

Metropolitan Planning Commission



Staff Reports

June 24, 2021



Metro Planning Commission Meeting of 06/24/21

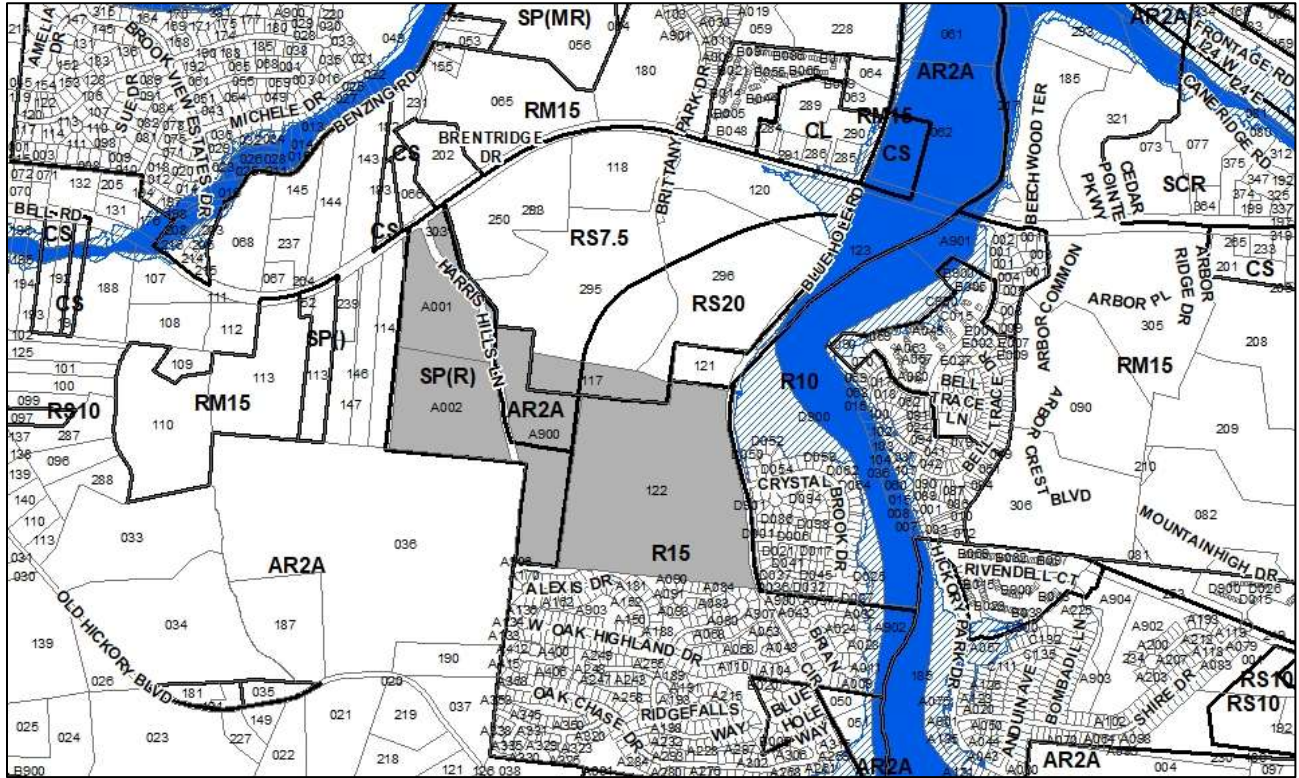
Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure,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



SEE NEXT PAGE



Metro Planning Commission Meeting of 06/24/21



2007SP-037-002

BELL ROAD/BLUE HOLE ROAD SP AMENDMENT

Map 162, Parcel(s) 117, 122

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

12, Southeast

31 (John Rutherford)



| | |
|-------------------------|--|
| Project No. | Specific Plan 2007SP-037-002 |
| Project Name | Bell Road/Blue Hole Road SP Amendment |
| Associated Case | 95P-025-007 |
| Council District | 31 – Rutherford |
| School District | 02 – Elrod |
| Requested by | Lose Design, applicant; Forest View Residences, LLC and Richland South, LLC, owners. |

Deferrals This item was deferred at the December 10, 2020, January 21, 2021, February 11, 2021, and May 13, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer Elliott
Staff Recommendation *Defer to the July 22, 2021, Planning Commission meeting.*

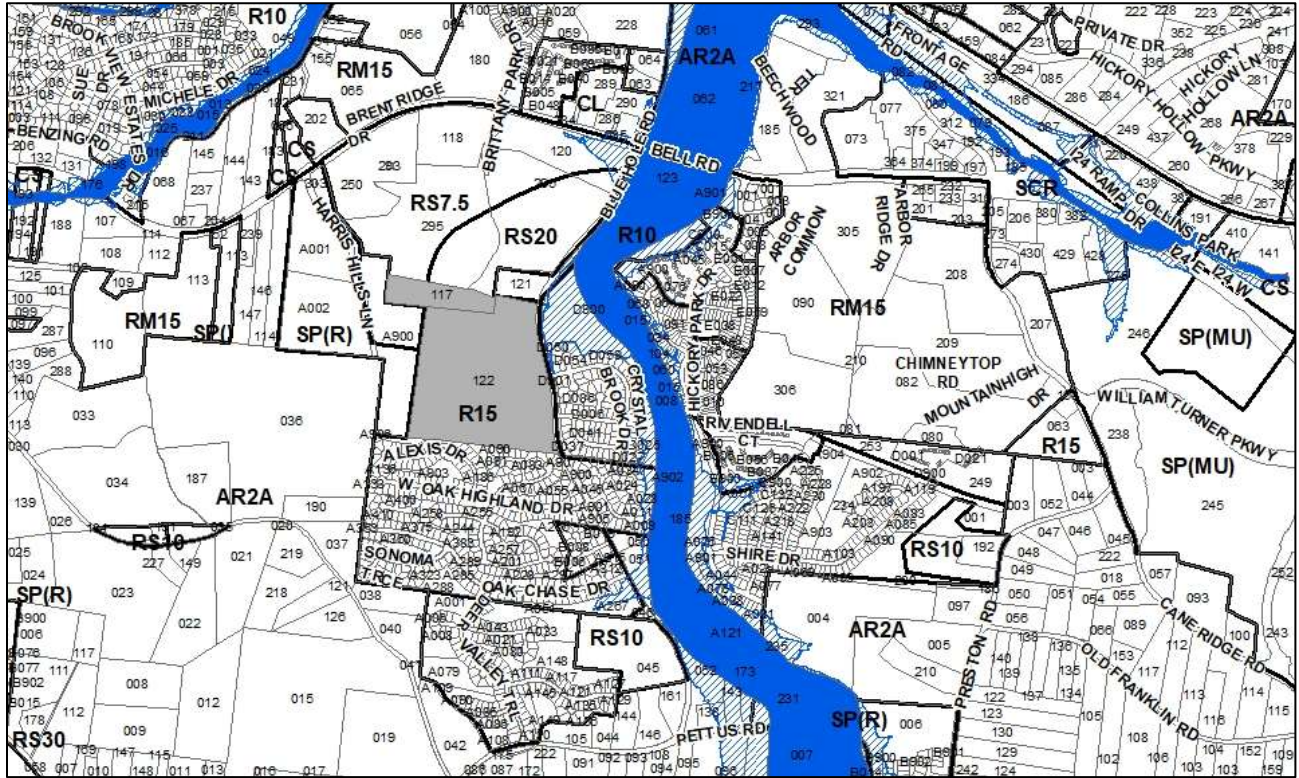
APPLICANT REQUEST
Amend SP to permit a mixed-use development.

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

STAFF RECOMMENDATION
 Staff recommends deferral to the July 22, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 06/24/21



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



| | |
|-------------------------|--|
| Project No. | Planned Unit Development 95P-025-007 |
| Project Name | Millwood Commons PUD (Cancellation) |
| Associated Case | 2007SP-037-002 |
| Council District | 31 – Rutherford |
| School District | 02 – Elrod |
| Requested by | Lose Design, applicant; Richland South, LLC, owners. |

Deferrals This item was deferred at the December 10, 2020, January 21, 2021, February 11, 2021, and May 13, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer Elliott
Staff Recommendation *Defer to the July 22, 2021, Planning Commission meeting.*

APPLICANT REQUEST

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

PUD Cancellation

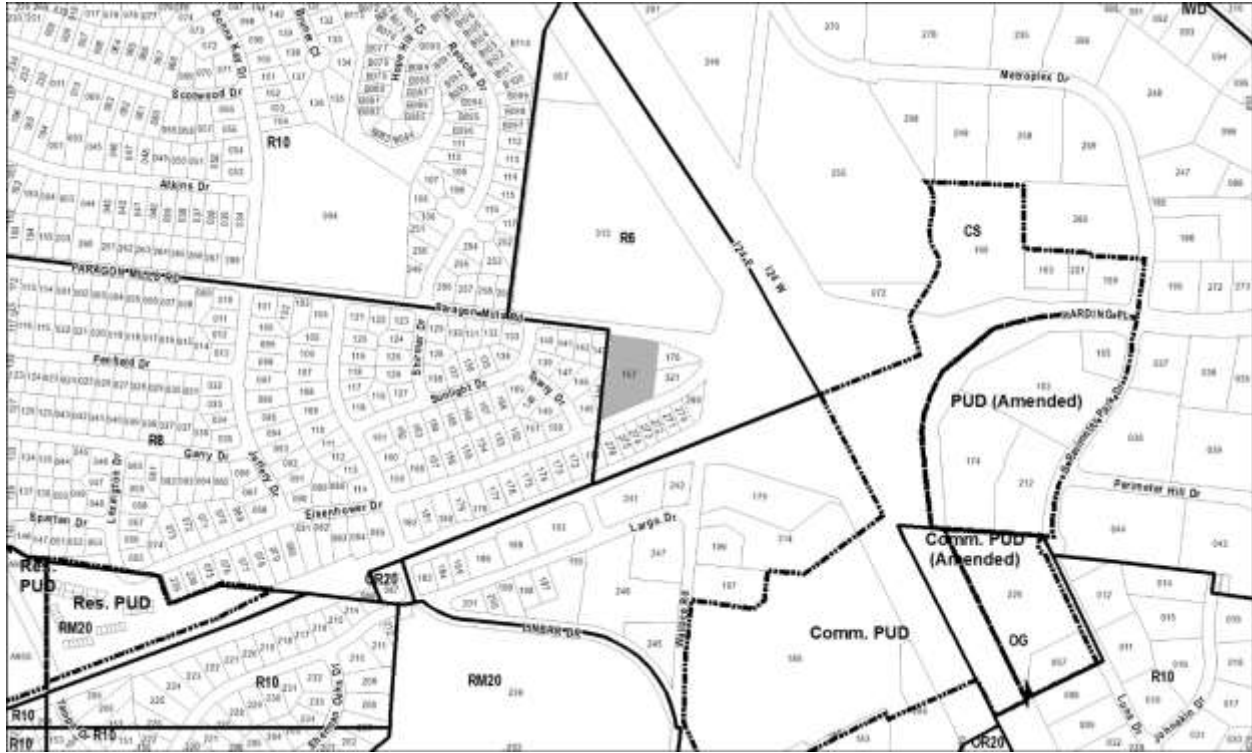
A request to cancel a portion of a Planned Unit Development Overlay District (PUD) located at 5439 Blue Hole Road and Bell Road (unnumbered), approximately 560 feet north of W. Oak Highland Drive (54.81 acres), zoned One and Two-Family Residential (R15), Single-Family Residential (RS20), Single-Family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

STAFF RECOMMENDATION

Staff recommends deferral to the July 22, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 06/24/21



2020S-179-001

ENTRUST HOMES ON PARAGON MILLS SUBDIVISION

Map 134, Parcel(s) 157

12, Southeast

26 (Courtney Johnston)



| | |
|-----------------------------|---|
| Project No. | Final Plat 2020S-179-001 |
| Project Name | Entrust Homes on Paragon Mills |
| | Subdivision |
| Council District | 26 – Johnston |
| School District | 06 – Bush |
| Requested by | B A Land Professionals, applicant; Nancy Potts, Carol Potts Garcia and Sonnie Potts, owners. |
| Deferrals | This item was deferred at the May 27, 2021, and June 10, 2021 Planning Commission meetings. No public hearing was held. |
| Staff Reviewer | Napier |
| Staff Recommendation | <i>Defer to the July 22, 2021, Planning Commission meeting.</i> |

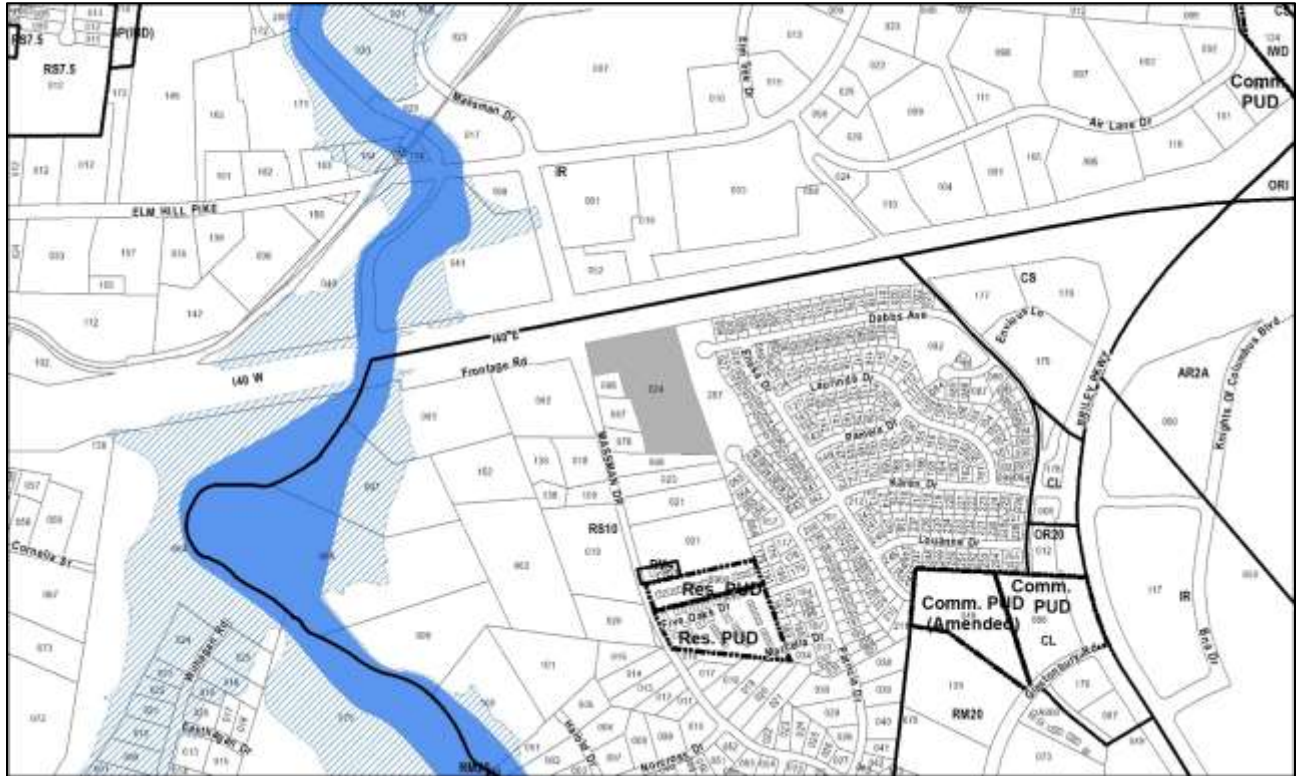
APPLICANT REQUEST
Final approval to create 8 lots.

Concept Plan
A request for final plat approval to create eight lots on property located at 205 Paragon Mills Road, approximately 100 feet east of Towry Drive, zoned One and Two-Family R6 (1.0 acres).

STAFF RECOMMENDATION
Staff recommends deferral to the July 22, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 06/24/21



2021S-072-001
MASSMAN HEIGHTS SUBDIVISION
Map 107, Parcel(s) 024
13, Antioch – Priest Lake
13 (Russ Bradford)



Project No. Final Plat 2021S-072-001
Project Name Massman Heights Subdivision
Council District 13 – Bradford
School District 07 – Player-Peters
Requested by Dale and Associates, applicant; HM Development LLC and Karas Homes LLC, owners.

Deferrals This item was deferred at the April 22, 2021, May 13, May 27, 2021, and June 10, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer Lewis
Staff Recommendation *Defer to the July 22, 2021, Planning Commission meeting.*

APPLICANT REQUEST

Concept plan approval to create 28 lots.

Concept Plan

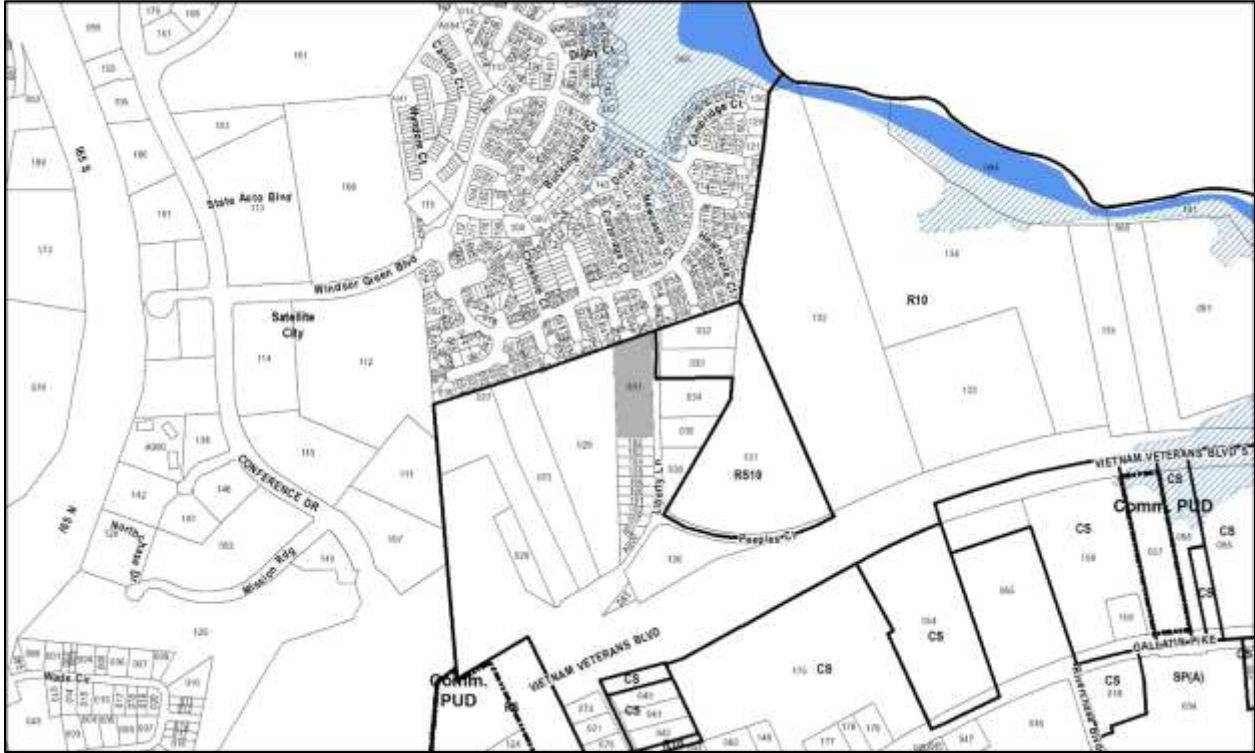
A request for concept plan approval to create 28 lots and open space on property located at 912 Massman Drive, at the southeast corner of Massman Drive and Frontage Road, zoned Single-Family Residential (RS10) (8.23 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the July 22, 2021, Planning Commission meeting.



Metro Planning Commission Meeting of 06/24/21



2021S-079-001

THE MARSHA GAIL COWDEN COOK PROPERTY

Map 026, Parcel(s) 031

04, Madison

10 (Zach Young)



| | |
|-----------------------------|---|
| Project No. | Final Plat 2021S-079-001 |
| Project Name | The Marsha Gail Cowden Cook Property |
| Council District | 10 – Young |
| School District | 03 – Masters |
| Requested by | Crenshaw Land Surveying, applicant; Marsha Gail Cowden Cook, owner. |
| Staff Reviewer | Lewis |
| Staff Recommendation | <i>Defer to the July 22, 2021, Planning Commission meeting.</i> |

APPLICANT REQUEST

Final plat to create three lots.

Final Plat

A request for final plat approval to create three lots on property located at 261 Liberty Lane, approximately 470 feet north of Peoples Court, zoned One and Two-Family Residential (R10) (3.0 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the July 22, 2021, Planning Commission meeting at the request of the applicant.



NO SKETCH



**Project Nos.
Project Name**

**Text Amendment 2020Z-013TX-001
Owner Occupied Short Term Rental
Overlay District**

**Council Bill No.
Council District
School District
Requested by**

BL2020-504
Countywide
Countywide
Councilmember Freddie O’Connell

Deferrals

This item was deferred at the January 21, 2021, March 25, 2021, and April 22, 2021, Planning Commission meetings. No public hearing was held.

**Staff Reviewer
Staff Recommendation**

Shepard
Defer to the July 22, 2021, Planning Commission meeting.

APPLICANT REQUEST

Amend the Zoning Code to create an Owner Occupied Short Term Rental Overlay District.

STAFF RECOMMENDATION

Staff recommends deferral to the July 22, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 06/24/21



2020Z-119PR-001

Various Maps, Various Parcels
08, North Nashville
17 (Freddie O'Connell)



Project No. **Zone Change 2020Z-119PR-001**
Council Bill No. BL2020-479
Council District 19 – O’Connell
School District 1 – Gentry
Requested by Councilmember Freddie O’Connell, applicant; various property owners.

Deferrals This item was deferred at the October 22, 2020, November 12, 2020, January 21, 2021, March 25, 2021, and April 22, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer Elliott
Staff Recommendation *Defer to the July 22, 2021, Planning Commission meeting.*

APPLICANT REQUEST

Zone change from MUN, MUN-A, MUL-A, MUG, OR20, CS, and CF to MUN-NS, MUN-A-NS, MUL-A-NS, MUG-NS, OR20-NS, CS-NS, and CF-NS.

Zone Change

A request to rezone from Mixed Use Neighborhood (MUN), Mixed Use Neighborhood - Alternative (MUN-A), Mixed Use Limited - Alternative (MUL-A), Mixed Use General (MUG), Office/Residential (OR20), Commercial Service (CS) and Commercial Core Frame (CF) to Mixed Use Neighborhood - No Short Term Rentals (MUN-NS), Mixed Use Neighborhood - Alternative - No Short Term Rentals (MUN-A-NS), Mixed Use Limited - Alternative - No Short Term Rentals (MUL-A-NS), Mixed Use General - No Short Term Rental (MUG-NS), Office/Residential - No Short Term Rental (OR20-NS), Commercial Service - No Short Term Rental (CS-NS), and Commercial Core Frame - No Short Term Rental (CF-NS) zoning for various properties located between Rosa L. Parks Boulevard and 2nd Avenue North, from Hume Street, south to Jefferson Street, and located within the Germantown Historic Preservation District Overlay and the Phillips - Jackson Street Redevelopment District Overlay (68.61 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the July 22, 2021, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 06/24/21



2021Z-061PR-001

Map 094, Parcel(s) 069, 072, 073, 171, 204

11, South Nashville

19 (Freddie O'Connell)



| | |
|-----------------------------|---|
| Project No. | Zone Change 2021Z-061PR-001 |
| Associated Case | 2021CP-011-001 |
| Council District | 19 – O’Connell |
| School District | 05 - Buggs |
| Requested by | Kimley-Horn, applicant; SHM Holding LLC and Michael D. Shmerling Partners GP, owner(s). |
| Staff Reviewer | Lewis |
| Staff Recommendation | <i>Defer to the July 22, 2021, Planning Commission meeting.</i> |

APPLICANT REQUEST

Zone change from IWD to RM40-A-NS.

Zone Change

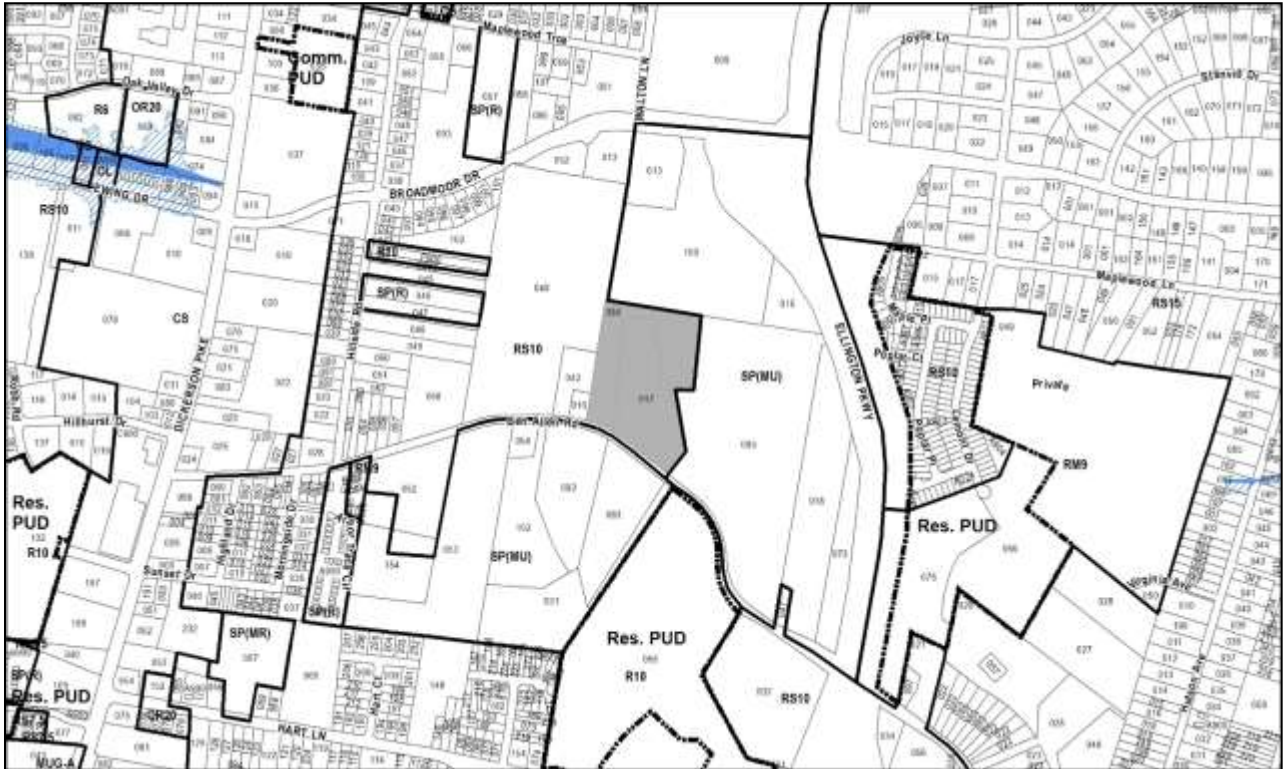
A request to rezone from Industrial Warehousing/Distribution (IWD) to Multi-Family Residential – Alternative – No Short Term Rentals (RM40-A-NS) zoning for properties located at 1301, 1307, 1309 and 1403 Lebanon Pike and Lebanon Pike (unnumbered), approximately 1,850 feet west of Spence Lane (15.56 acres) (associated case 2021CP-011-001).

STAFF RECOMMENDATION

Staff recommends deferral to the July 22, 2021, Planning Commission meeting.



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2021SP-020-001

BEN ALLEN RIDGE

Map 061, Parcel(s) 017, 084

05, East Nashville

08 (Nancy VanReece)



Project No. Specific Plan 2021SP-020-001
Project Name Ben Allen Ridge
Council District 08 – VanReece
School District 03 – Masters
Requested by Alfred Benesch and Company, applicant; 301 Ben Allen, LLC, owner.

Deferrals This item was deferred from the April 22, 2021, May 13, 2021, May 27, 2021, and June 10, 2021, Planning Commission meetings. No public hearing was held.

Staff Reviewer Rickoff
Staff Recommendation *Defer to the July 22, 2021, Planning Commission meeting.*

APPLICANT REQUEST

Preliminary SP to permit 245 multi-family residential units.

Preliminary SP

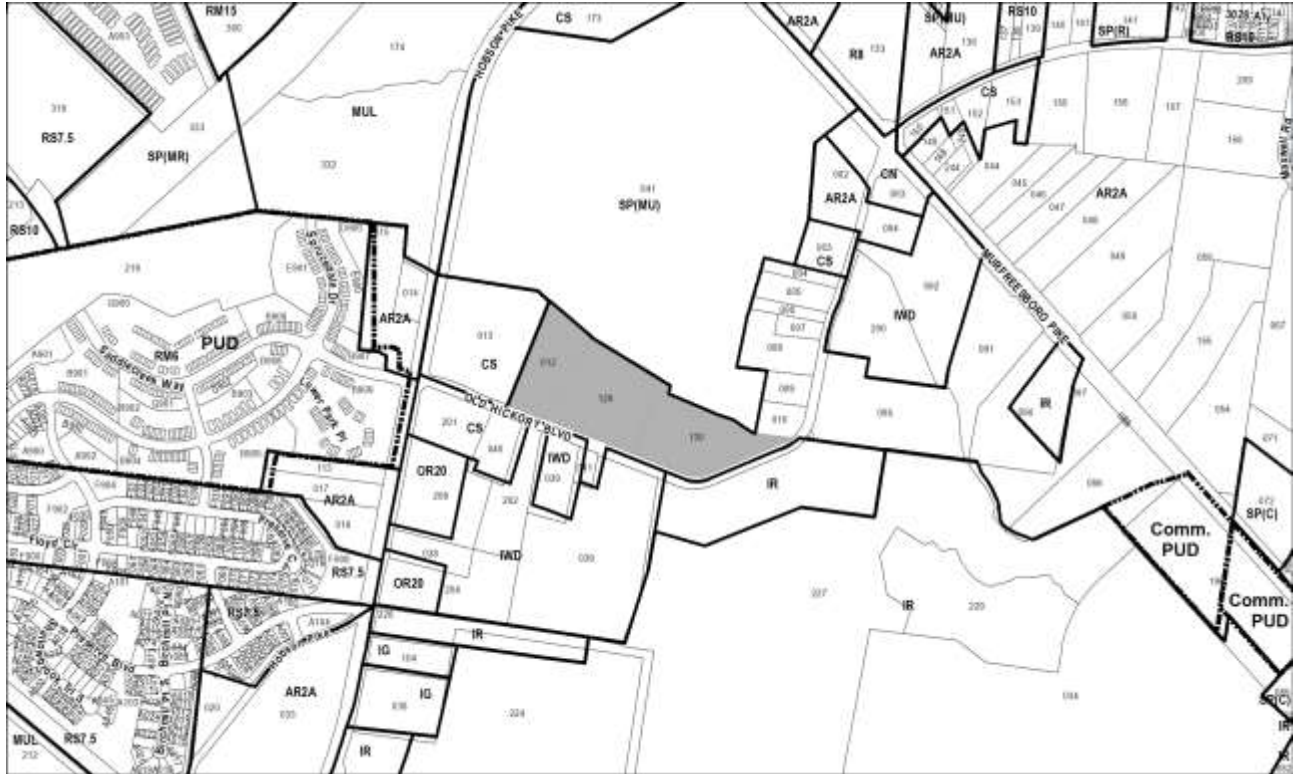
A request to rezone from Single-Family Residential (RS10) to Specific Plan-Residential (SP-R) zoning for properties located at 301 Ben Allen Road and Ben Allen Road (unnumbered), approximately 1,400 feet west of Ellington Parkway, to permit 245 multi-family residential units (10.71 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the July 22, 2021, Planning Commission meeting.



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2021SP-034-001

12610 OLD HICKORY BOULEVARD

Map 175, Parcels 012, 129-130

13, Antioch – Priest Lake

33 (Antoinette Lee)



Project No. Specific Plan 2021SP-034-001
Project Name 12610 Old Hickory Boulevard
Council District 33 – Lee
School District 06 – Bush
Requested by Johnson Development Associates Inc., applicant;
 William Yeargin Jr., Paula Yeargin and William
 Spaulding, owners.

Deferrals This item was deferred from the May 27, 2021,
 Planning Commission meeting. No public hearing was
 held.

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

APPLICANT REQUEST

Preliminary SP to permit office and distributive business/wholesale uses.

Zone Change

A request to rezone from Agricultural and Residential (AR2a) to Specific Plan-Industrial (SP-IND) zoning for properties located at 12610 and 12622 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 425 feet east of Hobson Pike (12.38 acres), to permit office and distributive business/wholesale uses.

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 6 lots with 1 duplex lot for a total of 7 units.*

Proposed Zoning

Specific Plan-Mixed Industrial (SP-IND) 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 industrial uses and a mix of office, commercial, and/or residential uses.

SITE CONTEXT AND PLAN DETAILS

The approximately 12-acre site consist of three parcels. The site is located on the north side of Old Hickory Boulevard, just east of the intersection of Old Hickory Boulevard and Hobson Pike. Interstate-24 is approximately 1.5 miles to the south. The site backs up to the old Starwood Amphitheater property. There are two existing single-family homes and various accessory structures on the site. The site is heavily wooded. There is a stream that runs along the rear property line. The properties on the opposite side of Old Hickory Boulevard consist of various



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Proposed site plan



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industrial uses. The property abutting the western property line contains an industrial use. The surrounding area consists of a variety of zoning districts including industrial, commercial, and mixed-use. The primary zoning, south of the site running to I-24, is industrial.

Site Plan

The site plan includes two large buildings, surface parking and truck docks. The combined floor area for the two buildings on the plan is 181,200 square feet. The max F.A.R (Floor Area Ratio) is 0.34 and would allow for a maximum floor area of 183,352 square feet (the difference is to allow for a little flexibility). Two driveways connect the site to Old Hickory Boulevard. The plan includes an eight-foot wide sidewalk and six-foot wide planting strip along Old Hickory Boulevard. It also calls for right-of-way (ROW) dedication along Old Hickory Boulevard. Automobile parking is located along Old Hickory Boulevard and along the western property line. Loading docks are shown between the two buildings as well as along the east side of the most eastern building. A stream buffer is identified along the stream at the back of the site.

The plan limits the uses on the site to office and distributive business/wholesale uses. The zoning code defines "Distributive business/wholesale" as the sale or distribution of goods from the premises that may consist of the flexible use of the floor area for warehouse, assembly, showroom and office space within tenant areas, with the showroom and office area not exceeding fifty percent of the total floor area permitted on the parcel.

ANTIOCH – PRIEST LAKE

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.

D Industrial (D IN) is intended to maintain, enhance, and create industrial districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

ANALYSIS

Staff recommends approval with conditions and disapproval without all conditions. As proposed, the SP is consistent with the CO and D IN policies. The CO policy recognizes the stream that runs along the rear property line. This area is within the stream buffer and will remain undisturbed per Metro Stormwater requirements. The SP includes all of the standards of the Industrial Warehousing/Distribution (IWD) zoning district with the exception that it limits the use to office and distributive business/wholesale uses and does not permit any of the other



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uses that are permitted in IWD. The proposed SP implements the D IN policy by allowing for an appropriate industrial use given the sites location.

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 Stormwater regulations set at the time of final submittal.

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. A minimum of 30% of W&S Capacity must be paid before issuance of building permits.

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

- Old Hickory Boulevard does not have adequate pavement width east of the project site. Development is required to apply to the Traffic and Parking Commission to restrict truck parking east of the development or widen Old Hickory Boulevard to a minimum of 22' of pavement (including curb and gutter or shoulders). If the Traffic and Parking Commission does not approve the truck restriction, development is required to widen Old Hickory Boulevard as stated above.

Maximum Uses in Existing Zoning District: AR2a

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|-------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Two-Family Residential* (210) | 12.38 | 0.5 D | 12 U | 148 | 14 | 14 |

*Based on two-family lots



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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Warehousing (150) | 12.38 | - | 181,200 SF | 332 | 48 | 50 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +184 | +34 | +36 |

METRO SCHOOL BOARD REPORT

The proposed SP zoning does not permit residential uses; therefore, it will not generate any school students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to office and distributive business/wholesale.
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 IWD zoning district as of the date of the applicable request or application.
5. A corrected copy of the Preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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2021SP-039-001

1300 HERMAN STREET
Map 092-04, Parcels 187-192
10, Green Hills – Midtown
19 (Freddie O’Connell)



| | |
|-----------------------------|---|
| Project No. | Specific Plan 2021SP-039-001 |
| Project Name | 1300 Herman Street |
| Council District | 19 – O’Connell |
| School District | 05 – Buggs |
| Requested by | Smith Gee Studio, applicant; Nashville Tent & Awning Co., owner. |
| | |
| Staff Reviewer | Swaggart |
| Staff Recommendation | <i>Approve with conditions and disapprove without all conditions.</i> |

APPLICANT REQUEST

Preliminary SP to permit up to 250 residential units.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan-Residential (SP-R) zoning for properties located at 1212, 1300, 1302, 1304 Herman Street and Herman Street (unnumbered), and a portion of 907 12th Avenue North, at the northwest corner of Herman Street and 12th Avenue North (1.79 acres), to permit up to 250 multi-family residential units.

Existing Zoning

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning

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

SITE CONTEXT AND PLAN DETAILS

The site is located on the north side of Herman Street between 12th Avenue North and 14th Avenue North. Interstate I-40 is nearby to the east. The surrounding zoning districts include RM20 to the north, east, and west and IR and MUL-A to the south. A surface parking lot is located on the site as well as a telecommunications tower.

Site Plan

The SP permits up to 250 multi-family residential units. It expressly prohibits not owner occupied short term rentals and staff is recommending owner occupied be prohibited. The SP includes a site plan as well as, but not limited to, bulk standards, architectural standards as well as parking and landscape standards. The plan calls for an 8-foot wide sidewalk and 4-foot wide planting strip along Herman Street and a 5-foot wide sidewalk and 4-foot wide planting strip along 12th Avenue North. The plan requires that the developer work with WeGo and if it is determined that a bus stop or shelter is needed. The bus stop and/or shelter will be provided and shown on the final site plan. The following are some of the more notable SP requirements:



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Proposed site plan



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- Max number of residential units: 250
- Max height: 5 stories in 75 feet
- Build to Zone: 0 feet to 15 feet

The architectural standards pertain to orientation, entryways, glazing, materials, and screening of parking.

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows high density residential consistent with the T4 NE land use policy at this location. The SP includes design standards that are intended to provide for development that is urban in nature consistent with the T4 NE land use policy. Design standards include, but are not limited to, providing sidewalks, limiting vehicular access, and activating streets with pedestrian entryways. The SP limits blank facades and provides standards for screening parking decks that are visible from a public street. All the aforementioned standards and other standard in the SP provide limits that will ensure that any future development meets the intent of the T4 NE land use policy. Additionally, the existing zoning of the site is inconsistent with the policy and this proposal moves it into compliance.

There is another project proposed across the street from this site, case number 2021SP-040-001. While the two projects are independent, they are complementary.

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 Stormwater regulations set at the time of final submittal.



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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. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2021026210 & T2021026208).

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.
- On final, callout road sections, ramps, sidewalks, curb/gutter, etc. per MPW standards and details.
- Show ADA ramps at corners of public streets.
- Show truck loading/unloading exhibit for clarity.
- Prior to final, coordinate w/ MPW traffic and roads on offsite improvements.
- Comply w/ MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Herman Street cross-section shall comply with the MCSP which should consist of 55' of ROW to include 8' sidewalks, 4' planting strips, on-street parking on the north side of Herman Street, and shared bike lanes on Herman Street. This shall be implemented between 14th Avenue and 12th Avenue. Minor modifications may be permitted along parcels not under ownership.
- Curb extensions shall be installed on the north side of Herman Street periodically between 16th Avenue and 12th Avenue as well as on the west and east quadrants of the intersection at 14th Avenue.
- A bus bulb shall be installed on the northwest quadrant of Herman Street and 12th Avenue per WeGo standards.

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Warehousing (150) | 1.79 | 0.6 F | 46,783 SF | 119 | 8 | 8 |

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 3-10 (221) | 1.79 | - | 207 U | 1,126 | 70 | 89 |



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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +1,007 | +62 | +81 |

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-R district: 23 Elementary 18 Middle 15 High

The proposed SP-R zoning district is expected to generate 56 additional students than what is typically generated under the existing IR zoning district. Students would attend Park Avenue Elementary School, McKissack 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 approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 250 multi-family residential units. Owner occupied and not owner occupied short term rentals shall be prohibited.
2. Update the permitted uses note as follows: 250 multi-family residential units. Owner occupied and not owner occupied short term rentals shall be prohibited.
3. Update the Maximum building height note as follows: Max. Building Height: 5 stories within 75 feet. No setback required.
4. Vehicular access or curb cuts shall not be permitted along Herman Street.
5. In addition to vinyl siding and untreated wood, EIFS shall not be permitted.
6. Prior to final site plan approval, it shall be determined if it is feasible to extend the new sidewalk along Herman Street west to the existing sidewalk at the corner of Herman Street and 14th Avenue North. The design of any sidewalk may be flexible, to be determined in coordination with Planning and Public Works.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc
9. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
11. 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.
12. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the



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objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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2021SP-040-001

1301 HERMAN STREET
Map 092-04, Parcel 322
10, Green Hills – Midtown
19 (Freddie O’Connell)



| | |
|-----------------------------|---|
| Project No. | Specific Plan 2021SP-040-001 |
| Project Name | 1301 Herman Street |
| Council District | 19 – O’Connell |
| School District | 05 – Buggs |
| Requested by | Smith Gee Studio, applicant; Nashville Tent & Awning Co., owner. |
| Staff Reviewer | Swaggart |
| Staff Recommendation | <i>Approve with conditions and disapprove without all conditions.</i> |

APPLICANT REQUEST

Preliminary SP to permit a mixed use development.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 1301 Herman Street, at the southwest corner of Herman Street and 12th Avenue North (2.11 acres), to permit a mixed use development with a maximum of 445 multi-family residential units.

Existing Zoning

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

SITE CONTEXT AND PLAN DETAILS

The site is located on the south side of Herman Street between 12th Avenue North and 14th Avenue North. A spur railroad line runs along the rear property line (north). Interstate I-40 is nearby to the east. A large building taking up most of the property is located on the site. The surrounding zoning districts include MUL-A and DTC to the south, north, east and west and IR and RM20 to the north.

Site Plan

The SP permits a mixed use development. It permits all uses that are permitted by the MUL-A zoning district with the exception that it expressly prohibits not owner occupied short term rentals and staff is recommending that owner-occupied be prohibited. The plan limits residential units to a maximum of 445 multi-family units. The SP includes a site plan as well as, but not limited to, bulk standards, architectural standards as well as parking and landscape standards. The plan calls for an 8-foot wide sidewalk and 4-foot wide planting strip along Herman Street and a 5-foot wide sidewalk and 4-foot wide planting strip along 12th Avenue



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Proposed site plan



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North and 14th Avenue North. The plan requires that the developer work with WeGo and if it is determined that a bus stop or shelter is needed. The bus stop and/or shelter will be provided and shown on the final site plan. Following are some of the more notable SP requirements:

- Uses: nonresidential uses – max 10,000 sq. ft; multi-family – max 445
- Max height: 7 stories in 85 feet
- Build to Zone: 0 feet to 15 feet

The architectural standards pertain to orientation, entryways, glazing, materials, and screening of parking.

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows high density residential and a mixture of nonresidential uses consistent with the T4 MU land use policy. The SP includes design standards that are intended to provide for development that is urban in nature consistent with the T4 MU land use policy. Design standards include, but are not limited to providing sidewalks, limiting vehicular access, and activating streets with pedestrian entryways and commercial uses. The SP limits blank facades and provides standards for screening parking decks that are visible from a public street. All of the aforementioned standards and other standard in the SP provide limits that will ensure that any future development meet the intent of the T4 MU land use policy.

There is another project proposed across the street from this site, case number 2021SP-040-001. While the two projects are independent, the two are complementary.

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 Stormwater regulations set at the time of final submittal.

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.



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The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2021026210 & T2021026208).

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.
- On final, callout road sections, ramps, sidewalks, curb/gutter, etc. per MPW standards and details.
- Show ADA ramps at corners of public streets.
- Show truck loading/unloading exhibit for clarity.
- Prior to final, coordinate w/ MPW traffic and roads on offsite improvements.
- Prior to final, coordinate w/ railroad on spur (or easement) abandonment.
- Comply w/ MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Herman Street cross-section shall comply with the MCSP which should consist of 55' of ROW to include 8' sidewalks, 4' planting strips, on-street parking on the north side of Herman Street, and shared bike lanes on Herman Street. This shall be implemented between 14th Avenue and 12th Avenue. Minor modifications may be permitted along parcels not under ownership.
- Curb extensions shall be installed on the north side of Herman Street periodically between 16th Avenue and 12th Avenue as well as on the west and east quadrants of the intersection at 14th Avenue.
- A bus bulb shall be installed on the northwest quadrant of Herman Street and 12th Avenue per WeGo standards.
- A WeGo bus stop shall be installed on the southwest quadrant of Herman Street and 12th Avenue per WeGo standards.

Maximum Uses in Existing Zoning District: IR

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Warehousing (150) | 2.11 | 0.6 F | 55,147 SF | 133 | 9 | 11 |

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 (221) | 2.11 | - | 445 U | 2,424 | 147 | 185 |



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Maximum Uses in Proposed Zoning District: SP

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Retail (820) | 2.11 | - | 5,000 SF | 189 | 5 | 19 |

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 |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Restaurant (932) | 2.11 | - | 5,000 SF | 561 | 49 | 49 |

Traffic changes between maximum: IR and SP

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +3,041 | +192 | +242 |

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-R district: 23 Elementary 18 Middle 15 High

The proposed SP-R zoning district is expected to generate 56 additional students than what is typically generated under the existing IR zoning district. Students would attend Park Avenue Elementary School, McKissack 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 approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 445 multi-family residential units and uses of MUL-A permitted on the ground floor only. Owner occupied short term rentals and not-owner occupied short term rentals shall be prohibited. A minimum of 1,300 square feet of the ground floor shall be non-residential uses not associated with a residential use.
2. Update the use permitted use note as follows: Permitted uses shall be limited to 445 multi-family residential units and uses of MUL-A permitted on the ground floor only. Owner occupied short term rentals and not-owner occupied short term rentals shall be prohibited. A minimum of 1,300 square feet of the ground floor shall be non-residential uses not associated with a residential use.
3. Update the Maximum building height note as follows: Max. Building Height: 7 stories within 85 feet. No setback required.
4. Update the Commercial uses notes as follows: Ground floor only. 1,300 minimum; 10,000 square foot maximum.
5. In addition to vinyl siding and untreated wood, EIFS shall not be permitted.
6. Vehicular access or curb cuts shall not be permitted along Herman Street.



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7. Comply with all conditions and requirements of Metro reviewing agencies.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
11. 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.
12. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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2021CP-011-001

SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT

Map 094, Parcel(s) 069, 072, 073, 077, 171, 204

11, South Nashville

19 (Freddie O'Connell)



| | |
|-----------------------------|--|
| Project No. | Minor Plan Amendment 2021CP-011-001 |
| Project Name | South Nashville Community Plan Amendment |
| Associated Case | 2021Z-061PR-001 (to be heard 7/22/21) |
| Council District | 19 – O’Connell |
| School District | 5 – Gentry |
| Requested by | Kimley-Horn, applicant; SHM Holdings LLC and Shmerling, Michael D. Partners GP, owners |
| Staff Reviewer | McCullough |
| Staff Recommendation | <i>Approve.</i> |

APPLICANT REQUEST

Amend South Nashville Community Plan to change the policy.

Minor Plan Amendment

A request to amend the South Nashville Community Plan by changing from District Industrial (D IN) Policy to T4 Urban Mixed Use Neighborhood Policy (T4 MU) for properties located at 1301, 1307, 1309, 1403, and 1415 Lebanon Pike and Lebanon Pike (unnumbered), approximately 1,200 feet west of Spence Lane (20.18 acres).

SOUTH NASHVILLE COMMUNITY PLAN

Current Policy

The current policies for the property are District Industrial (D IN) and Conservation (CO).

District Industrial (D IN) is intended to maintain, enhance, and create industrial districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers, and mixed business parks containing compatible industrial and non-industrial uses.

Conservation Policy (CO) is intended to preserve environmentally sensitive land features through protection and remediation. This 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 vary with what Transect they are in and whether they have already been disturbed. In this instance, the CO policy is applied to an area with a 20 – 25% steep slope near the southern property line. In this case, it is recommended that the CO policy area remain undisturbed.

Requested Policy (Note – the CO policy is to remain)

T4 Urban Mixed Use Neighborhood (T4 MU) is intended to maintain, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed use, commercial, institutional, and even light industrial development. T4 MU areas



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are served by high levels of connectivity with complete street networks, sidewalks, bikeways, and existing or planned mass transit.

BACKGROUND

The study area is located on the southern side of Lebanon Pike, west of Spence Lane. It is approximately 20.2 acres with interrupted frontage along Lebanon Pike. The study area is the only portion of D IN policy remaining on the south side of Lebanon Pike due to a previous plan amendment request and study, adopted at the July 18, 2019 Planning Commission meeting. The new property owner and design team have requested this plan amendment and the associated rezoning application (2021Z-061PR-001) to allow for a residential development.

In preparation for the 2019 plan amendment request, a previous applicant team, consisting of property and business owners, met over a three-year period, including a months-long community charrette, to create a vision for the City Side neighborhood. The applicant team selected T4 Urban Mixed Use (T4 MU) as the appropriate policy to accomplish the community's goals of increasing residential uses in addition to encouraging more businesses as development occurs. In 2019 the current study area was removed from the larger study area at the request of the previous owner who at that time wished to retain District Industrial (D IN) policy. There was not an associated zone change application with the 2019 plan amendment.

Today, the study area consists of parking and storage for buses. A residential development is along its east side, while the Mt. Olivet Cemetery shares its southern border.

COMMUNITY PARTICIPATION

As part of the application process, the Executive Director determined the plan amendment request to be a minor amendment and required the applicant to hold a community meeting. Planning staff coordinated with the applicant and district Councilmember to schedule a virtual community meeting for Wednesday, June 16. Notices were mailed to neighboring property owners as well as advertised on the Metro Planning Department's website. Members of the neighborhood group also assisted in promoting the meeting via email.

During the virtual meeting, Planning staff discussed the long-range planning process and the proposed amendment, and the applicant briefly discussed their rezoning application. Eleven people participated in the meeting, including Planning staff, the applicant team, and Councilmember Syracuse, whose district begins on the east side of Spence Lane. The meeting was recorded and posted on YouTube for additional viewing and feedback.

One question was asked from the community attendees by Councilmember Syracuse. He expressed support for the policy change, but wanted additional information about the rezoning. Planning staff and the applicant described the requested zoning district (RM40-A-NS) and the applicant committed to continued communication with the Councilmember as well as the City Side neighborhood group.

Staff hosted a community meeting for the previous request on June 25, 2019, with approximately 20 people attending along with the applicant team and Planning staff.



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Key themes expressed to staff include the following:

- Manage growth,
- Protect existing character, and
- Provide opportunity to encourage additional land uses within the neighborhood.

ANALYSIS OF URBAN MIXED USE NEIGHBORHOOD POLICY

The expansion of T4 MU policy is appropriate at this location for the following reasons:

***NashvilleNext's* Growth and Preservation Concept Map**

The Growth & Preservation Concept Map reflects Nashvillians' desires for growth and preservation in the future. The concept map designates the site along Lebanon Pike as a "Transition and Infill area," with the interior of the site to the west designated as "Special Uses." Transition and Infill supports a variety of moderately dense land uses that transition in scale between low density residential neighborhoods and corridors. As such, moderately dense housing with a greater mix of land uses such as office and retail are appropriate. Special Uses recognize industrial uses and areas of concentrated employment.

The concept map also designates Lebanon Pike as an "immediate need high capacity transit corridor" slated for near-term improvements to transit service. Allowing a mix of land uses, supported by T4 MU policy, in locations with convenient access to major transportation and transit networks (existing and planned), on a primary corridor to downtown Nashville is appropriate. The site is located approximately 0.5 miles north of a "Tier One Center" at the Murfreesboro Pike/Spence Lane intersection. "Tier One Centers" focus coordinated investments to shape growth that supports transit with a dense mix of land uses.

Key Findings

- Concept map's vision for a Transition and Infill area, supporting a greater mix of uses at moderate densities, is shared by the intent of T4 MU policy.
- The site's location along an immediate need, high capacity transit corridor and approximately a half mile from a "Tier One Center" makes application of T4 MU policy appropriate.

Community Character Policy Application

"Transition and Infill" and "Special Uses" areas are generalized on the concept map and are explained in greater detail through Community Character Policies. These policies guide zoning and development decisions.

Community Plans provide history and context for Nashville's 14 Community Planning areas, along with community-specific issues, strategies, and sketches of how different places in the community could change over time. The South Nashville Community Plan uses Community Character Policies that are tailored to the urban and suburban character of neighborhoods throughout its geographic area. The plan's policies encourage additional housing options in strategic locations, generally in existing commercial centers or corridors, but also in transition areas. The plan also encourages the preservation and expansion of affordable housing options, enhancement of commercial centers and corridors to provide more desired retail and services, the preservation of established residential areas, protection of floodway/floodplain areas, and the addition of more connectivity for multiple means of mobility.



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The T4 Urban Transect category includes the historic, inner-ring neighborhoods and corridors as well as new neighborhoods intended to be developed in a more intense, urban fashion. Complete urban communities feature an integrated mixture of housing within walking distance of commercial and neighborhood-scaled open space. They feature highly connected street systems with sidewalks, bikeways, and facilities for mass transit, providing many transportation options. Residents in urban neighborhoods are generally within a five- to ten-minute walk of neighborhood-scaled commercial and mixed-use centers. Urban centers are often mixed use, accommodating commercial and residential land uses. The requested T4 MU policy encourages a greater mix of higher-density residential and mixed-use development along and near corridors. T4 MU policy is intended to enhance and create high intensity urban mixed use neighborhoods that are characterized by a development pattern that contains a diverse mix of residential and non-residential land uses, including light industrial uses, and that are envisioned to remain or develop in a mixed use pattern. The intent of T4 MU policy to encourage the provision of additional homes, new businesses, and employment opportunities to support residents, businesses, and transit is appropriate for this area.

Key Findings

- T4 MU's intent of creating urban mixed-use neighborhoods that provide a mix of land uses near centers and corridors makes this an appropriate application of the policy.
- Application of the T4 MU policy to the study area provides an opportunity for additional housing types in the larger area.

Transportation and Connectivity

The site is located on Lebanon Pike west of Spence Lane. Lebanon Pike is classified as a four-lane arterial boulevard by the Major and Collector Street Plan. Spence Lane is classified as a five-lane arterial boulevard. Arterial-boulevards are medium- to high-speed, high-volume streets that serve longer trips within and between different communities within the city.

Currently, WeGo provides bus service on Lebanon Pike with nearby access to one inbound and outbound bus stop located at the Lebanon Pike/Spence Lane intersection. Bus stops are located outside of, but near, the study area. *NashvilleNext*'s concept map designates Lebanon Pike as an immediate need, high capacity transit corridor. High capacity transit corridors represent a framework of more intense housing and commercial areas along major roadways with more frequent transit service. The immediate need priority means the street is slated for near-term improvements to transit service.

Key Findings

- Lebanon Pike is designated as an immediate need, high capacity transit corridor with envisioned future frequent transit.
- Adequate infrastructure consisting of transportation options, connectivity, and access is in place to support the request.

Relationship to Surrounding Policies

The study area currently is surrounded by T4 Urban Mixed Use Neighborhood policy on three sides. Application of T4 MU policy to the site would allow the opportunity for compatible



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development to continue to occur as an extension of surrounding T4 MU policy. In addition, applying T4 MU policy to this area allows for the consistent application of policy to both sides of Lebanon Pike.

Open Space policy is applied to properties along the southern border of the study area, on the Mt. Olivet Cemetery. Open Space policy is intended to preserve and enhance existing open space areas, most of which are publicly owned parks and greenways, but some are privately held conservation easements or similar tools that provide permanent protection of the land as open space. Cemeteries are an appropriate use in this policy. The study area's existing Conservation (CO) policy should remain, as this is indicated by natural slopes greater than 20%. The natural slopes also help buffer development from the historic Mt. Olivet Cemetery.

To the north across Lebanon Pike, Civic (CI) policy is applied to a public utility site. This policy is intended to preserve and enhance publicly owned properties. The opportunity for a mix of land uses, such as what T4 MU policy could yield, would not adversely impact existing civic uses adjacent to the site.

Key Findings

- T4 MU policy would allow the opportunity for compatible development to occur as an extension of the surrounding T4 MU policy.
- The southern portion of the study area contains steep slopes and vegetation which should provide a natural buffer between the development and the existing adjacent historic Mt. Olivet Cemetery.

Analysis Summary

Amending the Community Character Policy from D IN to T4 MU is appropriate at this location. In summary, the change in policy for the study area is appropriate for T4 MU policy due to the following:

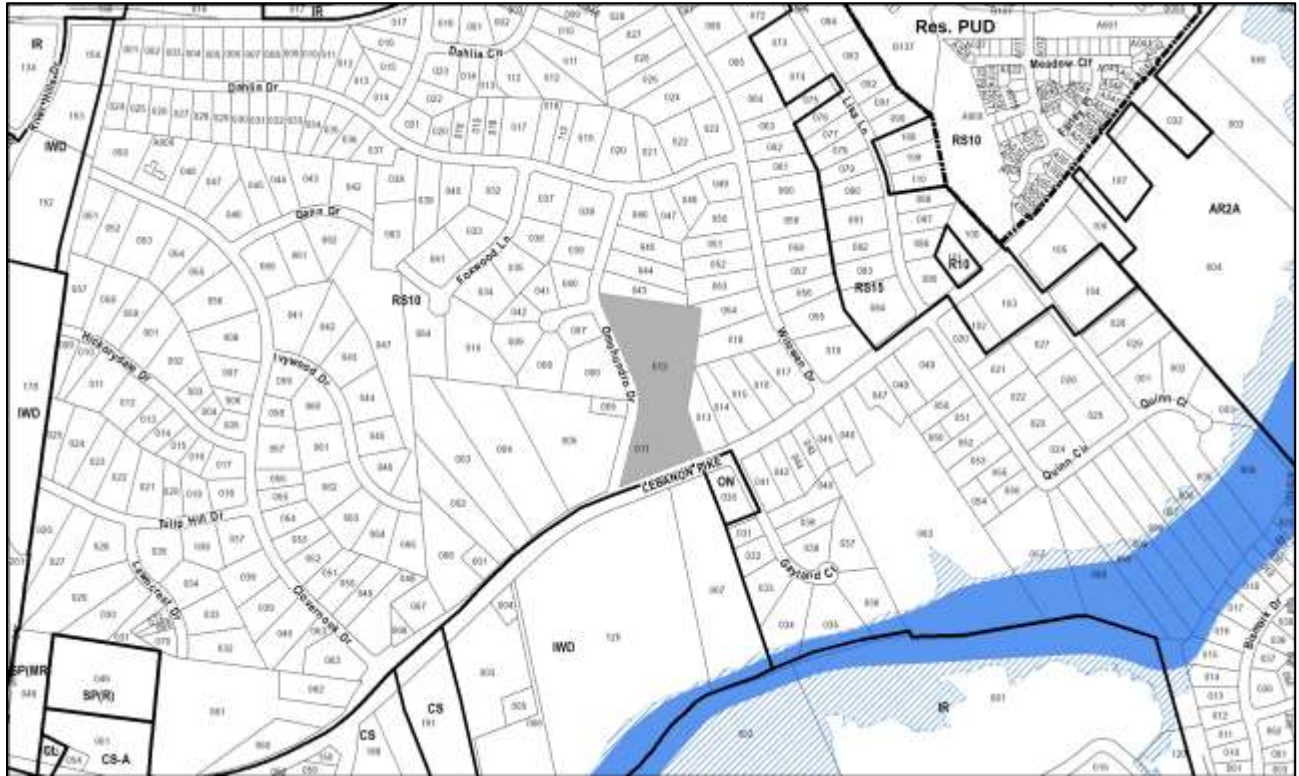
- Concept map's vision for a greater mix of uses in a transition and infill area and along an immediate need, high capacity transit corridor makes application of T4 MU appropriate.
- T4 MU's intent of creating urban mixed-use neighborhoods that provide a mix of land uses near centers and corridors makes this an appropriate application of the policy.
- T4 MU policy would allow the opportunity for compatible development to occur as an extension of the surrounding T4 MU policy.
- Application of the T4 MU policy to the study area provides an opportunity for additional housing types in the larger area.
- The southern portion of the study area contains steep slopes and vegetation which should provide a natural buffer between the development and the existing adjacent historic Mt. Olivet Cemetery.
- Adequate infrastructure consisting of transportation options, connectivity, and access is in place to support the request.

STAFF RECOMMENDATION

Staff recommends approval of Urban Mixed Use Neighborhood (T4 MU) policy.



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2021SP-037-001
1908 LEBANON PIKE RESIDENTIAL SP
Map 095-09, Parcel(s) 011-012
14, Donelson – Hermitage – Old Hickory
15 (Jeff Syracuse)



| | |
|-----------------------------|---|
| Project No. | Specific Plan 2021SP-037-001 |
| Project Name | 1908 Lebanon Pike Residential SP |
| Council District | 15 – Syracuse |
| School District | 4 – Little |
| Requested by | Catalyst Design Group, applicant; Red Seal Development, owner. |
| | |
| Staff Reviewer | Lewis |
| Staff Recommendation | <i>Approve with conditions and disapprove without all conditions.</i> |

APPLICANT REQUEST

Preliminary SP to permit a residential development.

Zone Change

A request to rezone from Single-Family Residential (RS10) to Specific Plan – Residential (SP-R) zoning for properties located at 1908 Lebanon Pike and Lebanon Pike (unnumbered), at the northeast corner of Omohundro Drive and Lebanon Pike (5.92 acres), to permit 40 multi-family residential units and nine single-family lots.

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 zoning would permit a maximum of 25 single-family lots based solely on a minimum lot size of 7,500 square feet as required by the zoning. This calculation does not account for infrastructure, road layout, functional lot configuration, or meeting all requirements of the Metro Subdivision Regulations.*

Proposed Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes two residential building types: single-family and multi-family units.*

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



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Proposed site plan



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

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

Supplemental Policy

The site is located within the 14-SAP-01 Supplemental Policy Area (SPA) for Lebanon Pike. The goals of these supplemental policies are to grow mixed-use neighborhoods along Lebanon Pike, improve connectivity to Donelson, maintain the suburban character of the existing neighborhoods, and balance transportation needs for everyone.

SITE CONTEXT AND PLAN DETAILS

The site is located at the northeast intersection of Lebanon Pike and Omohundro Road. The site has frontage along both streets. The site is currently undeveloped.

The properties to the north, east, and west are zoned RS10 and have been developed with one and two-family residential uses. The site at the northwest corner of the intersection, across Omohundro Drive, is multi-family residential. The area on the north side of Lebanon Pike is residential in character. The properties to the south of Lebanon Pike are comprised of a mix of zoning districts including Office Neighborhood (ON), Industrial Warehousing/Distribution (IWD), and RS10 and established with one and two-family residential land uses, civic uses, and commercial uses.

Site Plan

The proposed SP would permit nine single-family lots and 40 multi-family units. The single-family units would be located on the northern portion of the site, located along a proposed cul-de-sac street shown as Road A. Road A is the northern vehicular entrance to the site from Omohundro Drive. The 40 multi-family units are proposed as attached blocks of townhomes on the southern portion of the site, fronting both Lebanon Pike and Omohundro Drive. The second vehicular access point is located along Omohundro and provides access to the townhome portion of the site.



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The height of the proposed structures is limited to 3 stories in 35 feet. The preliminary SP includes proposed elevations. Units fronting Omohundro Drive and Lebanon Pike provide entrances from the units to the sidewalk. Along Lebanon Pike is a proposed 12-foot wide sidewalk and 6-foot wide grass strip, consistent with the Major and Collector Street Plan (MCSP). A proposed new transit shelter is shown along Lebanon Pike. For the site frontage along Omohundro Drive and the proposed Road A is a proposed 5-foot wide sidewalk and 4-foot wide planting strip.

Separating the single-family and multi-family portions of the site is an existing TVA easement, which creates a distinction between the two uses proposed on the site. Within this area is a proposed multi-use path, which provides a future connection along the eastern property line to Omohundro Drive. There is a proposed 10' landscape buffer yard along the northern property line at the rear of lots one through six. Where the townhome structures abut the eastern property line, there is a proposed 10' landscape buffer.

ANALYSIS

The proposed plan is consistent with the policies on the site. The southern portion of the site, at the intersection of Lebanon Pike and Omohundro Drive, are within the T3 NC policy which is intended to enhance and create suburban neighborhood centers. The northern portion of the site is within the T3 NE policy, which is intended to create and enhance suburban neighborhoods. These two policies have several similar goals including suburban residential development, providing a variety of housing options, enhancing pedestrian connectivity, and placing intensity along corridors and policy edges and transitioning into adjacent neighborhoods. The proposed development includes two housing types, the more intense along the Lebanon Pike Corridor, transitioning to single-family residential consistent with the land uses to the north of the site, and providing new sidewalks along both street frontages where sidewalk does not currently exist.

The proposed plan meets several of the goals in the Lebanon Pike Supplemental Policy including providing a portion of the neighborhood connection from Lisa Lane to Clovernook Drive with the multi-use pedestrian path, improved bus stop along Lebanon Pike, providing new sidewalks along Lebanon Pike, and transitioning from higher density development along the corridor into the neighborhood to the north.

Portions of the site are within the CO Policy area as a result of an existing stream at the northeast corner of the site and steep slopes through the middle portion of the site. The proposed site plan shows a protected stream buffer at the northeast corner of the site, and the middle portion of the site is intended to serve as the multi-use path, likely resulting in less disturbance of the steep slopes than would occur with residential development.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Parking off of Private Drive roundabout encroaches upon fire apparatus turning radius. Eliminate the parking spots off the roundabout.



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STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- 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. A minimum of 30% of capacity fees must be paid before issuance of building permits.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Final construction plans and road grades shall comply with the design regulations established by the Department of Public Works. Slopes along roadways shall not exceed 3:1. Final design and improvements may vary based on actual field conditions.
- For the multi-family units waste management / recycling collection plan, dumpster container(s) to be located on-site. Recycling is to be included along with solid waste disposal. With the building permit, submit the recorded HOA documents establishing a private hauler for the development's waste management plan.
- Mail kiosk location for postal service to be in compliance with USPS Policy.
- Streetlight locations per the NES Street Light Guidelines.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Parking shall be provided per Code.
- Final location of bus stop on Lebanon Pike shall be determined with Final SP.

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) | 5.92 | 4.356 D | 25 U | 290 | 23 | 27 |

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) | 5.92 | - | 40 U | 293 | 20 | 26 |

Maximum Uses in Proposed Zoning District: SP

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Single-Family Residential (210) | 5.92 | - | 9 U | 113 | 11 | 10 |



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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 |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | +23 U | +116 | +8 | +9 |

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10 district: 2 Elementary 1 Middle 1 High
Projected student generation proposed SP-R district: 3 Elementary 2 Middle 2 High

The proposed SP-R zone district is anticipated to generate three additional students than what could be generated under the existing residential zoning district. Students would attend Pennington Elementary, Two Rivers 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 and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 9 single-family lots and 40 multi-family units. Short Term Rental Property (STRP) not owner-occupied shall be prohibited and Short Term Rental Property (STRP) owner occupied shall be prohibited.
2. At the time of Final SP approval, the applicants shall coordinate with WeGo for bus stop infrastructure along Lebanon Pike.
3. With the exception of Road A, the final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
4. Parking shall comply with requirements of the Metro Zoning Code.
5. The height of all structures shall be limited to 3 stories in 35 feet.
6. At the time of Final SP, the applicant shall work with Planning staff to provide an appropriate buffer between Lebanon Pike and the interior drive behind building C.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. A corrected copy of the Preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 for the single-family lots, and for the multi-family uses, RM20-A, zoning districts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required



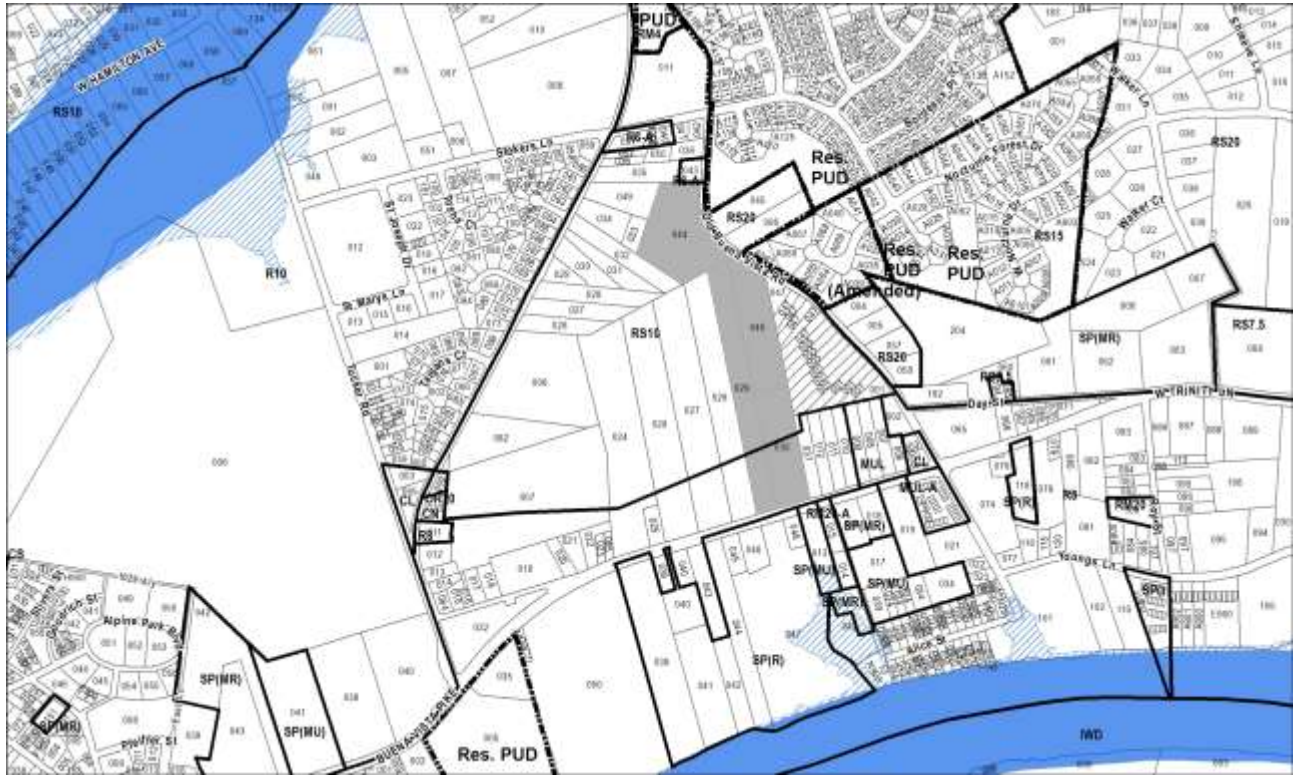
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sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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2021SP-029-001

HILL TOP ESTATES

Map 070-02, Parcels 044, 046

Map 070-06, Parcels 029-030

03, Bordeaux – Whites Creek – Haynes Trinity

02 (Kyonzte Toombs)



Project No. Specific Plan 2021SP-029-001
Project Name Hill Top Estates
Council District 02 – Toombs
School District 01 – Gentry
Requested by D & M Development, applicant; Amon Ringemann Hill, Anna Hill, Doss Hill and Aubrey Gregory, owners.

Deferrals This item was deferred from the May 13, 2021, May 27, 2021, and the June 10, 2021, Planning Commission meetings. No public hearing was held.

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

APPLICANT REQUEST

Preliminary SP to permit a residential development with mixed building types.

Zone Change

A request to rezone from Single-Family Residential (RS10) and One and Two-family Residential (R8) to Specific Plan-Mixed Residential (SP-MR) zoning for properties located at 1105 and 1107 West Trinity Lane, West Trinity Lane (unnumbered), and Old Buena Vista Road (unnumbered), approximately 375 feet south of Stokers Lane (14.46 acres), to permit 193 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 50 residential lots.*

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 15 residential lots with three duplex lots for a total of 18 residential units.*

Proposed Zoning

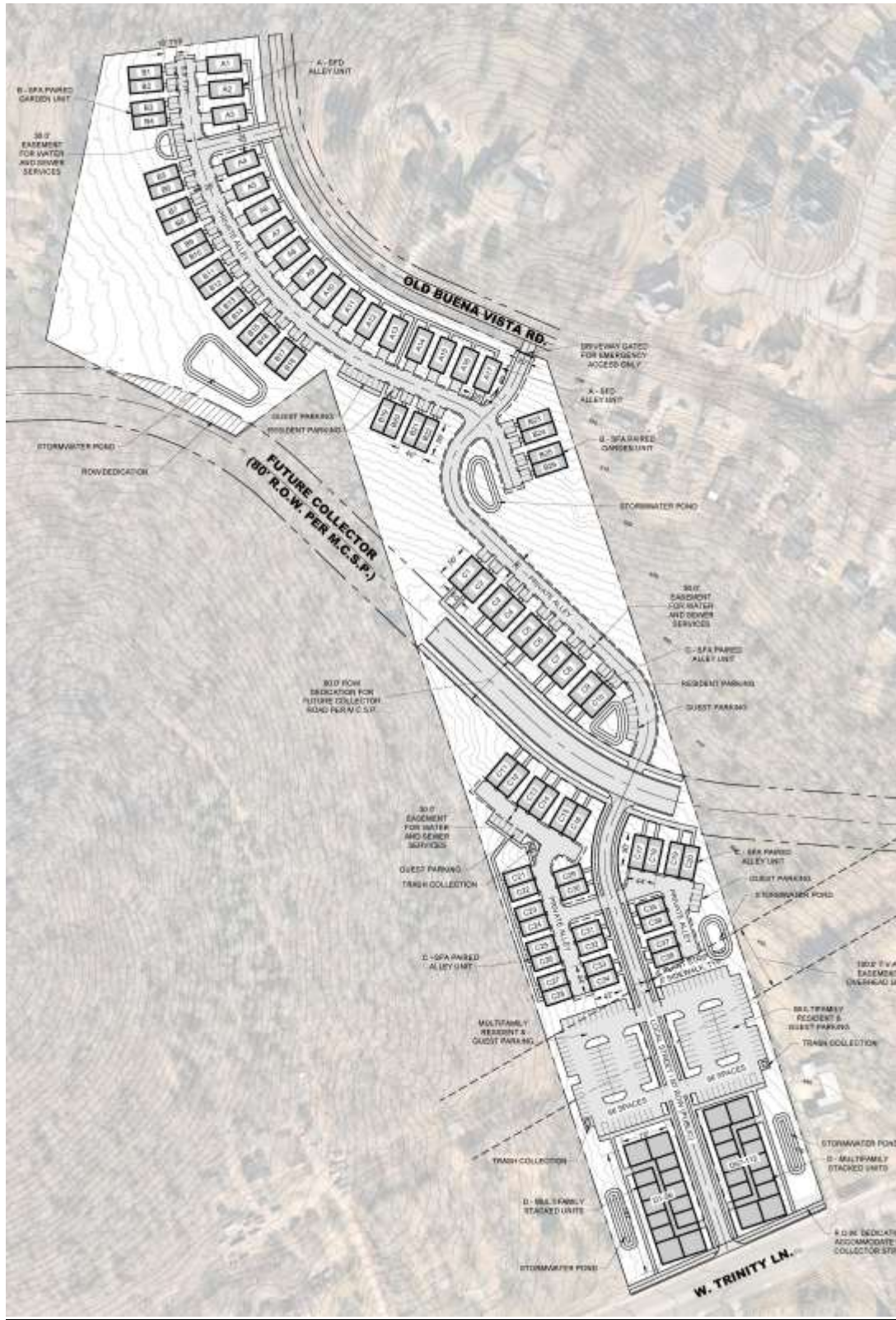
Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing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

SITE CONTEXT AND PLAN DETAILS

The site consists of four individual parcels and is approximately 14.46 acres in size. It is located on the north side of West Trinity Lane and the west side of Old Buena Vista Road. It has street



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Proposed SP



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frontage on both West Trinity Lane and Old Buena Vista Road. Metro records indicate that all four existing properties are vacant.

Site Plan

The proposed SP includes a total of 193 residential units consisting of 112 stacked flats, 64 attached townhomes and 17 detached townhomes. The stacked flats are located along West Trinity Lane. The detached units are located along Old Buena Vista Road. The attached units are away from all existing public streets and either front proposed new public streets or are located behind street facing units. The maximum height for the stacked flats is four stories in 60 feet. Attached and detached units are limited to four stories in 45 feet.

Access is proposed from West Trinity Lane and Old Buena Vista Road. Access from West Trinity Lane is proposed from a new local public street. The new public street runs northwest towards the middle of the site and intersects with another proposed public collector street which bisects the site running from the eastern property line to the western property line. Sidewalks are proposed along West Trinity Lane and Old Buena Vista Road. Sidewalks are also proposed along all new streets.

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY 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.

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.

T4 Urban Residential Corridor (T4 RC) is intended to maintain, enhance and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T4 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.



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Supplemental Policy

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

ANALYSIS

Staff finds that the proposed SP is consistent with the land use policies that apply to the site. The plan provides for a balanced mixture of housing types and provides a smooth transition from the T4 RC policy area that is applied along West Trinity Lane to the T3 NE policy area located along Old Buena Vista Road. The stacked flats are all located along West Trinity Lane and are all within the T4 RC policy area. The stacked flats allow for a density that is appropriate along West Trinity Lane and the design standards in the SP accommodate the urban nature of the T4 RC policy.

The SP requires buildings to front West Trinity Lane as well as the proposed public street. The attached and detached townhomes are located within the T3 NE policy area. The attached units are located along Old Buena Vista Road. The development pattern along Old Buena Vista Road consist of detached homes on single family lots. The T3 NE policy is applied to areas where changes in the predominant development pattern are intended to occur over time. While the proposed units along Old Buena Vista Road are spaced closer together than the existing homes along Old Buena Vista Road, they maintain a detached form and are appropriate at this location. The attached units are located away from West Trinity Lane and Old Buena Vista Road. The attached units front one of the proposed public streets or are located behind units fronting an existing or proposed public street.

The supplemental policy that applies to the site and surrounding area includes a planned residential collector street. The planned street bisects the site and the proposed plan provides the necessary portion of the planned street as well as the right-of-way to continue the planned street consistent with the supplemental policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

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

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.



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The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% of W&S Capacity must be paid before issuance of building permits.

PUBLIC WORKS RECOMMENDATION

Approved 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.
- Coordinate TIS/any traffic requirements with the MPW Traffic Engineer. There may be additional road comments following TIS review.
- Include w/ TIS, a sight distance exhibit along Old Buena Vista Road at the proposed access drive intersections. Provide SSD exhibit per AASHTO (Note: Old Buena Vista Road’s posted speed limit is 30mph).
- Show improvements along Old Buena Vista Road property frontage. (cont.) Dimension from centerline per ST-252.
- Show driveway ramps per ST-324 at private drive connections to a public street.
- Recycling is to be included for the development within the dumpster pad area. (cont.) A waste/recycling private hauler agreement for this development, and incorporated into the HOA documents, will need to be submitted to MPW for building permit approval.
- Street lighting shall be installed on all public roadways.
- Confirm any Sidewalk requirements with the Planning Department, Old Buena Vista Road identifies as a local street with a four (4’) foot Planting Strip Width; and a five (5’) foot Sidewalk Width.
- On final, call out streets, ramps, sidewalks, curb/gutter, etc. per MPW standard sections and details.

TRAFFIC AND PARKING RECOMMENDATION

Approved with conditions

- A TIS was not submitted or approved and will be required prior to Final SP approval. At a minimum, the TIS will need to address the following:
 - Old Buena Vista Road - pavement width, speed, and pavement usage. Current on-street parking on Old Buena Vista Road may be restricted.
 - Traffic control on Trinity Lane and Stokers Lane.

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) | 11.66 | 4.356 D | 50 U | 550 | 41 | 53 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|-------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Two-Family Residential* (210) | 2.8 | 5.445 D | 18 U | 215 | 18 | 20 |

*Based on two-family lots



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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Multi- Family Residential (220) | 14.46 | - | 193 U | 1419 | 90 | 107 |

Traffic changes between maximum: **RS10, R8 and SP**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | +125 | +654 | +31 | +34 |

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10/R8 district: 9 Elementary 9 Middle 9 High

Projected student generation proposed SP-MR district: 32 Elementary 16 Middle 13 High

The proposed SP-MR zoning district would generate 34 more students than what is typically generated under the existing RS10/R8 zoning districts. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. All three schools are identified as being overcapacity/or 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 193 multi-family residential units. Short term rental-not owner occupied is prohibited.
2. With the submittal of the final site plan, coordinate with Public Works and Planning on the alignment of the new north/south public road with a planned public road on the south side of W Trinity Lane.
3. All public roadways shall meet local standards or Major and Collector Street Plan standards depending on classification.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
7. A corrected copy of the Preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the



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objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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2021Z-051PR-001

Map 172-08, Parcel(s) 024

12, Southeast

04 (Robert Swope)



| | |
|-----------------------------|---------------------------------------|
| Project No. | Zone Change 2021Z-051PR-001 |
| Council District | 04 – Swope |
| School District | 2 – Elrod |
| Requested by | Mohammad Nazemi, applicant and owner. |
| Staff Reviewer | Rickoff |
| Staff Recommendation | <i>Approve with conditions.</i> |

APPLICANT REQUEST

Zone change from SP-MU to R15.

Zone Change

A request to rezone from Specific Plan-Mixed Use (SP-MU) to One and Two-Family Residential (R15) zoning for property located at 401 Kinhawk Drive, at the southwest corner of Kinhawk Drive and Nolensville Pike (0.39 acres).

Existing Zoning

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

Proposed Zoning

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of one duplex lot for a total of two units. Final determinations on duplex eligibility are provided by Metro Codes.*

SOUTHEAST COMMUNITY 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. CO policy at this site recognizes a potential stream and stream buffer along the northern boundary the site.

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



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institutional land uses. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

PLAN DETAILS

The site is approximately 0.39 acres and is located at the southwest corner of Kinhawk Drive and Nolensville Pike. The parcel is developed with an existing residential structure within the Forest Acres Estates residential subdivision. The existing land use pattern along Kinhawk Drive and in the neighborhoods surrounding the site along both sides of Nolensville Pike consists of single-family residential uses on moderately sized lots.

The site is located within the Nolensville Pike Center SP, which includes the subject parcel (024) and a larger adjacent parcel to the south that is currently vacant (parcel 043). The SP was adopted by Metro Council in 2018 to permit all uses of MUL with some exceptions (BL2018-1100, as amended), following staff’s recommendation to disapprove and the Planning Commission’s recommendation to disapprove a request to rezone both parcels from R15 to MUL-A at the January 11, 2018 meeting. The SP is a regulatory document that permits mixed use development along the corridor and includes several development standards related to building form/massing, access, and standards to minimize the impact of the future non-residential uses on surrounding residential properties. The Council bill includes a condition that the subject parcel (024) will remain as an open space buffer, that no vehicular access be allowed to or from Kinhawk Drive, and that no building improvements will be allowed.

The current request is to rezone parcel (024) to R15. The remainder of the SP located on parcel (043) will remain.

ANALYSIS

Staff finds the request to be consistent with the Suburban Neighborhood Maintenance (T3 NM) policy, which is intended to maintain the general character of developed suburban residential neighborhoods. The site is currently developed with a single-family residence and has frontage on Kinhawk Drive, a local street, adjacent to other R15-zoned residential properties within Forest Acres Estates that are also in the T3 NM policy area. The requested R15 zoning district was previously in place at this site prior to the adoption of the 2018 SP and is consistent with the goals of the policy to preserve the character of the neighborhood.

FIRE MARSHALL 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.

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 |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Open Space | 0.39 | - | - | 0 | 0 | 0 |



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Maximum Uses in Proposed Zoning District: **R15**

| 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) | 0.39 | 2.904 D | 2 U | 28 | 7 | 2 |

Traffic changes between maximum: **SP and R15**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +28 | +7 | +2 |

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed R15 district: 0 Elementary 0 Middle 0 High

The proposed R15 zoning is not expected to generate any more students than the existing SP-MU zoning district. Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. All three schools are identified as overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

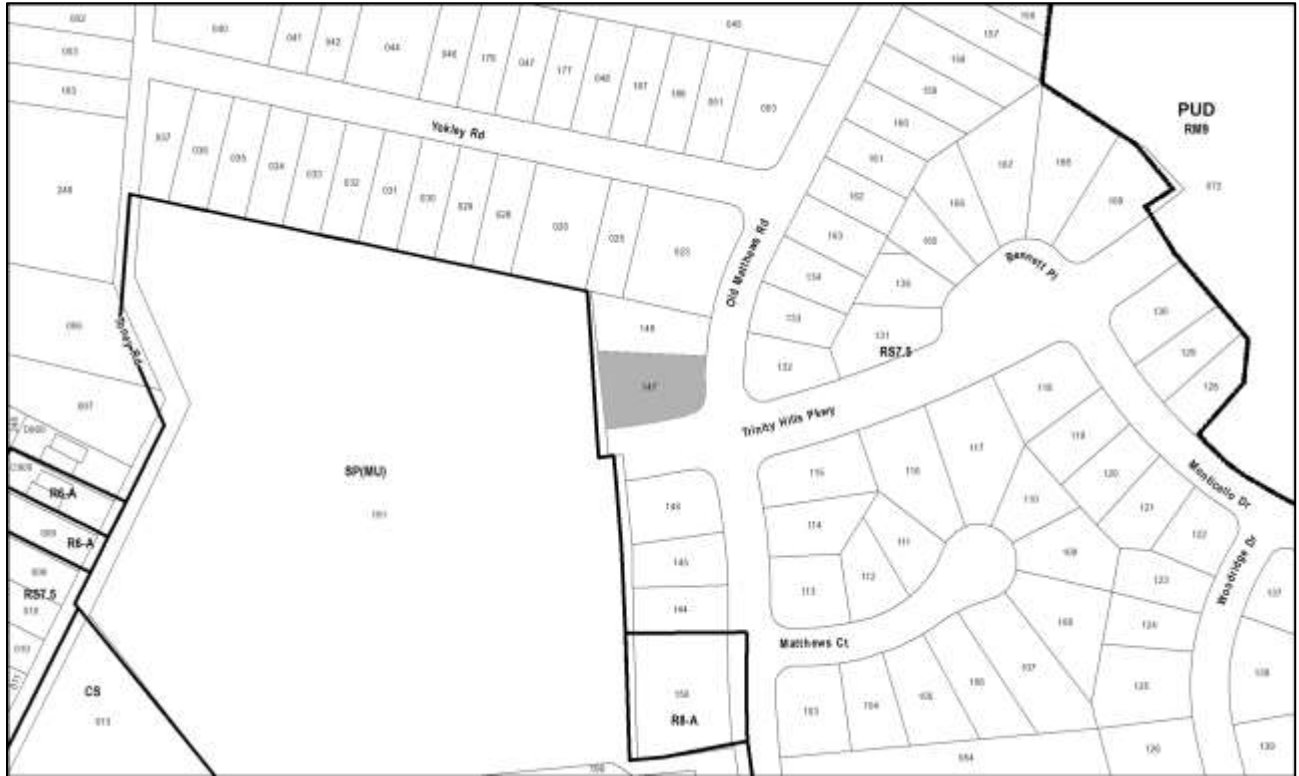
Staff recommends approval with conditions.

CONDITIONS

1. Prior to the filing of any final SP application filed for the remainder of the SP (parcel 043), an SP amendment will be required to remove references to parcel (024).



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2021Z-060PR-001

Map 071-11, Parcel(s) 147

03, Bordeaux-Whites Creek-Haynes Trinity

02 (Kyonzté Toombs)



| | |
|-----------------------------|---|
| Project No. | Zone Change 2021Z-060PR-001 |
| Council District | 02 – Toombs |
| School District | 1 – Gentry |
| Requested by | Marshall and Diane Carter, applicants and owners. |
| Staff Reviewer | Rickoff |
| Staff Recommendation | <i>Approve.</i> |

APPLICANT REQUEST

Zone change from RS7.5 to R8.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential (R8) zoning for property located at 2412 Old Matthews Road, at the northwest corner of Old Matthews Road and Trinity Hills Parkway (0.27 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 1 unit.*

Proposed Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of one duplex lot for a total of two units. Final determinations on duplex eligibility are provided by Metro Codes.*

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

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

Supplemental Policy

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

SITE AND CONTEXT

The 0.27-acre site is located at the northwest corner of Old Matthews Road and Trinity Hills Parkway, north of W. Trinity Lane. Old Matthews Road is a collector-avenue identified by the



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Major and Collector Street Plan (MCSP). Trinity Hills Parkway is currently unimproved along the southern boundary but is constructed as a collector-avenue street east of the site. The property is developed with a single-family residential use.

Surrounding properties located along Old Matthews Road and to the east are primarily zoned for single-family residential uses. Properties located directly behind the site to the west are within the Trinity Lane Masterplan SP, also known as the Northlights SP, which comprises approximately 21 acres and extends from W. Trinity Lane to the north. The SP spans the majority of the Old Matthews Road block face and then pulls behind a handful of residential properties, including this site, in proximity to Trinity Hills Parkway. The Northlights SP is currently under construction and is approved for non-residential uses along W. Trinity Lane and a variety of housing types, including stacked flats, townhomes, and single-family lots to the north. Trinity Hills Parkway will be improved along the southern boundary of the site and continue to the west, connecting to Toney Road, with a future phase of the Northlights SP.

ANALYSIS

The requested rezoning is consistent with policy guidance at this location, which explains that T3 NM areas are intended to maintain the general developed character but will experience some change over time. Considerations for when additional intensity may be appropriate include the size and location of the site, access and proximity to transit, the existing neighborhood character, and the character of adjacent Transect and policy areas. The site is located on the western edge of the Suburban Neighborhood Maintenance (T3 NM) policy area, adjacent to properties in the Suburban Neighborhood Evolving (T3 NE) policy located directly behind the site, where the Northlights SP is developing with a variety of housing types at a higher intensity. The subject parcel is located at the intersection of Old Matthews Road, a collector-avenue, and Trinity Hills Parkway, which will be constructed along the southern boundary and continue to the west. The Haynes Trinity Small Area Plan, which includes a supplemental mobility policy with a network of proposed street connections, identifies the Trinity Hills Parkway/Toney Road connection as an important east-west connection within the neighborhood.

Properties located at the intersections of public streets, particularly along arterial or collector streets, may be more appropriate for additional intensity than sites that are located interior to the neighborhood. Additionally, the site is served by an existing MTA bus route, which wraps the northeastern corner of Old Matthews Road and Trinity Hills Parkway and includes an existing MTA stop located across the street, approximately 100 feet to the east, providing additional transit options to support the slight increase in proposed zoning intensity. Finally, the site is larger than the majority of the surrounding residential parcels located along this stretch of Old Matthews Road, with the exception of one parcel located to the south that is zoned R8-A. Given surrounding context, staff finds the requested R8 zoning to be consistent with the policy goals at this location.

FIRE MARSHAL RECOMMENDATION

Approve



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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Single-Family Residential (210) | 0.27 | 5.808 D | 1 U | 15 | 5 | 1 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|-------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Two-Family Residential* (210) | 0.27 | 5.445 D | 2 U | 28 | 7 | 2 |

*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R8**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | +1 U | +13 | +4 | +1 |

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 district: 0 Elementary 0 Middle 0 High

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

The proposed R8 zoning district is not expected to generate any additional students than what is typically generated under the existing RS7.5 zoning district. Students would attend Alex Green 1 Elementary School, Brick Church College Prep Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.



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2021NL-002-001

2400 10TH Avenue South
Map 118-01, Parcel(s) 256
10, Green Hills-Midtown
17 (Colby Sledge)



| | |
|-----------------------------|---|
| Project No. | Neighborhood Landmark 2021NL-002-001 |
| Project Name | 2400 10TH Avenue South |
| Council District | 17-Sledge |
| School District | 7-Player-Peters |
| Requested by | Centric Architecture, applicant; Greater Christ Temple Church, Inc., owner. |
| | |
| Staff Reviewer | Harrison |
| Staff Recommendation | <i>Approve with conditions.</i> |

APPLICANT REQUEST

Neighborhood Landmark Overlay District (NLOD) to allow the uses of preschool/daycare, community education, and general office within an existing historic church.

Neighborhood Landmark Development Plan

A request to establish a Neighborhood Landmark Overlay District (NLOD) located at 2400 10th Avenue South, at the corner of 10th Avenue and Caruthers Avenue, zoned One and Two-Family Residential (R8) and located within the Waverly Belmont Historic Neighborhood Conservation Overlay (1.10 acres), to permit the uses of preschool/daycare, community education, and general office.

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 5 lots with 2 duplex lots for a total of 7 units.*

Proposed Overlay

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

GREEN HILLS-MIDTOWN 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.

PLAN DETAILS

The development plan (2021NL-002-001) proposes a preschool/daycare and kindergarten in an existing 31,266 square foot structure located at 2400 10th Avenue South. The plan would also permit general office uses. The existing structure has previously been used as a church and is currently vacant. The extent of the external changes proposed are the creation of a fenced in play



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area, new sign, and bioretention pond. No physical changes are proposed to the building or parking lot.

ANALYSIS

The intent of this Neighborhood Landmark Overlay District is to utilize an existing historic structure and provide an adaptive reuse. This reuse could provide a benefit to the surrounding neighborhood offering a use compatible with an established neighborhood. The T4 NM policy would support this as well, since the character of the neighborhood would stay the same replacing a religious institution with an education one and reusing the existing building with no architectural changes.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

- Significant redevelopment is a possibility for this project, which will require a grading permit.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary NL 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. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (See Capacity Permit #'s T2021030833 and T2021030831).

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Permitted uses are limited as indicated on the plan.
2. Any modifications to the site will be required to comply with Metro Agency requirements.



NO SKETCH



| | |
|-------------------------|---------------------------------------|
| Project No. | Text Amendment 2021Z-005TX-001 |
| Project Name | Metro Owned Property |
| Council Bill No. | BL2021-722 |
| Council District | Countywide |
| School District | Countywide |
| Requested by | Councilmember Jonathan Hall |

Deferrals This item was heard and deferred at the June 10, 2021, Planning Commission meeting. The public hearing was held and remains open.

Staff Reviewer Lewis

Staff Recommendation *Disapproval the proposed text amendment as submitted; if the Metro Council amends the request to include Councilmembers in the list of those that can initiate a rezoning of Metro owned property, staff recommends the Planning Commission make no recommendation on the amendment.*

APPLICANT REQUEST

Amend Titles 2 and 17 of the Metropolitan Code pertaining to rezoning of and inventory of Metro owned property.

PROPOSED AMENDMENTS TO TITLE 17

The proposal would amend Chapter 17.40, Administration and Procedures, Section 17.40.060 to remove Section B (section to be removed shown in strikethrough) and replacing with a new Section B (shown below in underline):

17.40.060 – Applications

- A. An application to amend the official zoning map to apply a planned unit development or urban design overlay district shall be filed with the metropolitan planning commission. All other applications to amend the official zoning map or these zoning regulations shall be filed either with the planning commission or the metropolitan clerk. An application may be initiated by the property owner, the metropolitan planning commission, or a member of the metropolitan council. All applications to amend the official zoning map filed with the metropolitan clerk shall be immediately forwarded to the planning commission and a copy sent to the metropolitan council office. No application initiated by a property owner or an agent of the property owner to amend the official zoning map or to apply a planned unit development, a neighborhood design overlay, or an urban design overlay to the property shall be accepted by the metropolitan planning commission or the metropolitan clerk if the metropolitan government has a valid lien on the property and/or if the property owner is delinquent in the payment of property taxes.
- ~~B. An application to amend the official zoning map of property owned by the metropolitan government may be initiated only by the mayor, the head of the department or agency to which the property is assigned, or by the director of public property administration.~~



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- B. An application to amend the official zoning map of property owned by the metropolitan government may be initiated only by the district member(s) of the metropolitan council representing the council district(s) where the property is located.

PROPOSED AMENDMENTS TO TITLE 2

Although the legislation includes changes to Title 2 – Administration, this report will only address changes to Title 17 – Zoning.

UPDATE

This item was heard at the June 10, 2021, Planning Commission meeting and deferred. The discussion focused on the history of the proposed text amendment in 2017, the possibility of amending the text to include councilmembers, and if the Commissioners voted to disapprove the changes to Title 17 what would be the impact to the proposed changes to Title 2 included in the bill.

In January 2017, former Councilmember DeCosta Hastings introduced the proposed text amendment to add councilmembers to the list of parties who can initiate a rezoning of Metro owned property. The Planning Commission heard the item on January 26, 2017 and made no recommendation per staff's recommendation in the staff report. The item was on the consent agenda, therefore there was no discussion from the Planning Commission. A public hearing was held at Council on February 7, 2017 and deferred to March 2017. At the February hearing, no discussion on the item was held. In March the item was deferred to April 2017, at which time Councilmember Hastings deferred the request indefinitely, with no comments as to why.

The Metro Council could amend the bill to include Metro Councilmembers in the current list of those that can initiate a rezoning of Metro owned property. Consistent with the recommendation in 2017, staff would recommend that the Planning Commission provide no recommendation if amended. The request to add councilmembers and retain all existing parties, as opposed to removing the existing parties and making the district councilmember the sole party able to request zone changes of metro owned property is a significantly different request. If the request is amended to only add councilmembers, it should be a decision of Metro Councilmembers.

After further discussions with Metro Legal following the June 10, 2021, Planning Commission hearing, it was determined that if the Planning Commission recommended disapproval of the proposed changes to Title 17, it would be considered as a disapproval for the bill, which includes proposed changes to Title 2.

ANALYSIS

Section 17.40.060.B. of the Zoning Code permits the mayor, the head of the department or agency to which the property is assigned, or the director of public property administration, have the authority to apply for rezoning any property owned by the metropolitan government. The proposed amendment would remove the mayor, the head of the department or agency to which the property is assigned, or the director of public property administration, as individuals who can apply for rezoning of metropolitan government property, and replace with the councilmember of the district where the property is located.



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As the proposed legislation would impact the Mayor's Office and Department of Finance, Planning Staff reached out to these agencies to understand how the current legislation operates and potential impacts from the proposed amendment. The following statement was provided to Planning Staff for inclusion in this report:

“The Mayor's Office and Department of Finance respectfully submit their opposition to the amendment proposed under BL2021-722. Property owned by the metropolitan government is, in effect, owned by all citizens of Davidson County. The authority to initiate applications for such properties, therefore, should remain vested within Metro officials answerable to constituencies countywide. This Code provision is entering its third decade of enforcement with no previous effort to remove the authority -- nor any discernible objections -- until the current legislation. (Ordinance no. BL2017-559, which would merely have added Council members to those with application authority, was deferred indefinitely by the Council sponsor and ultimately withdrawn.) District Council members maintain significant discretion over any rezoning application at the legislative phase. Individual applications are mandatorily referred to the full Council; and Council rules of procedure afford clear safeguards preserving District Council members' ultimate authority.”

The typical process as outlined to Planning, is that prior to an application being filed for the rezoning of property owned by the metropolitan government, the initiator will contact the councilmember representing the property and ask if they will sponsor the application through the rezoning process. The rezoning process includes a recommendation from the Planning Commission to Metro Council and three hearings at Metro Council, prior to being signed into effect by the Mayor. As a sponsor of the request, the councilmember has the opportunity to represent the request for their district, work with the applicant of the rezoning, and ultimately retain the authority of the councilmember to enact through the council process.

The mayor, the head of the department or agency of the property is assigned, or the director of public property administration, are all responsible for advocating for Metro in various capacities. The removal of these individuals and departments from the current list of individuals who are able to initiate rezonings as representatives for property owned by the Metropolitan Government would significantly impact the ability of these individuals to advocate for Metro. As the rules and regulations for the role of councilmembers role in rezonings or the role of councilmembers sponsoring legislation, including the ability to withdraw legislation at council, is not being modified, and the proposed text amendment would impact individuals directly responsible for advocating for Metro owned property, the proposed text amendment is not supported by Planning.

Zoning Administrator Recommendation

No exception taken to this bill.

Fiscal Impact Recommendation

The Codes Department anticipates the proposed amendment to be revenue neutral.



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STAFF RECOMMENDATION

Staff recommends disapproval of the proposed text amendment as submitted; if the Metro Council amends the bill to add Councilmembers to the list of those that can initiate a rezoning of Metro owned property, staff recommends the Planning Commission make no recommendation on the amendment.

ORDINANCE NO. BL2021-722

An ordinance amending Section 17.40.060 of Title 17 of the Metropolitan Code, Zoning Regulations, to allow only district members of the Metropolitan Council to initiate applications to amend the official zoning map of property owned by the Metropolitan Government, and amending Section 2.24.190 of the Metropolitan Code to require the Director of Public Property Administration to provide a monthly property inventory report to the Metropolitan Council (Proposal No. 2021Z-005TX-001).

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

Section 1. That Section 17.40.060 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by deleting subsection B. in its entirety and substituting in lieu thereof the following:

B. An application to amend the official zoning map of property owned by the metropolitan government may be initiated only by the district member(s) of the metropolitan council representing the council district(s) where the property is located.

Section 2. That Section 2.24.190 of the Metropolitan Code is hereby amended by designating the existing provisions as subsection A. and by adding the following new subsection B.:

B. The director of public property administration shall provide each district councilmember with an annual inventory of real property owned by the metropolitan government located within their district.

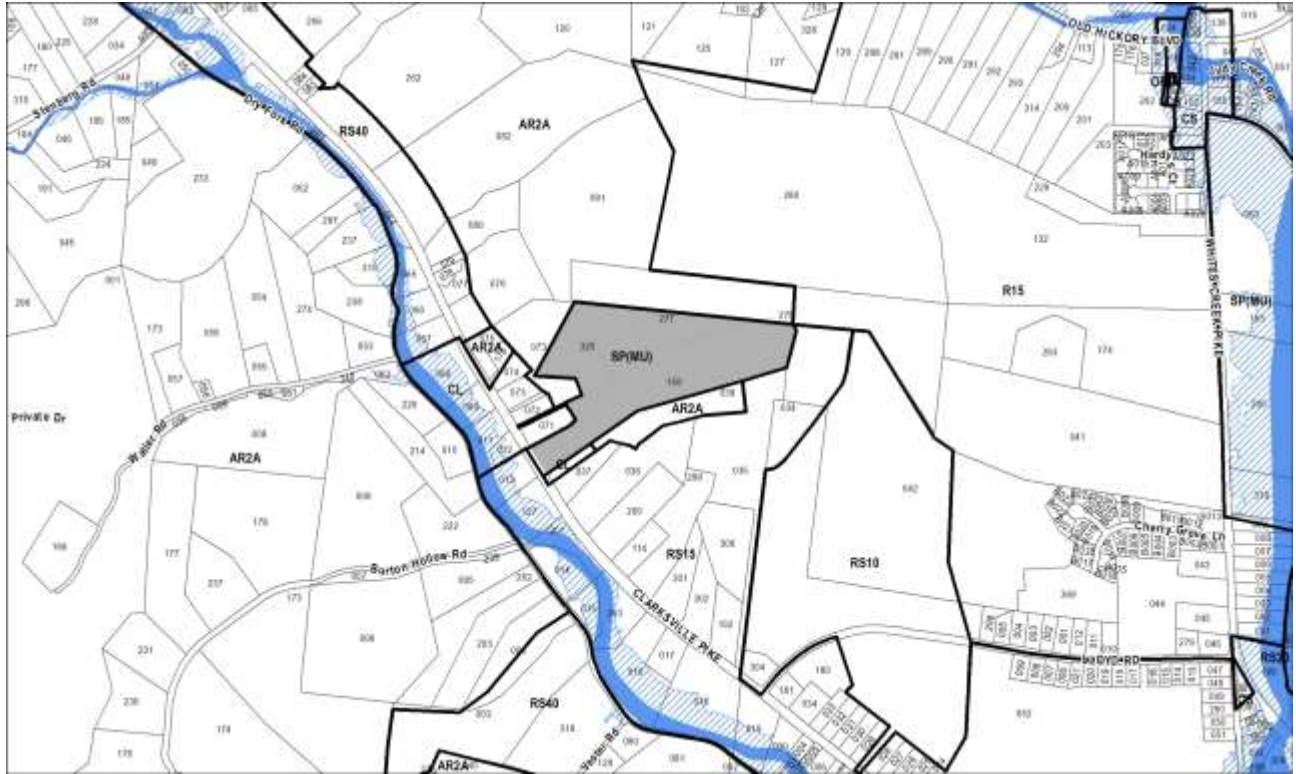
Section 3. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



SEE NEXT PAGE



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2010SP-002-002

THE COVE AT WHITES CREEK SP (PERIODIC REVIEW)

Map 039, Parcel(s) 277, 320

Map 048, Parcel(s) 159

03, Bordeaux – Whites Creek – Haynes Trinity

03 (Jennifer Gamble)



| | |
|-----------------------------|--|
| Project No. | Specific Plan 2010SP-002-002 |
| Project Name | The Cove at Whites Creek (Periodic Review) |
| Council District | 03 – Gamble |
| School District | 1 – Gentry |
| Requested by | Councilmember Jennifer Gamble, applicant; Wilmore Properties LLC, owner. |
| | |
| Staff Reviewer | Lewis |
| Staff Recommendation | <i>Find the SP to be inactive and advise Council to rezone.</i> |

APPLICANT REQUEST

Periodic review of a Specific Plan.

Periodic SP Review

A request for a periodic review of the Cove at White’s Creek Specific Plan (SP) District located at 5000, 5010 and 5012 Clarksville Pike, approximately 2,400 feet northwest of Lloyd Road, zoned SP (Specific Plan) (32.15 acres).

Existing Zoning

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

SP DETAILS

Metro Council approved the preliminary plan for the Cove at White’s Creek Specific Plan in 2010 for a mixed-use development with 215 multi-family units, 7,500 square feet of commercial use, and 7,500 square feet of office use. The plan includes several unit types including: townhouse units, stacked flats, cottages, and live-work units fronting Clarksville Pike. Approximately 50 percent of the site is shown as open space as either preserved natural area or within several pocket parks located throughout the 32 acre site.

The plan included two vehicular access points from Clarksville Pike. From the southern access point, a central public road leads into the site with a roundabout central to site, providing connections to other portions of the site. The northern vehicular entrance provides secondary emergency access. The plan included public stub roads to the south, west, and northeast.

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



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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 Gamble on April 13, 2021. The 90-day period extends to July 11, 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. Per Section 17.40.106.I. Planning staff is required to send written notification of the review to the owner, councilmember, and Zoning Administrator. Due to a clerical error in notifying the owner for the June 10, 2021, Planning Commission meeting, staff deferred the item to June 24, 2021, Planning Commission meeting to send a revised notice to resolve the clerical error.

Classification of the SP (Active or Inactive)

Under 17.40.106.I, the Commission is first required to determine whether the Cove at White's Creek 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 2010. The SP has not been amended or previously reviewed prior to this request. 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.



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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.*”

Planning staff received a pre-application meeting request for this property in early May. As the request for review of the SP was initiated prior to this request, Planning staff did not meet with the applicants for a pre-application meeting. Letters from the owner and other parties associated with the property are included at the end of this report.

The owner indicates that they have generally taken the following actions: marketed the property for sale; discussed sale with several parties; meetings with community and Councilmember; and some preliminary design work on revised plan (\$17,000 in billing). See exhibits at the end of report for additional details.

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 and the actions taken in the past 12 months are limited.

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



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zoning classification(s) should the SP district be removed, in whole or in part, from the property.

BORDEAUX – WHITES CREEK – HAYNES TRINITY 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.

T2 Rural Maintenance (T2 RM) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded.

T2 Rural Countryside (T2 RCS) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RCS areas have an established development pattern of very low-density residential development, secondary agricultural uses, and institutional land uses. The primary purpose is to maintain the area's rural landscape.

Consistent with Policy?

The SP under review is not consistent with the land use policies for this location. The Bordeaux – Whites Creek – Haynes Trinity Community Plan was updated in 2017 as part of NashvilleNext, amending the policies from when the SP plan was approved.

The application for the approval of the preliminary SP in 2010 had an associated plan amendment case which changed the existing policies on the site from Rural, Natural Conservation, and Neighborhood Center to Natural Conservation, Neighborhood Center, and Suburban Neighborhood Evolving (T3 NE). In 2017, with the adoption of the Bordeaux – Whites Creek – Haynes Trinity Community Plan, the policies on the site were changed to the current policies on the site: CO, T2 RM, and T2 RCS. As the preliminary SP had not been constructed in 2017 and the existing properties remained as one and two-family uses on lots greater than two acres, they were likely considered as a part of the existing rural character within this area.

The preliminary SP is not consistent with the T2 RCS and T2 RM policies on the site. The existing policies on the site are intended to have low density development, preserve, and enhance a sense of rural character; however, the preliminary SP is fairly consistent with the CO Policy on the site as the portions of the site with steep slopes are intended to remain in a preserved natural area. The preliminary SP plan does not address the existing stream buffer shown through the site.

The preliminary SP would permit non-residential uses as well as 215 residential units, including live/work units and multi-family product types. The T2 RCS and T2 RM policies indicate a preference for one and two-family detached units. While the SP under review proposes the preservation of open space, the uses and intensity of the proposed development are inconsistent



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with the existing land use policies to preserve and enhance the existing rural character of the area.

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 SP inactive, then staff recommends that the property be rezoned through a separate action at a future meeting. Based on the T2 policy guidance, the AR2a zoning district could be appropriate. Additional options such as a new SP with significantly decreased intensity or a subdivision to create larger residential lots could be appropriate as well.



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Wilmore Properties LLC

1055 Ridgecrest Drive
Goodlettsville, TN 37072

Office: 615-559-4111
Cell: 615-405-4065

June 10, 2020

Mrs Lewis,

My name is Winston Templet and I'm writing you to give you a timeline of events, and what I have personally done on the property located at 5000 Clarksville Pike during the period of time that I have owned this property.

I purchased this property in October of 2006. Before purchasing the property, me and my team reached out to councilman Hunt to see if there was any support from him and council to rezone the property and remove the trailer park. He was in agreeance with us that being able to get rid of the trailer park and put something better there would benefit the community in many ways. Over the next year or so we worked with Danny Wamble to do all the studies needed to rezone the property, and to get the community's approval. We brought the property to planning and zoning and they offered us 4 units per acre to do a development. At that particular time 4 units per acre made the land cost too great to support the development.

From a developers standpoint, we need the raw land to be somewhere between 8% to 12% of the sale of the finished product that we are delivering. What we were planning to build on the property at the time were condos around the \$185k price point to meet the affordable housing standards in that area at the time.

We brought the plans back to the council to vote on them two more times through the years and council approved the plans in 2010 at 7 units per acre. What effected everything when the plans were finally approved was the crash in 08 that pretty much destroyed the condo industry at that time. Even today it is difficult to get financing on Condos which is why Ryan Homes was looking to develop with town homes instead of condos.

In 2019 Austin Heithcock with Capstone listed the property but was still struggling to get investors to want to buy in the condo market. They were more interested in investing in ¼ acre tracks for single family or in town homes. We elected to hold off and not attempt to rezone because Nashville is booming and might take a couple of years to go through zoning again.

In June of 2020 I met with Peter Shea and Scott Andrews with NAI Nashville and they took another swing at the property. This time we have had a lot more interest in the property and have had several people offer to submit us letters of intent. We felt that Ryan Homes was the first to submit a letter of intent and what they were submitting was a very good option for the community so we proceeded forward. They spent several months working on a site plan to bring to the city for approval of a minor change in the SP. We talked and all agreed that bringing the plat to Council Member Gamble to see if it met her approval before filing the paperwork with the city, was the proper way to do business in



Metro Planning Commission Meeting of 06/24/21

Wilmore Properties LLC

1055 Ridgecrest Drive
Oudlettsville, TN 37072

Office: 615-559-4111
Cell: 615-405-4065

Nashville. Council Member Gamble said she liked the plan and that she thought it was a good fit for the community and then the following week all communication ended. She then filed to remove the current SP.

I suppose that my concern is that if, we had filed the paperwork before meeting with the council member, that the SP would have still been in good standing. But, instead when we requested Council Member Gambles thoughts, then she requested to remove the SP. As a member of the community that concerns me. It concerns me because we should be able to speak to our elected officials without fear of them turning around and doing something to ruin years of work that we have done. I do understand that a council member may at any time after year 6 request to remove a SP, but she didn't. She requested to remove the SP after Ryan Homes had spent 10s of 1000s of dollars trying to develop an acceptable plat for council review. The request to remove the SP should have been asked prior to the meeting with the developer, not after the developer has had meeting with the council member seeking approval.

Now, I definitely mean no disrespect by anything that I trying to say. I am just writing as an owner of the property, a business owner in the community, and as a concerned citizen wanting to operate a business of integrity. I'm also hoping that the same integrity would be afforded to me. Through the municipality that I am doing business with.

Sincerely,

Winston Templet



Metro Planning Commission Meeting of 06/24/21



Civil Engineering • Land Surveying • Land Planning

June 10, 2021

Ms. Amelia Lewis
Metro Planning Department
800 2nd Ave South
Nashville, TN 37210

Re: The Cove at Whites Creek SP – Periodic Review
Case No. 2010SP-002-002

Dear Ms. Lewis:

We are the civil engineering and planning consultants that designed The Cove at Whites Creek SP for our client, Mr. Winston Templet. When Mr. Templet purchased the property in 2006, it consisted of an old trailer park with 23 trailers on a septic system (see attached photos). He asked us to design a plan that would create a more attractive, affordable housing option for the area than a trailer park. We designed the plan, and it was approved by Metro Planning Commission on 6/10/2010. The zoning became effective on 10/04/2010.

Over the years, we have been approached by several groups that were interested in purchasing and developing the SP. In 2015, a developer wanted to purchase and develop Phase 1 of the SP (containing 45 units), so we prepared the attached Preliminary Site Plan, along with a construction cost estimate. However, none of the interest in this property resulted in any final development plans for various reasons, mainly due to unfavorable economic conditions in the real estate industry at the time.

In January of 2021, Mr. Templet told us that national home builder NVR/Ryan Homes was interested in buying and developing the SP and wanted us to meet with them to discuss minor changes to the project. We were retained by Ryan Homes on 1/18/2021 to prepare a revised SP plan that used their townhome product and eliminated the stacked flat/commercial component on the front portion of the site. Our agreement also included using Duane Cuthbertson, an urban planner, as a liaison between District Councilmember Jennifer Gamble, the neighborhood, and Metro Planning to present the revised SP plan. Mr. Cuthbertson immediately contacted Councilmember Gamble, and after numerous meetings between Mr. Cuthbertson, Councilmember Gamble, and Ryan Homes, we completed the attached Revised SP Plan on 3/21/2021.



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The following table represents a timeline of Mr. Cuthbertson's activity on this project:

| Date | Activity Description |
|----------|---|
| Jan 2021 | Duane Cuthbertson ("DC"), an urban planning consultant retained by Wamble & Associates, contacted Councilmember ("CM") Jennifer Gamble regarding a Final Site Plan for the Cove at Whites Creek SP. DC emailed details related to the SP and indicated we (and our clients) would like to talk with her. |
| 1/21/21 | DC spoke with CM Gamble about our initial ideas, and they set up a date to meet over Zoom. |
| 1/29/21 | Jackson Nichols (Ryan Homes) and DC spoke with CM Gamble via Zoom. The SP plans were shown and discussed in detail. CM Gamble was receptive to the ideas of slightly reducing the density and not pursuing the commercial and stacked flats portion of the SP and did not indicate any concerns with whether the SP was active. DC indicated we would work on the site plan and come back to her when we had a more fine-tuned concept. |
| 3/22/21 | DC followed up with CM Gamble, indicating we had a site plan ready to submit to Metro Planning to start meaningful work on obtaining approval. CM Gamble was receptive to reviewing the site plan and they coordinated to meet over Zoom. |
| 3/25/21 | DC met with CM Gamble over Zoom and showed her the revised SP plan. Again, she was receptive and seemed positive that we were reducing the density from what was originally approved. She asked us, as a courtesy, to meet the community on April 8th. We agreed, as a courtesy, to meet with them before we submitted anything to Planning. |
| 4/08/21 | DC met with an organized part of the community. They were not receptive to the plan. One of the participants asked about prior development on the site and stated that we might not have an 'Active SP'. After that meeting, DC made several attempts to reach out to CM Gamble by phone to follow up on the community meeting. His voice mail messages went unanswered. |
| 4/13/21 | CM Gamble submitted the Periodic Review to Planning. |
| 4/28/21 | DC sent email to request a pre-application meeting with Metro Planning staff in preparation for submitting a Final SP application. |
| 5/10/21 | Jason Swaggart (Metro Planning) called DC in response to our request for a pre-application meeting to review our Final Site Plan concept. He informed DC at the beginning of the conversation that a Periodic Review had been filed by CM Gamble and indicated that Planning staff could not discuss the SP until the Periodic Review was complete. |

It is important to note that in 2021, Wamble & Associates has so far generated invoices totaling \$17,000.00 to perform work on this project related to developing a revised SP plan and facilitating meetings with Councilmember Gamble, the neighborhood, and Metro Planning to obtain approval of the proposed layout changes for the SP. Mr. Templet, Ryan Homes, and Wamble & Associates have spent the last six months committed to developing this project.

Ultimately, if this SP zoning is vacated, the most viable re-development chance for this property goes away, and Mr. Templet will have no other option than to continue operating the trailer park as it currently exists; it will not be economically feasible to redevelop this property at a one-lot per two-acre density due to the high cost of constructing public infrastructure, including gravity sewers.



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We are requesting that you please recommend to Metro Planning Commission that the SP is valid and should remain in place.

We appreciate your time and consideration to this request. If you have any questions or need any other additional information, please don't hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "James D. Wamble".

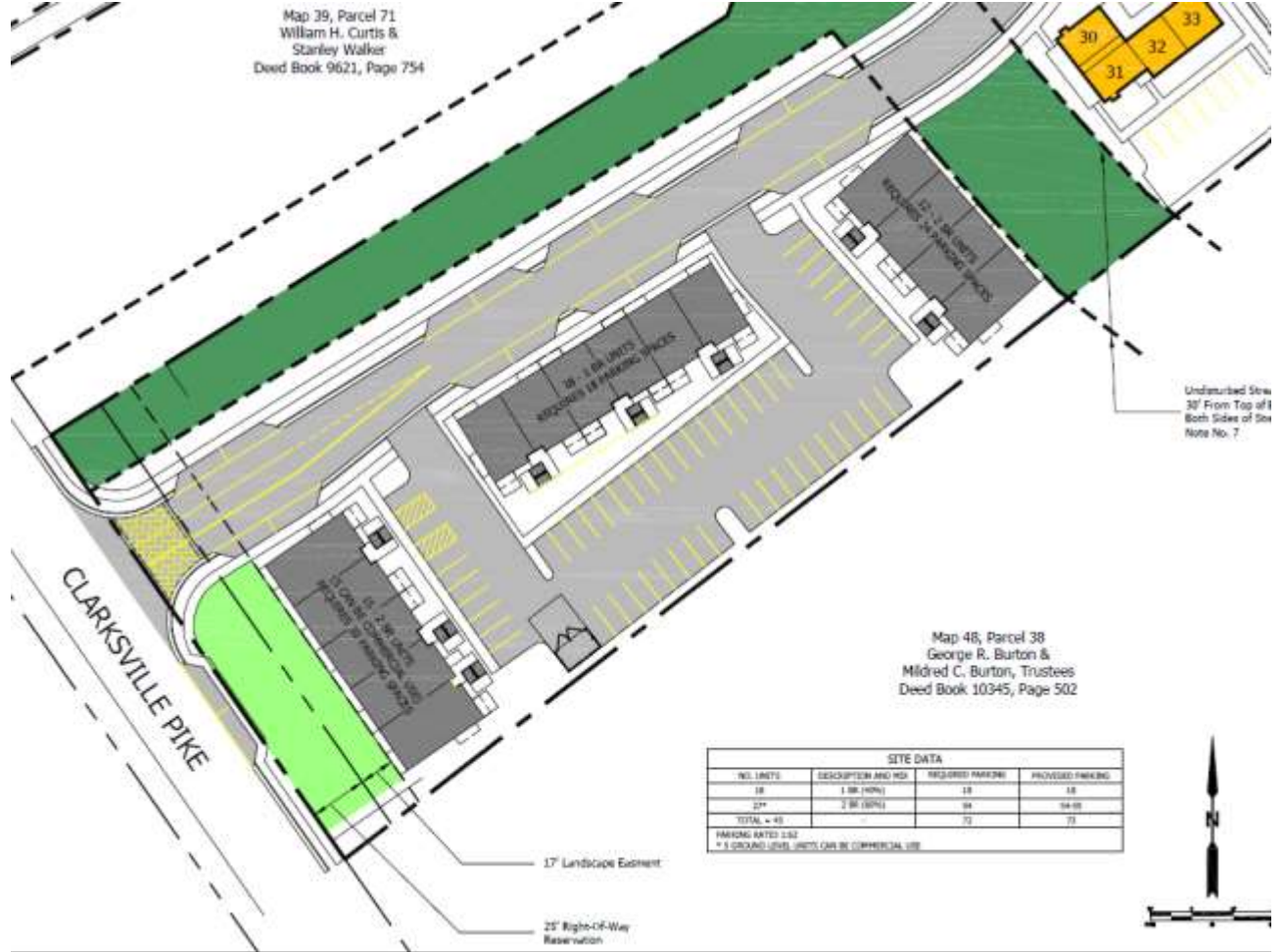
James D. Wamble, P.E., R.L.S.

JDW/kl

enc.



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2010 Phase 1 Plan



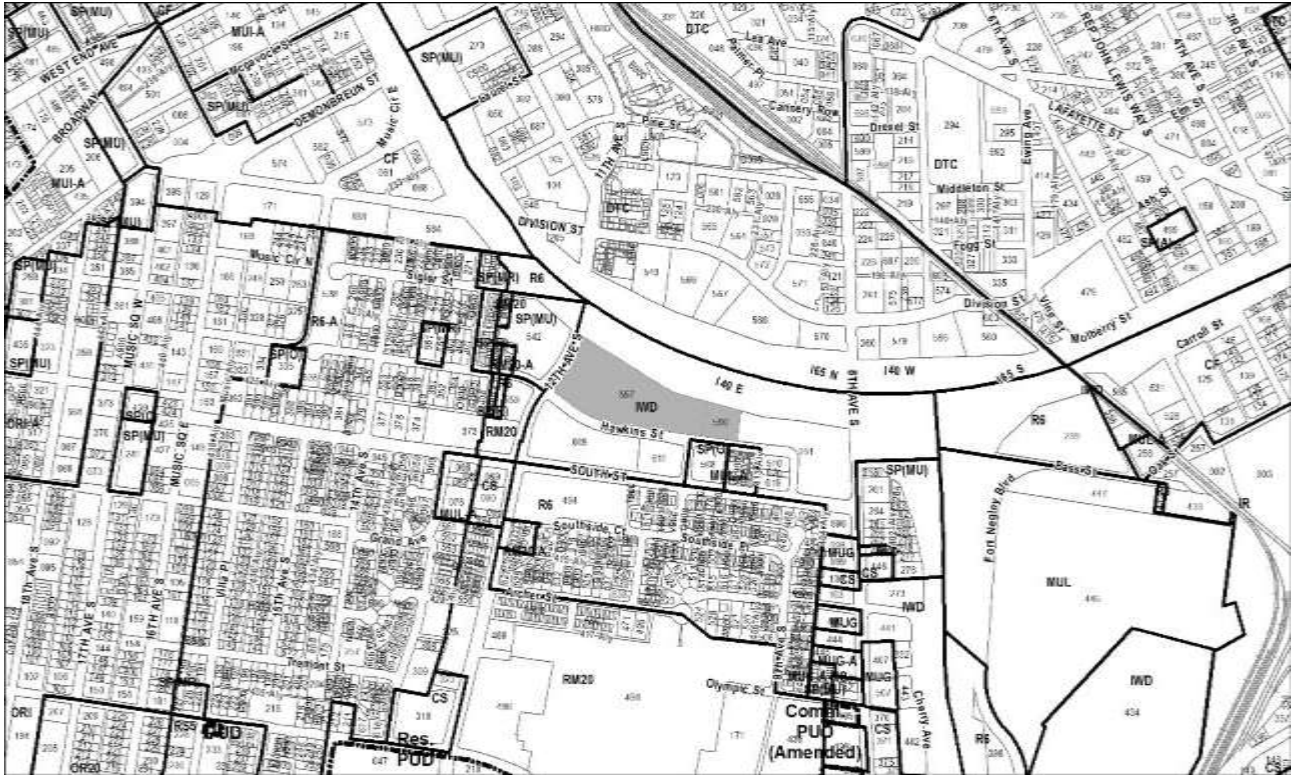
Metro Planning Commission Meeting of 06/24/21



2021 Proposed Revised preliminary plan (not officially submitted)



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2021SP-023-001

NORTH EDGEHILL COMMONS

Map 093-13, Parcels 557

Map 093-14, Parcels 590

10, Green Hills – Midtown

19 (Freddie O’Connell)



Project No. Specific Plan 2021SP-023-001
Project Name North Edgehill Commons
Council District 19 – O’Connell
School District 05 – Buggs
Requested by Tuck Hinton Architecture and Design, applicant;
 Beaman Motor Company, owner.

Staff Reviewer Swaggart
Staff Recommendation *Hold the public hearing. Defer to the July 22, 2021, Planning Commission meeting and modify the plan as outlined in the Staff Report.*

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 920 and 1000 Hawkins Street, at the northeast corner of 12th Avenue South and Hawkins Street (6.79 acres), to permit a mixed use development.

Existing Zoning

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

Proposed Zoning

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

SITE CONTEXT AND PLAN DETAILS

The approximately seven acre site is located at the northeast corner of 12th Avenue South and Hawkins Street. Interstate 40 runs along the northern site boundary. The site is relatively flat and is developed. The site is occupied by Beaman Body Shop, which includes a large building and surface parking lots. Surrounding zoning districts include DTC, IWD, SP, MUL and RM20.

SP Plan

The plan includes various mixed-use buildings. All uses of MUG-A are permitted with the exception of the following: alternative financial services, auto repair, auto sales, gas station and short-term rental property – not owner occupied. The plan calls for a maximum of 600 multi-family dwelling units, 200 hotel rooms, and 35,000 sq. ft. of rentable space for permitted non-residential uses. Buildings vary in height from five stories to ten stories with the tallest building located at the northwest corner of the site along 12th Avenue South and the interstate. The building steps down to six stories at the intersection of 12th Avenue South and Hawkins Street.



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Proposed site plan



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Buildings along Hawkins Street are five stories and seven stories. The building internal to the site along the interstate is eight stories.

The plan includes standards pertaining, but not limited, to building frontage, build-to along public streets, ground floor access, glazing, and screening for parking structures visible from a public street. The plan also includes various illustrative images further demonstrating these requirements and providing a visual representation of the project.

Vehicular access points are shown on 12th Avenue South and Hawkins Street. One drive is located on 12th Avenue South and four are located along Hawkins Street. Internal drives are private and include parallel parking and perpendicular parking along the drives. Parallel on-street parking is also shown along Hawkins Street. Structured parking will provide a majority of the required parking. Vehicular and bicycle parking will conform with Metro Zoning Code requirements and a multiuse path is shown along the interstate and runs from the eastern property line to 12th Avenue South.

GREENHILLS – MIDTOWN COMMUNITY PLAN

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

ANALYSIS

In reviewing the proposed plan against the land use policy, staff has several concerns including: height, massing, street connectivity, access, and open space.

The T4 MU land use policy indicates that heights are generally 3 to 5 stories, but that additional height may be considered in certain circumstances based on location and site characteristics. Given the location along 12th Avenue, which is a mixed-use arterial and along the interstate, additional height may be considered on portions of the site. Overall project design is also taken into account when considering additional height. While additional height may be appropriate on portions of this particular site, staff finds that the proposed height generally exceeds that which is supported by the policy, given the context around this site to the south.

In the analysis, staff considered development in South Gulch and the surrounding zoning and development pattern. This property is uniquely situated across the interstate from the South Gulch where buildings of 20 stories and above may be permitted. The interstate acts as a dividing point between downtown and the lower intensity residential neighborhoods to the south. The zoning one block south of the site is one and two family residential (R6) and the overall development pattern includes two- and three-story homes. The zoning pattern along 12th Avenue South, south of the interstate is a mixture of zoning districts including R6, RM20 and RM20-A, CS, MUL-A and SP. Development includes a mixture of single-story commercial buildings, two and three-story condos and one-story homes. The SP on the opposite side of 12th Avenue South permits a mixture of commercial and residential and has a maximum height of five stories. Given the existing development pattern, heights of existing development, and zoning of the



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properties on the south side of the interstate, staff finds that ten stories is too tall and does not provide the appropriate transition between South Gulch and developments south of the project site.

The plan includes one large building along 12th Avenue South that goes from ten stories at the corner stepping down to five stories. Due to the width of the site along 12th Avenue South, the massing of one large building along 12th Avenue is not appropriate. The buildings along 12th Avenue South should be broken up so that there are breaks between buildings. The appropriate distance of separation between buildings is closely tied to building height so it is important that the height issue be resolved prior to approval of the SP. The spaces between buildings could include outdoor amenity areas such as plazas and/or pedestrian pathways. A new pedestrian only street connection to 12th Avenue South between buildings could also provide the appropriate separation. There is an Detailed Neighborhood Design Plan (DNNDP) that includes consideration of this site. The DNNDP was a publicly-vetted document that lays out a grid street network on the site with a connection to 12th Avenue South. Staff considered this approach as a possible solution; however, after further study and consideration by Planning and Public Works and given planned pedestrian and bikeway improvements along 12th Avenue south, additional curb cuts on 12th are not appropriate for a development of this magnitude.

Staff recommends a deferral to allow time for changes to be made to the site plan to address the outlined concerns and to allow time for Metro agencies to complete review. Height and massing have been the focal point of most conversations with the applicant; however, all of staff's concerns should be addressed. As stated above, height over five stories may be appropriate with the right design that addresses staff's concerns. Staff has several suggestions for the applicant and the Commission to consider which are as follows:

- Organize the site plan with a gridded network of drives and pedestrian infrastructure that more thoughtfully reflects the existing urban context of streets and block patterns.
- Provide an internal street network with access points to Hawkins Street. Two points of access to Hawkins may be feasible. Regardless, if there are one or two connections to Hawkins Street, one connection needs to line up with Southside Avenue. The network may be public or private and will depend on overall layout. Remove all direct vehicular access to 12th Avenue South; however, some service access may be appropriate.
- To reinforce a neighborhood-scale and high-quality urban design context, reduce the massing along 12th Avenue South and break up the long building wall on 12th (Building A). Consider two buildings at smaller scales with appropriate spacing between buildings situated on 12th. The spaces between buildings could include outdoor amenity areas such as plazas and/or pedestrian pathways. Height is a primary factor in determining the appropriate spacing between buildings.
- Reduce building height throughout the Plan. Seven stories along the interstate may be appropriate with portions of the building where the site slopes down going up to eight stories, with detailed elevations and design plans that demonstrate thoughtful and harmonious development. Reduce height to five stories at the intersection of 12th Avenue South and Hawkins Street and at other buildings along Hawkins Street, to be consistent with the policy.



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- Greenways or multiuse paths should be activated with trail-oriented uses, such as restaurants and retail. As currently located along the interstate, it is unclear whether this greenway or multiuse path will be treated as back of house, leftover space that may not be pleasing to pedestrians and cyclists. Consider shifting to areas more internal to the site and incorporating into other streetscape functions, such as a shared path. Buildings should orient toward this pedestrian infrastructure.
- Given the size of this property and the location, a coordinated open space concept should be an integral part of the site plan. As proposed, the central open space is surrounded on all sides by streets/drives, limiting safe pedestrian access. Consider relocating or redesigning the central green to a location that is connected to buildings or reduce the streets surrounding the open space to better enhance pedestrian usability.

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

Returned for corrections (as of 5/24)

- Provide a Water Quality Concept.
- Provide Additional Room for Detention.

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. A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (Per Capacity Study Permit # T2021013792).

PUBLIC WORKS RECOMMENDATION

Defer to allow time for modifications to plan

- A complete TIS package was not submitted to MPW for detailed review and analysis of the projects impact.
- Comply w/ MPW traffic comments.
- Call out ramps, sidewalks, curb & gutter, etc. per MPW standard details.
- Confirm loading/unloading for waste/recycle disposal is internal(garages).
- Indicate interior streets as private.
- 12th Avenue is identified in the WalknBike plan for a major separated bikeway. With the next resurfacing project on the corridor a road diet will be conducted, and separated bike lanes will be installed on both sides of 12th Avenue from Lawrence Avenue to Division Street. As the corridor redevelops, vehicular access on 12th Avenue should be reduced



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and/or restricted. Revisions to the site layout should be conducted to better address mobility concerns on 12th Avenue.

- Prior to approval, the street hierarchy of 12th Ave S and Hawkins Street should be reconsidered with MPW and MPC staff.

TRAFFIC AND PARKING RECOMMENDATION

Defer to allow time for modifications to plan

- A TIS was not submitted.
- 12th Avenue is identified in the WalknBike plan for a major separated bikeway. With the next resurfacing project on the corridor a road diet will be conducted, and separated bike lanes will be installed on both sides of 12th Avenue from Lawrence Avenue to Division Street. As the corridor redevelops, vehicular access on 12th Avenue should be reduced and/or restricted. Revisions to the site layout should be conducted to better address mobility concerns on 12th Avenue.
- Prior to approval, functionality of Hawkins Street should be reconsidered.

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Warehousing (150) | 6.79 | 0.8 F | 236,617 SF | 419 | 40 | 45 |

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 (221) | - | - | 600 U | 3,268 | 199 | 247 |

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 |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Office (710) | - | - | 160,000 SF | 1,674 | 177 | 177 |

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 |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Hotel (310) | - | - | 200 Rooms | 1,831 | 95 | 124 |

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Retail (820) | - | - | 35,000 SF | 1,321 | 33 | 133 |



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Traffic changes between maximum: IWD and SP

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +7,675 | +464 | +636 |

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-MU district: 31 Elementary 21 Middle 21 High

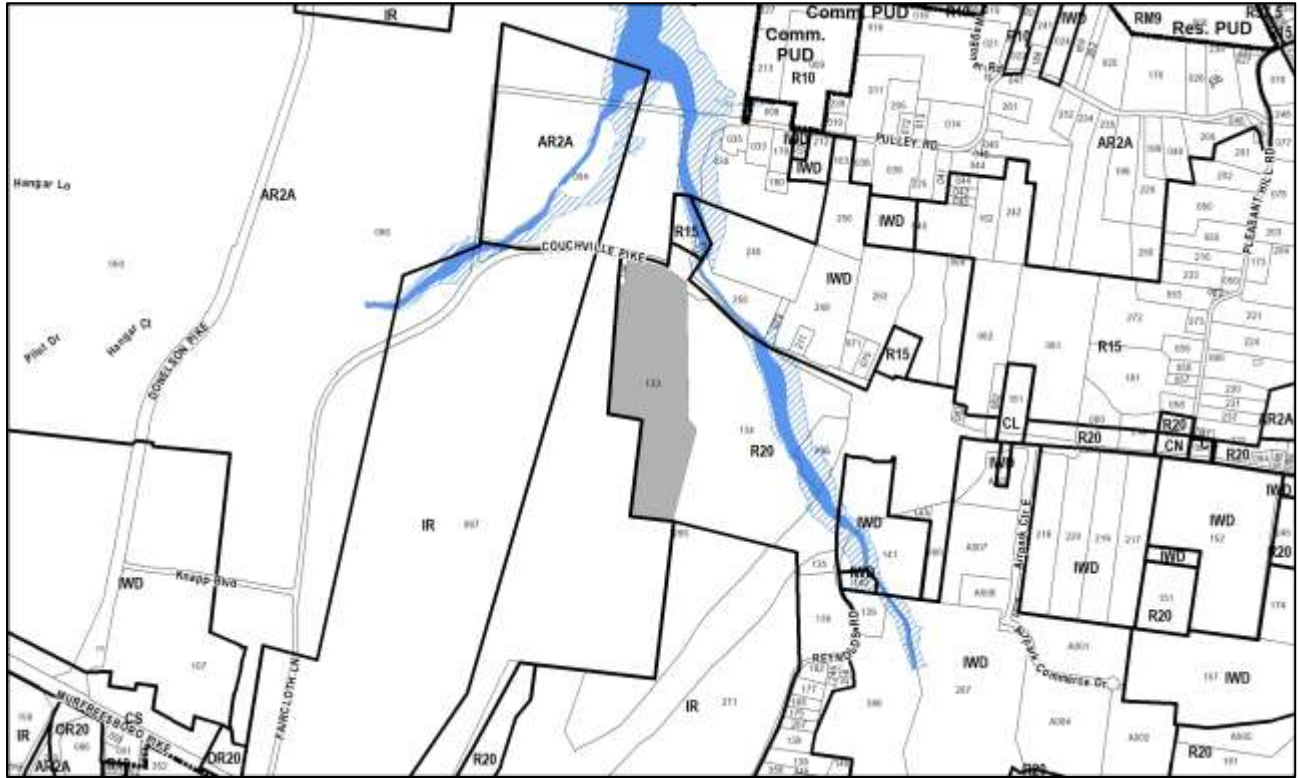
The proposed SP-MU zoning district is expected to generate 73 additional students than what is typically generated under the existing IR zoning district. Students would attend Waverly-Belmont Elementary School, J.T. Moore Middle School, and Hillsboro High School. Waverly-Belmont Elementary and Hillsboro High School are identified as having additional capacity. J.T. Moore Middle School is identified as overcapacity. This information is based upon the 2020-2021 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends that the Commission hold the public hearing and defer to the July 22, 2021 Planning Commission meeting and modify the plan as outlined in the Staff Report, with any additional guidance from the Planning Commission.



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2021SP-027-001
2377 COUCHVILLE PIKE
Map 121, Parcel(s) 133
13, Antioch – Priest Lake
29 (Delishia Porterfield)



Project No. Specific Plan 2021SP-027-001
Project Name 2377 Couchville Pike
Council District 29 – Porterfield
School District 07 – Player-Peters
Requested by Energy Land and Infrastructure, applicant; Tommy Estes, owner.

Deferrals This item was deferred at the April 22, 2021, and May 27, 2021, Planning Commission meetings. No public hearing was held.

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

APPLICANT REQUEST

Preliminary SP to permit industrial uses.

Zone Change

A request to rezone from One and Two-Family Residential (R20) to Specific Plan – Industrial (SP-IND) zoning for property located at 2377 Couchville Pike, approximately 1,485 feet east of Pulley Road (34.77 acres), to permit industrial uses.

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 75 lots with 18 duplex lots for a total of 93 units based on acreage alone. Any subdivision would be required to comply with Metro Subdivision Regulations. Duplex eligibility would be determined by Metro Codes Department.*

Proposed Zoning

Specific Plan – Industrial (SP-IND) 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 industrial uses.*

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

D Impact (D I) is intended to enhance and create areas that are dominated by one or more activities with the potential to have a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Examples of DI areas include hazardous industrial operations, mineral extraction and processing, airports and other major transportation terminals, correctional facilities, major utility installations, and landfills.



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DEVELOPMENT STANDARDS

Case Number: 2021SP-027-001
 Parcel Address: 2377 Couchville Pike
 Parcel ID: 12100013300
 Existing Zoning: R20
 Proposed Zoning: Regulatory SP (based on IWD)

Proposed Development Standards: Standards within this SP shall be limited to those conforming with IWD zoning, with the following limitation:

1. The maximum total floor area for buildings on the property will be 500,000 square feet (SF). (This corresponds to a maximum FAR of 0.33 for the 34.77-acre parcel.)

Proposed Land Uses: Land Uses within this SP shall be limited to those conforming with IWD zoning, except the following will be prohibited:

Office Uses

1. Alternative financial services

Utility Uses

12. Wastewater treatment
13. Water treatment plant

Medical Uses

2. Nonresidential drug treatment facility
3. Outpatient Clinic

Waste Management Uses

14. Collection center
15. Medical waste
16. Recycling collection center
17. Recycling facility
18. Sanitary landfill
19. Waste transfer

Commercial Uses

4. Beer and cigarette market
5. Carpet cleaning
6. Donation center, drop-off
7. Flea market
8. Laundry plants
9. Liquor sales

Recreation and Entertainment Uses

20. Adult entertainment
21. Racetrack
22. Sex club

Transportation Uses

10. Boat dock (commercial)
11. Water Taxi Station

Other Proposed Development Standards: Standards within this SP shall also include the following:

1. The Final SP will be waived as a separate submittal and will be combined with building permit review.

Development Standards

regulatory SP at 2377 Couchville Pike

Proposed Preliminary SP



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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.

SITE CONTEXT AND PLAN DETAILS

The 34.77 acre site is located on the south side of Couchville Pike, east of the intersection of Couchville Pike and Pulley Road.

The area is generally a mix of agricultural, residential, and industrially zoned properties. The properties to the north are primarily zoned Industrial Warehousing/Distribution (IWD) and One and Two-Family Residential (R15). The properties to the east, south, and west are zoned Agricultural/Residential (AR2a), R20, IWD, and Industrial-Restrictive (IR). The land use map of the surrounding properties shows a mix of uses including industrial, low density residential, institutional, and vacant or farmland.

The proposed SP is regulatory. The application was originally filed as a straight rezoning to IWD. A rezoning to IWD on this site would permit over one million square feet of building area given the large area of the site and permitted FAR. It would also have permitted a variety of uses. Through conversations with staff, the council member, and the community, a regulatory SP to limit the maximum allowable square footage and limit uses was proposed. The standards include a maximum of 500,000 square feet of building area on the site. The permitted uses in the SP include all uses of IWD with the exception of the prohibited land uses as identified on the development standards. The proposed SP includes a standard that the Final SP shall be submitted with the building permit review. At this time, demonstration with all standards of the SP including FAR and use, as well as compliance with all Metro regulations include zoning code and approval by other departments will be required.

ANALYSIS

The intent of the District Impact policy is to create and enhance areas that are dominated by one or more activities that have, or can have, a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. The proposed rezoning from R20 to a regulatory industrial based SP is more consistent with the intent of the policy. A proposed residential use, as permitted by the existing zoning on the site, would not be appropriate given the policy of the site and the policy on the surrounding properties. The proposed SP permits a range of industrial uses which are the types of uses anticipated by the policy. The environmental features on the site are identified by the CO Policy on the site. There is an existing stream along the northern half of the site and several areas with slopes exceeding 15 percent. The permitted square footage on the site proposed within the SP limits the amount of buildable area, which is appropriate given the environmental features on the site.



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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

- Final Site Plans and Building Permits must comply with all Stormwater regulations set at the time of final submittal.

WATER SERVICES RECOMMENDATION

Approve with conditions

- 2377 Couchville Pike (12100013300) Approved as a regulatory SP only. Public water and/or sanitary sewer construction plans and/or Private Site Utility Plans must be submitted and approved prior to Final Site Plan Approval, and/or Building Permits and Service Connections. The approved construction plans must match any Final Site Plan/SP plans. A Capacity Study must take place and the required capacity reserved by confirmation of capacity fee payment prior to Building Permits or Service Connections. There is currently no sanitary sewer adjacent to this site and it is served by a 3-inch water main without public fire hydrants. There is an existing 10-inch water main and public fire hydrant approximately 1000 feet East of this Parcel (133).

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 the MPW Traffic Engineer conditions of approval.
- Coordinate with Metro Codes Dept on compliance with the Metro Code provision of sidewalks.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study was conducted to assume a maximum development of 500,000 square feet of warehouse. A westbound left-turn lane at the proposed access is required unless an access study is conducted prior to Final SP approval.
- Development may be required to widen a portion of Couchville Pike to accommodate increased truck traffic. Specifics shall be finalized prior to Final SP approval.



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Maximum Uses in Existing Zoning District: **R20**

| 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) | 34.77 | 5.445 D | 64 U | 690 | 51 | 67 |

*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 |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Warehousing (150) | 34.77 | - | 500,000 SF | 836 | 86 | 88 |

Traffic changes between maximum: **R20 and SP**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | - | +146 | +35 | +21 |

METRO SCHOOL BOARD REPORT

As the proposed SP would not permit residential uses, it is not expected to generate any additional students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 500,000 square feet of the uses permitted within the SP.
2. The Final SP submittal may be waived with the building permit application.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the IWD zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Final SP plan and/or building permits shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Minor modifications to the Preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the



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objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

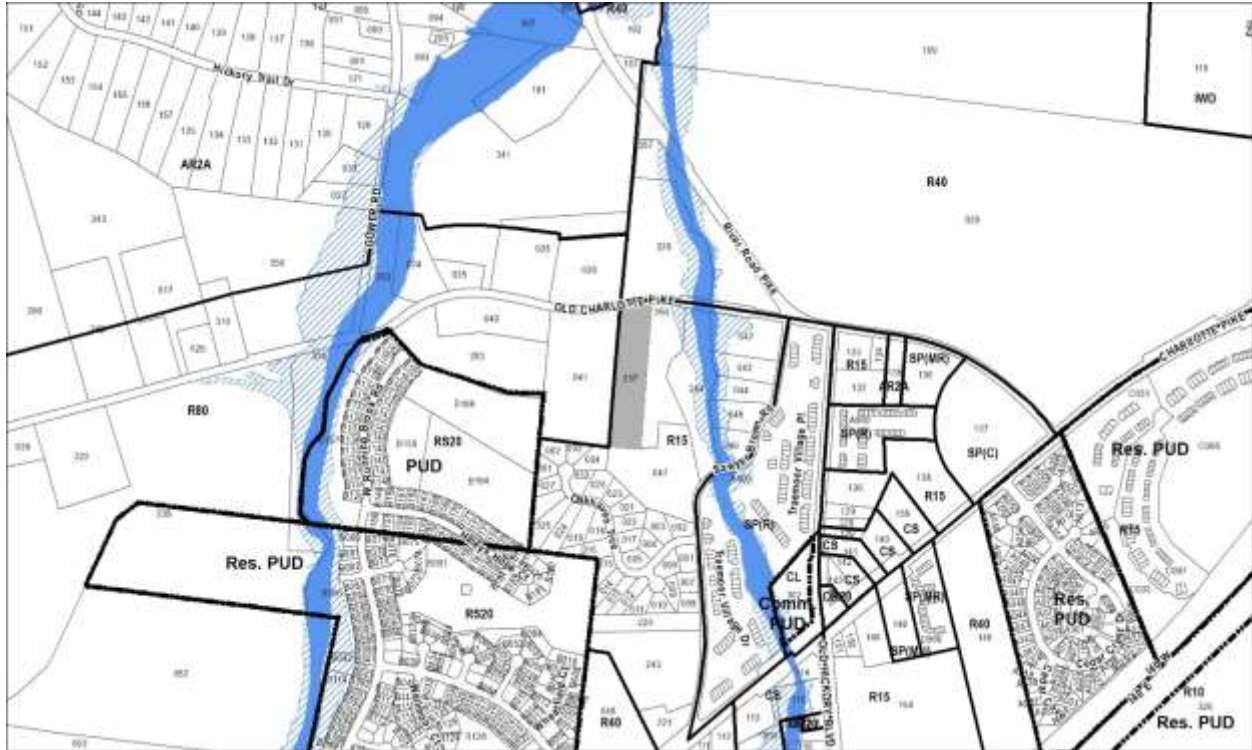
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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2021S-044-001

TEMPLE HEIGHTS

Map 114, Parcel(s) 237

06, Bellevue

22 (Gloria Hausser)



Project No. Concept Plan 2021S-044-001
Project Name Temple Heights
Council District 22 – Hausser
School District 09 – Tylor
Requested by Doyle Elkins, applicant; Vidya Bethi, owner.

Deferrals This item was deferred from the June 10, 2021, Planning Commission meeting. No public hearing was held.

Staff Reviewer Elliott
Staff Recommendation *Approve with conditions.*

APPLICANT REQUEST

Concept plan approval to create 7 lots.

Concept Plan

A request for concept plan approval to create six single-family lots and one duplex lot on property located at Old Charlotte Pike (unnumbered), approximately 800 feet west of Sawyer Brown Road, zoned One and Two-Family Residential (R15) (4.0 acres).

SITE DATA AND CONTEXT

Location: The site is located at the south side of Old Charlotte Pike, west of the intersection of Old Charlotte Pike and River Road Pike.

Street Type: The site has frontage onto Old Charlotte Pike and Old Charlotte Pike is classified as a Collector Avenue in the Major and Collector Street Plan. The plan proposes a single local street that terminates in a cul-de-sac.

Approximate Acreage: The proposed area for subdivision is 4 acres or 174,121 square feet.

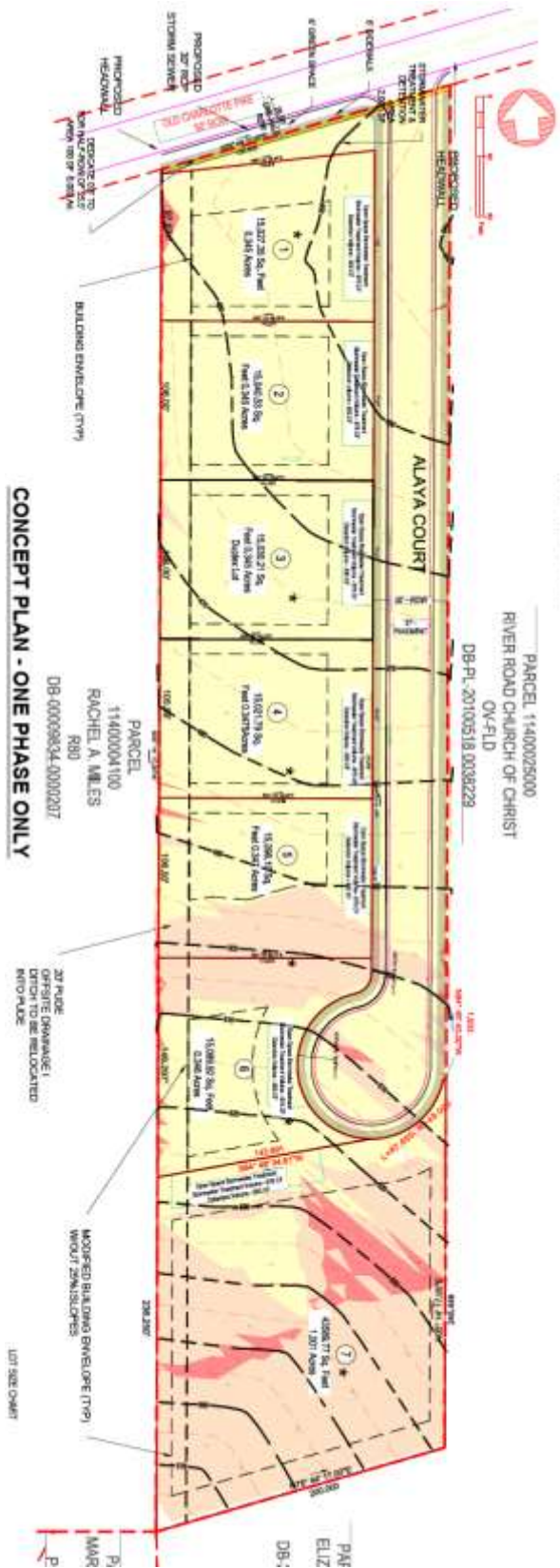
Parcel/Site History: This site is comprised of one parcel and the parcel has existed since at least 1976. The site is currently vacant.

Zoning History: The site has been zoned R15 since at least 1974 (O73-650).

Existing land use and configuration: The one parcel site is currently vacant with no access currently being provided from Old Charlotte Pike.

Surrounding land use and zoning:

- North: One and Two-Family Residential (R40), One and Two-Family Residential (R80)
- South: One and Two-Family Residential (R15)
- East: One and Two-Family Residential (R15)
- West: One and Two-Family Residential (R80)



Proposed Concept Plan



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Zoning: One and Two-Family Residential (R15)

Min. lot size: 15,000 square feet

Max. height: 3 stories

Min. street setback for properties on Alaya Court: 30'

Min. rear setback for all properties: 20'

Min. side setback for all properties: 10'

Maximum Building Coverage: 0.35

PROPOSAL DETAILS

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

Number of lots: 6 single-family lots and one duplex lot for a total of 7 lots.

Lot sizes: All lots are approximately 0.34 acres (15,000 square feet) with lot 7 being approximately 1 acre.

Access: The lots have frontage onto proposed street Alaya Court and the site draws access from Old Charlotte Pike.

Open space: Open space is not required as a part of this subdivision.

Subdivision Variances or Exceptions Requested: None.

APPLICABLE SUBDIVISION REGULATIONS

Volume III of NashvilleNext, the General Plan for Nashville and Davidson County, contains the Community Character Manual (CCM) which establishes land use policies for all properties across the county. The land use policies established in CCM are based on a planning tool called the Transect, which describes a range of development patterns from most to least developed.

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within a T3 Suburban Neighborhood Evolving (T3 NE) policy. For sites within the T3 Suburban transect land use policies including T3 NE, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

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



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3-2 Monument Requirements

Permanent monuments, in accordance with this section of the regulations, shall be placed in all subdivisions when new streets are to be constructed.

3-3 Suitability of the Land

The subject property contains areas of significant slopes and as a result 6 of the 7 proposed lots are designated as Critical Lots and will be subject to the Hillside Development Standards of the Zoning Code. The applicant has provided a preliminary grading study and description of measures to be taken and the proposed subdivision is using adequate methods to solve the problems created by unsuitable land conditions.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the R15 zoning. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R15 zoning at the time of building permit.

3-5 Infill Subdivisions

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

3-6 Blocks

The application proposes to create an approximately 600' long public street along the eastern property boundary that terminates with a cul-de-sac. Section 3-6.2 limits block lengths in residential areas to no more than 1,200 feet and no less than 200 feet, or four lot widths, whichever is greater. The proposed street creates the opportunity for future right-of-way connections and complies with the block length section of the Subdivision Regulations.

3-9 Requirements for Streets

The application proposes a single dead-end street that is approximately 600' in length. Section 3-9 of the Subdivision Regulations limits dead-end streets to 750' so the proposed street complies with this standard. Public street requirements are reviewed by Metro Public Works. Public Works has reviewed the concept plan and found it to be in compliance with the standards of this section subject to several conditions. Those conditions are listed in the recommendations from all agencies section below.

3-10 Requirements for Dedication, Reservations, or Improvements

The application proposes a local street with 50 feet of right-of-way and proposes to dedicate the necessary right-of-way for Old Charlotte Pike to make the planned improvements per the Major and Collector Street Plan.



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3-11 Inspections During Construction

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after approval of a final site plan by all reviewing agencies. Required public infrastructure must be inspected and accepted for dedication prior to recording of a final plan, or the applicant may choose to post a bond securing the required public improvements.

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

Public Works reviews street names and signage requirements for public roads and has recommended approval of this concept plan. See comments in the recommendations from all agencies section below.

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

Not applicable to this case. The proposal does not include private streets.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Public Water is provided to this site by Harpeth Valley Utilities District (HVUD). HVUD has reviewed this plan and has recommended approval with conditions. These conditions are listed in the recommendations from all agencies section below.

3-16 Sewerage Facilities

Public sewer is available to this site from Harpeth Valley Utilities District (HVUD). HVUD has reviewed the plan and found it to be in compliance with all requirements of this section subject to conditions. Those conditions are listed in the recommendations from all agencies section below.

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed and the concept plan states this will be done with this development.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations for a major subdivision and the standards of the Metro Zoning Code. Staff recommends approval with conditions.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues



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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

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Add note: Final construction plans and road grades shall comply with the design regulations established by the Department of Public Works. Slopes along roadways shall not exceed 3:1.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Adequate intersection sight distance per AASHTO is required at the new access point. Provide filed run sight distance data with final plans.

WATER SERVICES RECOMMENDATION

N/A

- Harpeth Valley Water and Sewer Utility District.

HARPETH VALLEY UTILITY DISTRICT

Approve with conditions

- See Availability of Water and Wastewater Service letter dated March 16, 2021, from Jay Tant, Assistant General Manager, Harpeth Valley Utilities District.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

RECOMMENDED ACTION

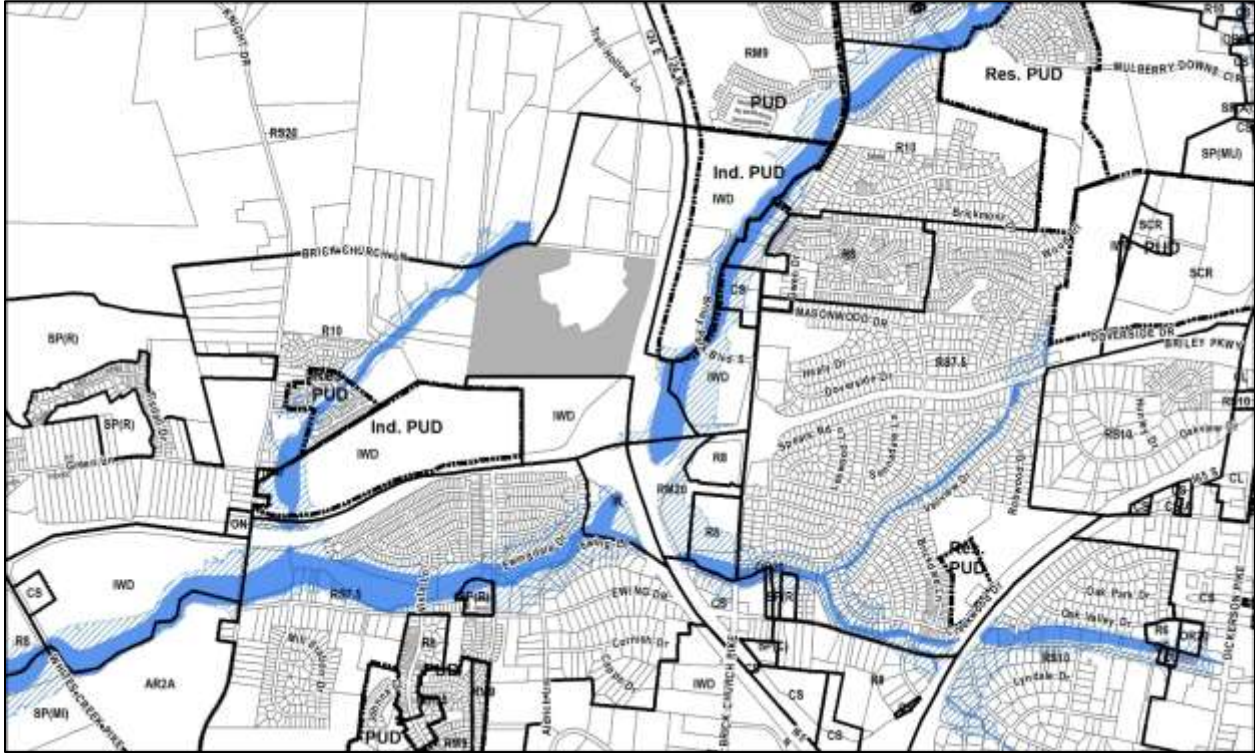
Motion to approve with conditions proposed subdivision Case No. 2021S-044-001.



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2021S-069-001

HEARTLAND NORTH

Map 050, Parcel 099

03, Bordeaux – Whites Creek – Haynes Trinity

03 (Jennifer Gamble)



Project No. Final Plat 2021S-069-001
Project Name Heartland North
Council District 03 – Gamble
School District 01 – Gentry
Requested by Civil Site Clarksville, applicant; Parkwood Estates, owner.

Deferrals This request was deferred from the April 22, 2021, May 13, 2021, and June 10, 2021, Planning Commission meetings. A public hearing was at the May 13, 2021, meeting and remains open.

Staff Reviewer Swaggart
Staff Recommendation *Approve with conditions.*

APPLICANT REQUEST

Concept plan to permit up to 170 residential dwelling units.

Concept Plan

A request for concept plan approval to create 114 single family lots and 28 two-family lots for a total of 170 residential dwelling units on property located at Brick Church Lane (unnumbered), approximately 2,500 feet east of Knight Drive, zoned One and Two-Family Residential (R10) (65.37 acres).

HISTORY

On November 11, 2017, the Planning Commission approved a concept plan for 193 single-family cluster lots on the subject site (Project No. 2017S-226-001). There was a challenge to the approval in Chancery Court and at the Appeals Court level. The Appeals Court has remanded the case back to the Planning Commission for consideration. The subdivision process for this subdivision includes three steps: concept plan, final site plan and final subdivision plat. A final site plan (Project No. 2017S-226-002) in accordance with Section 2-3 of the Subdivision Regulations was submitted on August 10, 2018. The final site plan was in the review process; however, the review ceased due to the lawsuit. While the final site plan review has ceased and does not have final approval, the plan has been approved by Stormwater, the Fire Marshal’s Office with conditions, Public Works with conditions and Traffic and Parking with conditions.

MAY 13, 2021, PUBLIC HEARING

A public hearing was held on May 13, 2021. The plan that was presented on May 13, 2021, consisted of 180 single family lots. The Commission had numerous concerns with the plan. Primary concerns pertain to the following:

- The overall amount of grading required.
- Grading techniques that created very steep slopes between lots.
- Placement of recreational areas.
- The transition from the rural policy area on the opposite side of Knight Drive.



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Proposed Concept Plan



Aerial Image



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- Lack of diversity in lot sizes.

In an attempt to address the concerns expressed by the Planning Commission, the applicant has revised the plan. Following are the more notable changes to the plan:

- The overall grading has been reduced.
 - Shifted western entrance road east maintaining the 2:1 grading to reduce impact to the 20% slopes along the TVA easement. Also moved bioretention area to the east side of the western entrance road.
 - Maintain 2:1 grading along western entrance road to reduce impact to 20% slopes in the TVA easement.
 - Roads and grading around the internal 20%+ slopes (natural and unnatural) have been adjusted to preserve these areas.
 - Reduced the grade of sloped areas.
 - Will utilize some split-level homes (basement) as opposed to all slab on grade.
- Added larger lots along at the beginning of the eastern entrance road closer to Knight Drive and removed lots from along the western entrance road in order to provide a better transition from the rural policy area on the opposite side of Knight Drive.
- Increased the diversity in lot sizes.
- Added two family lots
- Added and rearranged open space areas.

SITE DATA AND CONTEXT

Location: The single parcel that makes up the site is located on the south side of Brick Church Lane approximately 2,500 feet east of Knight Road. Interstate 24 abuts the eastern property line and the I-24 interchange with Briley Parkways abuts the southeastern corner of the site. A large Fed Ex terminal abuts the southern property line. The abutting land along the eastern property line consist of large tracts of residential land.

Street Type: The subject site has access to Brick Church Lane. The Major and Collector Street Plan (MCSP) identifies Brick Church Lane as a Suburban Residential Collector (T3-R-CA2). All new streets on the proposed concept plan are local public street.

Approximate Acreage: 65.37 acres or 2,847,517 sq. ft.

Parcel/Site History: This site is comprised of one parcel and is a platted lot. It is Lot 2 of the Wheeler Property Subdivision. The plat was recorded in 1995.

Zoning History: The site is zoned One and Two-Family Residential (R10). It has been zoned R10 since 1998. A very small portion of the northwest corner of the site is within the Flood Plain Overlay District.

Existing land use: The parcel is identified as vacant land.

Surrounding land use and zoning:

- **North:** Single-Family Residential (RS20)



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- **South:** Industrial Warehousing/Distribution (IWD)
- **East:** Industrial Warehousing/Distribution (IWD)
- **West:** One and Two-Family Residential (R10)

Zoning: One and Two-Family Residential (R10)

- Min. lot size: 10,000 sq. ft.
- Min. lot coverage: 0.40
- Max. height: 3 stories
- Min. street setback: 20’.
- Min. rear setback for all properties: 20’
- Min. side setback for all properties: 5’

PROPOSAL DETAILS

This proposal is for a subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal utilizes the by-right Cluster Lot Option standards of Section 17.12.090 of the Metro Zoning Code.

Number of lots: 114 single family and 28 two-family

Lot sizes: Lots range in size between 6,024 sq. ft. to 20,960 sq. ft.

Access: Access into the development is proposed from two new public streets that connect to Brick Church Lane. All lots will be accessed by new public streets. All new public streets meet the minimum requirements for local streets. The plan provides two stub streets.

Subdivision Variances or Exceptions Requested: None

CLUSTER LOT OPTION

Plan Requirements (Section 17.12.090.A)

The concept plan establishes that clustering is proposed and displays the layout of all lots and common areas. This cluster lot proposal includes only single-family lots. The concept plan delineates the alternative lot sizes to be employed and describes the land areas required to satisfy open space requirements.

Minimum Area Required to be Eligible (Section 17.12.090.B)

The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district. The site is zoned R10, which has a minimum lot area of 10,000 sq. ft. The minimum area within a cluster lot subdivision in the R10 district is 100,000 sq. ft. The site contains approximately 2,847,517 sq. ft. and exceeds the minimum area requirement to be eligible to utilize the cluster lot option.

Maximum Lot Yield (Section 17.12.090.E)

The Cluster Lot Option includes specific standards for calculation of maximum lot yield within a cluster lot subdivision that ensure that the maximum number of lots does not exceed what is permitted by the existing base zoning. The Zoning Code specifies that the lot yield shall be based on the gross acreage of the site, minus 15 percent of area which is reserved for streets, and then



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division of the remaining 85 percent of the gross area by the minimum lot size of the base zoning district.

The gross area of this site is approximately 65.37 acres or 2,847,517 sq. ft. The minimum lot size of the existing zoning district, R10, is 10,000 sq. ft.

$2,847,517 \text{ sq. ft.} \times 0.15 = 427,127 \text{ sq. ft.}$ (15% of the gross site area reserved for streets)
 $2,847,517 \text{ sq. ft.} - 427,127 \text{ sq. ft.} = 2,420,390 \text{ sq. ft.}$ (85% of the gross area remaining to yield lots)

$2,420,390 \text{ sq. ft.} / 10,000 \text{ sq. ft.} = 242 \text{ lots}$

The R10 Zoning District permits two-family lots. Section 17.16.030.D of the Zoning Code includes standards for two-family lots. In this case, the Zoning Code permits no more than 25% of the maximum number of lots to be duplex. Any duplex lot must be identified on the concept plan. This would allow for a total of 302 residential units.

$242 \text{ lots} \times 0.25 = 60 \text{ two-family lots}$
 $60 + 242 = 302 \text{ residential units}$

This plan includes 28 two-family lots. Combined with the 114 single-family lots, the plan permits up to 170 residential dwelling units. The 28 two-family lots are noted on the plat. While these lots permit up to two residential units, it is not required.

Open Space Requirements (Section 17.12.090.D)

A minimum of 15 percent of the gross land area of each phase is required to be provided as open space in a cluster lot subdivision. The proposed concept plan includes two phases. Phase 1 includes approximately 4.61 acres or 26% of the total land area in Phase 1 as open space. Phase 2 includes approximately 25 acres or 45% of the total land area in Phase 2 as open space. The total open space provided is approximately 27 acres or 41% of the site. The proposed open space exceeds the minimum requirement.

Recreational facilities are required for cluster lot subdivisions that contain 25 or more residential units. One facility is required for cluster lot subdivisions with 25 to 99 units. An additional facility is required for every 100 units in excess of 99. In this case, the plan would permit up to 170 units; therefore, one facility is required. Recreational facilities can include, but are not limited to playgrounds, swimming pools, ball fields, gazebos, picknick areas and walking trails. The plan calls for several active recreational areas in excess of what is required by the Code. The facilities shown on the plan include hiking trails, playground and fire pit. Passive areas of open space include landscape buffer yards and stormwater facilities.

Alternative Lot Sizes (Section 17.12.090.C)

Lots within a cluster lot subdivision may be reduced in area the equivalent of two smaller base zone districts. The subject site is zoned R10. A reduction of two base zone districts would be down to the R6 zone district. The R6 zone district requires a minimum lot size of 6,000 sq. ft. The smallest lot proposed in this subdivision exceeds the minimum 6,000 sq. ft. lot size



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requirement. It is important to note that lot size cannot be reduced for two-family lots. In this case all two-family lots must be at least 10,000 square feet. All lots identified for two-family are at least 10,000 square feet.

The bulk standards of the zoning district which most closely resembles the alternative lot sizes chosen for any given phase of the development shall be employed for that phase of the subdivision. As proposed, both phases meet this requirement.

Perimeter lots oriented to an existing street are required to be at least ninety percent of the minimum lot size of the actual zoning of the property. No perimeter lots oriented to an existing street are proposed.

Minimum lot size for perimeter lots not oriented to an existing street depend on the abutting residential zoning district. Lots may be reduced in size the equivalent of one zoning district (R10 to R8) with the installation of a standard B landscape buffer yard located within common open space, or reduced the equivalent of two zoning districts (R10 to R6) with the installation of a standard C landscape buffer yard located within common open space. Few lots are required to meet this requirement as they either abut a nonresidential district or do not directly abut a residential zoning district. As proposed, all lots abutting a residential zoning district meet the minimum lot size requirement.

Landscape Buffer Yard Requirements (Article IV)

When incompatible zoning districts abut, the Zoning Code requires landscape buffer yards between the incompatible districts. The zoning district abutting the southern property line is industrial (IWD). Section 17.24.230 of the Zoning Code dictates the type of buffer yard required. It requires a C landscape buffer yard between the R10 zoning district that applies to the proposed subdivision and the adjacent IWD zoning district. As proposed, the plan meets this requirement.

Hillside Development Standards (Section 17.28.030)

In general lots created under the cluster lot option shall be clustered on those portions of the site that have natural slopes of less than 20% grade. Areas with natural slopes that are 25% or greater shall be placed outside of building envelopes and preserved to the greatest extent possible. The Planning Commission may authorize lots with natural slopes 25% or greater subject to the concept plan demonstrating that the lots can meet the critical lot standards. These standards generally require building envelopes to be outside of the areas with 25% or steeper slopes. There are no lots proposed with natural slopes of 25% or greater. It is important to note that the Subdivision Regulations also includes hillside development standards.

Floodplain Development Standards (Section 17.28.40)

The northwest corner of the site along Brick Church Lane includes floodplain and floodway and is in the Floodplain Overlay District. This area is minimum and is located within open space. No development or disturbance is proposed in this area.



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Recreational Facilities (Section 17.12.090.G)

This section establishes the requirements for recreational facilities in subdivisions utilizing the cluster lot option. The concept plan proposes 180 lots and recreational facilities are provided which meet the minimum requirements for a cluster lot subdivision. As proposed, active areas include walking trails, gazebos, and a fire pit. The activities proposed within the open space areas may change with the final site plan and will have to meet this section of the Zoning Code.

APPLICABLE SUBDIVISION REGULATIONS

Volume III of NashvilleNext, the General Plan for Nashville and Davidson County, contains the Community Character Manual (CCM) which establishes land use policies for all properties across the county. The land use policies established in CCM are based on a planning tool called the Transect, which describes a range of development patterns from most to least developed.

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is within a T3 Suburban Neighborhood Evolving (T3 NE) policy. For sites within the T3 Suburban transect land use policies including T3 NE, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

Staff finds that all standards are met.

3-2 Monument Requirements

Monuments will be placed on property corners or referenced to property lines consistent with the requirements of the subdivision regulations.

3-3 Suitability of the Land

Land which the Planning Commission finds to be unsuitable for development due to flooding, steep slopes, rock formations, problem soils, sink holes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated.

The site contains areas of steep slopes as well as areas in floodplain and floodway. There are no lots proposed in areas with floodplain or floodway. Those areas are shown in open space. Any lot on natural slopes that are 20% or steeper are considered critical and must be designated as critical. Lots designated as critical must comply with the critical lot standards in the Zoning Code. The plan includes 38 lots designated as critical. A TVA power line and associated TVA easement bisects the site. As proposed, no lots are located within the TVA easement.



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3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R10 zoning at the time of building permit. All proposed lots have frontage on a new public street.

3-5 Infill Subdivisions

In order to ensure compatibility with the General Plan, the Commission has adopted specific regulations applicable to infill subdivisions, defined as residential lots resulting from a proposed subdivision within the R, R-A, RS, and RS-A zoning districts on an existing street. If a proposed infill subdivision meets all of the adopted applicable regulations, then the subdivision is found to be harmonious and compatible with the goals of the General Plan.

Not applicable. No lots are proposed on an existing street.

3-6 Blocks

All proposed block lengths meet the distance requirements as established in the subdivision regulations.

3-7 Improvements

Construction plans for any required public or private improvements (stormwater facilities, water and sewer, public roads, etc.) will be reviewed with the final site plan.

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

Sidewalks are required in association with new streets. The proposed subdivision includes new public streets. The proposed concept plan indicates sidewalks will be provided consistent with the local street standard. Sidewalks will be required at the time of building permit pursuant to Section 17.20.120 of the Zoning Code. Sidewalks construction is not required along Brick Church Lane through either the Subdivision Regulations or the Zoning Code.

3-9 Requirements for Streets

All streets as shown on the concept plan meet the minimum requirements for a public street.

3-10 Requirements for Dedication, Reservations, or Improvements

Vhoins Branch runs along the northwestern property line along Brick Church Lane. Plan To Play: The Nashville Parks and Greenways Master Plan identifies a long range future trail along Vhoins Branch. Since Vhoins Branch is identified as a long-range future trail, Section 3-10.6, of the Subdivision Regulations requires a publicly accessible greenway conservation easement along the stream. Final determination of the type of easement will be determined with the final site plan; however, it is likely that this requirement will require at least a 75' easement measured from the outer edge of the floodway. The easement also includes the floodway. Due to the steep slopes in the area along Vhoins



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Branch, the easement may need to be pushed further away to accommodate any future greenway multi-use path.

3-11 Inspections During Construction

This section is applicable at the time of construction, which for this proposed subdivision, will occur only after issuance of a building permit approved by Metro Codes and all other reviewing agencies.

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

Public Works will require the review and approval of streets with the submittal of the final site plan. Street names for new streets will be reserved at that time.

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

Not applicable to this case. The concept plan does not propose any new private streets.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Metro Water Services has reviewed this proposed concept plan for water and has recommended approval.

3-16 Sewerage Facilities

Metro Water Services has reviewed this proposed concept plan for sewer and has recommended approval with conditions.

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. The concept plan notes all new utilities will be placed underground as required.

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the subdivision regulations and zoning code. Future development will be required to meet the standards of the Metro Zoning Code in regard to setbacks, etc. Staff recommends approval with conditions as the proposed subdivision meets the requirements of the Zoning Code and Subdivision Regulations. This is consistent with staff's previous finding. It is also important to note that this plan goes beyond what is required by the Zoning Code in regards to the cluster lot option and hillside development standards.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues



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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

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.
- Comply with MPW traffic comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Developer shall construct separate left and right turn lanes on Brick Church Lane at the intersection with Brick Church Pk. Each of the eastbound turn lanes should include at least 150 feet of storage with adequate transition.
- Developer shall construct a separate northbound left turn lane on Brick Church Pike. The northbound left turn lane should include at least 100 feet of storage with adequate transition.
- Developer shall provide an \$80,000 contribution to Public Works to mitigate regional traffic impacts. Funds will be utilized to conduct a regional study for future traffic improvements in the area and/or implement transportation projects.

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 approval. The approved construction plans must match the Final Site Plan plans. All Water and Sanitary Sewer related fees or assessments, including capacity must be confirmed paid before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Dedications for greenway easements per Section 3-10 of the Subdivision Regulations shall be determined with the final site plan. The required easements shall be identified on the final site plan and recorded with the final subdivision plat.
2. Grading shall meet Section 3-3.6 of the Subdivision Regulations. Grading techniques per Section 3-3.6 will be reviewed with detailed construction plans with the final site plan.
3. The approval of a concept plan shall be effective for four years from the date of Planning Commission Approval to the recording of the final plat or a phase of the plat as described in Section 2-2.4.g.



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4. Comply with all conditions and requirements of Metro agencies.

STAFF RECOMMENDATION

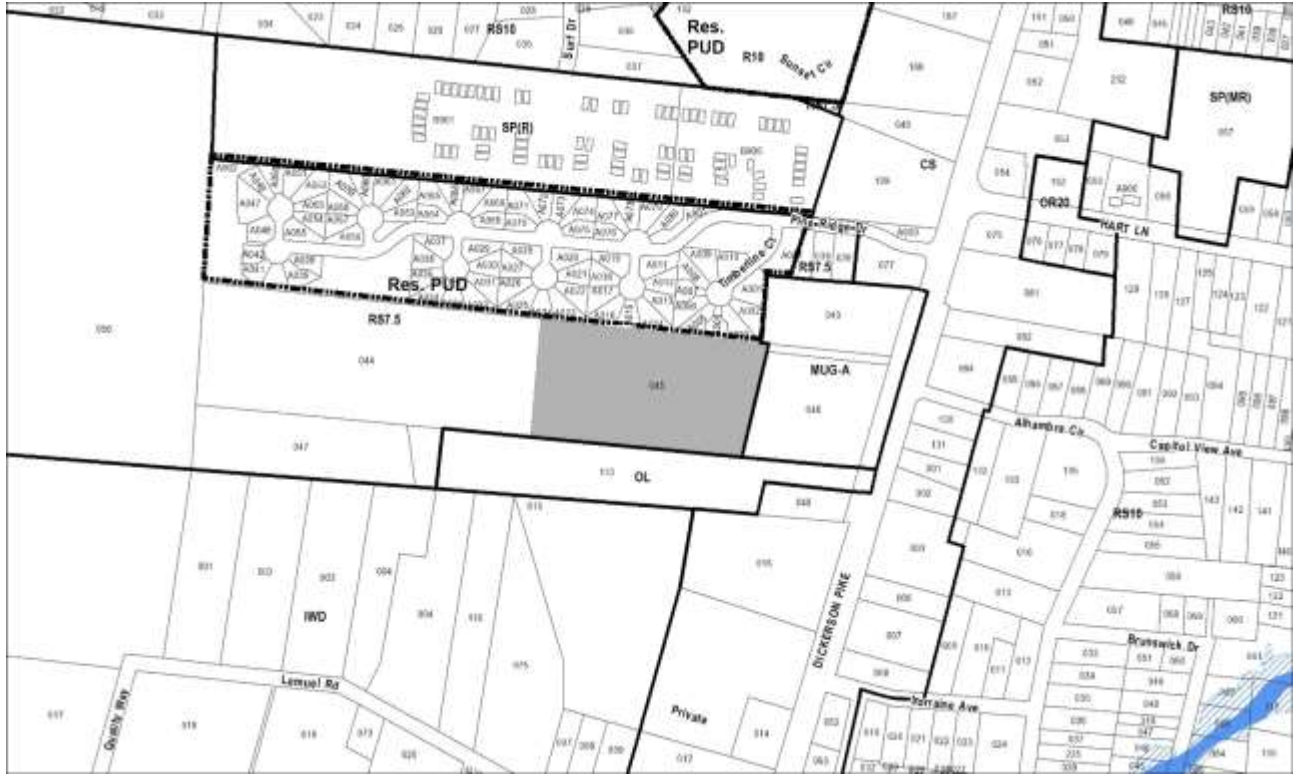
Staff recommends approval with conditions.

RECOMMENDED ACTION

Motion to approve with conditions proposed subdivision Case No. 2021S-069-001 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.



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2021Z-055PR-001

Map 060, Part of Parcel(s) 045

05, East Nashville

02 (Kyontzé Toombs)



| | |
|-----------------------------|--|
| Project No. | Zone Change 2021Z-055PR-001 |
| Council District | 02 – Toombs |
| School District | 1 – Gentry |
| Requested by | Catalyst Design Group, applicant; Rudra Investments, LLC, owner. |
| Staff Reviewer | Lewis |
| Staff Recommendation | <i>Disapprove.</i> |

APPLICANT REQUEST

Zone change from RS7.5 to RM40-A-NS.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Multi-Family Residential – Alternative – No Short Term Rentals (RM40-A-NS) zoning for a portion of property located at Dickerson Pike (unnumbered), approximately 380 feet west of Dickerson Pike (7.0 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *The site is currently split zoned. The portion of the property to be rezoned is currently zoned RS7.5, which would permit a maximum of 40 single-family lots for a total of 40 units based on acreage alone. Application of the Subdivision Regulations may result in fewer lots.*

Proposed Zoning

RM40-Alternative – No Short Term Rentals (RM40-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM40-A-NS would permit a maximum of 280 units based on acreage alone.*

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. 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.



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Supplemental Policy

The site is within the Dickerson North Small Area Plan and specifically within the Pages Branch supplemental policy. Supplementary policy areas are intended to provide additional guidance beyond the CCM policies, often identifying a smaller area and providing guidance based on context and specific goals for this area. Additional information on the supplemental policy is included in the analysis below.

ANALYSIS

The 7.22 acre site is located on the west side of Dickerson Pike, north of Lemuel Road. The parcel is flag shaped with the small connecting portion having a small amount of frontage to Dickerson Pike. The connecting portion of the site, approximately 0.22 acres, is zoned Mixed-Use General – Alternative (MUG-A). The portion of the site zoned MUG-A would not be rezoned with this request. The portion of the site to be rezoned is seven acres of the parcel. This area is what would generally be referred to as the flag portion of the parcel. The request would rezone the remaining portion, a majority of the site, from RS7.5 to RM40-A-NS.

The properties to the north are zoned MUG-A and RS7.5. The properties to the west are zoned RS7.5 and the properties to the south are zoned MUG-A and Office Limited (OL). The surrounding land uses include single-family residential, non-residential, and several properties are vacant.

There are several policies and documents to guide any proposed rezoning or development on the site, including T4 NE policy, Dickerson North Corridor Study (DNS), and the Pages Branch supplemental policy. Generally, the proposed zoning district, RM40-A-NS, is able to meet some of the goals in these policies, including the opportunity for high density residential to serve new residents and offset potential displacement as the corridor redevelops. However, there is a key aspect of the land use guidance that is not met with the proposed request, the mobility plan of the DNS Study.

During community engagement for the DNS, improvements to the area's transportation network were of primary importance. New street connections, predominantly to the west of Dickerson Pike, were adopted through an update to the Major and Collector Street Plan (MCSP) and targeted in support of Mixed Use and Neighborhood Evolving land use policies. This included the extension of Alhambra Circle to improve access to properties which do not have adequate multimodal connectivity and to reduce the amount of local traffic utilizing the Pike. Similar to the grid layout established in the Dickerson South Study, and other mixed use corridors throughout Nashville, this street connection was identified to be aligned with the Pike to avoid a staggered intersection which experience longer traffic delays and more conflict points between vehicular traffic.

Additional street connectivity, such as the extension of Alhambra Circle in partnership with new development, is critical to support local planning goals of ensuring access and mobility for properties and future businesses/neighbors on and off Dickerson Pike.

In order to support the increased residential intensity as called for by the policies, a development should also provide for improved pedestrian, bicycle, and vehicular connectivity. The MCSP



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calls for new public road access through the site to support the Dickerson supplemental policy. As the proposed rezoning does not include any provisions for a public street connection through the site in accordance with the goals of the land use policies on the site, it is unable to meet the connectivity goals and support for increased residential intensity.

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

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Single-Family Residential (210) | 7.00 | 5.808 D | 40 U | 448 | 33 | 43 |

Maximum Uses in Proposed Zoning District: **RM40-A-NS**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| Multi-Family Residential* (220) | 7.00 | 40 D | 280 U | 2,050 | 127 | 148 |

Traffic changes between maximum: **RS7.5 and RM40-A-NS**

| Land Use (ITE Code) | Acres | FAR/Density | Total Floor Area/Lots/Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-------------|-----------------------------|-----------------------|--------------|--------------|
| - | - | - | -240 U | +1,602 | +94 | +105 |

METRO SCHOOL BOARD REPORT

Projected student generation existing RS7.5 district: 4 Elementary 3 Middle 3 High

Projected student generation proposed RM40-A-NS district: 89 Elementary 56 Middle 53 High

The proposed RM40-A-NS zoning is expected to generate 188 additional students than the existing RS7.5 zoning. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools 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 disapproval.