



METROPOLITAN PLANNING COMMISSION

MINUTES

April 08, 2021
4:00 pm Regular Meeting

Meeting to be held via Teleconference

Metro Nashville Network will broadcast the April 8th meeting of the Metro Planning Commission live on Comcast channel 3 and simulcast a livestream of the meeting on Nashville.gov. To locate the livestream, visit www.nashville.gov and click on the “Live Streaming” link located on the left side of the screen.

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Jessica Farr, Vice Chair
Jeff Haynes
Brian Tibbs
Dr. Pearl Sims
Mina Johnson
Jim Lawson
Councilmember Kathleen Murphy

Commissioners Absent:

Lillian Blackshear
Ron Gobbell

Staff Present:

Lucy Kempf, Executive Director
Bob Leeman, Deputy Director
Kelly Adams, Admin Services Officer VI
Lisa Milligan, Planning Manager II
Shawn Shepard, Planning Manager I
Joni Williams, Planning Manager I
Katherine Herrmann, Planner III
Logan Elliott, Planner II
Amelia Lewis, Planner II
Patrick Napier, Planner II
Abbie Rickoff, Planner II
Jason Swaggart, Planner II
Alex Dickerson, Legal

Lucy Alden Kempf

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

Out of an abundance of caution, and pursuant to recommendations from federal, state and local health agencies regarding avoiding group gatherings due to the COVID-19 Coronavirus, the April 8, 2021, Planning Commission meeting will be held virtually. To protect the health and safety of our community, we strongly encourage all members of the public to view or participate online.

Planning Commission meetings are shown live on the Metro Nashville Network, Comcast channel 3, and streamed online live. In addition, meeting recordings are posted on YouTube, usually on the day after the meeting. We strongly encourage the public to view this meeting remotely. Any comments to the Commission should be mailed or emailed to the Planning Department to minimize face-to-face interactions by 3 p.m. on Tuesday, April 6, 2021. Visit <https://www.nashville.gov/Planning-Department/Meeting-Information/Virtual-Public-Comment.aspx> for the most up-to-date ways to contact the Commission.

General Planning Commission Information Provided for Reference

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

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

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

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

Writing to the Commission

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

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

E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

For the April 8, 2021 meeting, we encourage comments remotely, by email or live remote participation, during the meeting. Please visit our webpage on Virtual Comments to find out how:

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

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

Legal Notice

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



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

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:00 p.m.

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

Ms. Farr moved and Mr. Haynes seconded the motion to establish the meeting agenda constitutes essential business of this body and that meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-10 outbreak. (6-0)

C: ADOPTION OF AGENDA

Ms. Farr moved and Mr. Lawson seconded the motion to adopt the agenda. (6-0)

D: APPROVAL OF MARCH 25, 2021 MINUTES

Mr. Tibbs joined the meeting at 4:05 p.m.

Ms. Farr moved and Mr. Tibbs seconded the motion to approve the March 25, 2021 minutes. (7-0)

E: RECOGNITION OF COUNCILMEMBERS

Councilmember Syracuse spoke in favor of deferring Items 12 and 18.

Councilmember Bradford spoke in favor of Item 14.

Councilmember Rutherford spoke in favor of deferring Item 8 and in favor of Item 16.

Councilmember Porterfield spoke in favor of deferring Items 4, 10, and 13.

F: ITEMS FOR DEFERRAL / WITHDRAWAL 1a, 1b, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 18

Mr. Lawson moved and Mr. Tibbs seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

G: CONSENT AGENDA ITEMS 11, 21, 25

Dr. Sims joined the meetings at 4:25 p.m.

Ms. Johnson moved and Councilmember Murphy seconded the motion to approve the Consent Agenda. (8-0)

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

H: ITEMS TO BE CONSIDERED

1a. 2021CP-008-001

NORTH NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 21 (Brandon Taylor)

Staff Reviewer: Stephanie McCullough

A request to amend the North Nashville Community Plan by changing from D IN Policy to T4 MU Policy for properties located at 623 and 701 41st Ave North and 700 42nd Ave North and 4105 Clifton Avenue and Clifton Avenue (unnumbered), approximately 500 feet west of 40th Ave N, zoned IR (6.88 acres), requested by Kimley Horn, applicant; Hoosier Capital, L.P., Michael J. & Dana M. Ragan, and Ari Holdings, LLC, owners. (see associated case #2021SP-004-001).

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021CP-008-001 to the April 22, 2021, Planning Commission meeting. (7-0)

- 1b. 2021SP-004-001**
41ST AVENUE NORTH
Council District 21 (Brandon Taylor)
Staff Reviewer: Patrick Napier

A request to rezone from IR and OR20 to SP zoning on properties located at 704 41st Avenue North, 4105 Clifton Avenue, and Clifton Avenue (unnumbered), 4018 Indiana Avenue, and 4020 Indiana Avenue, approximately 475 feet west of 40th Avenue North, (5.11 acres), to permit 151 multi-family residential units, requested by Kimley-Horn, applicant; Hoosier Capital, L.P., owner. (see associated case #2021CP-008-001).

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-004-001 to the April 22, 2021, Planning Commission meeting. (7-0)

- 2. 2021SP-008-001**
6821 OLD CHARLOTTE PIKE
Council District 23 (Thom Druffel)
Staff Reviewer: Jason Swaggart

A request for to rezone from RS40 to SP zoning for property located at 6821 Old Charlotte Pike, approximately 840 feet west of W Hillwood Drive (1.35 acres), to permit seven multi-family residential units, requested by Dale and Associates, applicant; Jonathan Eric Patrick and Audrey Lynn, owners.

Staff Recommendation: Withdraw.

The Metropolitan Planning Commission withdrew 2021SP-008-001. (7-0)

- 3. 2021S-060-001**
SCRUGGS ESTATES
Council District 02 (Kyonzté Toombs)
Staff Reviewer: Amelia Lewis

A request for final plat approval to create three lots on property located at Buena Vista Pike (unnumbered), approximately 1,230 feet north of Stokers Lane, zoned R10 (5.63 acres), requested by Daniels and Associates, applicant; Vonda R. Scruggs, owner.

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-060-001 to the April 22, 2021, Planning Commission meeting. (7-0)

- 4. 2021Z-028PR-001**
Council District 29 (Delishia Porterfield)
Staff Reviewer: Amelia Lewis

A request to rezone from R20 to IWD zoning for property located at 2871 Ned Shelton Road, approximately 635 feet south of Bell Road (18.0 acres), requested by State Street Group, applicant; The Quarter Jackson LLC, owner.

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-028PR-001 to the April 22, 2021, Planning Commission meeting. (7-0)

5. 2021Z-030PR-001

Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Patrick Napier

A request to rezone from SP to R8 zoning for properties located at 6015 and 6017 Obrien Avenue, approximately 170 feet east of Eastboro Drive (0.78 acres), requested by Overcup Oak LLC, applicant and owner.

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-030PR-001 to the April 22, 2021, Planning Commission meeting. (7-0)

6. 2021Z-032PR-001

Council District 01 (Jonathan Hall)
Staff Reviewer: Jason Swaggart

A request to rezone from RS40 to RM15 zoning for property located at 4349 Clarksville Pike, approximately 750 feet south of Echo Lane (16.57 acres), requested by Dale and Associates, applicant; Clarksville Pike LLC, owner.

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021Z-032PR-001 to the April 22, 2021, Planning Commission meeting. (7-0)

**7. 2021S-015-001
RIVERGATE STATION SECTION 1 2ND RESUB OF LOT 2**

Council District 10 (Zach Young)
Staff Reviewer: Amelia Lewis

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

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-015-001 to the April 22, 2021, Planning Commission meeting. (7-0)

**8. 2004P-013-009
MILL CREEK TOWNE CENTRE, PHASE 2 (AMENDMENT)**

Council District 31 (John Rutherford)
Staff Reviewer: Abbie Rickoff

A request to amend a Planned Unit Development Overlay District for a portion of property located at Nolensville Pike (unnumbered), approximately 630 feet southeast of Concord Hills Drive, zoned SCC and within a Corridor Design Overlay District (3.15 acres), to remove right-of-way reservation, requested by WNRI Holdings LLC, applicant; Mill Creek Towne Centre PH II Properties Association Inc., owner.

Staff Recommendation: Defer to the April 22, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2004P-013-009 to the April 22, 2021, Planning Commission meeting. (7-0)

**9. 2020S-145-001
BORDEAUX AGRIHOOD**

Council District 01 (Jonathan Hall); 02 (Kyonzté Toombs)
Staff Reviewer: Logan Elliott

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 R10, RS10 and RS15 (120.4 acres), requested by Dewey Engineering, applicant; Wildflower Partners LLC, owner.

Staff Recommendation: Defer to the April 22, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020S-145-001 to the April 22, 2021, Planning Commission meeting. (7-0)

**10. 2021S-045-001
RESUBDIVISION OF LOTS 5 AND 6 AIRPORT LOGISTICS**

Council District 29 (Delishia Porterfield)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create four lots on properties located at 1785 Reynolds Road and 1922 Old Murfreesboro Pike, approximately 2,000 feet north of Smith Springs Road, zoned IR (49.02 acres), requested by Clint T. Elliott Surveying, applicant; Airport Logistics II LLC, owner.

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021S-045-001 to the April 22, 2021, Planning Commission meeting. (7-0)

**11. 2021SP-019-001
217 CLEVELAND STREET**

Council District 05 (Sean Parker)
Staff Reviewer: Logan Elliott

A request to rezone from SP to SP zoning for property located at 217 Cleveland Street, approximately 220 feet west of Meridian Street (0.26 acres), to permit all uses allowed under RM15-A-NS zoning, requested by Prolific 615 LLC, applicant; Jewel Steele, owner.

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

**APPLICANT REQUEST
Zone change from SP to SP.**

A request to rezone from Specific Plan (SP) to Specific Plan (SP) zoning for property located at 217 Cleveland Street, approximately 220 feet west of Meridian Street (0.26 acres), to permit all uses allowed under RM15-A-NS zoning,

Existing 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 allows for uses as permitted by RS5 as well as detached accessory dwelling 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 allows for uses as permitted by RM15-A-NS.*

EAST 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. 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.

SITE CONTEXT AND PLAN DETAILS

The site is approximately a quarter acre and sits north of Cleveland Street and is adjacent to the McGavock House SP in East Nashville. The site currently contains a single-family residence and a site wall running parallel to Cleveland Street. This property is within a district that is eligible for the National Register of Historic Places. Cleveland Street is classified as a Collector Avenue in the Major and Collector Street Plan.

The application is for a regulatory Specific Plan Zoning District and does not include a site plan, but does include an illustrative drawing of the property and proposed standards. The plan proposes a development consistent with the RM15-A-NS zoning district with modifications to the bulk standards. The applicant is proposing to modify the building height standards of the RM15-A-NS zoning district to allow for additional building height in the build-to-zone and to remove the requirement of stepping back after 20 feet of building height. The applicant has drawn the setbacks, build-to-zone, landscape buffers, and sidewalk requirements on the plan to demonstrate where the future development will be on the site.

ANALYSIS

The proposed Specific Plan provides a density and form that is appropriate for this location given the land use policy and the property's frontage onto a collector street. The parcel is near an Urban Neighborhood Center policy area that has development of similar form and greater density. The proposed development will allow for a transition in development intensity from the Neighborhood Center policy and the Urban Neighborhood Evolving policy with the proposed building bulk standards and the proposed landscape buffer yards.

The proposed modifications to the bulk standards of the RM15-A-NS district would permit the development to extend up to 3-stories near the street. This change to the zoning requirements allows for the building to engage the street in a way that's consistent with the goals of the T4 NE policy. The limited size of the site, the fact that it fronts onto a collector street, and the proximity to a Neighborhood Center policy area make the proposed bulk standards appropriate. Additionally, the applicant has reduced the building height to 32 feet at the eave to provide a massing that is appropriate with the nearby historic structures.

The existing site wall that runs parallel to Cleveland Street is proposed to remain with this SP application. The site is currently accessed via a driveway on Cleveland Street and the plan proposes to maintain this access location with redevelopment. The location of the site wall prohibits the sidewalk and grass strip on Cleveland Street from meeting the Major and Collector Street Plan requirement. The existing sidewalk is approximately 5 feet wide and the grass strip varies from approximately 2 to 3 feet, while the local standard is a minimum of 5 feet for the sidewalk and 4 feet for the grass strip. The applicant is proposing to maintain the existing site wall, sidewalk, and grass strip similar to both of the adjacent SP developments on Cleveland Street.

HISTORIC RECOMMENDATION

Approve with conditions

- The subject property at 217 Cleveland Street has been determined eligible for listing in the National Register of Historic Places (NRE). The proposed SP will result in the demolition of this NRE property. Additionally, the property is adjacent to a local Historic Landmark District.

Historical Commission (MHC) staff recommends approval of the proposed SP with the following conditions: 1) the applicant shall work with MHC staff and appropriate consultants, if the staff deems necessary, to document the property through plans and photographs, according to MHC standards, 2) the applicant shall work with MHC staff to identify and salvage any salvageable details and materials, including windows, doors, stone, etc., and 3) applicant shall preserve the existing stone wall, which is also associated with adjacent historic properties. Staff also recommends disapproval of the request for additional height.

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 all regulations at time of final submission.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Capacity must be paid before issuance of building permits.

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. Final design may vary based on field conditions.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Provide parking per Metro Code.
- Consider shared access with development to east.

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
Two-Family Residential* (210)	0.26	-	2 U	19	2	2

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.26	-	4 U	30	2	3

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
-	-	-	+2 U	+11	0	+1

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-R district: 1 Elementary 1 Middle 1 High

The proposed SP-R zoning is expected to generate 3 more student than the existing SP-R zoning because of the additional units permitted with the proposed zoning. Students would attend Ida B. Wells Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools 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 those permitted by the RM15-A-NS zoning district.
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 RM15-A-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.

Approve with conditions and disapprove without all conditions. Consent Agenda (8-0)

Resolution No. RS2021-84

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-019-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to those permitted by the RM15-A-NS zoning district.
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 RM15-A-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.

**12. 2021SP-021-001
PENNINGTON BEND COTTAGES**

Council District 15 (Jeff Syracuse)
Staff Reviewer: Jason Swaggart

A request to rezone from R15 to SP zoning for property located at Pennington Bend Road (unnumbered), at the northwest corner of Lock Two Road and Pennington Bend Road (3.59 acres), to permit 16 detached multi-family residential unit, requested by Dale and Associates, applicant; Vineyard Homes LLC, owner.

Staff Recommendation: Defer to April 22, 2021, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-021-001 to the April 22, 2021, Planning Commission meeting. (7-0)

**13. 2021SP-027-001
2377 COUCHVILLE PIKE SP**

Council District 29 (Delishia Porterfield)
Staff Reviewer: FRONT COUNTER

A request to rezone from R20 to SP-IND zoning for property located at 2377 Couchville Pike, approximately 1,485 feet east of Pulley Road street, (34.77 acres), to permit industrial uses, requested by Energy Land and Infrastructure, applicant; Tommy C. Estes, owner.

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2021SP-027-001 to the April 22, 2021, Planning Commission

meeting. (7-0)

14. 2021SP-011-001
THE PRESERVE AT PRIEST LAKE
Council District 13 (Russ Bradford)
Staff Reviewer: Logan Elliott

A request to rezone from RS10 to SP zoning for properties located at 3128 Elm Hill Pike and Elm Hill Pike (unnumbered), approximately 530 feet east of Timber Valley Drive, (6.21 acres), to permit 38 multi-family residential units, requested by Dale & Associates, applicant; Gregg H. and Susan Lyn Eatherly, owners.

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

APPLICANT REQUEST

Rezone from RS10 to SP to permit 38 multi-family units.

Rezoning

A request to rezone from Single-Family Residential (RS10) to Specific Plan-Mixed Residential (SP-MR) zoning for properties located at 3128 Elm Hill Pike and Elm Hill Pike (unnumbered), approximately 530 feet east of Timber Valley Drive, (6.21 acres), to permit 38 multi-family residential units.

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 23 units based on acreage alone.*

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 attached and detached housing types.

DONELSON - HERMITAGE - OLD HICKORY 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 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 wetland features.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 6.21 acres and is located north of Elm Hill Pike, adjacent to the Child Care USA Learning Center. The site currently contains several residential units and is surrounded by a mixture of different residential use types, an institutional use, and vacant land uses. Elm Hill Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan. The north-eastern corner of the site has a portion of a wetland feature and there are limited areas of significant slope.

Site Plan

The site plan proposes a mixture of detached multi-family residential structures and attached multi-family residential structures for a total of 38 units. The plan proposes a single access point from Elm Hill Pike and the units are served by internal private drives. The plan proposes to improve Elm Hill Pike consistent with the requirements of the Major and Collector Street Plan. The plan proposes units that front Elm Hill Pike and otherwise the units front private streets. The site is served by a private sidewalk network that connects back to the proposed Elm Hill Pike sidewalk. The plan proposes open space between units and to the rear of the site. Also, the plan provides the perimeter landscape buffers that are required per the Zoning Code.

ANALYSIS

The proposed Specific Plan is appropriate for the Suburban Neighborhood Maintenance land use policy given the context of the surrounding development pattern and the sites frontage on an Arterial Boulevard. The proposed building setbacks, height, unit orientation, and density are consistent with the policy and surrounding context. The applicant has also undergone a substantial community engagement process to work with the surrounding neighborhood to propose a plan that is sensitive to the neighborhoods' concerns and interests.

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.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Concept Plan only; Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. All Water and Sanitary Sewer related fees or assessments, including capacity must be confirmed paid before issuance of building permits.

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.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Stripe Elm Hill Pike at Timber Valley Drive to include one westbound left-turn lane and one westbound through lane per MUTCD guidance.

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)	6.21	4.356 D	23 U	269	22	25

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)	6.21	-	38 U	279	18	22

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
-	-	-	-	+10	-4	-3

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10 district: **2 Elementary 1 Middle 2 High**

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

The proposed SP-MR zoning is expected to generate 4 more students than the existing RS10 zoning. Students would attend Ruby Major Elementary School, Donelson Middle School, and McGavock High School. Ruby Major Elementary School, Donelson Middle School, and McGavock 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 38 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. The proposed right-of-way dedication shall be dedicated by Final Plat prior to the approval of the first building permit, or as determined by the Executive Director of Planning.
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 RM6-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.

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

Doug Sloan, 6354 Torrington Rd., spoke in favor of the application.

Jessica Shultz, 3113 Noble Valley Dr., would like the conditions to be fully clarified.

Councilmember Bradford spoke in favor of the application, especially the turn lane on Elm Hill Pike.

Chairman Adkins closed the Public Hearing.

Mr. Haynes spoke in favor of the application; this is a good plan.

Ms. Johnson agreed with Mr. Haynes, stated that staff did an excellent job, and spoke in favor of the application.

Mr. Lawson spoke in favor of the application.

Councilmember Murphy spoke in favor of the application.

Dr. Sims spoke in favor of the application.

Mr. Tibbs spoke in favor of the application.

Ms. Farr moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions. (8-0)

Resolution No. RS2021-85

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021SP-011-001 is approved with conditions and disapproved without all conditions. (8-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 38 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. The proposed right-of-way dedication shall be dedicated by Final Plat prior to the approval of the first building permit, or as determined by the Executive Director of Planning.

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 RM6-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.

15. 2006SP-093-002

OLDE MILL SP PERIODIC REVIEW

Council District 22 (Gloria Hausser); 35 (Dave Rosenberg)

Staff Reviewer: Logan Elliott

A request for a periodic review of the Olde Mill Specific Plan District located at 8811 Newsom Station Road and 8873 Newsom Station Road, approximately 1700 feet northwest of Coley Davis Road, zoned SP (131.06 acres), requested by Councilmember Dave Rosenberg, applicant; Old Mill Partnership, owner.

Staff Recommendation: Find the SP to be inactive and advise Council to rezone.

APPLICANT REQUEST

Periodic review of a Specific Plan.

Periodic SP Review

A request for a periodic review of the Olde Mill Specific Plan located at 8811 Newsom Station Road and 8873 Newsom Station Road, approximately 1700 feet northwest of Coley Davis Road (131.06 acres).

Existing 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.

SP DETAILS

Metro Council originally approved the Olde Mill Specific Plan in 2007 for a mixed-residential development including 16 two-family units, 35 townhomes, and 197 single-family lots on 131.06 acres. The single-family lots are broken into four different lot sizes: 86 lots are 31 feet wide, 67 lots are 41 feet wide, 11 lots are 51 feet wide, and 33 lots are 65 feet wide. A community pool is also included in the plan.

The plan proposes two access points. One access point is located along Newsom Station Road. The second access point includes a bridge over the CSX railroad, providing a connection to the west side of Newsom Station Road.

PERIODIC SP REVIEW

Section 17.40.106 I of the Metro Zoning Ordinance sets forth the requirements for the Metropolitan Planning Commission to review any Specific Plan District, or portion thereof, to determine whether the SP is “inactive,” and if so, to recommend to the Council what action should be taken with respect to the SP. It authorizes the Planning Commission, a councilmember, or the property owner of the area to be reviewed to request the review. The Commission determines whether the SP is “inactive” by examining whether development activity has occurred within four years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council. If the Planning Commission determines the SP to be inactive, the Commission is required to recommend legislation to the Council to re-approve, amend, or rezone the property.

Timeline for Planning Commission Action

The Zoning Code requires that within 90 days from the initiation of its review, the Planning Commission must hold a public hearing to make a determination of activity, and if necessary, make a recommendation to the Council. The review was requested by Councilmember Rosenberg on January 11, 2021. The 90-day period extends to April 12,

2021. If the Planning Commission does not make a determination within 90 days from the initiation of a review, it is considered to be a recommendation to re-approve by ordinance the existing SP district without alteration.

Classification of the SP (Active or Inactive)

Under 17.40.106.I, the Commission is first required to determine whether the Olde Mill SP requested for periodic review is active or inactive.

Section 17.40.106 I.3.a. of the Metro Code requires the Planning Commission to make three findings in order to determine whether a SP is active or inactive:

- i. *Four or more years have elapsed since the latter of*
 - (1) *The effective date of the initial enacting ordinance of the SP,*
 - (2) *The effective date of any ordinance approving an amendment to the SP,*
 - (3) *The effective date of any ordinance re-approving or amending a SP after it has been reviewed and decided in accordance with subsection 5.a. or b. of this section, or*
 - (4) *The deadline for action by the metropolitan council in accordance with subsection 5.d. of this section, and*

The initial enacting ordinance for the SP became effective in 2007. A periodic review by the Planning Commission was completed in 2011. At that time, the Planning Commission recommended to continue implementation of the SP as adopted. More than four years have elapsed since the initial date of the enacting ordinance and no further approvals have taken place.

- ii. *Construction has not begun on the portion of the SP under review; construction shall mean physical improvements such as, but not limited to, water and sewer lines, footings, and/or foundations developed on the portion of the SP under review; clearing, grading, the storage of building materials, or the placement of temporary structures shall not constitute beginning construction, and*

No construction has taken place in the SP under review.

- iii. *Neither right-of-way acquisition from a third party nor construction has begun on off-site improvement(s) required to be constructed by the metropolitan council as a condition of the SP approval.*

No right-of-way has been acquired and no off-site improvements have been constructed.

Section 17.40.106 I.3.a. states that the Commission “*may also take into consideration the aggregate of actions, if any, taken by the owner of the SP within the prior 12 months to develop the portion of the SP under review.*”

Representatives of the owner have indicated that the development team has been meeting with various agencies and Metro Departments over the last several months to prepare for development of the site. The development team have also completed some preliminary environmental and engineering work. See attached letter.

Staff Finding - Classification of the SP (Active or Inactive)

Staff finds the Specific Plan to be inactive as the requirements of Section 17.40.106.I have not been satisfied.

Planning Commission Recommendation to Metro Council

If the Planning Commission determines the SP to be active, then no further action is required. If the Commission determines the SP to be inactive, as in this case, then the Commission is required to recommend legislation to the Council to re-approve, amend the SP, or rezone the property, or portion thereof that is determined to be inactive.

With respect to the legislation to be recommended to the Metro Council, the Planning Commission is directed by the Code to take two distinct steps.

- 1. First, the Commission is to determine whether the “existing SP is consistent with the goals, policies, and objectives of the General Plan and any applicable specific redevelopment, historic, neighborhood, or community plans.”
- 2. Second, the Commission is to recommend the legislation, and include, as required:
 - (a) The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
 - (b) Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

BELLEVUE COMMUNITY PLAN

Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories except 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.

Suburban Neighborhood Maintenance (T3 NM) is intended to preserve 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.

Consistent with Policy?

The Specific Plan under review is not consistent with the land use policies for this location. The Bellevue Community Plan was updated in 2015 as part of NashvilleNext. At that time, the property’s land use policy was changed from Residential Low Medium to Conservation and T3 Suburban Neighborhood Maintenance. Large portions of the SP property lie in areas designated as floodplain, while stormwater regulation buffers extend along the entire northern and eastern boundaries of the site. Any proposed development should take the site’s environmentally sensitive features into consideration and should limit disturbance of conservation areas. Further, the site is constrained from an access perspective. Today, the site is accessed by Newsom Station Road from the north of the property. A second point of access is taken from Newsom Station Road from the west using an existing underpass to cross the CSX railroad right-of-way. Previous analysis of the site determined that the underpass is too narrow to be utilized by emergency vehicles and the northern point of access to be susceptible to flooding due to its proximity to the Harpeth River. While the Specific Plan under review proposes a new overpass to cross the CSX right-of-way, access to the site is inadequate and inconsistent with the circulation and safety goals of the property’s land use policies.

STAFF RECOMMENDATION

In accordance with the requirements of 17.40.106 I, staff recommends that the Planning Commission find the SP under review to be inactive. No development has taken place within this SP and there has not been an aggregate of action that constitutes activity by the owner over the last 12 months to develop the SP under review.

If the Planning Commission finds the PUD inactive, then staff recommends that the property be rezoned through a separate action at a future meeting. There are various zoning districts that may be appropriate including RS80 or an SP with an associated site plan with a maximum density equivalent to a RS40 zoning district.

Mr. Elliott presented the staff recommendation of finding the SP to be inactive and advising Council to rezone.

Councilmember Rosenberg spoke in favor of finding the SP inactive.

George Dean, 500 11th Ave N., explained that the owner is opposed to cancelling the SP and asked the commission to find the SP active.

Kathleen (last name unclear), 8512 Newsom Station Rd., spoke in favor of finding the SP inactive.

Mark Tye, 8405 Rolling Hills Dr., spoke in favor of finding the SP inactive.

Mark Marshall, 8509 Newsom Station Rd., spoke in favor of finding the SP inactive.

Ryan Lovelace, Civil Site Design Group, spoke in favor of finding the SP active.

Jan West, 8561 Newsom Station Rd., spoke in favor of finding the SP inactive.

Bonnie Behr, 6232 Rivervalley Dr., spoke in favor of finding the SP inactive.

Paige Coy, 8445 Merrymount Drive, spoke in favor of finding the SP inactive.

Henry Hartman, 6232 Rivervalley Dr., spoke in favor of finding the SP inactive.

Tony DePasquo, 8426 MerrymountDr., spoke in favor of finding the SP inactive.

Councilmember Rosenberg asked the commission to support staff recommendation and find the SP inactive.

Chairman Adkins closed the Public Hearing.

Ms. Farr spoke in favor of staff recommendation.

Mr. Haynes spoke in favor of staff recommendation.

Ms. Johnson spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Mr. Tibbs moved and Mr. Haynes seconded the motion to find the SP to be inactive and advise Council to rezone. (8-0)

Resolution No. RS2021-86

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-093-002 is found the SP to be inactive and advised Council to rezone. (8-0)

**16. 2021M-003SR-001
PORTION OF BLAKE DRIVE TO BE RENAMED "SWEET OAK COURT"**

Council District 31 (John Rutherford)

Staff Reviewer: Sharon O'Conner

A request for a portion of Blake Drive, which intersects with Sunnywood Drive and is disconnected from another "Blake Drive", to be renamed to "Sweet Oak Court", requested by the Department of Emergency Services in the interest of Public Safety.

Staff Recommendation: Approve.

APPLICANT REQUEST

Rename a portion of Blake Drive to "Sweet Oak Court".

Street Renaming

A request for a portion of Blake Drive, which intersects with Sunnywood Drive and is disconnected from another "Blake Drive", to be renamed to "Sweet Oak Court" (see sketch for details), requested by the Department of Emergency Services in the interest of Public Safety.

STREET RENAMING PROCEDURE

Metro Council changes street names through the adoption of an ordinance. The Planning Department is required to notify all property owners on the portion of the street proposed for renaming and to give owners the opportunity to provide written comments in support of or in opposition to the proposed name change. Properties with mailing addresses on the section of roadway to be renamed will continue to receive mail using the old street name for one year giving residents and businesses time to notify persons and entities they correspond with of the change in address.

APPLICATION INFORMATION

This application was submitted in the interest of Public Safety by the Department of Emergency Services to reduce confusion with the dispatching of emergency services to the area. It was received by the Planning Department on February 5, 2021, but was not initiated until February 23, 2021 due to an oversight and subsequent deferral. Notices were sent out on February 23, 2021 for the original request to all property with addresses or frontage on the effected streets. One email was received in opposition to the renaming, thus prompting a Public Hearing. Notice of the Planning Commission hearing was sent out on March 26, 2021 to all original recipients.

FIRE MARSHAL RECOMMENDATION

Approve.

EMERGENCY COMMUNICATION CENTER RECOMMENDATION:

Approved.

METRO HISTORICAL COMMISSION RECOMMENDATION

The Historical Commission staff neither approves nor disapproves this request. Per Ordinance No. BL2019-110, the Historical Commission staff will submit a report to the Metropolitan Council regarding any historical significance associated with the current/original street name upon filing of the legislation.

STAFF RECOMMENDATION

Staff recommends approval of renaming a portion of Blake Drive to "Sweet Oak Court."

Ms. Milligan presented the staff recommendation of approval.

Councilmember Rutherford spoke in favor of staff recommendation.

Chairman Adkins closed the Public Hearing.

Ms. Farr moved and Mr. Tibbs seconded the motion to approve. (8-0)

Mr. Haynes left the meeting.

Resolution No. RS2021-87

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021M-003SR-001 is approved. (8-0)

**17. 2004UD-002-011
VILLAGES OF RIVERWOOD SECTION M (MODIFICATION)**

Council District 14 (Kevin Rhoten)

Staff Reviewer: Logan Elliott

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

Staff Recommendation: Approve with conditions.

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.

Existing Zoning

Multi-family Residential (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre.

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.

DONELSON - HERMITAGE - OLD HICKORY COMMUNITY PLAN

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

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

T3 Suburban 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. The open space policy here recognizes open space that was reserved with the 2004 UDO Master Plan.

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 streams and significant slopes.

SITE CONTEXT AND PLAN DETAILS

The site is in the Villages of Riverwood development off Hoggett Ford road in Hermitage. The subject site is at the rear of the development, being the most southern point of the UDO. The site is bounded by I-40 to the south-east and the Stones River to the south-west. The subject site is approximately 23.35 acres, is currently vacant, and there are two streams that traverse the property from north to south into the Stones River. The majority of the Master Plan has been built out with one section of the plan under construction now. The subject property is the last section of the Master Plan to begin construction.

Existing entitlements

Urban Design Overlay (UDO) to allow for the development of 1,978 residential units, 45,000 square feet of mixed-use commercial, and two type 'B' billboards on 219.8 acres. The subject site, designated as Section M, was approved for 776 units (2,328 beds) of assisted living facility.

Site Plan

The plan would modify the standards of the UDO by replacing the 776 units of assisted living approved for this portion of the UDO with 210 multi-family residential units. Multi-family residential is a use already permitted by the UDO and consistent with the underlying RM9 zoning. The proposed plan establishes an additional building typology in the Master Plan that would be built in this last remaining section. The request modifies the UDO to establish design guidelines that would regulate future development of this site.

The proposed building typology, Building Type 10, is an attached townhouse style of unit. Standards are included indicating that the parking will either be in individual garages or surface parked to the rear of the units. The standards would require the proposed 210 townhouse units to be served by private drives with sidewalks. The plan includes a standard that units near Stonewater Drive are to be oriented towards Stonewater Drive and shall be limited to a maximum building height of two stories. The remainder of the units, not oriented to Stonewater Drive, are limited to a maximum building height of three stories. A standard is included requiring the internal units to be oriented towards common courtyards or open space. The plans also require that an internal sidewalk network be provided with the development of the subject site. Compliance with all regulatory standards must be demonstrated at the time of final site plan application.

The Master Plan for this UDO includes a condition that the applicant would provide a Dedicated Conservation Greenway Public Access Trail Easement Area as approved by Metro Greenways prior to the UDO final site plan approval by the Planning Commission. The proposed UDO modification does not alter this requirement and this requirement will be reviewed for with the final site plan application.

ANALYSIS

The proposed development is consistent with the intent of Suburban Neighborhood Evolving to provide a diversity of housing options in a suburban form. Orienting units towards public streets, open space, or common courtyards is consistent with T3 NE policy. The proposed multi-family units would generate less daily vehicle trips than the currently approved assisted living facility. Staff is recommending an additional regulating standard be included that requires the final site plan to avoid the environmentally sensitive areas that are recognized with the Conservation policy.

The Planning Commission heard this item at its October 22, 2020, meeting and deferred the item to the December 10, 2020, Planning Commission meeting to allow time for the applicant to hold a community meeting. The applicant has requested deferrals beyond the December 10, 2020 meeting to allow additional time for community outreach. Since the October 22, 2020, Planning Commission meeting, the applicant has held several virtual community meetings. The Planning Commission heard the item at the last meeting on March 25, 2021, and deferred to ensure that the standards as included are appropriate and in keeping with the issues expressed. Staff has reviewed the standards and found that the architectural standards are consistent with the standards for other townhomes. Additionally, staff has added conditions requiring public streets within this section and addressing the need for a TIS.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Fire department access roads shall comply with the current adopted fire code at the time of construction. Fire Department access roads shall have an unobstructed clear width of 20'. Where a fire hydrant is located on a fire apparatus access road the minimum width shall be 26' exclusive of shoulders. Aerial Fire Apparatus access shall be provided for any structure 30 feet or greater in height. Fire lane signage shall be provided in accordance with the adopted fire codes.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve

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. Comply with MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- TIS may be required at time of development.

Maximum Uses in Existing Zoning District: **RM9 (UDO)**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Assisted Living (254)	23.35	-	776 Units (2328 Beds)	6053	443	606

Maximum Uses in Proposed Zoning District: **RM9 (UDO)**

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)	23.35	-	210 U	1547	97	115

Traffic changes between maximum: **RM9 (UDO) and RM9 (UDO)**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-4506	-346	-491

METRO SCHOOL BOARD REPORT

Projected student generation existing RM9 (UDO) district: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM9 (UDO) district: 15 Elementary 13 Middle 8 High

The proposed RM9 (UDO) zoning is expected to generate 36 additional students than the existing RM9 (UDO) zoning. Students would attend Tulip Grove Elementary School, Dupont Tyler Middle School, and McGavock 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.

CONDITIONS

1. Permitted uses for this portion of the UDO shall be limited to 210 multi-family residential units.
2. The design of the townhomes in this phase, shall be consistent with the design of the existing built townhomes in previous phases. Building materials shall be the same and in similar configurations as to what is used on the existing townhomes.
3. Any new street included in this section of the development is required to be public.
4. If public streets/ infrastructure for mobility is required within this development, then the improvements should be designed and constructed per MPW standards and specifications for roads, alleys, sidewalks, etc.

5. Buildings will face the exterior public street (Stonewater Drive) with rear parking and access from a public alley and all interior units will front onto interior open space and with rear parking and access from a public alley. Interior units may also front on public streets.
6. A Traffic Study will be required with the submittal of the final site plan for this section.
7. The final site plan shall avoid the environmentally sensitive areas that are recognized with the Conservation policy.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.

Mr. Elliott presented the staff recommendation of approval with conditions.

The Public Hearing was closed at a previous MPC meeting.

Dr. Sims requested that there be dedicated green space other than this dedicated conservation greenway and asked if this was added as a condition. Dr. Sims asked staff if the applicant addressed the request for a park. Dr. Sims said the Planning Commission needs to ensure that the neighbors are heard.

Councilmember Murphy spoke in favor of staff recommendation, both sides have compromised.

Ms. Johnson spoke in favor of staff recommendations with added conditions.

Ms. Farr spoke in favor of staff recommendation.

Ms. Farr moved and Councilmember Murphy seconded the motion to approve with conditions with the added condition that he design of the townhomes in this phase shall be consistent with the design of the existing built townhomes in the previous phases. Building materials shall be the same and in similar configurations as to what is used on the existing townhomes. (7-0)

Resolution No. RS2021-88

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004UD-002-011 is **approve with conditions with the added condition that he design of the townhomes in this phase shall be consistent with the design of the existing built townhomes in the previous phases. Building materials shall be the same and in similar configurations as to what is used on the existing townhomes.. (7-0)**

CONDITIONS

1. Permitted uses for this portion of the UDO shall be limited to 210 multi-family residential units.
2. The design of the townhomes in this phase, shall be consistent with the design of the existing built townhomes in previous phases. Building materials shall be the same and in similar configurations as to what is used on the existing townhomes.
3. Any new street included in this section of the development is required to be public.
4. If public streets/ infrastructure for mobility is required within this development, then the improvements should be designed and constructed per MPW standards and specifications for roads, alleys, sidewalks, etc.
5. Buildings will face the exterior public street (Stonewater Drive) with rear parking and access from a public alley and all interior units will front onto interior open space and with rear parking and access from a public alley. Interior units may also front on public streets.
6. A Traffic Study will be required with the submittal of the final site plan for this section.
7. The final site plan shall avoid the environmentally sensitive areas that are recognized with the Conservation policy.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.

18. 2020Z-143PR-001

Council District 15 (Jeff Syracuse)

Staff Reviewer: Logan Elliott

A request to rezone from R15 to RS10 zoning for property located at 2600 Pennington Bend Road, approximately 530 feet west of Longfellow Drive (11.64 acres), requested by CSDG, applicant; Orthodox Church of Tennessee, owner.

Staff Recommendation: Defer to the April 22, 2021 Planning Commission meeting.

The Metropolitan Planning Commission deferred 2020Z-143PR-001 to the April 22, 2021, Planning Commission meeting. (7-0)

19. 2021Z-029PR-001

Council District 19 (Freddie O'Connell)

Staff Reviewer: Jason Swaggart

A request to rezone from RS3.75 to R6 zoning for property located at 928 11th Avenue North, approximately 150 feet south of Jackson Street and located within the Phillips-Jackson Street Redevelopment District Overlay (0.16 acres), requested by Branden Development LLC, applicant and owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from RS3.75 to R6.

Zone Change

A request to rezone from Single-Family Residential (RS3.75) to One and Two-Family Residential (R6) zoning for property located at 928 11th Avenue North, approximately 150 feet south of Jackson Street and located within the Phillips-Jackson Street Redevelopment District Overlay (0.16 acres).

Existing Zoning

Single-Family Residential (RS3.75) requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. *RS3.75 would permit a maximum of one residential unit.*

Proposed Zoning

One and Two-Family Residential (R6) 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.*

DOWNTOWN 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.

Supplemental Policy

This site is located within the Hope Gardens Neighborhood supplemental policy area (09-T4-DN-HG-01). The intent of the policy is to preserve the Hope Garden's historic character while accommodating a mix of new housing and new mixed-use development at appropriate locations specified in the plan. Hope Gardens contains five different policies: Urban Community Center (T4-CC) along the edges of Jefferson Street and Rosa L. Parks Boulevard; Urban Neighborhood Center (T4-NC) on the small commercial center located around 10th Avenue North, Locklayer Street, and Jackson Street; Urban Neighborhood Evolving (T4-NE) on four areas expected to or already developed at higher intensity or form than the majority of the neighborhood; Urban Neighborhood Maintenance (T4-NM) on the majority of the neighborhood to recognize its existing block, lot pattern, and historic housing stock; and Open Space (OS) on the neighborhood park located at the corner of Philips Street and Warren Street.

ANALYSIS

Staff finds that the proposed R6 zoning district at this location is not consistent with the T4-NM or the Hope Gardens Neighborhood supplemental policy. The site is located midblock and interior to the larger supplemental policy area. The T4-NM policy was applied to this area in order to maintain the historic character, which includes single family homes on small lots. The proposed R6 zoning district could permit up to two units on one lot and is not consistent with the surrounding single-family character.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- A traffic study may be required at the time of development.

Maximum Uses in Existing Zoning District: **RS3.75**

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)	0.16	11.616 D	1 U	10	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.16	7.26 D	2 U	19	2	2

*Based on two-family lots

Traffic changes between maximum: **RS20 and R6**

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS3.75 district: 0 Elementary 0 Middle 0 High

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

The proposed R6 zoning is not expected to generate additional students than what is typically generated. Students would attend Jones Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends disapproval.

Mr. Swaggart presented the staff recommendation of disapproval.

Brandon Williams, applicant, spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Ms. Johnson spoke in favor of disapproval as this does not meet policy.

Mr. Lawson spoke in favor of disapproval as this does not meet policy.

Councilmember Murphy spoke in favor of disapproval as this does not meet policy.

Dr. Sims spoke in favor of disapproval as this does not meet policy.

Mr. Tibbs spoke in favor of disapproval as this does not meet policy.

Ms. Farr moved and Mr. Tibbs seconded the motion to disapprove. (7-0)

Resolution No. RS2021-89

“BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-029PR-001 is **disapproved**. (7-0)

20a. 2021UD-001-001
WEDGEWOOD-HOUSTON CHESTNUT HILL UDO

BL2020-635/Colby Sledge
Council District 17 (Colby Sledge)
Staff Reviewer: Harriett Brooks

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

Staff Recommendation: Reopen the public hearing. Approve with conditions.

APPLICANT REQUEST

Establish an Urban Design Overlay district.

Urban Design Overlay

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

Existing Zoning

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

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

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

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

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

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

Specific Plan (SP) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan.

Proposed Overlay Zoning

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

CRITICAL PLANNING GOALS

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

WEDGEWOOD HOUSTON CHESTNUT HILL PLANNING STUDY

In 2019, the Wedgewood Houston Chestnut Hill (WHCH) Planning Study was adopted by the Planning Commission. The study was developed through a participatory process that involved the collaboration of planning staff with

community stakeholders to establish a clear vision and provide detailed information and solutions to guide the future physical and regulatory characteristics of these two neighborhoods.

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

SITE CONTEXT AND PLAN DETAILS

The 0.3 sq. mi. (188.28 acre) site encompasses the rapidly growing residential neighborhoods of Wedgewood-Houston and Chestnut Hill as well as the 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. The site is proximate to I-65 to the west and I-40 to the north.

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.

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 June 8, 2021, to follow passage of the bill at Metro Council and the Mayor's signature.

Since the deferral on February 25, staff has participated in three neighborhood association meetings with both Wedgewood-Houston and Chestnut Hill as well as several individual and small group meetings with neighborhood leaders, property owners, and constituents. Substantial edits have been made to the document in response to these meetings, including the removal of 49 and 51 Wharf Ave from the UDO boundary.

Through ongoing engagement with TAG (Trimble Action Group) and SNAP (South Nashville Action People), the neighborhood associations for Chestnut Hill and Wedgewood-Houston respectively, many issues with the UDO and associated zone change have been resolved. However, these groups have two outstanding concerns, listed below:

- 1) TAG is not supportive of the proposed NS zoning district designation for Chestnut Hill and would like to retain the right to have owner-occupied short-term rentals in Chestnut Hill.
- 2) SNAP is concerned about the right to neighborhood centers that was outlined in the 2019 Planning Study and would like them to happen at 1401, 1403, and 1407 Pillow St., and 601, 602 and 604 Moore Ave.

Staff finds the proposed UDO, including the removal of properties at 49 and 51 Wharf Ave, and 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 the public hearing be reopened and approval with the following conditions:

1. Removal of properties at 49 and 51 Wharf Ave, 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st Avenue South, from the boundary
2. Amendment of the UDO document to incentivize the retention of existing structures by incorporating new thresholds or triggers that respect the existing conditions to a site, such as driveway width and existing setbacks, that might otherwise not comply with the UDO, if a project is retaining or enhancing an existing structure.
3. Adherence to an effective date of June 8, 2021, following Metro Council passage and the Mayor's signature.

Ms. Brooks presented the staff recommendation of reopening the public hearing and approval with conditions.

Items 20a and 20b were heard and discussed together.

Ms. Farr moved and Mr. Lawson seconded the motion to reopen the Public Hearing. (7-0)

Councilmember Sledge spoke in favor and noted there has been extremely robust public engagement.

Brian Nock, 908 Woodmont Blvd., representing TAG, spoke in favor of Items 20a and 20b.

Katie Rudowsky, 1247 Martin St., representing SNAP, spoke in favor of Items 20a and 20b.

Terry Vo, 18 Claiborne St., spoke in favor of Items 20a and 20b.

Duane Cuthbertson, 409 Merritt Ave., spoke in favor of Items 20a and 20b.

Councilmember Sledge thanked everyone for their hard work and asked the commission for their support.

Chairman Adkins closed the Public Hearing.

Dr. Sims congratulated everyone on all the hard work and spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Ms. Johnson thanked everyone for their hard work and spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Ms. Farr added her thanks and appreciation for all the hard work and spoke in favor of staff recommendation.

Ms. Farr moved and Dr. Sims seconded the motion to approve with conditions. (7-0)

Resolution No. RS2021-90

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021UD-001-001 is **approved with conditions.**
(7-0)

CONDITIONS

1. Removal of properties at 49 and 51 Wharf Ave, 1011, 1013, 1015, 1017, 1019, 1302, 1304, 1306, and 1308 1st Avenue South, from the boundary
2. Amendment of the UDO document to incentivize the retention of existing structures by incorporating new thresholds or triggers that respect the existing conditions to a site, such as driveway width and existing setbacks, that might otherwise not comply with the UDO, if a project is retaining or enhancing an existing structure.
3. Adherence to an effective date of June 8, 2021, following Metro Council passage and the Mayor's signature.

20b. 2021Z-016PR-001

BL2020-634/Colby Sledge

Council District 17 (Colby Sledge)

Staff Reviewer: Harriett Brooks

A request to rezone from zoned CS, MUL-A, OR20, R6, and R6-A to MUL-A-NS, RM20-A-NS, CS-NS, and OR20-NS for various properties located south of Lafayette Street and north of Wedgewood Avenue (175.15 acres), requested by Councilmember Colby Sledge, applicant; various property owners (see associated case 2021UD-001-001).

Staff Recommendation: Approve with removal of properties currently zoned SP and certain properties along Wharf Avenue and 1st Avenue S. if the UDO is approved. If the UDO is not approved, staff recommends disapproval. Staff also recommends reopening the public hearing.

APPLICANT REQUEST

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

Zone change

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

Existing Zoning

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

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

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

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

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

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

Specific Plan (SP) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan.

Proposed Zoning

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

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

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

Multi-family Residential-Alternative-No Short Term Rental (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. Short term rental property, owner occupied and short-term rental property, not owner occupied are prohibited.

SOUTH NASHVILLE COMMUNITY PLAN

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

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

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.

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.

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.

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.”

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, 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.

Through ongoing engagement with TAG (Trimble Action Group) and SNAP (South Nashville Action People), the neighborhood associations for Chestnut Hill and Wedgewood-Houston respectively, many issues with the UDO and associated zone change have been resolved. However, these groups have two outstanding concerns, listed below:

- 1) TAG is not supportive of the proposed NS zoning district designation for Chestnut Hill and would like to retain the right to have owner-occupied short-term rentals in Chestnut Hill.
- 2) SNAP is concerned about the right to neighborhood centers that was outlined in the 2019 Planning Study and would like them to happen at 1401, 1403, and 1407 Pillow St., and 601, 602 and 604 Moore Ave.

Since the filing deadline, all properties zoned SP as well as the parcels at 49 and 51 Wharf Avenue and 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.

STAFF RECOMMENDATION

Staff recommends approval with the removal of properties currently zoned SP and properties at 49 and 51 Wharf Avenue and 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.

Staff recommends reopening the public hearing for both the UDO (2021UD-001-001) and associated rezoning case (2021Z-016PR-001) that was closed following the deferral at the February 25, 2021 meeting.

Ms. Brooks presented the staff recommendation of approval with removal of properties currently zoned SP and certain properties along Wharf Avenue and 1st Avenue S if the UDO is approved. If the UDO is not approved, staff recommends disapproval. Staff also recommends reopening the public hearing.

Items 20a and 20b were heard and discussed together.

Ms. Farr moved and Mr. Lawson seconded the motion to reopen the Public Hearing. (7-0)

Councilmember Sledge spoke in favor and noted there has been extremely robust public engagement.

Brian Nock, 908 Woodmont Blvd., representing TAG, spoke in favor of Items 20a and 20b.

Katie Rudowsky, 1247 Martin St., representing SNAP, spoke in favor of Items 20a and 20b.

Terry Vo, 18 Claiborne St., spoke in favor of Items 20a and 20b.

Duane Cuthbertson, 409 Merritt Ave., spoke in favor of Items 20a and 20b.

Councilmember Sledge thanked everyone for their hard work and asked the commission for their support.

Chairman Adkins closed the Public Hearing.

Dr. Sims congratulated everyone on all the hard work and spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Mr. Lawson spoke in favor of staff recommendation.

Ms. Johnson thanked everyone for their hard work and spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Ms. Farr added her thanks and appreciation for all the hard work and spoke in favor of staff recommendation.

Dr. Sims moved and Ms. Farr seconded the motion to approve with removal of properties currently zoned SP and certain properties along Wharf Avenue and 1st Avenue S. (7-0)

Resolution No. RS2021-91

"BE IT RESOLVED by The Metropolitan Planning Commission that 2021Z-016PR-001 is approved with removal of properties currently zoned SP and certain properties along Wharf Avenue and 1st Avenue S. (7-0)

I: OTHER BUSINESS

21. New employee contract for Oscar Orozco

Resolution No. RS2021-92

"BE IT RESOLVED by The Metropolitan Planning Commission that the new employee contract for Oscar Orozco is approved. (8-0)

22. Historic Zoning Commission Report
23. Board of Parks and Recreation Report
24. Executive Committee Report
25. Accept the Director's Report

Resolution No. RS2021-93

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

26. Legislative Update

J: MPC CALENDAR OF UPCOMING EVENTS

April 22, 2021

MPC Meeting

4 pm, location to be determined

May 13, 2021

MPC Meeting

4 pm, location to be determined

May 27, 2021

MPC Meeting

4 pm, location to be determined

K: ADJOURNMENT

The meeting adjourned at 7:15 p.m.