop upgrades within the vicinity of the development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	2.62	0.6 F	68,476 SF	4347	218	469

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)	4.15	2.178 D	30 U	344	27	32

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)	-	-	270 U	2001	123	143

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
Retail (814)	-	-	10,000 SF	635	32	69



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Traffic changes between maximum: CL, RS5 and SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-2055	-90	-289

METRO SCHOOL BOARD REPORT

**Projected student generation existing CL and RS5 districts: 9 Elementary 7 Middle 6 High
Projected student generation proposed SP-MU district: 48 Elementary 40 Middle 35 High**

The proposed SP-R zone district is anticipated to generate 101 additional students than what could be generated under the existing CL and RS5 zoning. Students would attend Schwab Elementary, Jere Baxter Middle School, and Maplewood 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 270 multi-family units and 10,000 square feet of commercial uses. Short Term Rental Property (STRP) not owner-occupied shall be prohibited and Short Term Rental Property (STRP) owner occupied shall be prohibited.
2. If the development is phased, the proposed public road shall be completed with the first phase of development and prior to final U&O.
3. The shared access point south of building C shall be in place prior to final U&O for building C.
4. The final site plan shall show sidewalks along all public rights-of-way consistent with the Major and Collector Street Plan (MCSP) and Public Works design standards.
5. Parking shall comply with requirements of the Metro Zoning Code.
6. 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.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. 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.
9. 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 MUL-A zoning district shown within District 1 of the submitted site plan and RM40-A within District 2 shown on the plan, as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
11. 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.



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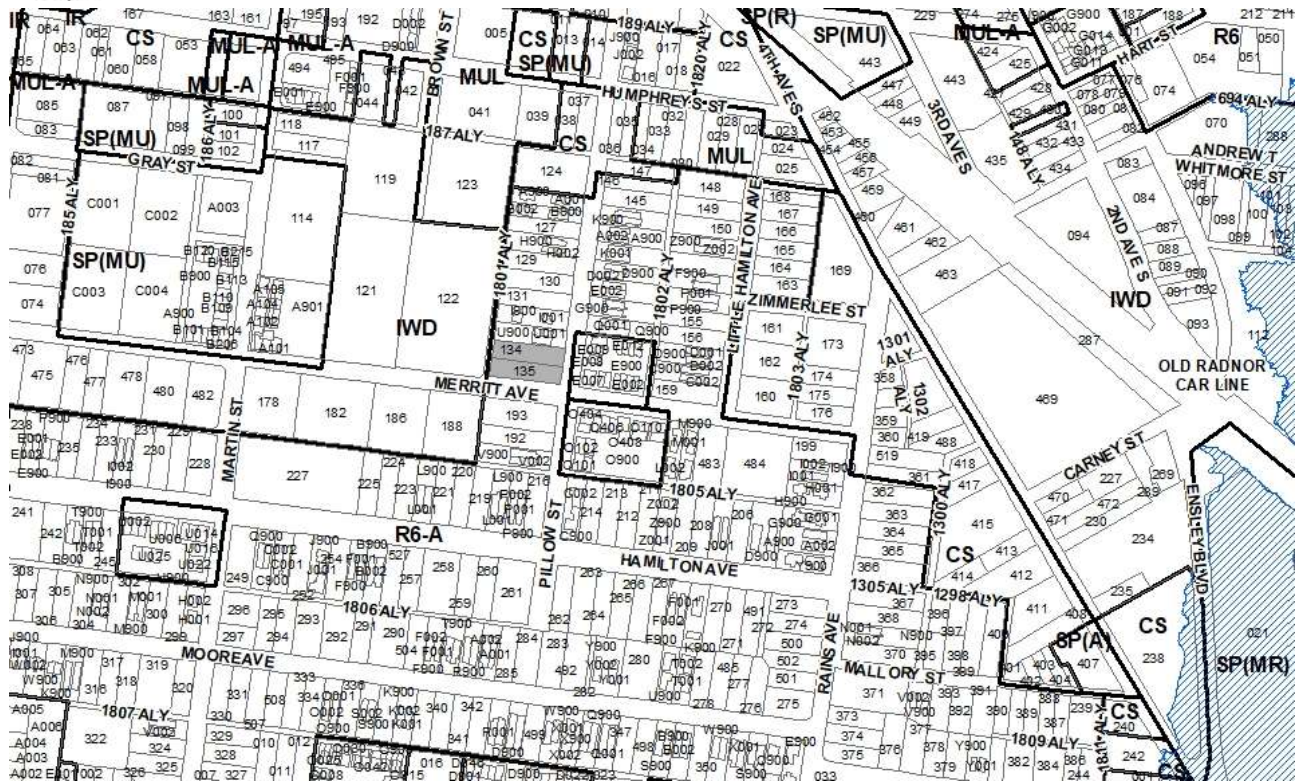
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. 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.
13. 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.



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Metro Planning Commission Meeting of 02/25/21



2020SP-052-001
PILLOW + MERRITT
Map 105-07, Parcel(s) 134-135
11, South Nashville
17 (Colby Sledge)



Project No. Specific Plan 2020SP-052-001
Project Name Pillow + Merritt
Council District 17 – Sledge
School District 5 – Buggs
Requested by Hastings Architecture, applicant; Nathaniel Wayne Russell and Robert E. Orrall, Christine Leverone Orrall, and Justine Orrall, owners.

Deferrals This item was deferred from the January 21, 2021, and February 11, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer Elliott
Staff Recommendation *Approve with conditions and disapprove without all conditions.*

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

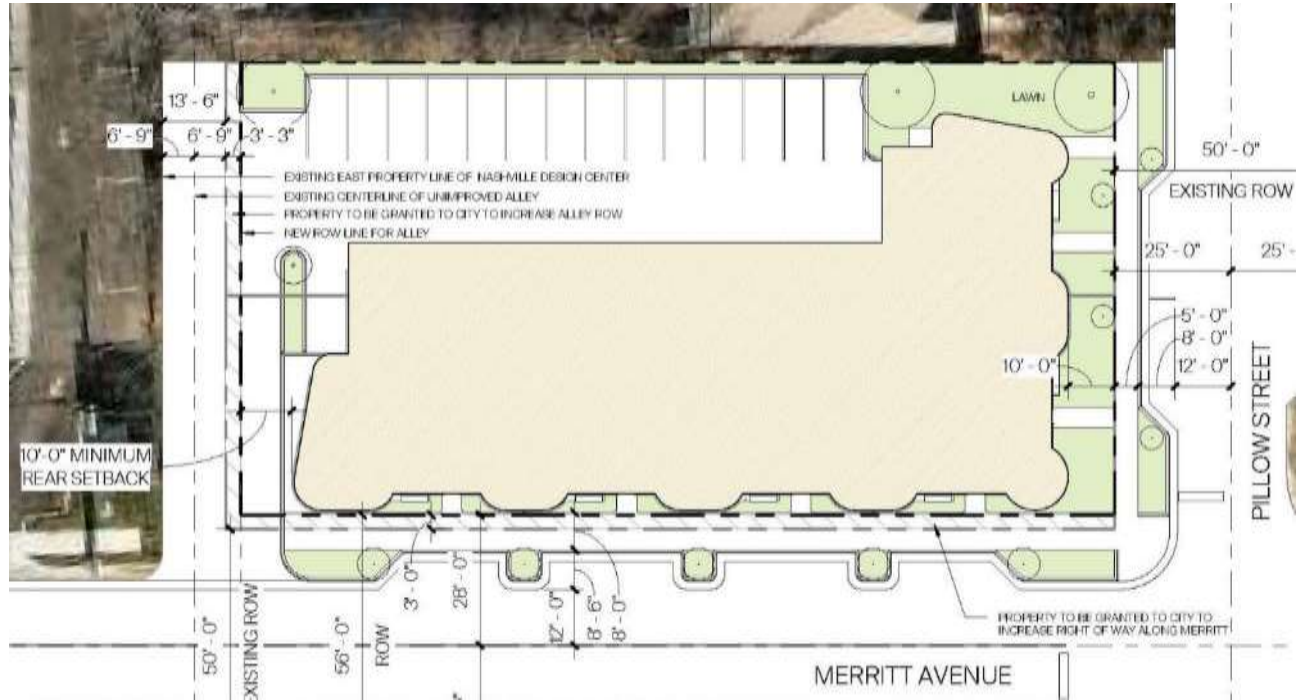
Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building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



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Proposed Preliminary Site Plan



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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 South Nashville Community Plan of NashvilleNext. WHCH 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



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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 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 consistent with a typical 3-story building. 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

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.

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



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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)	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

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.

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.



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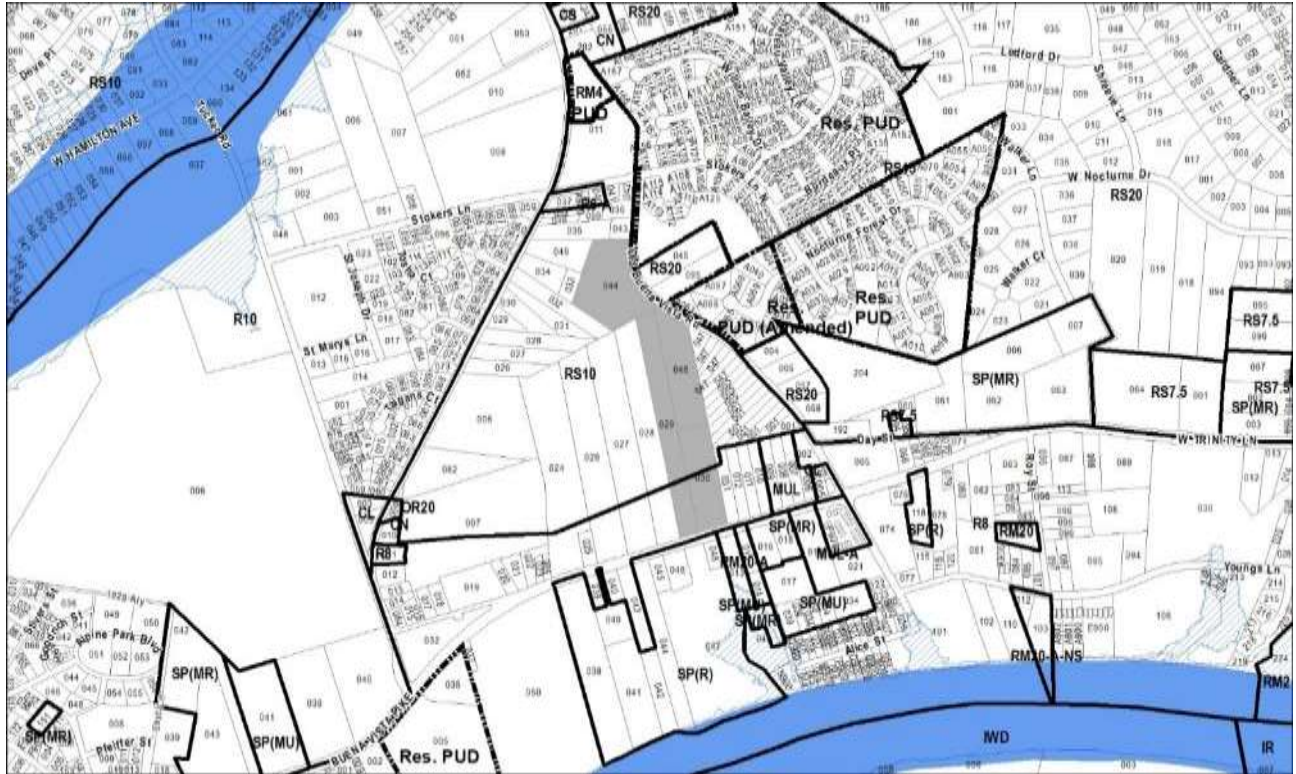
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A-NS zoning district as of the date of the applicable request or application.
6. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
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.



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Metro Planning Commission Meeting of 02/25/21



2020Z-108PR-001

Map 070-02, Parcels 044, 046

Map 070-06, Parcels 029-030

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzte Toombs)



Metro Planning Commission Meeting of 02/25/21

Project No.
Council District
School District
Requested by

Zone Change 2020Z-108PR-001
02 - Toombs
1 - Gentry
D & M Development LLC, applicant; Aubrey Gregory,
Doss Hill, Amon Ringemann, and Anna Ringemann,
owners.

Deferrals

This request was deferred from the September 24, 2020, the October 8, 2020, December 10, 2020 and the January 21, 2021, Planning Commission meetings. A public hearing was held at the October 8, 2020, Planning Commission meeting.

Staff Reviewer
Staff Recommendation

Swaggart
Defer indefinitely.

APPLICANT REQUEST

Zone change from R8 and RS10 to RM20-A.

Zone Change

A request to rezone from One and Two-Family Residential (R8) and Single-Family Residential (RS10) to Multi-Family Residential-Alternative (RM20-A) zoning for properties located at 1105 and 1107 W. Trinity Lane, W. Trinity Lane (unnumbered), and Old Buena Vista Road (unnumbered), approximately 390 feet south of Stokers Lane (14.46 acres).

STAFF RECOMMENDATION

Staff recommends indefinite deferral at the request of the applicant.