

# METROPOLITAN PLANNING COMMISSION

## DRAFT MINUTES

**September 22, 2016**  
**4:00 pm Regular Meeting**

**700 Second Avenue South**  
(between Lindsley Avenue and Middleton Street)  
Howard Office Building, Sonny West Conference Center (1st Floor)

### MISSION STATEMENT

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

Commissioners Present:  
Jessica Farr, Vice Chair  
Jim McLean  
Stewart Clifton  
Lillian Blackshear  
Brenda Diaz  
Jennifer Hagan-Dier  
Councilmember Burkley Allen

Staff Present:  
Doug Sloan, Executive Director  
Bob Leeman, Assistant Director, Operations  
Carrie Logan, Assistant Director, Special Projects  
George Rooker, Special Projects Manager  
Kelly Adams, Administrative Services Officer III  
Lucy Kempf, Planning Manager II  
Jason Swaggart, Planner III  
Lisa Milligan, Planner III  
Marty Sewell, Planner III  
Anita McCaig, Planner III  
Greg Claxton, Planner III  
Stephanie McCullough, Planner II  
Latisha Birkeland, Planner II  
Patrick Napier, Planner II  
Karimeh Sharp, Planner I  
Elham Daha, Planner I  
Craig Owensby, Public Information Officer  
Susan Jones, Legal

Commissioners Absent: Greg Adkins, Brian Tibbs, Jeff Haynes

**J. DOUGLAS SLOAN, III**

Secretary and Executive Director, Metro Planning Commission  
**Metro Planning Department of Nashville and Davidson County**  
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## Notice to Public

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### Please remember to turn off your cell phones.

The Commission is a 10-member body, nine of whom are appointed by the Metro Council and one of whom serves as the mayor's representative. The Commission meets on the 2nd and 4th Thursday of each month at 4:00 p.m., unless otherwise noted. The Planning Commission makes the final decision on final site plan and subdivision applications. On all other applications, the Commission recommends an action to the Metro Council (e.g. zone changes, specific plans, overlay districts, and mandatory referrals). The Metro Council can accept or not accept the recommendation.

Agendas and staff reports can be viewed on-line at [www.nashville.gov/mpc/agendas](http://www.nashville.gov/mpc/agendas) or weekdays from 7:30 a.m. to 4:00 p.m. at the Planning Department office located at 800 2nd Avenue South, downtown Nashville.

Meetings on TV can be viewed live or shown at an alternative time on Channel 3. Visit [www.nashville.gov/calendar](http://www.nashville.gov/calendar) for a broadcast schedule.

### Writing to the Commission

You can mail, hand-deliver, fax, or e-mail comments on any agenda item to the Planning Department. For the Commission to receive your comments, prior to the meeting, you must submit them by **noon the day of the meeting**. Otherwise, you will need to bring 15 copies of your correspondence to the meeting and during your allotted time to speak, distribute your comments.

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300  
Fax: (615) 862-7130  
E-mail: [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov)

### Speaking to the Commission

If you want to appear in-person before the Commission, view our tips on presentations on-line at [www.nashville.gov/mpc/pdfs/mpc\\_mtg\\_presentation\\_tips.pdf](http://www.nashville.gov/mpc/pdfs/mpc_mtg_presentation_tips.pdf) and our summary regarding how Planning Commission public hearings are conducted at [www.nashville.gov/mpc/docs/meetings/Rules\\_and\\_procedures.pdf](http://www.nashville.gov/mpc/docs/meetings/Rules_and_procedures.pdf). Briefly, a councilmember may speak at the very beginning of the commission meeting, after the individual item is presented by staff, or after all persons have spoken in favor or in opposition to the request. Applicants speak after staff presents, then, those in favor speak followed by those in opposition. The Commission may grant the applicant additional time for a rebuttal after all persons have spoken. Maximum speaking time for an applicant is 10 minutes, individual speakers is 2 minutes, and a neighborhood group 5 minutes, provided written notice was received prior to the meeting from the neighborhood group.

- Day of meeting, get there at least 15 minutes ahead of the meeting start time to get a seat and to fill-out a "Request to Speak" form (located on table outside the door into this meeting room).
- Give your completed "Request to Speak" form to a staff member.
- For more information, view the Commission's Rules and Procedures, at [www.nashville.gov/mpc/pdfs/main/rules\\_and\\_procedures.pdf](http://www.nashville.gov/mpc/pdfs/main/rules_and_procedures.pdf)

### Legal Notice

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



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# MEETING AGENDA

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## A: CALL TO ORDER

The meeting was called to order at 4:12 p.m.

## B: ADOPTION OF AGENDA

Mr. McLean moved and Mr. Clifton seconded the motion to adopt the agenda. (6-0)

## C: APPROVAL OF SEPTEMBER 08, 2016 MINUTES

Mr. McLean moved and Ms. Blackshear seconded the motion to approve the September 8, 2016 minutes. (6-0)

## D: RECOGNITION OF COUNCILMEMBERS

Councilmember Allen arrived at 4:13 p.m.

Councilmember Van Reece spoke in favor of Item 20a and 20b.

## E: ITEMS FOR DEFERRAL / WITHDRAWAL

1. **2016Z-019TX-001**  
TELECOMMUNICATION FACILITY USES
- 2a. **2014CP-010-004**  
GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT
- 2b. **2014SP-083-001**  
HOWELL CORNER/BECKER CORNER OFFICES SP
- 3a. **2016CP-013-003**  
ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT
- 3b. **2016SP-056-001**  
COLORBURST SP
4. **2007SP-150-001**  
EVANS HILL
5. **2016S-136-001**  
2811 WIMBLEDON
6. **2016S-152-001**  
INGLEWOOD ESTATES
7. **2016S-160-001**  
RESUBDIVISION OF LOT 1 RESUB LOT 12 OF GEORGE BURRUS SUBDIVISION OF LOT 81 MAPLE HOME TRACT
8. **2016S-171-001**  
GLEN ECHO SUBDIVISION RESUB OF LOT 26
9. **95P-025-002**  
MILLWOOD COMMONS
10. **2016Z-028PR-001**
12. **2016Z-101PR-001**

- 15. **2016Z-018TX-001**
- 19. **2016S-199-001**  
HAYNIES CENTRAL PARK PLAN RESUB OF LOTS 59-62
- 29. **2017 Planning Commission filing deadlines & meeting schedule.**

Ms. Hagan-Dier moved and Mr. Clifton seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

Ms. Blackshear recused herself from Items 5 and 9.

**F: CONSENT AGENDA ITEMS**

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

- 13a. **2016CP-005-004**  
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
- 13b. **2016SP-076-001**  
CAYCE PLACE
- 13c. **2016P-001-001**  
MDHA-CY
- 14. **2016Z-015TX-001**  
DEFINITION OF FINANCIAL INSTITUTION
- 16. **2016SP-039-002**  
BENTO BOX
- 17. **2016SP-075-001**  
1822 RIVER ROAD SP
- 18a. **90-82P-001**
- 18b. **2016S-164-001**  
INGLEWOOD PLACE RESUB OF LOT 54
- 20a. **2016HL-001-001**  
THE MAYBELLE
- 20b. **2016NL-003-001**  
THE MAYBELLE
- 20c. **27-80P-002**  
MAYBELLE CARTER RETIREMENT CENTER
- 22. **2016Z-103PR-001**
- 23. **2016Z-105PR-001**
- 24. **2016Z-106PR-001**
- 27. **2016Z-109PR-001**

28. **2016Z-111PR-001**
30. **Contract between the Greater Nashville Regional Council (GNRC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for conducting regional planning services.**
31. **Contract between the Nashville civic Design Center (The NCDC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for Communication and Outreach.**
32. **Contract between the TMA Group and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for administration of an air quality education and outreach program.**
33. **Contract between the Nashville Area Chamber of Commerce (the COC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for regional communication and outreach.**
37. **Accept the Director's Report and Approve Administrative Items.**

Mr. McLean moved and Ms. Diaz seconded the motion to approve the Consent Agenda. (7-0)

Ms. Blackshear recused herself from Item 23.

## **G: ITEMS TO BE CONSIDERED**

- 1. 2016Z-019TX-001**  
BL2016-415  
**TELECOMMUNICATION FACILITY USES**  
Staff Reviewer: Carrie Logan

A request to amend Metropolitan Code of Laws Chapters 17.04, 17.08, 17.16, and 17.40 pertaining to telecommunication facility uses and Section 6.26.350 to insert therein a reference to Chapter 17.16, requested by the Planning Department.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016Z-019TX-001 to the October 13, 2016, Planning Commission meeting. (7-0)**

- 2a. 2014CP-010-004**  
**GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT**  
Council District 17 (Colby Sledge)  
Staff Reviewer: Anita McCaig

A request to amend the Green Hills-Midtown Community Plan by changing the Community Character policy from a T4 Neighborhood Maintenance policy to a T4 Neighborhood Center policy for properties located at 1109 and 1111 Montrose Avenue, approximately 210 feet east of 12th Avenue South (0.34 Acres), requested by Fulmer Engineering, LLC, applicant; The Shop Trust, LLC, owner (See also Specific Plan Case No. 2014SP-083-001).

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014CP-010-004 to the October 13, 2016, Planning Commission meeting. (7-0)**

- 2b. 2014SP-083-001**  
**HOWELL CORNER/BECKER CORNER OFFICES SP**  
Council District 17 (Colby Sledge)  
Staff Reviewer: Lisa Milligan

A request to rezone from R8 to SP-MU zoning for properties located at 1109 and 1111 Montrose Avenue, approximately 210 feet east of 12th Avenue South, (0.34 acres), to permit a mixed-use development, requested by Fulmer Engineering, LLC, applicant; The Shop Trust, LLC, owner (See also Community Plan Amendment Case No. 2014CP-010-004).

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014SP-083-001 to the October 13, 2016, Planning Commission meeting. (7-0)**

- 3a. 2016CP-013-003**  
**ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT**  
Council District 32 (Jacobia Dowell)  
Staff Reviewer: Stephanie McCullough

A request to amend the Antioch Priest Lake Community Plan by changing from T3 Neighborhood Maintenance to District Industrial for property located at 12802 Old Hickory Boulevard, at the corner of Old Hickory Boulevard and Hobson Pike, (5.13 acres), requested by Barge Cauthen & Associates, applicant; Tim & Melinda Smith, owners. (also see Specific Plan case 2016SP-056-001).

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2016CP-013-003 indefinitely. (7-0)**

**3b. 2016SP-056-001**  
**COLORBURST SP**  
Council District 32 (Jacobia Dowell)  
Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-IND zoning for property located at 12802 Old Hickory Boulevard, approximately 100 feet southwest of Logistics Way, (5.2 acres), to permit a building contractor supply use, requested by Barge Cauthen & Associates, applicant; Tim and Melinda Smith, owners. (See also Community Plan case # 2016CP-013-002)

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2016SP-056-001 indefinitely. (7-0)**

**4. 2007SP-150-001**  
**EVANS HILL**  
Council District 12 (Steve Glover)  
Staff Reviewer: Jason Swaggart

A request to amend a previously approved SP for properties located at 1209 and 1213 Tulip Grove Road, Tulip Grove Road (unnumbered) and Valley Grove Road (unnumbered), approximately 200 feet northeast of Rockwood Drive, (72.01 acres), to permit up to 340 residential units consisting of 180 single-family lots and 160 multi-family units, requested by Wamble & Associates, PLLC, applicant; The Wise Group, Inc., owner.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2007SP-150-001 to the October 13, 2016, Planning Commission meeting. (7-0)**

**5. 2016S-136-001**  
**2811 WIMBLEDON**  
Council District 25 (Russ Pulley)  
Staff Reviewer: Karimeh Sharp

A request for concept plan approval to create two lots on property located at 2811 Wimbledon Road, at the southeast corner of Wimbledon Road and Hilldale Drive, zoned R10 and R20 (1.78 acres), requested by Dale & Associates, applicant; Elliott Jones, owner.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016S-136-001 to the October 13, 2016, Planning Commission meeting. (6-0-1)**

**6. 2016S-152-001**  
**INGLEWOOD ESTATES**  
Council District 07 (Anthony Davis)  
Staff Reviewer: Latisha Birkeland

A request for final plat approval to create three lots on property located at 1126 Stratford Avenue, at the southwest corner of Stratford Avenue and Katherine Street, zoned RS7.5 (0.51 acres), requested by Michael J. Moore, applicant; Keith T. Cole, owner.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016S-152-001 to the October 13, 2016, Planning Commission meeting. (7-0)**

- 7. 2016S-160-001**  
**RESUB. OF LOT 1 RESUB LOT 12 OF GEORGE BURRUS**  
**SUBDIVISION OF LOT 81 MAPLE HOME TRACT**  
Council District 08 (Nancy VanReece)  
Staff Reviewer: Patrick Napier

A request for final plat approval to create two lots on property located at 1003 Curdwood Boulevard, at the northeast corner of Burrus Street and Curdwood Boulevard, zoned RS7.5 (0.35 acres), requested by Chapdelaine & Associates, applicant; Strive Properties, owner.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2007SP-150-001 to the October 13, 2016, Planning Commission meeting. (7-0)**

- 8. 2016S-171-001**  
**GLEN ECHO SUBDIVISION RESUB OF LOT 26**  
Council District 25 (Russ Pulley)  
Staff Reviewer: Patrick Napier

A request for final plat approval to create three lots on property located at 1732 Glen Echo Road, approximately 400 feet southwest of Glen Echo Place, zoned R10 (0.79 acres), requested by DBS & Associates Engineering, applicant; Alberta Martin, owner.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016S-171-001 to the October 13, 2016, Planning Commission meeting. (7-0)**

- 9. 95P-025-002**  
**MILLWOOD COMMONS**  
Council District 31 (Fabian Bedne)  
Staff Reviewer: Latisha Birkeland

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District for property located at Bell Road (unnumbered) and Blue Hole Road (unnumbered), at the southwest corner of Blue Hole Road and Bell Road, zoned RS20 and RS7.5 (25.95 acres), to permit 280 residential units, requested by Middleburg Real Estate Partners, applicant; Kristi L. Warren and Bell Road, LP c/o Equitable Trust Company, owners.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 95P-025-002 to the October 13, 2016, Planning Commission meeting. (6-0-1)**

- 10. 2016Z-028PR-001**  
Council District 15 (Jeff Syracuse)  
Staff Reviewer: Lisa Milligan

A request to rezone from CS and RS10 to MUG zoning for properties located at 2318 Atrium Way, Atrium Way (unnumbered), 2221 Larimore Drive and 441 Adair Road, approximately 500 feet northwest of the intersection of Elm Hill Pike and Atrium Way (2.55 acres), requested by SDIA Holdings LLC and Associates Capital LLC, applicant and owners.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016Z-028PR-001. (7-0)**



**11. 2016Z-089PR-001**

BL2016-414/Scott Davis  
Council District 05 (Scott Davis)  
Staff Reviewer: Latisha Birkeland

A request to rezone from R6 to RM40-A zoning for various properties along Elvira Avenue, Maynor Avenue, and Keeling Avenue, approximately 600 feet west of Anderson Place, (5.82 acres), requested by Councilmember Scott Davis, applicant; various property owners.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Zone change from R6 to RM40-A.**

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Multi-Family Residential-Alternative (RM40-A) zoning for various properties along Elvira Avenue, approximately 600 feet west of Anderson Place, (5.82 acres).

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 42 lots with ten duplex lots for a total of 52 units.*

**Proposed Zoning**

Multi-Family Residential-Alternative (RM40-A) 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 would permit a maximum of 233 units.*

**CRITICAL PLANNING GOALS**

**N/A**

**EAST NASHVILLE COMMUNITY PLAN**

Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban neighborhoods that fit in with the general character of existing urban neighborhoods, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing.

Consistent with Policy?

No. The properties requested to be rezoned are embedded within a single-family neighborhood. Gallatin Road is to the east and Trinity Lane is to the south of the area proposed to be rezoned. These are major mixed use corridors, and additional density is important to support these corridors; however, higher density should be placed closer to the corridors. If this area were to redevelop with multi-family, it should work its way from the corridors with appropriate supporting infrastructure, such as sidewalks, and not start further away from the corridors. The RM40-A district would permit up to 233 units. This intensity and type of development permitted by RM40-A, which includes a maximum height of 60 feet, is completely out of character with the surrounding area which consists mostly of one story single-family homes. This proposal, which could add intense multi-family development, is premature and inappropriate without associated infrastructure to support it, and is inconsistent with the surrounding development pattern.

**FIRE MARSHAL RECOMMENDATION**

**N/A**

**STORMWATER RECOMMENDATION**

**N/A**

**WATER SERVICES RECOMMENDATION**

**N/A**

**PUBLIC WORKS RECOMMENDATION**

**N/A**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic study may be required at time of development

Maximum Uses in Existing Zoning District: **R6**  
 \*Based on two-family lots

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)	5.82	7.26 D	52 U	550	45	58

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

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)	5.82	40 U	233 U	1530	118	146

Traffic changes between maximum: **R6 and RM40-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+182 U	+980	+73	+88

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R6 district: 8 Elementary 4 Middle 4 High  
 Projected student generation proposed RM40-A district: 34 Elementary 20 Middle 17 High

The proposed RM40-A zoning district would generate 55 additional students than what is typically generated under the existing R6 zoning district. Students would attend Hattie-Cotton Elementary, Gra-Mar Middle School and Maplewood High School. There is capacity for additional students in all three schools. This information is based upon data from the school board last updated March 2016.

**WORKFORCE AND AFFORDABLE HOUSING REPORT**

Not applicable. This request includes properties owned by various property owners, which may develop at different times.

**STAFF RECOMMENDATION**

Staff recommends disapproval as the proposed multi-family zoning is not appropriate given the sites location, and therefore is not consistent with the T4 NE land use policy.

Ms. Birkeland presented the staff recommendation of disapproval.

Councilman Scott Davis spoke in favor of the application.

Ben Jordan, 1011 N 5<sup>th</sup> St, spoke in favor of the application as this area needs affordable housing.

Jackie Sims, 1813 Pearl St, spoke in favor of the application.

Corey Holt, 120 Oak Valley Rd, spoke in favor of the application. This area needs affordable housing so the people that have been displaced can come back and live in East Nashville.

Thomas Fowler, 1007 Thomas Ave, spoke in favor of the application. A lot of the people that haven't lived in the neighborhood and don't know anything about the area are the ones speaking on the project and have had the loudest voice; the people that actually live in the area are not being heard.

Whitney Pastorek, 917A Spain, spoke in opposition to the application. This is not an appropriate place for this type of development due to lack of sidewalk, inadequate infrastructure, and the existing character of the neighborhood.

Casey Hannah, 607 Derby Trace, spoke in opposition to the application.

Shan Canfield, 1014 Spain Ave, spoke in opposition to the application as this is not the right location for affordable housing.

Randall Dufresne, 1029 Mayor Ave, spoke in opposition to the application; this is better suited for large corridors.

Cory Colton, 93513 Thomas Ave, spoke in opposition to the application. This is not the right place to put this type of development because of transit and traffic issues.

Councilmember Davis spoke in favor and asked for approval.

**Ms. Farr closed the Public Hearing.**

Councilmember Allen asked if an SP could be created here or a cottage development type of zoning.

Mr. Sloan explained that is what staff suggested to the councilmember.

Councilmember Allen stated that Councilman Davis's goals are great and encouraged him to take another look at this to see if there is more specific way to achieve what he is looking for. She expressed concern that RM40 may not give him the ability to achieve his desired goal.

Ms. Diaz stated that affordable units aren't guaranteed if a straight rezoning is done.

Ms. Blackshear spoke in opposition as is because it is not consistent with policy. Affordable housing isn't guaranteed with this rezoning.

Mr. McLean stated this is not consistent with policy and explained that an SP seems most appropriate.

Ms. Hagan-Dier clarified that just because an "affordable housing" tag is put on something, that does not guarantee approval if it isn't consistent with policy.

**Mr. Clifton moved and Ms. Hagan-Dier seconded the motion to disapprove. (7-0)**

**Resolution No. RS2016-279**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-089PR-001 is **Disapproved. (7-0)**"

**12. 2016Z-101PR-001**

Council District 03 (Brenda Haywood)  
Staff Reviewer: Jason Swaggart

A request to rezone from R20 to MHP zoning for property located at Dickerson Pike (unnumbered), west of the terminus of Hillcrest Road, (14.12 acres), requested by Tune, Entrekin & White, PC, applicant; UMH TN Trailmont, LLC, owner.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016Z-101PR-001 to the October 13, 2016, Planning Commission meeting. (7-0)**

**13a. 2016CP-005-004  
EAST NASHVILLE COMMUNITY PLAN AMENDMENT**

Council District 06 (Brett Withers)  
Staff Reviewer: Marty Sewell

A request to amend the East Nashville Community Plan by changing the Community Character Policy from T4 Neighborhood Evolving, T4 Neighborhood Center and Open Space to T4 Urban Mixed Use Neighborhood and Civic for various properties along South 6th Street, South 7th Street, South 8th Street, Shelby Avenue and Sylvan Street, southeast of the intersection of Shelby Avenue and South 5th Street, zoned RM20 and within a Residential Planned Unit Development (67.78 acres), requested by Kimley-Horn, applicant; Metro Government, owner. (See also Case No. 2016SP-076-001 and 2016P-001-001).

**Staff Recommendation: Approve with suspension of public notice rules to incorporate expanded boundary.**

**APPLICANT REQUEST**

**Amend East Nashville Community Plan to accommodate implementation of the Envision Cayce Master Plan.**

Major Plan Amendment

A request to amend the East Nashville Community Plan by amending the Community Character policy from Open Space (OS), Urban Neighborhood Evolving (T4 NE), and Urban Neighborhood Center (T4 NC) to Civic (CI), Open

Space (OS) and Urban Mixed Use Neighborhood (T4 MU) policy for a portion of property located at various properties east of South 5<sup>th</sup> Street (69.44 acres).

## **EAST NASHVILLE COMMUNITY PLAN**

### **Current Policies**

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

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.

T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

### **Proposed Policies**

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

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

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

## **BACKGROUND**

The community plan amendment was requested in conjunction with a request to cancel a Planned Unit Development (PUD) Overlay District (2016P-001-001) and a request to rezone from CN and RM20 to SP-MU (2016SP-076-001) to permit a mixed-use development. The proposed community plan amendment, PUD cancellation and zone change are all part of the process of implementing the Envision Cayce Master Plan as proposed by the Metropolitan Development and Housing Agency (MDHA).

Planning Department staff reflected the Envision Cayce Master Plan in the East Nashville Community Plan component of the NashvilleNext General Plan that was adopted by the Planning Commission on June 22, 2015. Since that time, Envision Cayce’s master planning and implementation process has continued to evolve and progress.

A previous community plan amendment (2016CP-005-002) and associated Cayce Place-Kirkpatrick Park Specific Plan (2016SP-054-001) were approved by the Planning Commission on July 14, 2016. This previous plan amendment removed OS policy and replaced it with T4 NE policy. The removed public open space is replaced elsewhere within the portion of the master plan proposed with the plan amendment currently under consideration.

The Envision Cayce Master Plan includes eight goals:

- One for one replacement of existing apartments
- Minimize disruption to residents during construction
- Create a healthy mix of housing choices
- Connect with and leverage other local initiatives and stakeholders
- Maintain and expand support services
- Integrate Cayce Place into community
- Create a sustainable and financially viable development
- Improve neighborhood amenities

The master plan calls for a 1-to-1 replacement of the 716 public housing units in Cayce Place. When completed, the revitalization will include a mix of housing types at a variety of price ranges, community-serving retail uses, community institutional and office uses, and a variety of public open spaces.

### **COMMUNITY PARTICIPATION**

The Envision Cayce Master Plan was developed through a three-year participatory planning process that incorporated substantial input from a wide variety of area stakeholders via a series of public meetings, focus groups, and surveys conducted between March 2013 and June 2016.

Community meeting and public hearing notices were mailed out to property owners within 1,300 feet of the amendment area on August 3, 2016. The notice was posted on the Planning Department website. The community meeting held on August 18, 2016, was scheduled to coincide with MDHA's regularly scheduled monthly meeting with Cayce residents to discuss the progress of the redevelopment process. MDHA routinely notifies Cayce residents and other neighborhood participants when these meetings occur. The meeting was held at the Martha O'Bryan Center at 711 South 7<sup>th</sup> Street. It was attended by 20 people in addition to Councilman Brett Withers, the development team, MDHA staff, and Metro Planning staff. All attendees indicated that they were in support of the proposal. No concerns were expressed specific to the community plan amendment. The development team answered multiple clarifying questions related to the proposed Specific Plan.

### **ANALYSIS**

The proposed community plan amendment is consistent with and is necessary for the implementation of the Envision Cayce Master Plan. The master plan, which has evolved since adoption of NashvilleNext, calls for the development of a complete urban neighborhood with a mixture of housing types and price levels and needed consumer and community facilities and services.

During discussions with the applicant following submittal of the original application, the applicant asked how to expand the amendment area boundary to include additional property envisioned for mixed use by the master plan. This request occurred after public notice for the community meeting and public hearing had occurred. Specifically, the applicant asked to expand the amendment area northward by approximately 150 feet between 7th Street and 8th Street to include a block of property that will front the master plan's proposed linear park. Staff presented the expanded boundary at the August 18 community meeting and received no objections from those in attendance.

In order to approve the plan amendment with the expanded boundary, the Planning Commission would need to agree to waive notice rules of the Planning Commission. The Envision Cayce planning process included extensive public participation and its resulting plan for a mixed use community has been widely shared and discussed in the community. With that in mind, staff recommends that the Planning Commission waive notice rules of the Planning Commission and consider this plan amendment with the expanded boundary.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request and the expanded boundary for the T4 MU to include an additional 150 feet northward between 7<sup>th</sup> Street and 8<sup>th</sup> Street.

Items 3a, 3b, and 3c were heard and discussed together.

Mr. Sewell presented the staff recommendation of approval with suspension of public notice rules to incorporate expanded boundary.

Ralph Mosley, MDHA, spoke in favor of the application and noted there have been over 37 public meetings.

Zac Dufour, Kimley-Horn, spoke in favor of the application and expressed agreement with all staff conditions.

Hunter Gee, 713 Benson St, spoke in favor of the application.

Jim Harbison, MDHA, spoke in favor of the application. This is affordable and workforce housing. It will take eight years to complete but it is the right thing to do.

Vernell McHenry, 812 S 7<sup>th</sup> St, spoke in favor of the application. The area needs new housing.

Marsha Edwards, 711 S 7<sup>th</sup> St, spoke in favor of the application on behalf of the vice president of the resident's association.

Matt Shutz, 605 S 10<sup>th</sup> St, spoke in opposition to the application as he would like to see the existing structures maintained and new construction limited.

Jim Harbison explained the existing structures are antiquated and inadequate.

Councilman Withers spoke in favor of the application. It is a great plan that will be preserving a lot of the trees in the area.

**Ms. Farr closed the Public Hearing.**

Mr. Sloan asked the commission to go ahead and vote on the rules suspension regarding the notices.

Mr. Clifton moved and Ms. Blackshear seconded the motion to suspend the rules as discussed. (7-0)

Ms. Hagan-Dier spoke in favor of the application and stated this is the right way to do affordable housing.

Mr. McLean spoke in favor of the application.

Mr. Clifton spoke in favor of the application.

Ms. Blackshear spoke in favor of the application.

Ms. Diaz spoke in favor of the application.

Councilmember Allen spoke in favor of the application, commended the group on their commitment to preserve trees, and stated she would like to see a tree inventory.

Ms. Farr spoke in favor and is excited to see these streets reconnected.

**Mr. McLean moved and Councilmember Allen seconded the motion to approve with suspension of public notice rules to incorporate expanded boundary. (7-0)**

**Resolution No. RS2016-280**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016CP-005-004 is **Approved with the suspension of public notice rules to incorporate expanded boundary. (7-0)**”

**13b. 2016SP-076-001**

**CAYCE PLACE**

Council District 06 (Brett Withers)

Staff Reviewer: Jason Swaggart

A request to rezone from CN, and RM20 to SP-MU zoning on various properties located southeast of Shelby Avenue and South 4th Street, (83.39 acres), to permit a mixed-use development, requested by Kimley-Horn, applicant; M.D.H.A., owner. (See associated case # 2016CP-005-004 and 2016P-001-001)

**Staff Recommendation: Approve SP with conditions and disapprove without all conditions if the associated policy amendment is approved. Disapprove if the associated policy amendment is not approved.**

**APPLICANT REQUEST**

**Zone change to permit a mixed-use development, and cancel a portion of a Planned Unit Development Overlay District.**

Preliminary SP

A request to rezone from Commercial Neighborhood (CN), and Multi-Family Residential (RM20) to Specific Plan Mixed-Use (SP-MU) zoning on various properties located southeast of Shelby Avenue and South 4th Street (83.39 acres), to permit a mixed-use development.

Cancel PUD

A request to cancel a portion of a Planned Unit Development Overlay District on various properties, southeast of the Fatherland and South 5th Street intersection, zoned RM20 (78.02 acres), to permit implementation of a Specific Plan.

**Existing Zoning**

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 1,652 units.*

Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater

mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

This PUD is an older “Res-E” residential PUD. The Res-E PUDs were adopted in the early 1970s to recognize existing public housing developments that were put in place prior to comprehensive zoning. There was never a master PUD plan adopted for any Res-E PUD.

### **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, commercial and civic uses.

### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Creates Walkable Neighborhoods
- Creates Open Space
- Provides a Range of Housing Choices
- Supports a Variety of Transportation Choices
- Encourages Community Participation

The proposed development meets several critical planning goals. The project is located on an infill site. Infill areas are typically served by adequate infrastructure such as roads, water and sewer. Utilizing existing utilities/services reduces the cost of maintaining new infrastructure that would be required with non-infill sites. The SP provides for a mixture of uses within a small geographical area, which makes it easier for people in the community to walk or bike to these destinations instead of driving. The urban design and network of sidewalks creates a pedestrian friendly environment, which also encourages people to walk. The plan calls for a large central green space/park, and several pocket parks, as well as civic uses. These areas provide for recreational opportunities encouraging active living and a place for organized community activities. These open spaces also further support walkable neighborhoods. The SP calls for a variety of housing types, which provides for housing choice. The area is served by mass transit, and the mixture of uses provides for destinations not only for the immediate area, but also for the larger area. The plan calls for enhancements to bus service as well as the possibility for expanded service.

### **EAST NASHVILLE COMMUNITY PLAN**

#### **Existing Policies**

T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

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.

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville’s major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

#### **Proposed Policies**

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

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

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

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

#### Consistent with Policy?

The proposed SP is consistent with a majority of the existing policies. T4 NE policy, which covers a bulk of the site, is a residential policy that does not support any type of commercial use. The policy amendment will replace the existing T4 NE policy with T4 MU, OS, and CI policies. The SP is consistent with the proposed policies. The policy amendment would also rearrange the existing OS policy area to coincide with the proposed park space within the SP. The SP provides for a mixture of uses, including park space, civic space, residential, office and commercial. The mixture of uses provides for easy access to a variety of services within a small geographical area, consistent with the policies. The SP and supplemental Cayce Place Design Guidelines provides for a design that will be urban in nature creating a pedestrian friendly environment that encourages people to walk to the new services that will be provided with the SP. The SP also provides for an adequate street network, and calls for bike lanes consistent with the policies.

#### **REQUEST DETAILS**

The site, which is owned by the Metropolitan Development and Housing Agency (MDHA), is currently developed. It includes a variety of housing and associated uses. While the site is within a PUD, it was approved prior to comprehensive zoning and there is no approved site plan.

Since this site is within the Cayce Redevelopment District, MDHA must also approve design guidelines for the development. The design guidelines will contain the bulk of the design requirements for the development. The SP provides the appropriate zoning district to allow the flexibility for the implementation of the development consistent with the East Nashville Community Plan and the design guidelines.

The request is currently tracking for the December 6, 2016, Council public hearing. The MDHA Design Review Committee is set to consider the design guidelines on October 11, 2016, so the approved guidelines should be available for Council, as well as Planning, to review prior to final Council approval of the SP. A planning staff member is on the MDHA Design Review Committee, and will work to ensure that the final design guidelines do not conflict with the SP.

#### Site Plan

The proposed SP plan includes an overall layout and specific regulations. The SP consists of four sub-districts which are as follows:

- Neighborhood Center
- Neighborhood Core
- Neighborhood Edge
- Civic and Institutional

The uses in the SP include a variety of residential, civic, recreational, office, and commercial uses. Each sub-district includes standards for height and references an alternative zoning district for any standards that are not specified in the SP.

The SP limits the number of residential units to 2,390. Retail is limited to a maximum of 208,000 square feet. Office is limited to a maximum of 200,000 square feet. Grocery is limited to a maximum of 50,000 square feet, and hotel is limited to a maximum of 300 keys.

The Neighborhood Center sub-district is located along the western edge of the SP along Shelby Avenue and South 5<sup>th</sup> Street. From a land use standpoint, this sub-district is the most intense in regards to the types of permitted uses, the permitted floor area, and building heights. The location for this sub-district is appropriate due to its location. It is at the intersection of two major streets (Shelby Avenue and South 5<sup>th</sup> Street), and is at the on/off ramps of I-24, which provides for easy access to the site. It permits buildings west of South 5<sup>th</sup> Street between I-24 and South 5<sup>th</sup> Street to



be up to 12 stories in height. Other areas in the sub-district are limited to a maximum of six stories. Two stories is the minimum building height.

The Neighborhood Core sub-district consists of two separate areas that are centrally located. These areas also frame a portion of the northern SP boundary and a majority of the southern SP boundary. The district is mostly intended for residential uses, but it also permits a variety of limited commercial uses at strategic locations. The maximum building height within this sub-district is four stories. Two stories is the minimum building height.

The Neighborhood Edge sub-district consists of two separate areas that are located along the edge of the SP. The larger area is located along the northern property boundary, and the smaller area is located at the southeast SP boundary. It is intended for only residential uses. The maximum height in this sub-district is three stories.

The Civic and Institutional sub-district includes a variety of uses, including park space, a school site, and limited commercial uses. Commercial uses are only permitted at one location at the southwest corner of Sylvan Street and South 9<sup>th</sup> Street. The maximum building height within this sub-district is four stories.

## **ANALYSIS**

The SP and supplemental MDHA design guidelines support land uses and design consistent with the proposed land use policies. The SP also supports several critical planning goals. The SP provides for a mixture of uses, including park space, civic space, residential, office and commercial. The mixture of uses provides for easy access to a variety of services within a small geographical area. With the mixture of residential and commercial uses, ample active open space and civic uses, the plan creates a unique destination with its own sense of place. Active open space and civic uses also provide space for community activities, and for neighbors to interact with each other, as well as with the larger community. The SP and design guidelines provide for a design that will be urban in nature, creating a pedestrian friendly environment that encourages people to walk to the new services that will be provided with the SP. The site is located at the edge of a residential neighborhood. It calls for higher intensity (height, floor area, use) uses to be located furthest away from the residential neighborhood, and provides for a transition to lower intensity uses as you move closer to the residential neighborhood. The SP also provides for an adequate street network, and calls for bike lanes consistent with the policies and the Major and Collector Street Plan.

## **FIRE MARSHAL RECOMMENDATION**

### **Approved with conditions**

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

## **STORMWATER RECOMMENDATION**

### **Approved**

## **WATER SERVICES RECOMMENDATION**

### **Approved with conditions**

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

## **PUBLIC WORKS RECOMMENDATION**

### **Approved 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 the conditions of the Metro Traffic Engineer.
- Revise SP Book to remove the following from page 16 "Add language about maintenance responsibilities".
- On page 17, revise the SP Book to remove the following: "Parking this close to an interstate off ramp needs additional analysis prior to implementation".

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Approved with conditions**

- Prior to the first final SP plan approval, a Traffic Impact Study and a Parking and Transit study shall be submitted for MPW approval in order to determine adequate roadway and pedestrian infrastructure such as turn lanes and storage, ped crossings, traffic signals and traffic control at road intersections.
- Focused TIS may be required for specific SP plans prior to final SP build-out in 2023.
- Adequate shy zone to structures along Alley St cross section shall be provided in order to provide 2 way travel. Alleys may require additional width if parking lots or loading zones are accessed via alleys.
- Loading zones and valet zones shall be provided on site. Developer shall coordinate with MTA to provide adequate bus shelters along transit route.
- Adequate bus and truck turning movements shall be provided.

## **METRO SCHOOL BOARD REPORT**

**Projected student generation existing RM20 district: 6 Elementary 4 Middle 9 High**

**Projected student generation proposed SP-MU district: 8 Elementary 6 Middle 14 High**

The proposed SP-MU zoning district would generate nine additional students than what is typically generated under the existing RM20 zoning district, utilizing the urban infill factor. Students would attend Kirkpatrick Elementary, Bailey Middle School and Stratford High School. Kirkpatrick Elementary has been identified as overcapacity. However, there is capacity for additional elementary students within the cluster. This information is based upon data from the school board last updated March 2016.

## **WORKFORCE AND AFFORDABLE HOUSING REPORT**

1. Will this project include any affordable or workforce housing units? Yes
2. If so, how many and what is the percentage of the entire development? It is over 50%.
3. How will you enforce the affordability requirements? Federal Restrictions
4. Have any structures been demolished in the last 12 months? No

## **STAFF RECOMMENDATION**

Staff recommends that the SP be approved with conditions and disapproved without all conditions if the associated policy amendment is approved. Disapprove if the associated policy amendment is not approved.

Staff recommends that the PUD cancellation be approved if the associated SP is approved, and disapproved if the associated SP is not approved.

## **CONDITIONS**

1. Uses in the SP district are limited to those uses specified in the Specific Plan.
2. Lane widths for 7<sup>th</sup> Street shall be reduced from 14 feet to 12 feet.
3. 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 MUG-A zoning district for the Neighborhood Center sub-district, the MUN-A zoning district for the Neighborhood Core sub-district, and the RM20-A zoning district for the Neighborhood Edge and Civic and Institutional sub-districts as of the date of the applicable request or application.
4. 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.
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.
7. 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.

Items 3a, 3b, and 3c were heard and discussed together.

Ms. Milligan presented the staff recommendation of approval of the SP with conditions and disapproval without all conditions if the associated policy amendment is approved; disapproval if the associated policy amendment is not approved.

Ralph Mosley, MDHA, spoke in favor of the application and noted there have been over 37 public meetings.

Zac Dufour, Kimley-Horn, spoke in favor of the application and expressed agreement with all staff conditions.

Hunter Gee, 713 Benson St, spoke in favor of the application.

Jim Harbison, MDHA, spoke in favor of the application. This is affordable and workforce housing. It will take eight years to complete but it is the right thing to do.

Vernell McHenry, 812 S 7<sup>th</sup> St, spoke in favor of the application. The area needs new housing.

Marsha Edwards, 711 S 7<sup>th</sup> St, spoke in favor of the application on behalf of the vice president of the resident's association.

Matt Shutz, 605 S 10<sup>th</sup> St, spoke in opposition to the application as he would like to see the existing structures maintained and new construction limited.

Jim Harbison explained the existing structures are antiquated and inadequate.

Councilman Withers spoke in favor of the application. It is a great plan that will be preserving a lot of the trees in the area.

**Ms. Farr closed the Public Hearing.**

Mr. Sloan asked the commission to go ahead and vote on the rules suspension regarding the notices.

Mr. Clifton moved and Ms. Blackshear seconded the motion to suspend the rules as discussed. (7-0)

Ms. Hagan-Dier spoke in favor of the application and stated this is the right way to do affordable housing.

Mr. McLean spoke in favor of the application.

Mr. Clifton spoke in favor of the application.

Ms. Blackshear spoke in favor of the application.

Ms. Diaz spoke in favor of the application.

Councilmember Allen spoke in favor of the application, commended the group on their commitment to preserve trees, and stated she would like to see a tree inventory.

Ms. Farr spoke in favor and is excited to see these streets reconnected.

**Mr. McLean moved and Councilmember Allen seconded the motion to approve SP with conditions and disapprove without all conditions. (7-0)**

**Resolution No. RS2016-281**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-076-001 is **Approved with conditions and disapproved without all conditions. (7-0)**”**

**CONDITIONS**

1. **Uses in the SP district are limited to those uses specified in the Specific Plan.**
2. **Lane widths for 7<sup>th</sup> Street shall be reduced from 14 feet to 12 feet.**
3. **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 MUG-A zoning district for the Neighborhood Center sub-district ,the MUN-A zoning district for the Neighborhood Core sub-district, and the RM20-A zoning district for the Neighborhood Edge and Civic and Institutional sub-districts as of the date of the applicable request or application.**
4. **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.**
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.**
7. **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.**

### 13c. 2016P-001-001

#### MDHA-CY

Council District 06 (Brett Withers)  
Staff Reviewer: Jason Swaggart

A request to cancel a portion of a Planned Unit Development Overlay District on various properties, southeast of the Fatherland and South 5th Street intersection, zoned RM20 (78.02 acres), to permit implementation of a Specific Plan, requested by Kimley-Horn, applicant; M.D.H.A., owner. (See associated case # 2016CP-005-004 and 2016SP-016-001)

**Staff Recommendation: Approve the PUD cancellation if the associated SP is approved and disapprove if the associated SP is not approved.**

#### APPLICANT REQUEST

**Zone change to permit a mixed-use development, and cancel a portion of a Planned Unit Development Overlay District.**

##### Preliminary SP

A request to rezone from Commercial Neighborhood (CN), and Multi-Family Residential (RM20) to Specific Plan Mixed-Use (SP-MU) zoning on various properties located southeast of Shelby Avenue and South 4th Street (83.39 acres), to permit a mixed-use development.

##### Cancel PUD

A request to cancel a portion of a Planned Unit Development Overlay District on various properties, southeast of the Fatherland and South 5th Street intersection, zoned RM20 (78.02 acres), to permit implementation of a Specific Plan.

#### Existing Zoning

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 1,652 units.*

Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

This PUD is an older "Res-E" residential PUD. The Res-E PUDs were adopted in the early 1970s to recognize existing public housing developments that were put in place prior to comprehensive zoning. There was never a master PUD plan adopted for any Res-E PUD.

#### 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, commercial and civic uses.

#### CRITICAL PLANNING GOALS

- Supports Infill Development
- Creates Walkable Neighborhoods
- Creates Open Space
- Provides a Range of Housing Choices
- Supports a Variety of Transportation Choices
- Encourages Community Participation

The proposed development meets several critical planning goals. The project is located on an infill site. Infill areas are typically served by adequate infrastructure such as roads, water and sewer. Utilizing existing utilities/services reduces the cost of maintaining new infrastructure that would be required with non-infill sites. The SP provides for a mixture of uses within a small geographical area, which makes it easier for people in the community to walk or bike to these destinations instead of driving. The urban design and network of sidewalks creates a pedestrian friendly environment, which also encourages people to walk. The plan calls for a large central green space/park, and several pocket parks, as well as civic uses. These areas provide for recreational opportunities encouraging active living and a place for organized community activities. These open spaces also further support walkable neighborhoods. The

SP calls for a variety of housing types, which provides for housing choice. The area is served by mass transit, and the mixture of uses provides for destinations not only for the immediate area, but also for the larger area. The plan calls for enhancements to bus service as well as the possibility for expanded service.

## **EAST NASHVILLE COMMUNITY PLAN**

### **Existing Policies**

T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

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.

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

### **Proposed Policies**

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

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

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

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

### Consistent with Policy?

The proposed SP is consistent with a majority of the existing policies. T4 NE policy, which covers a bulk of the site, is a residential policy that does not support any type of commercial use. The policy amendment will replace the existing T4 NE policy with T4 MU, OS, and CI policies. The SP is consistent with the proposed policies. The policy amendment would also rearrange the existing OS policy area to coincide with the proposed park space within the SP. The SP provides for a mixture of uses, including park space, civic space, residential, office and commercial. The mixture of uses provides for easy access to a variety of services within a small geographical area, consistent with the policies. The SP and supplemental Cayce Place Design Guidelines provides for a design that will be urban in nature creating a pedestrian friendly environment that encourages people to walk to the new services that will be provided with the SP. The SP also provides for an adequate street network, and calls for bike lanes consistent with the policies.

## REQUEST DETAILS

The site, which is owned by the Metropolitan Development and Housing Agency (MDHA), is currently developed. It includes a variety of housing and associated uses. While the site is within a PUD, it was approved prior to comprehensive zoning and there is no approved site plan.

Since this site is within the Cayce Redevelopment District, MDHA must also approve design guidelines for the development. The design guidelines will contain the bulk of the design requirements for the development. The SP provides the appropriate zoning district to allow the flexibility for the implementation of the development consistent with the East Nashville Community Plan and the design guidelines.

The request is currently tracking for the December 6, 2016, Council public hearing. The MDHA Design Review Committee is set to consider the design guidelines on October 11, 2016, so the approved guidelines should be available for Council, as well as Planning, to review prior to final Council approval of the SP. A planning staff member is on the MDHA Design Review Committee, and will work to ensure that the final design guidelines do not conflict with the SP.

### Site Plan

The proposed SP plan includes an overall layout and specific regulations. The SP consists of four sub-districts which are as follows:

- Neighborhood Center
- Neighborhood Core
- Neighborhood Edge
- Civic and Institutional

The uses in the SP include a variety of residential, civic, recreational, office, and commercial uses. Each sub-district includes standards for height and references an alternative zoning district for any standards that are not specified in the SP.

The SP limits the number of residential units to 2,390. Retail is limited to a maximum of 208,000 square feet. Office is limited to a maximum of 200,000 square feet. Grocery is limited to a maximum of 50,000 square feet, and hotel is limited to a maximum of 300 keys.

The Neighborhood Center sub-district is located along the western edge of the SP along Shelby Avenue and South 5<sup>th</sup> Street. From a land use standpoint, this sub-district is the most intense in regards to the types of permitted uses, the permitted floor area, and building heights. The location for this sub-district is appropriate due to its location. It is at the intersection of two major streets (Shelby Avenue and South 5<sup>th</sup> Street), and is at the on/off ramps of I-24, which provides for easy access to the site. It permits buildings west of South 5<sup>th</sup> Street between I-24 and South 5<sup>th</sup> Street to be up to 12 stories in height. Other areas in the sub-district are limited to a maximum of six stories. Two stories is the minimum building height.

The Neighborhood Core sub-district consists of two separate areas that are centrally located. These areas also frame a portion of the northern SP boundary and a majority of the southern SP boundary. The district is mostly intended for residential uses, but it also permits a variety of limited commercial uses at strategic locations. The maximum building height within this sub-district is four stories. Two stories is the minimum building height.

The Neighborhood Edge sub-district consists of two separate areas that are located along the edge of the SP. The larger area is located along the northern property boundary, and the smaller area is located at the southeast SP boundary. It is intended for only residential uses. The maximum height in this sub-district is three stories.

The Civic and Institutional sub-district includes a variety of uses, including park space, a school site, and limited commercial uses. Commercial uses are only permitted at one location at the southwest corner of Sylvan Street and South 9<sup>th</sup> Street. The maximum building height within this sub-district is four stories.

## ANALYSIS

The SP and supplemental MDHA design guidelines support land uses and design consistent with the proposed land use policies. The SP also supports several critical planning goals. The SP provides for a mixture of uses, including park space, civic space, residential, office and commercial. The mixture of uses provides for easy access to a variety of services within a small geographical area. With the mixture of residential and commercial uses, ample active open space and civic uses, the plan creates a unique destination with its own sense of place. Active open space and civic uses also provide space for community activities, and for neighbors to interact with each other, as well as with the larger community. The SP and design guidelines provide for a design that will be urban in nature, creating a pedestrian friendly environment that encourages people to walk to the new services that will be provided with the SP. The site is located at the edge of a residential neighborhood. It calls for higher intensity (height, floor area, use) uses to be located furthest away from the residential neighborhood, and provides for a transition to lower intensity uses as you move closer to the residential neighborhood. The SP also provides for an adequate street network, and calls for bike lanes consistent with the policies and the Major and Collector Street Plan.

## **FIRE MARSHAL RECOMMENDATION**

### **Approved with conditions**

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

## **STORMWATER RECOMMENDATION**

### **Approved**

## **WATER SERVICES RECOMMENDATION**

### **Approved with conditions**

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

## **PUBLIC WORKS RECOMMENDATION**

### **Approved 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 the conditions of the Metro Traffic Engineer.
- Revise SP Book to remove the following from page 16 "Add language about maintenance responsibilities".
- On page 17, revise the SP Book to remove the following: "Parking this close to an interstate off ramp needs additional analysis prior to implementation".

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Approved with conditions**

- Prior to the first final SP plan approval, a Traffic Impact Study and a Parking and Transit study shall be submitted for MPW approval in order to determine adequate roadway and pedestrian infrastructure such as turn lanes and storage, ped crossings, traffic signals and traffic control at road intersections.
- Focused TIS may be required for specific SP plans prior to final SP build-out in 2023.
- Adequate shy zone to structures along Alley St cross section shall be provided in order to provide 2 way travel. Alleys may require additional width if parking lots or loading zones are accessed via alleys.
- Loading zones and valet zones shall be provided on site. Developer shall coordinate with MTA to provide adequate bus shelters along transit route.
- Adequate bus and truck turning movements shall be provided.

## **METRO SCHOOL BOARD REPORT**

**Projected student generation existing RM20 district: 6 Elementary 4 Middle 9 High**

**Projected student generation proposed SP-MU district: 8 Elementary 6 Middle 14 High**

The proposed SP-MU zoning district would generate nine additional students than what is typically generated under the existing RM20 zoning district, utilizing the urban infill factor. Students would attend Kirkpatrick Elementary, Bailey Middle School and Stratford High School. Kirkpatrick Elementary has been identified as overcapacity. However, there is capacity for additional elementary students within the cluster. This information is based upon data from the school board last updated March 2016.

## **WORKFORCE AND AFFORDABLE HOUSING REPORT**

1. Will this project include any affordable or workforce housing units? Yes
2. If so, how many and what is the percentage of the entire development? It is over 50%.
3. How will you enforce the affordability requirements? Federal Restrictions
4. Have any structures been demolished in the last 12 months? No

## **STAFF RECOMMENDATION**

Staff recommends that the SP be approved with conditions and disapproved without all conditions if the associated policy amendment is approved. Disapprove if the associated policy amendment is not approved.

Staff recommends that the PUD cancellation be approved if the associated SP is approved, and disapproved if the associated SP is not approved.

## **CONDITIONS**

1. Uses in the SP district are limited to those uses specified in the Specific Plan.
2. Lane widths for 7<sup>th</sup> Street shall be reduced from 14 feet to 12 feet.
3. 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 MUG-A zoning district for the Neighborhood Center sub-district, the MUN-A zoning district for the Neighborhood Core sub-district, and the RM20-A zoning district for the Neighborhood Edge and Civic and Institutional sub-districts as of the date of the applicable request or application.

4. 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.
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.
7. 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.

Items 3a, 3b, and 3c were heard and discussed together.

Ms. Milligan presented the staff recommendation of approval of the PUD cancellation if the associated SP is approved and disapproval if the associated SP is not approved.

Ralph Mosley, MDHA, spoke in favor of the application and noted there have been over 37 public meetings.

Zac Dufour, Kimley-Horn, spoke in favor of the application and expressed agreement with all staff conditions.

Hunter Gee, 713 Benson St, spoke in favor of the application.

Jim Harbison, MDHA, spoke in favor of the application. This is affordable and workforce housing. It will take eight years to complete but it is the right thing to do.

Vernell McHenry, 812 S 7<sup>th</sup> St, spoke in favor of the application. The area needs new housing.

Marsha Edwards, 711 S 7<sup>th</sup> St, spoke in favor of the application on behalf of the vice president of the resident's association.

Matt Shutz, 605 S 10<sup>th</sup> St, spoke in opposition to the application as he would like to see the existing structures maintained and new construction limited.

Jim Harbison explained the existing structures are antiquated and inadequate.

Councilman Withers spoke in favor of the application. It is a great plan that will be preserving a lot of the trees in the area.

**Ms. Farr closed the Public Hearing.**

Mr. Sloan asked the commission to go ahead and vote on the rules suspension regarding the notices.

Mr. Clifton moved and Ms. Blackshear seconded the motion to suspend the rules as discussed. (7-0)

Ms. Hagan-Dier spoke in favor of the application and stated this is the right way to do affordable housing.

Mr. McLean spoke in favor of the application.

Mr. Clifton spoke in favor of the application.

Ms. Blackshear spoke in favor of the application.

Ms. Diaz spoke in favor of the application.

Councilmember Allen spoke in favor of the application, commended the group on their commitment to preserve trees, and stated she would like to see a tree inventory.

Ms. Farr spoke in favor and is excited to see these streets reconnected.

**Mr. McLean moved and Councilmember Allen seconded the motion to approve the PUD cancellation if the associated SP is approved and disapprove if the associated SP is not approved. (7-0)**

**Resolution No. RS2016-282**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016P-001-001 is **Approved. (7-0)**"



**14. 2016Z-015TX-001**

BL2016-379

**DEFINITION OF FINANCIAL INSTITUTION**

Staff Reviewer: Lisa Milligan

A request to amend Section 17.04.060 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to financial institutions and alternative financial services, requested by Councilmember Jeff Syracuse.

**Staff Recommendation: Approve with substitute.**

**APPLICANT REQUEST**

**Amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to financial institutions and alternative financial services.**

**ZONING TEXT AMENDMENT**

A request to amend Chapters 17.04.060 of the Metropolitan Code, Zoning Regulations, amending the definition of financial institution and alternative financial services.

**CRITICAL PLANNING GOALS**

N/A

**PROPOSED AMENDMENT**

The proposed amendment would make changes to Section 17.04.060 of the Zoning Code to update the definitions of financial institution and alternative financial services. Earlier this year, the Metro Council amended the definition of financial institution to include operating hours. The Council also adopted a definition of alternative financial services that included those facilities that operated outside of the hours of a financial institution.

This amendment would remove the operating hour specifications from the definition of both financial institution and alternative financial services. The amendment proposes to modify the definition of financial institution to include a description regarding the type of organization that falls under the definition. Similar alterations are proposed for the definition of alternative financial services.

**Chapter 17.04 – General Provisions and Definitions**

This amendment proposes that the definition for financial institution located in Chapter 17.04 of the Metro Zoning Code be amended as follows:

"Financial institution" means any building, room, space or portion thereof where an establishment provides a variety of financial services, and is a state or federally chartered bank, savings and loan association, or credit union, a mortgage company, or other financial institution whose services are insured by an agency of the United States government, ~~including generally, banks, credit unions, and mortgage companies,~~ but excluding alternative financial services. ~~A financial institution is open to the public within hours that do not exceed 8:00 a.m. to 6:00 p.m. Monday—Friday, and 8:00 a.m. to 1:00 p.m. on Saturday.~~

This amendment proposes that the definition for alternative financial services located in Chapter 17.04 of the Metro Zoning Code be amended as follows:

"Alternative financial services" means any building, room, space or portion thereof where an establishment provides a variety of financial services ~~outside of the operating hours of a financial institution and/or offers financial services~~ including but not limited to cash advance, title loans, check cashing, pawnshops and flex loans, and such establishment is not a state or federally chartered bank, savings and loan association, or credit union, a mortgage company, or other financial institution whose services are insured by an agency of the United States government.

**ANALYSIS**

Staff recommends that the proposed amendments be approved with a substitute. The amendment clarifies the definitions of both financial institutions and alternative financial services. The amended definitions would remove restrictions on operating hours for financial institutions currently present in the definitions and provide more flexibility in regards to operations. The substitute would correct the proposal number in the caption of the bill from 2015Z-015TX-01 to 2015Z-015TX-001.

**ZONING ADMINISTRATOR RECOMMENDATION**

**STAFF RECOMMENDATION**

Staff recommends that the proposed bill be approved with a substitute to correct the proposal number in the caption.

**ORDINANCE NO. BL2016-379**

**An ordinance amending Title 17 of the Metropolitan Code pertaining to financial institutions and alternative financial services (Proposal No. 2016Z-015TX-01).**

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

Section 1. That Section 17.04.060 of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by deleting the definition of "Financial Institution" and replacing with following definition:

"Financial institution" means any building, room, space or portion thereof where an establishment provides a variety of financial services and is a state or federally chartered bank, savings and loan association, or credit union, a mortgage company, or other financial institution whose services are insured by an agency of the United States government, but excluding alternative financial services.

Section 2. That Section 17.04.060 of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by adding the following terms and definitions:

"Alternative financial services" means any building, room, space or portion thereof where an establishment provides a variety of financial services, including but not limited to cash advance, title loans, check cashing, pawnshops and flex loans, and such establishment is not a state or federally chartered bank, savings and loan association, or credit union, a mortgage company, or other financial institution whose services are insured by an agency of the United States government.

Section 3. Be it further enacted, that this ordinance take effect immediately 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.

Sponsored by: Jeff Syracuse

**Approve with substitute. Consent Agenda, (7-0)**

**Resolution No. RS2016-283**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-015TX-001 is **Approved with substitute. (7-0)**"

**15. 2016Z-018TX-001**

BL2016-350

Staff Reviewer: Jason Swaggart

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, to delete "adult entertainment" as a use permitted through Overlay within MUI-A zoning districts, requested by Councilmember Freddie O'Connell.

**Staff Recommendation: Defer to the October 27, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016Z-018TX-001 to the October 27, 2016, Planning Commission meeting. (7-0)**

**16. 2016SP-039-002**

**BENTO BOX**

Council District 17 (Colby Sledge)

Staff Reviewer: Latisha Birkeland

A request to amend a Preliminary SP on properties located at 1267 and 1271 3rd Avenue South, at the southwest corner of 3rd Avenue South and Hart Street, zoned SP (0.95 acres), to permit a mixed-use development with up to 89 residential units and a maximum 8,500 square feet of non-residential uses, requested by Littlejohn Engineering & Associates, applicant; David Mangum, owner.

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

**APPLICANT REQUEST**

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

### Preliminary SP

A request to amend a Preliminary SP on properties located at 1267 and 1271 3rd Avenue South, at the southwest corner of 3rd Avenue South and Hart Street, zoned Specific Plan (SP) (0.95 acres), to permit a mixed-use development with up to 89 residential units and a maximum 8,500 square feet of non-residential uses.

### **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**

Specific Plan-Residential (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.

### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Provides a Range of Housing Choices
- Provides a Variety of Transportation Choices
- Creates Walkable Neighborhoods

The area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development in areas not served with adequate infrastructure, such as substandard roads, water and sewer, because it does not burden Metro with the cost of upgrading or building new infrastructure. The plan provides an additional housing option to the immediate area, which serves a wider range of people with different housing needs. The proximity to Nolensville Pike also supports public transportation and walkable neighborhoods. People living in more dense mixed-use areas are more likely to use public transit because every day services are located more closely and it can be more efficient than driving oneself.

### **SOUTH NASHVILLE 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, T5Center, 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.

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

### Consistent with Policy?

Yes. The proposed development is consistent with the Conservation policy and the T4 Urban Mixed Use Neighborhood policy. The Conservation area consists of a small area of steep slopes along the northeast side of the site. The small area of steep slope is man-made and created from fill placed on the site over a period of time. The plan proposes a mixture of uses including residential and commercial space. The proposed building will be built to the back edge of the new sidewalk and parking is behind the building, providing an active pedestrian environment.

### **PLAN DETAILS**

The site is located at 1267 and 1271 3<sup>rd</sup> Avenue South, at the southwest corner of Hart Street and 3<sup>rd</sup> Avenue South. The site is approximately 0.95 acres in size and is currently vacant commercial land.

### History

On June 9, 2016, the Metro Planning Commission recommended approval a mixed use development with a maximum of 82 residential units and a maximum 8,700 square feet of non-residential uses. The applicant has proposed a new plan that would permit a maximum of 89 residential units and a maximum of 8,500 square feet of non-residential uses. The proposed plan has reduced the proposed commercial square footage, reduced the unit square footage and added a few more units. The building foot print has not changed. The increase in units requires an amendment to the previously approved SP plan.

### Site Plan

The plan proposes an 89-unit multi-family residential building with up to 8,500 square feet of ground floor commercial space. The 5-story building has frontage along Hart Street and 3<sup>rd</sup> Avenue South. The western property line abuts CSX railroad right-of-way.

The proposed building includes a smaller two-story restaurant space at the corner of Hart Street and 3<sup>rd</sup> Avenue South. By reducing the restaurant space and making internal adjustments, the applicant was able to provide for more units without expanding the previously approved building. The proposal includes:

- Space for retail and office uses;
- A restaurant or retail use located at the corner of Hart Street and 4<sup>th</sup> Avenue South;
- A rooftop patio;
- Ground floor commercial spaces with glazing and pedestrian accessibility that will create an active streetscape.

Vehicular access to the site will be from Hart Street and 3<sup>rd</sup> Avenue South. The building cantilevers over the vehicular access along 3<sup>rd</sup> Avenue South. Parking on site will be located within an 83 stall automated parking structure along the rear of the site. The automated parking structure can be entered along the front of the structure, the side that faces the drive aisle. A 17-19' foot tall retaining wall will be installed along the rear of the site, adjacent to the CSX right-of-way, as grade falls along the eastern side of the site.

The proposed six foot wide sidewalk and four foot wide grass strip along Hart Street and 3<sup>rd</sup> Avenue South exceed the sidewalk requirements for local streets. Additionally, internal sidewalks are provided in the parking area. The proposed bike parking meets Metro Zoning Code requirements. In addition to street trees, the proposal includes landscaping internal to the site. Architectural standards, such as prohibited materials, are included in the plan.

**ANALYSIS**

The proposed building form and uses are consistent with the T4 Mixed Use Neighborhood policy. The redevelopment of this site will encourage pedestrian activity and activate the public realm. The 5-story building is appropriate in this location within the T4 Mixed Use Neighborhood Policy given the site is adjacent to 4<sup>th</sup> Avenue South, which is a major arterial street. Mixed use is appropriate in this location as it provides a diversity of housing types and uses near a major arterial corridor. The proposed building will help frame Dudley Park, just to the north of this site, and provide a transition to the existing uses along Hart Street.

**FIRE DEPARTMENT RECOMMENDATION**

**Approved with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES**

**Approve with conditions**

- Approved as a Preliminary SP Amendment only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approved**

- 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.
- Prior to building permit signoff by MPW submit copy of recorded ROW dedication.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved**

Maximum Uses in Existing Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.95	-	82 U	621	44	63

Maximum Uses in Existing Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.95	-	8,700 SF	410	15	43

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.95	-	89 U	663	48	67

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.95	-	8,500 SF	402	14	42

Traffic changes between maximum: **SP-MU and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+34	+3	+3

**METRO SCHOOL BOARD REPORT**

Projected student generation existing SP-MU district: 10 Elementary 5 Middle 4 High

Projected student generation proposed SP-MU district: 11 Elementary 6 Middle 5 High

The proposed SP-MU zoning district could generate 3 more students than what is typically generated under the existing SP-MU zoning district. Students would attend Whitsitt Elementary, Wright Middle School, and Glenciff High School. All schools have been identified as having additional capacity. This information is based upon data from the school board last updated March 2016.

**Workforce and Affordable Housing**

- Will this project include any affordable or workforce housing units? No.
- If so, how many and what is the percentage of the entire development? N/A
- How will you enforce the affordability requirements? N/A
- Have any structures been demolished in the last 12 months? No.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions as the proposed SP is consistent with the community plan and meets several critical planning goals.

**CONDITIONS**

1. Permitted land uses shall be limited to up to 89 residential units and a maximum of 8,500 square feet of commercial.
2. Height is limited to a maximum of 5 stories within 76 feet along Hart Street.
3. The rooftop patio is permitted along Hart Street. The roof covering the patio area shall not exceed 13 feet in height.
4. Height is limited to a maximum of 5 stories within 64 feet along 3<sup>rd</sup> Avenue South.
5. This property will not be eligible for short-term rental property (STRP) permits under Metro Code of Laws section 6.28.030.
6. The applicant voluntarily requests that he and his successors comply with Ordinance No. BL2016-133 if associated financial incentives are approved.
7. If a development standard, excluding 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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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.
10. 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.

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

**Approve with conditions and disapprove without all conditions, Consent Agenda. (7-0)**  
**Resolution No. RS2016-284**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-039-002 is **Approved with conditions and disapproved without all conditions. (7-0)**"

**CONDITIONS**

1. Permitted land uses shall be limited to up to 89 residential units and a maximum of 8,500 square feet of commercial.
2. Height is limited to a maximum of 5 stories within 76 feet along Hart Street.
3. The rooftop patio is permitted along Hart Street. The roof covering the patio area shall not exceed 13 feet in height.
4. Height is limited to a maximum of 5 stories within 64 feet along 3<sup>rd</sup> Avenue South.
5. This property will not be eligible for short-term rental property (STRP) permits under Metro Code of Laws section 6.28.030.
6. The applicant voluntarily requests that he and his successors comply with Ordinance No. BL2016-133 if associated financial incentives are approved.
7. If a development standard, excluding 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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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.
10. 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.
11. 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.

**17. 2016SP-075-001**

**1822 RIVER ROAD SP**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Lisa Milligan

A request to rezone from RS10 to SP-R zoning on property located at 1822 River Drive, approximately 540 feet northeast of Doak Avenue, (0.49 acres), to permit two residential units, requested by Dale & Associates, Inc., applicant; W. P. Stevenson, owner.

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

**APPLICANT REQUEST**

**Permit two residential units.**

Preliminary SP

A request to rezone from Single-Family Residential (RS10) to Specific Plan- Residential (SP-R) zoning on property located at 1822 River Drive, approximately 540 feet northeast of Doak Avenue, (0.49 acres).

**Existing Zoning**

Single Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 2 lots.*

**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.

## **CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports Infill Development

This request directs development to areas where infrastructure is already existing (i.e. sewer lines, roads) as opposed to areas where there are not adequate public facilities. This reduces the service constraints placed on Metro's resources. The proposed request would also enhance walkability along a corridor through the orientation of buildings and enhancement of the pedestrian network.

## **BORDEAUX- WHITES CREEK COMMUNITY PLAN**

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

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.

### Consistent with Policy?

Yes. This request is consistent with policy as it is enhancing a suburban residential neighborhood. This policy is applied to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and pedestrian connectivity, which this application would introduce.

The guidance for the Conservation policy is whether or not the site has been disturbed and in this instance it has. There is an existing residential structure located on parts of the Conservation policy.

## **PLAN DETAILS**

This property is located at 1822 River Drive. The site is approximately 0.49 acres and currently has one existing residential structure.

### Site Plan

The plan proposes two detached residential units, one existing and the other proposed. The proposed unit would be located towards the front of the site and would be setback consistent with the adjacent properties. This would maintain the rhythm along the street. The existing unit is located at the rear of the property and would remain.

There would be one vehicular access point along River Drive that would be no greater than 16 feet in width. Parking is provided through a combination of a two car garage and surface parking. Sidewalks would be improved to local street standards, including a five foot sidewalk and four foot planting strip.

Architectural standards have been included for this development specifying 18"-36" raised foundations, porches that provide a minimum depth of six feet, and glazing requirements. These standards would apply to new construction on the site.

## **ANALYSIS**

The proposed site plan is consistent with the T4 Neighborhood Evolving policy and supports two critical planning goals. This infill development would produce a different character that includes increased housing diversity and pedestrian connectivity. Currently, River Drive has only single family residences. This application would introduce two-family residential units and sidewalks would be improved to local standards.

Given these reasons, staff recommendation is to approve with conditions and disapprove without all conditions.

## **FIRE MARSHAL RECOMMENDATION**

### **Approved with conditions**

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

**STORMWATER RECOMMENDATION**  
**Approve**

**WATER & SERVICES RECOMMENDATION**  
**Approved with conditions**

- Approved as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**  
**Approved 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.
- If sidewalks are required then they are to be show on the plans per the MCSP and per MPW standards and specifications.
- Prior to Final SP, revise plan to indicate installation of MPW standard ST-322 driveway ramp.

**TRAFFIC & PARKING RECOMMENDATION**  
**Approved**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.49	4.3 D	2 U	20	2	3

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

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)	0.49	-	2 U	20	2	3

Traffic changes between maximum: **RS5** and **SP-R**

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

**METRO SCHOOL BOARD REPORT**

Projected student generation existing **RS-5** district 0 Elementary 0 Middle 0 High  
 Projected student generation proposed **SP-R** district 0 Elementary 0 Middle 0 High

The proposed SP-R zoning district would generate no additional student than what is typically generated under the RS-5 zoning district. All three schools have been identified as having additional capacity. Students would attend Cumberland Elementary, Joelton Middle School and Whites Creek High School. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT**(information provided by applicant)

1. Will this project include any affordable or workforce housing units? No.
2. If so, how many and what is the percentage of the entire development? N/A
3. How will you enforce the affordability requirements? N/A
4. Have any structures been demolished in the last 12 months? No.

**STAFF RECOMMENDATION**

Staff recommendation is to approve with conditions, and disapprove without all conditions as this request is consistent with policy.

**CONDITIONS**

1. Uses within this SP shall be limited to up to two residential units.



2. Sidewalks shall be improved to a five foot wide sidewalk and a four foot wide planting strip along the street frontage of the property.
3. 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 R20-A zoning district as of the date of the applicable request or application.
4. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Ms. Blackshear moved and Ms. Hagan-Dier seconded the motion to defer to the October 27, 2016 Planning Commission meeting. (7-0)**

**Resolution No. RS2016-285**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-075-001 is **Deferred to the October 27, 2016, Planning Commission meeting. (7-0)**"

**18a. 90-82P-001**

Council District 07 (Anthony Davis)  
Staff Reviewer: Latisha Birkeland

A request to cancel a Planned Unit Development located at 1132 Shelton Avenue, at the corner of Shelton Avenue and Windsor Avenue, located within a Planned Unit Development (0.66 acres), zoned RS7.5, requested by Sharondale Surveying, Inc., applicant; Pamela Burke, owner. (See associated case # 2016S-164-001)  
**Staff Recommendation: Approve.**

**APPLICANT REQUEST  
PUD cancellation**

Preliminary SP

A request to cancel a Planned Unit Development located at 1132 Shelton Avenue, at the corner of Shelton Avenue and Windsor Avenue, located within a Planned Unit Development (0.66 acres), zoned Single-Family Residential (RS7.5) (See associated case # 2016S-164-001).

**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.

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

**EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve 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.

Consistent with Policy?

Yes. This request is consistent with policy as the intent of this policy is to preserve the general character of the existing urban residential neighborhood. The existing PUD permits the use of an existing 4-family dwelling. The existing neighborhood consists of mainly single-family and two-family dwelling units.

**REQUEST DETAILS**

The PUD covers one lot at the corner of Shelton Avenue and Windsor Avenue, totaling approximately 0.66 acres. The existing PUD allows for an existing 4-family dwelling on this lot. The PUD does not allow for other uses.

**ANALYSIS**

This property is located in the Inglewood Place Neighborhood Conservation District. The PUD cancellation has an associated subdivision request to create two lots from one lot. Proposed subdivisions within neighborhood conservation districts require approval from Metro Historic Zoning Commission staff.

The applicant has indicated that the intent is to convert the existing 4-family dwelling into a single-family dwelling. If the PUD is cancelled and the 4-family dwelling is not converted to a single-family dwelling, the existing dwelling would be considered legally non-conforming.

**FIRE DEPARTMENT RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

Approved

**WATER SERVICES**

Approved

**PUBLIC WORKS RECOMMENDATION**

Approved

**TRAFFIC AND PARKING RECOMMENDATION**

Approved

**STAFF RECOMMENDATION**

Staff recommends approval.

Approve. Consent Agenda, (7-0)

**Resolution No. RS2016-286**

“BE IT RESOLVED by The Metropolitan Planning Commission that 90-82P-001 is **Approved. (7-0)**”

**18b. 2016S-164-001**

**INGLEWOOD PLACE RESUB OF LOT 54**

Council District 07 (Anthony Davis)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create two lots on property located at 1132 Shelton Avenue, at the corner of Shelton Avenue and Windsor Avenue, zoned RS7.5 and within Inglewood Neighborhood Conservation and a Planned Unit Development Overlay (0.66 acres), requested by Sharondale Surveying, Inc., applicant; Pamela Burke, owner. (See associated case # 90-82P-001)

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Final plat to create two lots.**

Final Plat

A request for final plat approval to create two lots on property located at 1132 Shelton Avenue, at the corner of Shelton Avenue and Windsor Avenue, zoned Single-Family Residential (RS7.5) and within Inglewood Place Neighborhood Conservation District and a Planned Unit Development Overlay (0.66 acres)(See associated case # 90-82P-001).

**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.

## **CRITICAL PLANNING GOALS**

**N/A**

## **EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve 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 request is for final plat approval to create two lots from one lot for property located at 1132 Shelton Avenue. The plat proposes to create Lot 1 with frontage on Shelton Avenue and Windsor Avenue. Lot 2 will have frontage only on Windsor Avenue.

There is an existing sidewalk along Shelton Avenue west of Windsor Avenue. Subdivision Regulations require that sidewalks must be installed along Shelton and Windsor Avenue as the new sidewalk would extend an existing sidewalk network across a public right-of-way. The proposed lots have the following square footage:

- Lot 1: 21,548 SF (0.495 acres)
- Lot 2: 8, 327 SF (0.191 acres)

## **ANALYSIS**

### Lot Compatibility

Section 3-5.4 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within a Designated Historic District. Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

### Designated Historic Districts

The subject property is located within the Inglewood-Place Neighborhood Conservation Overlay District which is a historic district adopted by Metro Council.

### Zoning Code

All lots meet the minimum standards of the RS7.5 zoning district.

### Historic Zoning Commission Staff Recommendation

Approve

### Agency Review

All reviewing agencies have recommended approval.

## **FIRE DEPARTMENT RECOMMENDATION**

**N/A**

## **STORMWATER RECOMMENDATION**

**Approved**

## **WATER SERVICES**

**Approved**

## **PUBLIC WORKS RECOMMENDATION**

**Approved with Conditions**

- If sidewalks are required by Planning and the applicant chooses to construct rather than pay the in-lieu fee, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip or as determined by Public Works, and a minimum 5 foot wide sidewalk unobstructed, and a minimum of 20 feet pavement on the street width. Wider sidewalk, grass strip, and pavement width is required where on-street parking occurs or on a street classification greater than local.
- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

## **TRAFFIC AND PARKING RECOMMENDATION**

**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions if the associated PUD cancelation is approved.

**CONDITIONS**

- 1. Prior to plat recordation the existing structure on Lot 1 shall be converted to a single-family residence.
- 2. Sidewalks are required along Windsor Avenue and Shelton Avenue. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
  - a. Submit a bond application and post a bond with the Planning Department,
  - b. Construct sidewalk and have it accepted by Public Works,
  - c. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
 Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.
- 2. Remove Note 19.

**Approve with conditions. Consent Agenda, (7-0)**

**Resolution No. RS2016-287**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-164-001 is **Approved with conditions. (7-0)**"

**CONDITIONS**

- 1. Prior to plat recordation the existing structure on Lot 1 shall be converted to a single-family residence.
- 2. Sidewalks are required along Windsor Avenue and Shelton Avenue. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
  - a. Submit a bond application and post a bond with the Planning Department,
  - d. Construct sidewalk and have it accepted by Public Works,
  - e. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
 Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.
- 2. Remove Note 19.

**19. 2016S-199-001**

**HAYNIES CENTRAL PARK PLAN RESUB OF LOTS 59-62**

Council District 06 (Brett Withers)  
Staff Reviewer: Latisha Birkeland

A request to amend a previously approved plat by amending building height restrictions from two stories to three stories on properties located at 1109, 1111, 1113, 1115 and 1117 Ozark Street, approximately 160 feet northwest of South 12th Street, zoned RS5 (0.76 acres), requested by Jason Baxter, applicant and owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2016S-199-001 indefinitely. (7-0)**

**20a. 2016HL-001-001**

**THE MAYBELLE**

Council District 08 (Nancy VanReece)  
Staff Reviewer: Karimeh Sharp

A request to apply a Historic Landmark Overlay District to property located at 1020 Gibson Drive, approximately 800 feet north of Due West Avenue, zoned One and Two Family Residential (R15) and within a Planned Unit Development overlay (12.87 acres), requested by Councilmember Nancy VanReece, applicant; Joseph Mayo, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 1020 Gibson Drive, approximately 800 feet north of Due West Avenue, zoned One and Two-Family Residential (R15) and within a Planned Unit Development overlay (12.87 acres).

### **Existing 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. *The PUD overlay permits only the existing structures on the site; R15 would permit a maximum of 31 lots with 79 duplex lots for a total of 38 units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services.

### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structures on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and Staff.

### **MADISON COMMUNITY PLAN**

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

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.

### Consistent with Policy?

Yes. The policies encourage the protection and preservation of historic features.

### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) is considering this application at its September 21, 2016 meeting. Historic Zoning Commission staff has recommended approval. Metro Historic Commission staff provided the following background information:

#### **The Maybelle**

The Smith-Carter home was built in 1925. Carl Smith, who was inducted into the Country Music Hall of Fame in 2003, purchased the property weeks prior to his marriage to June Carter in 1952. June Carter Cash (1929-2003) is best known as a member of the Carter Family, a traditional American folk music group that recorded between 1927 and 1956. June Carter, as she was known professionally, won five Grammy Awards and was inducted into the Christian Music Hall of Fame in 2009.

Smith and Carter welcomed daughter Rebecca Carlene Smith in 1955. Photographs of June outside the home with Rebecca Carlene were published in the *Tennessean* on July 8, 1956. After her divorce in 1956, June moved to New York. In 1957, June returned to Madison and married racecar driver Edwin "Rip" Nix. Nix moved into the Madison home and used the barn as a garage for his car. Nix and Carter divorced in 1966. June Carter married Johnny Cash in 1968; the two resided in this home. Johnny Cash joined the Grand Ole Opry in 1956 and enjoying a string of hits, including "Ring of Fire" in 1963.

June Carter's mother, Maybelle Carter, made the home her primary residence until her death in 1978. Maybelle Carter (1909-1978) was a member of the Carter Family act in the 1920s and 1930s and later of the Mother Maybelle and the Carter Sisters group from 1946-1948. She influenced country and folk music for decades. The Carter Family

was inducted into the Country Music Hall of Fame in 1970, and in 2005 posthumously honored with a Grammy Lifetime Achievement Award.

The property served as a gathering point for friends and other musicians. "Hee Haw" star Roni Stoneman remembers the "pickin' parties" that were held at the barn on the property. Stories, including visits by Elvis and Johnny Cash, have passed through the country music community. In 1983, June and Johnny Cash sold part of the land for the Maybelle Carter Retirement.

To be considered as an historic landmark, a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On September 21, 2016, the Metro Historic Zoning Commission will review the application. Historic Zoning Commission Staff has recommended approval of the application of a Historic Landmark Overlay District.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District as staff finds that the property meets the criteria.

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

Ms. Sharp presented the staff recommendation of approval.

Councilmember Van Reece spoke in favor of the application because she is anxious to move this forward and protect the area.

Todd Mayo, 1020 Gibson Dr, spoke in favor of the application.

Abigail Eitneier, 112 W Marthona Rd, spoke in favor of the application. It is a great idea to preserve this.

Kenneth White, 206 Beverly Dr, spoke in favor of the application; the arts and culture of Madison need to be supported.

Coni Guerin, 409 Barbara Dr, spoke in opposition to the application due to safety concerns, noise issues, and hours of operation.

#### **Ms. Farr closed the Public Hearing.**

Mr. Clifton spoke in favor of the application.

Ms. Blackshear spoke in favor of the application.

Councilmember Allen spoke in favor of the application.

Mr. McLean spoke in favor of the application.

**Ms. Hagan-Dier moved and Mr. McLean seconded the motion to approve. (7-0)**

#### **Resolution No. RS2016-288**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2016HL-001-001 is **Approved. (7-0)"**

## 20b. 2016NL-003-001

### THE MAYBELLE

Council District 08 (Nancy VanReece)

Staff Reviewer: Karimeh Sharp

A request to apply a Neighborhood Landmark Overlay District for property located at 1020 Gibson Drive, approximately 800 feet north of Due West Avenue, zoned R15 and within a Planned Unit Development overlay (12.87 acres), requested by Dale & Associates, Inc., applicant; Joseph T. Mayo, owner. (See associated case # 27-80P-002 & #2016HL-001-001)

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Apply a Neighborhood Landmark Overlay.**

#### Neighborhood Landmark Overlay

A request to apply a Neighborhood Landmark Overlay District to property located at 1020 Gibson Drive, approximately 800 feet north of Due West Avenue, zoned One and Two Family Residential (R15) and within a Planned Unit Development (12.87 acres).

#### **Existing 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. *The PUD overlay permits only the existing structures on the site; R15 would permit a maximum of 31 lots with 7 duplex lots for a total of 38 units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services.

#### **Proposed Zoning**

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.

#### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Neighborhood Landmark Overlay District would preserve the historic Maybelle Carter home, which was built in 1925.

#### **HISTORY**

This property is located at 1020 Gibson Drive. The house on the property was constructed in 1925 and became the family home of June Carter Cash (then June Carter Smith) in 1952. Various performers at the Grand Ole Opry frequented the home. June's mother, Maybelle Carter, a musical legacy in her own right, later lived on the property. In 1980, the property was incorporated along with the parcel to the south as the Maybelle Carter Senior Adult Community Planned Unit Development (PUD 27-80P-002). The house, historic outbuildings, and grounds were retained under the PUD; per an easement recorded in 1983, no additional buildings or structures are permitted in order to preserve the beauty and openness of the property.

#### **ANALYSIS**

Section 17.36.420 of the Zoning Code defines a neighborhood landmark as a feature, its appurtenances and the property it is located on which, has historic, cultural, architectural, civic, neighborhood or archeological value and/or importance, whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.

To be eligible for this designation, a property must meet one or more of the following criteria:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community;
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community.

4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community; and
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

The historic structures on this property are important for Madison, Davidson County, and the State of Tennessee due to their significance in the region's cultural history. The main house has been designated as eligible to be listed on the National Register of Historic Places. Retaining this feature would reinforce the neighborhood's traditional and unique character and sense of place within Music City.

Per section 17.40.160 of the Metro Zoning Code, in recommending approval of a neighborhood landmark district, the planning commission shall find that:

- a. The feature is a critical component of the neighborhood context and structure;
- b. Retention of the feature is necessary to preserve and enhance the character of the neighborhood;
- c. The only reason to consider the application of the neighborhood landmark district is to protect and preserve the identified feature;
- d. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the neighborhood landmark overlay designation and return the district to the base zoning district prior to the application of the district;
- e. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate neighborhood landmark development plan as a means of preserving the designated feature; and
- f. All other provisions of this section have been followed.

Staff finds that this application meets these criteria. The site is a critical component to not only the neighborhood, but to the region and the state. Retaining the buildings on the site preserves an important landmark in local history. Applying a Neighborhood Landmark Overlay District to this property requires the preservation of the existing historic buildings and grounds while also allowing a development plan to be prepared that would allow uses other than those permitted under the existing PUD or base zoning. Allowing additional uses permits the adaptive reuse of the existing historic buildings in a manner that is respectful of the historic buildings and grounds and creates a revenue stream that contributes to the preservation of these historic features.

This development plan is not approved through this current application, which is a preliminary step that designates the property as a Neighborhood Landmark. The applicant must submit a final site plan detailing the adaptive reuse of existing structures and any proposed development for approval by the Planning Commission. Should this final site plan propose additional buildings or structures, approval of the final site plan will be conditional upon removing an easement recorded on June 30, 1983. This easement, entered into by John and June Carter Cash and the Maybelle Carter Retirement Center, Ltd., aims to preserve the beauty and openness of the property at 1020 Gibson Drive by prohibiting additional buildings or structures. This platted easement is effective between the two properties within the PUD, and is not altered by changes in ownership. Amending the plat to remove the note concerning the easement would require the signatures of both property owners within the PUD and approval by the Planning Commission.

**FIRE MARSHAL RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**WATER SERVICES RECOMMENDATION**

**Approved with conditions**

- Approved as a Preliminary Plan only. The required capacity fees must be paid prior to Final Site Plan approval.

**TRAFFIC AND PARKING RECOMMENDATION**

N/A

**HISTORIC ZONING COMMISSION STAFF RECOMMENDATION**

**Approve**

The Metropolitan Historical Commission and the Tennessee Historical Commission have determined that this property is eligible for listing in the National Register of Historic Places for its association with Carl Smith and June Carter Cash (the former Mrs. Carl Smith), "Mother" Maybelle Carter, and other musical acts including Marty Stuart



and the Nitty Gritty Dirt Band. As an NRE property, it meets the criteria for a Neighborhood Landmark Overlay District.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

Ms. Sharp presented the staff recommendation of approval.

Councilmember Van Reece spoke in favor of the application because she is anxious to move this forward and protect the area.

Todd Mayo, 1020 Gibson Dr, spoke in favor of the application.

Abigail Eitneier, 112 W Marthona Rd, spoke in favor of the application. It is a great idea to preserve this.

Kenneth White, 206 Beverly Dr, spoke in favor of the application; the arts and culture of Madison need to be supported.

Coni Guerin, 409 Barbara Dr, spoke in opposition to the application due to safety concerns, noise issues, and hours of operation.

**Ms. Farr closed the Public Hearing.**

Mr. Clifton spoke in favor of the application.

Ms. Blackshear spoke in favor of the application.

Councilmember Allen spoke in favor of the application.

Mr. McLean spoke in favor of the application.

**Ms. Hagan-Dier moved and Mr. McLean seconded the motion to approve. (7-0)**

**Resolution No. RS2016-289**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016NL-003-001 is **Approved. (7-0)**”

**20c. 27-80P-002**

**MAYBELLE CARTER RETIREMENT CENTER**

Council District 08 (Nancy VanReece)

Staff Reviewer: Karimeh Sharp

A request to cancel a portion of the Maybelle Carter Retirement Center Planned Unit Development Overlay District on property located at 1020 Gibson Road, approximately 800 feet north of Due West Avenue, zoned One and Two Family Residential (R15) and within a Planned Unit Development overlay (12.87 acres), requested by Dale & Associates, Inc., applicant; Joseph T. Mayo, owner. (See associated cases # 2016NL-003-001 & #2016HL-001-001)

**Staff Recommendation: Approve if the associated cases are approved. Disapprove if the associated cases are disapproved.**

**APPLICANT REQUEST**

**Cancel a portion of a PUD.**

Cancel PUD

A request to cancel a portion of the Maybelle Carter Retirement Center Planned Unit Development Overlay District for property located at 1020 Gibson Road, approximately 800 feet north of Due West Avenue, zoned One and Two-Family Residential (R15) and within a Planned Unit Development (12.87 acres).

**Existing 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. *The PUD overlay permits only the existing structures on the site; R15 would permit a maximum of 31 lots with 7 duplex lots for a total of 38 units.*

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

#### **CRITICAL PLANNING GOALS**

N/A

#### **MADISON COMMUNITY PLAN**

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

Conservation (CO) is intended to preserve and enhance environmentally sensitive land 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 the area is in and whether or not they have already been disturbed.

#### Consistent with Policy?

Yes. Canceling the PUD while approving the associated cases (the Neighborhood Landmark Overlay District and the Historic Landmark Overlay District) is consistent with the intent of the T3 Suburban Neighborhood Maintenance policy to retain the established character of the neighborhood. The proposed overlays are also consistent with the intent of Conservation policy to preserve the sensitive environmental features on the site (two streams and significant slopes); the Neighborhood Landmark Overlay District designates the grounds as integral to the historic nature of this landmark.

#### **REQUEST DETAILS**

This PUD covers two parcels totaling approximately 18.89 acres. The southern parcel, parcel 099, contains the Maybelle Carter Adult Retirement Center; this portion of the PUD is to remain. This request would cancel the PUD overlay for the northern parcel, parcel 043, which is approximately 12.87 acres. This portion of the PUD contains the historic Smith-Carter home (primarily occupied by June Carter Cash and her mother, Maybelle Carter) and two historic outbuildings as designated by the Metro Historic Zoning Commission. There are two associated requests for the property: one is to apply a Neighborhood Landmark Overlay District, and the other is to apply a Historic Landmark Overlay District.

#### **ANALYSIS**

If the associated requests to apply a Neighborhood Landmark Overlay District and a Historic Landmark Overlay District are approved, then staff recommends approval of this PUD cancellation. The existing PUD provides some protection to the historic properties and grounds as it does not permit additional development on the site, but it does not protect the historic structures from modifications or demolition. It also does not provide for any adaptive reuse of the property that would assist an owner in maintaining the 12.87 acre estate and historic structures.

If approved, the Neighborhood Landmark Overlay District would allow an appropriate development plan to be designed as a means of preserving the historic buildings and grounds. The Historic Landmark designation would provide additional protection against inappropriate modifications to the historic structures. An existing easement recorded in 1983 by June and Johnny Cash offers additional protection to the historic grounds by prohibiting additional structures on the site, or significant alterations to the grounds.

Staff finds that, in tandem, the Neighborhood Landmark Overlay District and the Historic Landmark Overlay District better achieve the objective of conserving this historic site than does the current PUD. However, if these associated cases are not approved, staff recommends that the request to cancel the PUD not be approved because the PUD does provide for some protection of the historic nature of this site.

#### **FIRE MARSHAL RECOMMENDATION**

N/A

#### **TRAFFIC AND PARKING RECOMMENDATION**

Approved

**WATER RECOMMENDATION**  
**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval if both associated cases are approved and disapproval if both associated cases are not approved.

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

Ms. Sharp presented the staff recommendation of approval.

Ms. Sharp presented the staff recommendation of approval.

Councilmember Van Reece spoke in favor of the application because she is anxious to move this forward and protect the area.

Todd Mayo, 1020 Gibson Dr, spoke in favor of the application.

Abigail Eitneier, 112 W Marthona Rd, spoke in favor of the application. It is a great idea to preserve this.

Kenneth White, 206 Beverly Dr, spoke in favor of the application; the arts and culture of Madison need to be supported.

Coni Guerin, 409 Barbara Dr, spoke in opposition to the application due to safety concerns, noise issues, and hours of operation.

**Ms. Farr closed the Public Hearing.**

Mr. Clifton spoke in favor of the application.

Ms. Blackshear spoke in favor of the application.

Councilmember Allen spoke in favor of the application.

Mr. McLean spoke in favor of the application.

**Ms. Hagan-Dier moved and Mr. McLean seconded the motion to approve if the associated cases are approved and disapprove if the associated cases are disapproved. (7-0)**

**Resolution No. RS2016-290**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 27-80P-002 is **Approved. (7-0)**”**

**21. 2016Z-102PR-001**

BL2016-409/Dave Rosenberg  
Council District 35 (Dave Rosenberg)  
Staff Reviewer: Patrick Napier

A request to rezone from One and Two-Family Residential (R80) to Agricultural/Residential (AR2a) zoning for property located at 7897 Old Charlotte Pike, approximately 1,050 feet northeast of Fire Tower Road, (8.2 acres), requested by Dale & Associates, Inc., applicant; The Mountain view Trust, owner.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Zone change from R80 to AR2-A.**

Zone Change

A request to rezone from One and Two-Family Residential (R80) to Agricultural/Residential (AR2a) zoning for property located at 7897 Old Charlotte Pike, approximately 1,050 feet northeast of Fire Tower Road, (8.2 acres).

**Existing Zoning**

One and Two-Family Residential (R80) requires a minimum 80,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of .58 dwelling units per acre including 25 percent duplex lots. *R80 would permit a maximum of 4 lots with 1 duplex lot for a total of 5 units.*

**Proposed 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 4 lots with 1 duplex lot for a total of 5 units.

**CRITICAL PLANNING GOALS**

N/A

**BELLVUE COMMUNITY PLAN**

T2 Rural Maintenance (T2 RM) is intended to preserve 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. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space.

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.

Consistent with Policy?

No. The rezoning to AR2a is inappropriate for the residential character and lot pattern within the immediate context on Old Charlotte Pike. There are some nonresidential uses that could be allowed within AR2a that may be inappropriate for the existing residential character. Examples of potentially incompatible uses include:

- Kennel/Stable
- Construction/demolition/landfill
- Mineral Extraction

This site is located in T2 Rural Maintenance and Conservation Policy, and introducing a new zoning district within this portion of Old Charlotte Pike, a primarily residential area, is inappropriate.

**ANALYSIS**

This site contains 8.2 acres of land, one single-family home, and multiple accessory structures. The site contains 463 feet of frontage along Old Charlotte Pike which is designated as a collector street by the Major and Collector Street Plan. AR2a zoning is more appropriate for larger parcels that are located within agricultural areas.

There are several uses that are allowed within the AR2a zoning district which are not permitted within the R80 zoning district. These uses are primarily agricultural in nature and may be incompatible with the residential uses and pattern. Since the application did not include the purpose of the rezoning request, it is possible that staff could work with the applicant on a Specific Plan application to limit the scope of the activities on site and ensure that the proposal is compatible with the adjacent residences.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**WATER SERVICES RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions of Approval**

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **R80**

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)	8.2	0.5 D	8 U	77	6	9

\*Based on two two-family lots.

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

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)	8.2	0.5 D	4 U	39	3	5

Traffic changes between maximum: **R80** and **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	- 4 U	-38	-3	-4

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed AR2a district: 1 Elementary 1 Middle 1 High

The proposed zone change could generate 3 more students than what is typically generated under the existing R80 zoning district. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G. Hill Middle School has been identified as overcrowded; however there is capacity for additional students within the middle school cluster. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT**

Will this project include any affordable or workforce housing units? N/A

If so, how many and what is the percentage of the entire development? N/A

How will you enforce the affordability requirements? N/A

Have any structures been demolished in the last 12 months? N/A

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Mr. Napier presented the staff recommendation of disapproval.

**Ms. Farr closed the Public Hearing.**

**Mr. McLean moved and Ms. Diaz seconded the motion to disapprove. (7-0)**

**Resolution No. RS2016-291**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-102PR-001 is **Disapproved. (7-0)**”

**22. 2016Z-103PR-001**

Council District 05 (Scott Davis)

Staff Reviewer: Lisa Milligan

A request to rezone from MUN to MUL-A zoning for property located at 307 Wilburn Street, approximately 170 feet east of Meridian Street, (0.28 acres), requested by Preservation Ale House, LLC, applicant; Robert Solomon, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Rezoning from MUN to MUL-A.**

Zone Change

A request to rezone from Mixed Use Neighborhood (MUN) to Mixed Use Limited Alternative (MUL-A) zoning for property located at 307 Wilburn Street, approximately 170 feet east of Meridian Street, (0.28 acres).

**Existing Zoning**

Mixed Use Neighborhood (MUN) is intended for a low intensity mixture of residential, retail, and office uses.

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports Infill Development

This request directs development to areas where infrastructure is already existing (i.e. sewer lines, roads) as opposed to areas where there are not adequate public facilities. This reduces the service constraints placed on Metro’s resources. The proposed request would also enhance walkability along a corridor through the orientation of buildings and enhancement of the pedestrian network.

**EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

Yes. This request is consistent with policy as it would enhance a neighborhood center that serves adjacent urban neighborhoods. This zoning district would allow mixed uses and would create pedestrian friendly environments through building placements and the enhancement of the pedestrian network.

**ANALYSIS**

The subject property is located at 307 Wilburn Street and is approximately 0.28 acres. There is an existing structure on the site. Currently this property is zoned MUN which permits residential, commercial and office uses.

In the event this property was to redevelop, the proposed MUL-A district would permit a mixture of uses including office, residential and commercial. This district also has appropriate design standards consistent with the policy that would create walkable neighborhoods through the use of building placements and enhancement of the sidewalk network. The MUN district does not have design standards.

The MUL-A district requires a build to zone that would orient future development to address the public realm. Sidewalks would be required along Wilburn Street. Parking would be required to be placed along the sides and/or the rear of any future development.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC & PARKING RECOMMENDATION**

**Approved with conditions**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.28	0.6 F	7, 318 SF	351	14	40

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.28	1 F	12,196 SF	560	17	51

Traffic changes between maximum: **MUN** and **MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 4,878 SF	+209	+3	+11

**METRO SCHOOL BOARD REPORT**

Projected student generation existing **MUN** district 0 Elementary 0 Middle 0 High  
 Projected student generation proposed **MUL-A** district 0 Elementary 0 Middle 0 High

The proposed MUL-A district would generate no additional students than what is typically generated under the existing MUN district using the Urban Infill Factor. There is additional capacity within this school cluster. Students would attend Glen Elementary, Jere Baxter Middle School and Maplewood High School. This information is based upon data from the school last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)**

1. Will this project include any affordable or workforce housing units? No.
2. If so, how many and what is the percentage of the entire development? N/A
3. How will you enforce the affordability requirements? N/A
4. Have any structures been demolished in the last 12 months? No.

**STAFF RECOMMENDATION**

Staff recommends approval as this request is consistent with policy.

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-292**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-103PR-001 is **Approved. (7-0)**”

**23. 2016Z-105PR-001**

BL2016-405/Scott Davis  
 Council District 05 (Scott Davis)  
 Staff Reviewer: Patrick Napier

A request to rezone from IG to MUI-A zoning on properties located at 520 and 600 Cowan Street and 1437 Cowan Court, approximately 1,050 feet northwest of Spring Street, (45.31 acres), requested by Civil Site Design Group, PLLC, applicant; Cargill, Inc., Cherokee Equity Corp. and Cherokee Marine Terminal, LLC, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**

**Zone change from IG to MUI-A.**

**Zone Change**

A request to rezone from Industrial General (IG) to Mixed Use Intensive-Alternative (MUI-A) zoning on properties located at 520 and 600 Cowan Street and 1437 Cowan Court, approximately 1,050 feet northwest of Spring Street, (45.31 acres).

**Existing Zoning**

Industrial General (IG) is intended for a wide range of intensive manufacturing uses

**Proposed Zoning**

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

## **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

This request provides the potential for infill development which often does not require large capital expenses for infrastructure improvements. The existing sidewalk fronting these parcels will allow for access to a larger surrounding sidewalk network which will provide a safe path of travel for pedestrians. Areas with existing infrastructure located on collector streets are most appropriate areas to locate increased residential density.

## **EAST NASHVILLE COMMUNITY PLAN**

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

### Consistent with Policy?

Yes. The rezoning to MUI-A is consistent with the T5 Center Mixed Use Neighborhood policy and is appropriate given the site's location in an urban area. This request is consistent with the intense mixture of uses found in the goals and objectives of the Center Mixed Use Neighborhood policy.

## **ANALYSIS**

Staff recommends approval of this request as the proposed rezoning is consistent with the T5 Center Mixed Use Neighborhood policy. This site contains 45.31 acres of land within three parcels, multiple industrial use structures, and various areas dedicated to outdoor storage. There is existing MTA bus route which provides an alternative method of transportation for the existing commercial uses along Cowan Street. Cowan Street is designated as an arterial boulevard within the Major and Collector Street Plan.

It is important to note all three parcels contained in this rezone request lie entirely within a floodplain area. Areas designated as floodplain are not excluded from redevelopment, though there are several Stormwater requirements which must be met before redevelopment may occur. One such requirement is the minimum finished floor elevation a proposed structure would be required to meet. The Nashville Next General Plan, Volume II Elements: Health, Livability, and the Built Environment encourages the use of compact building form as a design principle for minimizing the impact to an environmentally sensitive area such as flood plains. Not only does using compact building design promote walkability, but it also uses less developable land, preserving open space and natural features.

This request is consistent with the policy for the area and is appropriate given the surrounding land uses, land use policy, and recently completed rezoning requests. Various parcels to the north and south of the parcels identified in this request contain mixed use zoning. Given the existing policy for adjacent parcels fronting Cowan Street it is likely that additional parcels will follow the emerging trend of rezoning to a mixed use zoning district. The proposed rezone provides the potential for increased housing supply and increased housing choice which will likely support the increased intensity of uses for the parcels within the Center Mixed Use Neighborhood policy. When future development of these parcels occurs, sidewalks which meet the regulations of the Major and Collector Street Plan will be required. These sidewalks will help to create a more walkable neighborhood as identified within goals of the Center Mixed Use Neighborhood policy.

## **FIRE MARSHAL RECOMMENDATION**

N/A

## **PUBLIC WORKS RECOMMENDATION**

N/A

## **WATER SERVICES RECOMMENDATION**

N/A

## **STORMWATER RECOMMENDATION**

N/A

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Conditions of Approval**

- Traffic study may be required at time of development.



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	45.31	0.6 F	1,184,222 SF	4216	322	290

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	18.08	5 F	3,937,824 SF	73936	1346	7455

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential (220)	27.13	5 F	5,908 U	35927	2899	3268

Traffic changes between maximum: **IG** and **MUI-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+105,647	+3,923	+10,433

**METRO SCHOOL BOARD REPORT**

Projected student generation existing IG district: **0** Elementary **0** Middle **0** High

Projected student generation proposed MUI-A district: **21** Elementary **15** Middle **34** High

The proposed student generation numbers were calculated using the urban infill factor and assumed a 1,000 square foot residential unit with 40% of the site being used for non-residential floor area. Students would attend Glen Elementary School, Jere Baxter Middle School, and Maplewood High School. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT**(information provided by applicant)

1. Will this project include any affordable or workforce housing units? The applicant has not provided a response to this question.
2. If so, how many and what is the percentage of the entire development? The applicant has not provided a response to this question.
3. How will you enforce the affordability requirements? The applicant has not provided a response to this question.
4. Have any structures been demolished in the last 12 months? The applicant has not provided a response to this question.

**STAFF RECOMMENDATION**

Staff recommends approval as the proposed rezoning is consistent with the Center Mixed Use Neighborhood policy.

**Approve. Consent Agenda, (6-0-1)**

**Resolution No. RS2016-293**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2016Z-105PR is **Approved. (6-0-1)"**

**24. 2016Z-106PR-001**

BL2016-411/Kathleen Murphy  
Council District 24 (Kathleen Murphy)  
Staff Reviewer: Jason Swaggart

A request to rezone from R20 to RS20 zoning for various properties located on Woodlawn Drive, Lynnbrook Road, and Bowling Avenue, east of Wilson Boulevard, (22.86 acres), requested by Councilmember Kathleen Murphy, applicant; various property owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R20 to RS20.**

Zone Change

A request to rezone from One and Two-Family Residential (R20) to Single-Family Residential (RS20) zoning for various properties located on Woodlawn Drive, Lynnbrook Road, and Bowling Avenue, east of Wilson Boulevard, (22.86 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**GREENHILLS - MIDTOWN COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban 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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

Both the existing R20 zoning district and the proposed RS20 zoning district are consistent with the T3 NM policy. The policy can support single-family, two-family as well as multi-family residential units. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern.

**ANALYSIS**

Staff is recommending that the request be approved. The surrounding area currently contains a diversity of housing types, including single-family, two-family and multi-family. The surrounding area also has a diversity of zoning districts including large areas zoned for two-family. While the proposed zoning would preclude the subject properties from developing as two-family, it is a confined area, and would not have an impact on the existing diversity of the surrounding area, or the ability to provide additional two-family units in the surrounding area.

**WORKFORCE AND AFFORDABLE HOUSING REPORT**

Not applicable. This request includes properties owned by various property owners, which may develop at different times.

**STAFF RECOMMENDATION**

Staff recommends approval.

Ms. Milligan presented the staff recommendation of approval.

Councilmember Murphy spoke in favor of the application.

Robert Stein, 3611 Woodlawn, spoke in favor of the application in order to preserve this neighborhood.

Tracy Childress, 1316 Chester Ave, spoke in opposition to the application and requested a two week deferral due to the late notice received concerning this.

Tom Pennington, 202 Craighead Ave, spoke in opposition to the application and requested a deferral.

Clyde Brown asked for a deferral or the option to opt out.

Councilmember Murphy spoke in favor and asked for approval.

**Ms. Farr closed the Public Hearing.**

Councilmember Allen asked if the person asking to opt out is on the corner.

Councilmember Murphy stated yes but does not feel that the deferral is necessary and would like to keep this moving.

Ms. Blackshear spoke in favor of a deferral due to notice issues as it might be helpful to get more people on board.

Mr. Clifton explained this is not really a planning issues, it is a political issue for a political body. It is for the council to resolve.

Ms. Hagan-Dier spoke in favor of a deferral.

Ms. Logan pointed out that a one meeting deferral would impact the council schedule.

Mr. McLean expressed concerns with rezoning someone’s property when they do not want it rezoned.

Ms. Milligan clarified that properties can be removed but they can’t be added.

Ms. Diaz stated she doesn’t see a reason to defer.

Ms. Blackshear explained that if the commission thinks the notice was insufficient for whatever reason and it could impact the decision, it should be taken into consideration.

Ms. Farr stated the commission is always very conscious of anything that impacts someone’s property rights. This is a procedural issue; these circumstances warrant extra discussion.

**Ms. Blackshear moved and Ms. Hagan-Dier seconded the motion to defer to the October 13, 2016 Planning Commission meeting. (4-3) Mr. Clifton, Ms. Diaz, and Councilmember Allen voted against.**

**Resolution No. RS2016-294**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-106PR-001 is Deferred to the October 13, 2016, Planning Commission meeting. (4-3)”**

**25. 2016Z-107PR-001**

BL2016-412/Kathleen Murphy  
Council District 24 (Kathleen Murphy)  
Staff Reviewer: Jason Swaggart

A request to rezone from RM20 to R10 zoning for properties located at 2700, 2702, 2704, and 2706 Linmar Avenue, 2800 and 2802 Marlin Avenue, and Marlin Avenue(unnumbered), approximately 360 feet northeast of Sharondale Drive, (1.23 acres), requested by Councilmember Kathleen Murphy, applicant; various property owners.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Zone change from RM20 to R10.**

Zone Change

A request to rezone from Multi-Family Residential (RM20) to One and Two-Family Residential (R10) zoning for properties located at 2700, 2702, 2704, and 2706 Linmar Avenue, 2800 and 2802 Marlin Avenue, and Marlin Avenue(unnumbered), approximately 360 feet northeast of Sharondale Drive, (1.23 acres).

**Existing Zoning**

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**GREENHILLS - MIDTOWN COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban 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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

Both the existing RM20 zoning district and the proposed R10 zoning district are consistent with the T3 NM policy depending on the location. The policy does not support one single-residential type, but can support single-family, two-family as well as multi-family residential units. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern.

**ANALYSIS**

The properties are located in an area that is primarily multi-family. The four lots along Linmar Avenue are located between I-440 to the east and a multi-family development to the west. The two lots along Marlin Avenue are also surrounded by multi-family development. The current multi-family zoning is appropriate given the current development pattern and the area’s proximity to I-440. The area is served by a street network that provides good access to the site. Access to I-440 is also available approximately half a mile to the east. Because of all of these points, the existing multi-family zoning district is appropriate and staff recommends that the request be disapproved.

**WORKFORCE AND AFFORDABLE HOUSING REPORT**

Not applicable. This request includes properties owned by various property owners, which may develop at different times.

**STAFF RECOMMENDATION**

Staff recommends disapproval.

Ms. Milligan presented the staff recommendation of disapproval.

Councilmember Murphy spoke in favor of the application.

Toby Cannon, 2812 Marlin Ave, spoke in favor of the application as it supports lower density. Overflow traffic has nowhere to go.

Jay Bryant, 2810 Marlin Ave, spoke in favor of lower density because the streets can’t support what is already there.

Lee Ann Bryant, 2810 Marlin Ave, spoke in favor of lower density.

Judy Morris, 2718 Linmar Ave, spoke in favor of the application due to inadequate parking, no shoulders, and lack of access for safety vehicles.

Lori Schwartzmiller, 2700 Linmar Ave, spoke in opposition to the application; there are less restrictive means than under zoning this property.

Bill Swartz, 2117 19<sup>th</sup> Ave S, asked the commission to consider an “opt out” option for properties on Linmar.

**Ms. Farr closed the Public Hearing.**

Ms. Diaz spoke in favor of staff recommendation.

Councilmember Murphy expressed willingness to adjust and make sure folks are not getting stuck with single family zoning.

Councilmember Allen stated this doesn’t fit the “on the corridor, easy access to transit” criteria for the appropriate place to add density.

Mr. Clifton stated the present zoning is a mistake. What is already permitted is vested; it probably needs a new bill.

Ms. Farr expressed concerns with allowing the folks on Linmar to opt out because then all this has been done for two lots.

Councilmember Murphy asked for either an approval or disapproval so then she can start again clean if necessary.

Councilmember Allen asked if it could stay R10 and recommend taking the four on Linmar out.

**Councilmember Allen moved and Mr. Clifton seconded the motion to disapprove as submitted but approve with removal of four lots on Linmar Avenue because the R10 district on Marlin Avenue is consistent with the area's pattern of one and two-family uses; however, the limitation to single-family uses on Linmar Avenue is not consistent with this pattern. (7-0)**

**Resolution No. RS2016-295**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-107PR-001 is Disapproved as submitted but approved with the removal of four lots on Linmar Avenue because the R10 district on Marlin Avenue is consistent with the area's pattern of one and two-family uses, however, the limitation to single-family uses on Linmar Avenue is not consistent with this pattern. (7-0)"**

**26. 2016Z-108PR-001**

BL2016-413/Kathleen Murphy  
Council District 24 (Kathleen Murphy)  
Staff Reviewer: Jason Swaggart

A request to rezone from R10 to RS15 zoning for various properties located on Woodlawn Drive, west of Wilson Boulevard, (14.05 acres), requested by Councilmember Kathleen Murphy, applicant; various property owners.

**Staff Recommendation: Approve with a substitute ordinance.**

**APPLICANT REQUEST**

**Zone change from R10 to RS15.**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Single-Family Residential (RS15) zoning for various properties located on Woodlawn Drive, west of Wilson Boulevard, (12.44 acres).

**Existing Zoning**

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

**Proposed Zoning**

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

**CRITICAL PLANNING GOALS**

**N/A**

**GREENHILLS - MIDTOWN COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban 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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

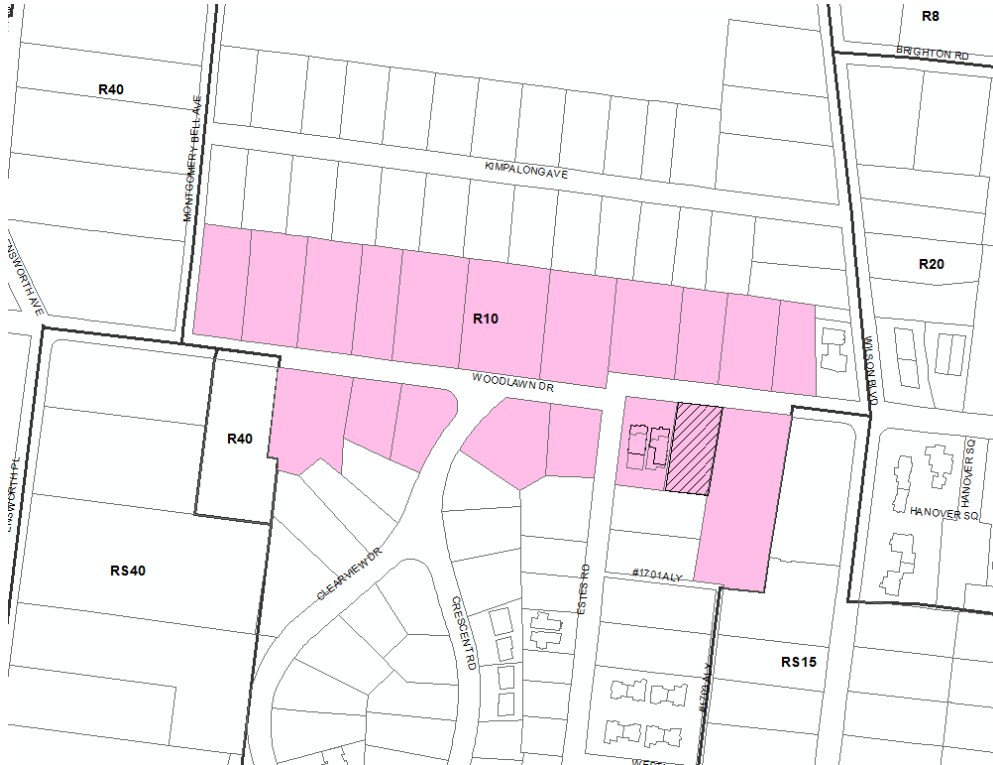
Both the existing R10 zoning district and the proposed RS15 zoning district are consistent with the T3 NM policy depending on locational characteristics. The policy does not support one single-residential type, but can support single-family, two-family as well as multi-family. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern.

**ANALYSIS**

The surrounding area currently contains a diversity of housing types, including single-family, two-family and multi-family. The surrounding area also has a diversity of zoning districts including large areas zoned for two-family. While the proposed zoning would preclude the subject properties from developing as two-family, it is a confined area, and would not have an impact on the existing diversity of the surrounding area, or the ability to provide additional two-family units in the surrounding area. There is a lot within the request that contains a legal duplex. Staff is recommending that this lot be removed from the request so that it does not become nonconforming.

**Substitute Ordinance No. BL2016-413**

Staff recommends approval with a substitute to remove Map 116-04, Parcel 143 from the downzoning.



**\*Hatched area denotes parcels recommended to be removed**

**WORKFORCE AND AFFORDABLE HOUSING REPORT**

Not applicable. This request includes properties owned by various property owners, which may develop at different times.

**STAFF RECOMMENDATION**

Staff recommends approval with a substitute ordinance.

Ms. Milligan presented the staff recommendation of approval with a substitute ordinance.

Councilmember Murphy spoke in favor and asked for approval.

Susannah Scott-Barnes, 700 Crescent Rd, spoke in favor of the application as it would maintain the character of the neighborhood.

Callie Khouri, 3942 Woodlawn, spoke in favor of the application in order to maintain the character of the neighborhood. It is such a beautiful area with a tree canopy that is very unique to Nashville.

Shawn Henry, 315 Deaderick Street, asked the commission to exclude their lot or include the lot that staff recommends opting out.

Jeff Bubis, 1404 Gail Lane, asked that his property be allowed to opt out.

**Ms. Farr closed the Public Hearing.**

Councilmember Allen stated she would feel more comfortable with Mr. Henry's request to keep both properties in because the zoning is more consistent.

Mr. Sloan clarified that the bill as presented doesn't have that lot being taken out, that was a recommendation by staff because it is currently a duplex.

Ms. Hagan-Dier suggested approving as submitted.

Ms. Farr agrees with either leaving both in or taking both out.

Ms. Diaz stated it will keep it consistent to keep them both in.

**Ms. Diaz moved and Mr. McLean seconded the motion to approve as submitted. (7-0)**

**Resolution No. RS2016-296**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-108PR-001 is **Approved as submitted. (7-0)**”

**27. 2016Z-109PR-001**

Council District 29 (Karen Y. Johnson)  
Staff Reviewer: Latisha Birkeland

A request to rezone from R10 to CS-A zoning on properties located at 2138 and 2142 Murfreesboro Pike, approximately 580 feet southeast of Franklin Limestone Road, within the Murfreesboro Pike UDO at Una Antioch Pike (1.94 acres), requested by Sherry W. Mercer, applicant; Sherry W. Mercer and Kenneth R. Wright, owners.  
**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R10 to CS-A**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Commercial Service Alternative (CS-A) zoning on properties located at 2138 and 2142 Murfreesboro Pike, approximately 580 feet southeast of Franklin Limestone Road, within the Murfreesboro Pike UDO at Una Antioch Pike (1.94 acres).

**Existing Zoning**

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 8 lots with 2 duplex lots for a total of 10 units.*

**Proposed Zoning**

Commercial Service-Alternative (CS-A) is intended to provide opportunities for a diverse range of commercial uses that include retail trade and consumer services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services.

Murfreesboro Pike Urban Design Overlay (UDO) at Una Antioch

The Murfreesboro Pike Urban Design Overlay (UDO) at Una Antioch implements the community vision set forth in the Antioch/Priest Lake Community Plan to achieve cohesive development along the Murfreesboro Pike Corridor. The UDO applies higher standards of design and create pedestrian friendly corridors by enhancing streetscapes with pedestrian-scale coordinated signage and landscaping.

**CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

Sidewalks are present along Murfreesboro Pike in this Location. Were this site to redevelop under CS-A zoning standards, the pedestrian streetscape would be further enhanced by strong connections between building entrances and sidewalks and the design standards of the Murfreesboro Pike UDO at Una Antioch Pike. The existing transit routes along Murfreesboro Pike provide the potential for an alternative method of transportation for future visitors to these properties.

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

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

Consistent with Policy?

Yes. The proposed CS-A zoning district is consistent with the T3 Suburban Mixed Use Corridor Policy (T3 CM) and is appropriate given the site's location. The rezoning would encourage a mix of uses promoted under this policy. Permitted uses under the CS-A zoning district are retail trade and consumer services, automobile sales and repair,

small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services. These uses are consistent with the intent of the policy to promote mixed-use developments that are amenable to pedestrians and create a vibrant public realm. The existing R10 zoning district is not consistent with the policy and does not provide these opportunities.

**ANALYSIS**

The proposed rezoning is consistent with T3 Suburban Mixed Use Corridor Policy and if the site were to redevelop, this redevelopment would comply with the pedestrian-friendly standards of the CS-A zoning district and standards of the Murfreesboro Pike UDO at Una Antioch Pike. The proposed commercial service zoning would complement the variety of uses present along Murfreesboro Pike and are encouraged under the T4 Urban Mixed Use Neighborhood Policy. The existing R10 zoning does not offer this potential.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	1.94	4.3 D	10 U	96	8	11

\*Based on two two-family lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.94	0.6 F	50,703 SF	4368	104	404

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4,272	+96	+393

**METRO SCHOOL BOARD REPORT**

The Metro School Board report was not generated because the proposed zone change would not generate students.

**STAFF RECOMMENDATION**

Staff recommends approval as the requested zoning district is consistent with the T3 Suburban Mixed Use Corridor policy.

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-297**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-109PR-001 is **Approved. (7-0)**”



## 28. 2016Z-111PR-001

Council District 02 (DeCosta Hastings)  
Staff Reviewer: Latisha Birkeland

A request to rezone from IWD to MUG-A zoning on property located at 521 and 545 Great Circle, approximately 530 feet southwest of Mainstream Drive, (7.94 acres), requested by Littlejohn Engineering & Associates, applicant; Ebon-Falcon, LLC, owner.

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Zone change from IWD to MUG-A.**

#### Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use General-Alternative (MUG-A) zoning on property located at 521 and 545 Great Circle, approximately 530 feet southwest of Mainstream Drive, (7.94 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

Mixed Use General-Alternative (MUG-A) is intended for a moderately high intensity mixture of residential, retail, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

#### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Creates Walkable Neighborhoods

This request directs development to areas where infrastructure is already existing (i.e. sewer lines, roads) as opposed to areas where there are not adequate public facilities. This reduces the service constraints placed on Metro's resources. The proposed request would also enhance walkability along a corridor through the orientation of buildings and enhancement of the pedestrian network.

#### **NORTH NASHVILLE COMMUNITY PLAN**

D Employment Center (D EC) is intended to enhance and create concentrations of employment that are often in a campus-like setting. A mixture of office and commercial uses are present, but are not necessarily vertically mixed. Light industrial uses may also be present in appropriate locations with careful attention paid to building form, site design and operational performance standards to ensure compatibility with other uses in and adjacent to the D EC area. Secondary and supportive uses such as convenience retail, restaurants, and services for the employees and medium to high density residential are also present.

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.

#### Consistent with Policy?

Yes. The proposed MUG-A zoning district is consistent with the District Employment Center Policy (D EC) and is appropriate given the site's location. The rezoning would encourage a mixture of office and commercial uses promoted under this policy. Permitted uses under the MUG-A zoning district are residential, retail, and office uses. These uses are consistent with the intent of the policy to promote mixed-use developments.

#### **ANALYSIS**

The proposed rezoning is consistent with the District Employment Center policy. The proposed mixed use zoning would complement the variety of uses present in the area and encouraged under the policy. This site includes Conservation policy due to streams that are present on the site and the existing flood plain.

This district also has appropriate design standards consistent with the policy that would create walkable neighborhoods through the use of building placements and enhancement of the sidewalk network. The MUG district does not have design standards. The MUG-A district requires a build to zone that would orient future development to address the public realm.

**FIRE MARSHAL RECOMMENDATION**  
N/A

**PUBLIC WORKS RECOMMENDATION**  
N/A

**TRAFFIC AND PARKING RECOMMENDATION**  
**Approved with conditions**  
Traffic study may be required at time of development.

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)	7.94	0.8 F	276,693 SF	986	145	115

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	3.1	3 F	405, 108 SF	4048	97	374

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

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)	4.8	3 F	627 U	3924	311	363

Traffic changes between maximum: **IWD** and **MUG-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+6,986	+263	+622

**METRO SCHOOL BOARD REPORT**

Projected student generation existing IWD district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed MUG-A district: 19 Elementary 13 Middle 12 High

The proposed student generation numbers were calculated using the urban infill factor and assumed a 1,200 square foot residential unit with 40% of the site being used for non-residential floor area. Students would attend Buena Vista Elementary, John Early Middle School, and Pearl-Cohn High School. All schools have been identified as having additional capacity. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT**

- Will this project include any affordable or workforce housing units? No.
- If so, how many and what is the percentage of the entire development? N/A
- How will you enforce the affordability requirements? N/A
- Have any structures been demolished in the last 12 months? No structures have been demolished

**STAFF RECOMMENDATION**

Staff recommends approval as the requested zoning district is consistent with the District Employment Center policy.

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-298**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-111PR-001 is **Approved. (7-0)**”

## H: OTHER BUSINESS

29. 2017 Planning Commission filing deadlines & meeting schedule  
**The Metropolitan Planning Commission deferred the 2017 Planning Commission filing deadlines & meeting schedule to the October 13, 2016, Planning Commission meeting. (7-0)**

30. Contract between the Greater Nashville Regional Council (GNRC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for conducting regional planning services.

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-299**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Contract between the Greater Nashville Regional Council (GNRC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for conducting regional planning services is **Approved. (7-0)**”

31. Contract between the Nashville civic Design Center (The NCDC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for Communication and Outreach.

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-300**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Contract between the Nashville civic Design Center (The NCDC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for Communication and Outreach is **Approved. (7-0)**”

32. Contract between the TMA Group and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for administration of an air quality education and outreach program.

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-301**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Contract between the TMA Group and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for administration of an air quality education and outreach program is **Approved. (7-0)**”

33. Contract between the Nashville Area Chamber of Commerce (the COC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for regional communication and outreach.

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-302**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Contract between the Nashville Area Chamber of Commerce (the COC) and the Nashville-Davidson County Metropolitan Planning Commission (the MPC) acting on behalf of the Nashville Area Metropolitan Planning Organization (the MPO) for regional communication and outreach is **Approved. (7-0)**”

34. Historic Zoning Commission Report
35. Board of Parks and Recreation Report
36. Executive Committee Report
37. Accept the Director's Report and Approve Administrative Items

**Approve. Consent Agenda, (7-0)**

**Resolution No. RS2016-303**

**"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are Approved . (7-0)"**

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38. Legislative Update

## **I: MPC CALENDAR OF UPCOMING EVENTS**

**September 22, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**October 13, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**Location change for the following MPC meeting:**

**October 27, 2016**

MPC Meeting

4 pm, 2601 Bransford Avenue, Metropolitan Public Schools Administration Building

**November 10, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**November 17, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**J: ADJOURNMENT**

The meeting adjourned at 9:03 p.m.

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Chairman

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Secretary



**METROPOLITAN GOVERNMENT**  
**OF NASHVILLE AND DAVIDSON COUNTY**  
Planning Department  
Metro Office Building, 2<sup>nd</sup> Floor

Date: September 22, 2016

To: Metropolitan Nashville-Davidson County Planning Commissioners

From: J. Douglas Sloan III

Re: Executive Director's Report

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The following items are provided for your information.

**A. Planning Commission Meeting Projected Attendance (6 members are required for a quorum)**

1. Planning Commission Meeting
  - a. Attending: McLean; Blackshear; Clifton; Farr; Diaz; Allen; Hagan-Dier
  - b. Leaving Early:
  - c. Not Attending: Adkins; Haynes; Tibbs
2. Legal Representation – Emily Lamb will be attending

**B. Executive Office**

1. Elham Daha began on September 12 as part of the Capital Improvements Planning team.
2. School outreach has included presentations and planners' classroom visits this week and last at Overton High, Stratford High, Glenclyff High, and McKissack Middle, continuing next week at Glenclyff. Our planners are beginning to offer advice and input on student projects – we've also been explaining planning and NashvilleNext at teachers' planning sessions.

**C. Community Plans/Design Studio**

1. There has been considerable public interest in our Lower Broadway concept demonstration. The online video produced by our GIS division had nearly 1,200 views in the first day it was available.
2. Kathryn Withers will be attending the fall Tennessee American Planning Association Conference on September 21-23 and will sit on a panel with Parsons Brinkerhoff to discuss plans for the Northwest Corridor.

**Administrative Approved Items and Staff Reviewed Items Recommended for approval by the Metropolitan Planning Commission**

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 09/13/2016**.

<b>APPROVALS</b>	<b># of Applics</b>	<b># of Applics '16</b>
Specific Plans	1	34
PUDs	0	9
UDOs	0	4
Subdivisions	7	119
Mandatory Referrals	7	114
<b>Grand Total</b>	15	280

<b>SPECIFIC PLANS (finals only): MPC Approval</b>						
<b>Finding: Final site plan conforms to the approved development plan.</b>						
<b>Date Submitted</b>	<b>Staff Determination</b>		<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
1/28/2016 0:00	8/30/2016 0:00	PLAPADMIN	2015SP-019-002	121 LUCILE STREET (FINAL)	A request for final site plan approval for property located at 121 Lucile Street, approximately 440 feet east of Dickerson Pike, (1.42 acres), to permit up to 18 detached residential dwelling units, requested by Dale & Associates, applicant; D224, LLC.	05 (Scott Davis)

<b>URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval</b>						
<b>Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.</b>						
<b>Date Submitted</b>	<b>Staff Determination</b>		<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
<b>NONE</b>						

<b>PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval</b>						
<b>Date Submitted</b>	<b>Staff Determination</b>		<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
<b>NONE</b>						

**MANDATORY REFERRALS: MPC Approval**

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
8/22/2016 15:48	8/30/2016 0:00	PLRECAPPR	2016M-044ES-001	NEELY'S BEND ROAD AT CHEYENNE BOULEVARD INTERSECTION IMPROVEMENTS	A request to acquire temporary and permanent construction easements and Right-of-Way for Neely's Bend Road at Cheyenne Boulevard Intersection Improvements Project (Project No. 2016-R-22), requested by Collier Engineering Co, Inc., applicant; various owners.	09 (Bill Pridemore)
8/23/2016 14:22	8/30/2016 0:00	PLRECAPPR	2016M-045ES-001	EWING LANE CULVERT REPLACEMENT PROJECT	A request for a temporary construction easement and drainage easement for the Ewing Lane Culvert Replacement Project on property located at 404 and 410 Ewing Lane, between Brick Church Pike and dead end (Project No. 2016-R-036), requested by Metro Public Works, applicant; Glen Cruzen and Herbert L. and Victoria L. Wood, owners.	02 (DeCosta Hastings)
8/25/2016 11:50	9/2/2016 0:00	PLRECAPPR	2016M-024PR-001	FIRE STATION 20 LEASE AGREEMENT AMENDMENT	A request to approve an amendment to the Lease Agreement for Fire Station 20 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Fire Department, and Southern Land Commercial Construction, LLC, to provide that the Permitted Use, as set forth in the Lease, shall include exclusive use of all real property and improvements, requested by Department of Law, applicant.	25 (Russ Pulley)
8/26/2016 11:04	9/6/2016 0:00	PLRECAPPR	2016M-025PR-001	WEDGEWOOD AND 12TH PROPERTY ACQUISITION	A request authorizing the conveyance of two adjacent parcels of property, located at 1440 and 1500 12th Avenue South, to The Health and Educational Facilities Board of the Metropolitan Government of Nashville and Davidson County, Tennessee, to be used for a multifamily residential project, requested by Metro Legal, applicant.	17 (Colby Sledge)
8/26/2016 12:26	9/6/2016 0:00	PLRECAPPR	2016M-029EN-001	THE STAGE AT 412 BROADWAY AERIAL ENCROACHMENT	A request to allow an encroachment comprised of a 3' 7-3/4" x 5'0" double-faced, illuminated projecting sign encroaching the public right-of-way for property located at 412 Broadway, requested by Joslin and Son Signs, applicant; Marianne W. Bingham, owner.	19 (Freddie O'Connell)
8/30/2016 13:53	9/6/2016 0:00	PLRECAPPR	2016M-031EN-001	CERVEZA JACKS AT 135 2ND AVENUE NORTH	A request to allow an aerial encroachment comprised of one (1) double-faced, illuminated projecting sign encroaching the public right-of-way on property located at 135 2nd Avenue North, requested by Joslin and Son Signs, applicant, Second Avenue North Partners, LLC, owner.	19 (Freddie O'Connell)



8/25/2016 10:58	9/6/2016 0:00	PLRECAPP	2016M-023PR-001	1711 AND 1713 JO JOHNSTON AVENUE PROPERTY ACQUISITION	A request for resolution authorizing the Director of Public Property, or his designee, to exercise the option to purchase a portion of real property (Map 092-08 Parcels 106, 107), for the use and benefit of the Metropolitan Nashville Public Schools, requested by Metro Department of Finance, applicant; Pamela Jo Gunter-Smith, owner.	19 (Freddie O'Connell)
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**INSTITUTIONAL OVERLAYS (finals and variances only) : MPC Approval**  
**Finding: Final site plan conforms to the approved campus master development plan and all other applicable provisions of the code.**

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
NONE					

**SUBDIVISIONS: Administrative Approval**

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
7/14/2016 10:26	9/1/2016 0:00	PLAPADMIN	2016S-176-001	SHELBY VILLAGE NO. 2 RESUB LOT 97	A request for final plat approval to create two lots on property located at 1510 Sevier Court, approximately 50 feet northwest of the terminus of Eastside Avenue, zoned RS5 (0.44 acres), requested by Campbell Mcrae & Associates Engineering, Inc., applicant; Jean Aw, owner.	06 (Brett Withers)
7/14/2016 14:29	9/1/2016 0:00	PLAPADMIN	2016S-183-001	THE MINNA E. CULBERSON LAND DIVISION LOTS 6-8 AMENDMENT	A request for final plat approval to amend septic areas and notes for properties located at 3418, 3422 and 3426 Old Franklin Road, at the southeast corner of Preston Road and Old Franklin Road, zoned AR2a (6.79 acres), requested by HFR Design, Inc., applicant; Solon C. and Elaine C. Economou, owners.	32 (Jacobia Dowell)
7/14/2016 14:43	9/1/2016 0:00	PLAPADMIN	2016S-184-001	HERMITAGE HILLS BAPTIST CHURCH PHASE III	A request for final plat approval to create two lots for property located at 3905 Lebanon Pike, approximately 685 northeast of Juarez Drive, zoned SCR, and within a Planned Unit Development (4.37 acres), requested by Cherry Land Surveying, Inc., applicant; WVF Properties, LLC, owner.	14 (Kevin Rhoten)
6/30/2016 11:24	9/2/2016 0:00	PLAPADMIN	2016S-161-001	CAPITOL VIEW LOT 6 RESUB	A request for final plat approval to abandon easements on property located at 1100 Jo Johnston Avenue, at the northwest corner of Jo Johnston Avenue and 11th Avenue North, zoned DTC (2.53 acres), requested by BWSC, Inc., applicant; Lifeway Christian Resources of the Southern Baptist Convention, owner.	19 (Freddie O'Connell)

7/14/2016 10:34	9/6/2016 0:00	PLAPADMIN	2016S-178-001	CREEK TRAIL RESUB LOTS 1, 6 AND UNRECORDED TRACT 5	A request for final plat approval to shift lot lines and abandon easements on properties located at 108 and 112 Meghana Drive and 4182 Brick Church Pike, approximately 400 feet south of Old Hickory Boulevard, zoned RS20 (15.15 acres), requested by Dale & Associates, applicant; David and Theresa Mooneyhan, owners.	03 (Brenda Haywood)
3/31/2016 0:00	9/8/2016 0:00	PLAPADMIN	2016S-089-001	BELLEVUE STATION, RESUB LOT 2	A request for final plat approval to create two lots and dedicate right-of-way and easements on property located at Bellevue Road (unnumbered), at the corner of Bellevue Road and Old Harding Pike (5.15 acres), zoned SP, requested by HFR Design, applicant; Parkside Builders, LLC, owner.	22 (Sheri Weiner)
6/3/2016 15:39	9/8/2016 0:00	PLAPADMIN	2016S-140-001	MCLESTER ADDITION TO NOLEN HEIGHTS LOTS 38-40 & PART OF A CLOSED ALLEY	A request for final plat approval to consolidate two parcels for properties located at 3500 Nolensville Pike and Harrison Street (unnumbered), at the southeast corner of Harrison Street and Nolensville Pike, zoned CS, MUL and RS7.5 (0.48 acres), requested by Timothy Mark Donlon, applicant; Seagate Investment Inc., owner.	16 (Mike Freeman)

### Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
9/7/16	Approved New	2016B-032-001	1122 CHESTER AVENUE
9/1/16	Approved Extension/Reduction	2014B-025-003	VOCE, PHASE 1A
8/30/16	Approved Extension	2012B-007-006	VILLAGES OF RIVERWOOD, PHASE 3B, SECTION 1
9/7/16	Approved New	2016B-044-001	PARMLEY COVE PHASE 3

### Schedule

- A. **Thursday, September 22, 2016 - [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- B. **Thursday, October 13, 2016 - [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Thursday, October 27, 2016 - [MPC Meeting](#)**; 4 pm, Metro Nashville Public Schools, Board Room, 2601 Bransford Avenue
- D. **Saturday, November 5, 2016 – [MPC Annual Retreat](#)**: 9 am, 800 Second Ave. South, Metro Office Building, Development Services Center Conference Room
- E. **Thursday, November 10, 2016 - [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Thursday, November 17, 2016 - [MPC Meeting](#)**; 4 pm, Metro Nashville Public Schools, Board Room, 2601 Bransford Avenue
- G. **Thursday, December 8, 2016- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center