



# **METROPOLITAN PLANNING COMMISSION**

## **DRAFT MINUTES**

**May 11, 2017**  
**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  
Jeff Haynes  
Lillian Blackshear  
Brian Tibbs  
Brenda Diaz  
Jennifer Hagan-Dier  
Ron Gobbell  
Dr. Pearl Sims  
Councilmember Burkley Allen

**Staff Present:**

Doug Sloan, Executive Director  
Bob Leeman, Deputy Director  
Carrie Logan, Assistant Director  
George Rooker, Special Projects Manager  
Kelly Adams, Admin Services Officer III  
Lucy Kempf, Planning Manager II  
Michael Briggs, Planner III  
Lisa Milligan, Planner III  
Andrew Collins, Planner III  
Latisha Birkeland, Planner II  
Patrick Napier, Planner II  
Shawn Shepard, Planner II  
Abbie Rickoff, Planner II  
Elham Daha, Planner I  
Dara Sanders, Planner I  
Christine Shartzter, Admin Services Officer II  
Craig Owensby, Public Information Officer  
Emily Lamb, Legal

**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 4:04 p.m.

## **B: ADOPTION OF AGENDA**

Mr. Gobbell moved and Ms. Hagan-Dier seconded the motion to adopt the agenda. (7-0)

## **C: ADOPTION OF APRIL 27, 2017 MINUTES**

Ms. Blackshear moved and Ms. Diaz seconded the motion to approve the April 27, 2017 minutes. (7-0)

## **D: RECOGNITION OF COUNCILMEMBERS**

Councilmember Karen Johnson spoke in favor of Item 6.

## **E. PARKS PLAN TO PLAY UPDATE**

Mr. Briggs, Ms. Ratz, and Ms. Harrison presented the Parks Plan to Play Update.

## **F: ITEMS FOR DEFERRAL / WITHDRAWAL**

**2. 2016SP-062-001**  
EARHART SUBDIVISION SP

**3. 2017SP-005-001**  
THE LIVERY AT 5TH AND MONROE

**4. 2017SP-020-001**  
FAIRFIELD INN AND SUITES

**5. 2017SP-021-001**  
GLENROSE SP

**9. 2017S-012-001**  
BINKLEY PROPERTY SUBDIVISION REPLAT OF LOT 1

**10. 2017S-043-001**  
TRAIL HOLLOW SUBDIVISION

**11. 2017S-097-001**  
RESUB OF LOTS 1 & 2 ON THE PLAN OF BECK SPRINGS ADDITION  
AND LOT 1 ON THE PLAN OF T.L. HERBERT, JR.'S SUBDIVISION

**12. 103-79P-005**  
RIVERFRONT SHOPPING CENTER LOT 4

**14. 2017Z-041PR-001**

**16. 2017SP-037-001**  
HICKORY TRAILS

**17. 2017SP-038-001**  
1339 SOUTH DICKERSON PIKE

**19. 2017SP-040-001**  
6035 NEIGHBORLY AVE

**22. 2017S-068-001**  
CROLYWOOD SUBDIVISION BLOCK K LOT 6

**23. 2017S-111-001**  
H.G. MCNABB SUBDIVISION RESUB OF RESERVED TRACT

**26. 2017Z-037PR-001**

**28. 2017Z-050PR-001**

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 Haynes seconded the motion to approve the Deferred and Withdrawn Items.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

Ms. Blackshear recused herself from Item 4.

## **G: 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.

**6. 2017SP-024-001**  
3413 OLD ANDERSON SP

**7. 2015S-135-001**  
TOWN VIEW SUBDIVISION, RESUB LOT 33

**8. 2016S-199-001**  
HAYNIES CENTRAL PARK PLAN RESUB OF LOTS 59-62

**13. 2016Z-044PR-001**

**15. 2017SP-036-001**  
326 WELCH SP

**18. 2017SP-039-001**  
VILLERY PLACE

**20a. 2017HL-004-001**  
2250 LEBANON PIKE

**20b. 2017NHL-002-001**  
BELAIR MANSION NEIGHBORHOOD LANDMARK OVERLAY

**24. 2013UD-002-009**  
TACO JOHN'S

**27. 2017Z-048PR-001**

**29. 2017Z-051PR-001**

**30. Set Public Hearing date for amendments to the Subdivision Regulations on June 22, 2017.**

**31. New Employee Contract: Levi Hill.**

## 35. Accept the Director's Report and Approve Administrative Items

Mr. Haynes moved and Mr. Gobbell seconded the motion to approve the Consent Agenda. (7-0)

Ms. Blackshear recused herself from Item 24.

Ms. Diaz recused herself from Items 20a and 20b.

## H: ITEMS TO BE CONSIDERED

### 1a. 2017CP-012-001

#### SOUTHEAST COMMUNITY PLAN AMENDMENT

Council District 31 (Fabian Bedne)

Staff Reviewer: Marty Sewell

A request to amend the Southeast Community Plan by amending the Community Character Policy to change from T3 Suburban Neighborhood Evolving to T3 Neighborhood Center on property located at Burkitt Road (unnumbered), north of the terminus of Westcott Lane, zoned AR2A (5.10 acres), requested by Smith Gee Studio, LLC, applicant; Stacy J. Carter, owner. (See associated case # 2017SP-023-001)

**Staff Recommendation: Approve**

#### APPLICANT REQUEST

**Amend Southeast Community Plan to change the policy.**

#### Major Plan Amendment

A request to amend the Southeast Community Plan by amending the Community Character Policy from T3 Suburban Neighborhood Evolving to T3 Neighborhood Center on property located at Burkitt Road (unnumbered), north of the terminus of Westcott Lane, zoned Agricultural/Residential (AR2A) (5.10 acres).

#### SOUTHEAST NASHVILLE COMMUNITY PLAN

##### **Current Policy**

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.

##### **Proposed Policy (Note: the CO policy is proposed to remain.)**

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

## **BACKGROUND**

The community plan amendment was requested in conjunction with zone change application 2017SP-023-001, a request to change from Agricultural/Residential (AR2a) zoning to Specific Plan – Mixed Use (SP-MU) zoning to permit a mixed use-development. The plan amendment request only pertains to a small portion of the total area within the proposed SP. The existing AR2a zoning district is intended to implement the natural conservation of rural land use policies of the general plan. The proposed SP-MU zoning district 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.

The SP proposes a mix of residential, mixed use, live work and commercial uses on 143.92 acres, with non-residential uses concentrated on approximately five acres adjacent to Burkitt Road and within the proposed plan amendment area. Existing T3 NE policy does not support mixed use, commercial or live work uses. As a result, the applicant has proposed a policy change to T3 NC for the proposed non-residential portion of the SP. The proposed center is located approximately one mile east of an existing T3 Suburban Community Center (T3 CC) policy area, located at the intersection of Nolensville Pike and Burkitt Road.

Burkitt Road is currently a two-lane arterial linking Nolensville Road to Interstate 24 via Old Hickory Boulevard. The Major and Collector Street Plan (MCSP) classifies Burkitt Road as a five-lane T3 Suburban-Residential Arterial Boulevard (T3-M-AB5). The proposed SP is located approximately one mile east of the intersection with Nolensville Pike, which the MCSP also classifies as an arterial-boulevard. The plan amendment area does not currently have access to existing public transportation.

## **COMMUNITY PARTICIPATION**

Prior to submitting an application, the development team held three community meetings that were open to the public and coordinated from the Metro Council office following standard noticing procedures. Staff did not attend the meetings. The meetings took place at the Cane Ridge Community Center on August 30, October 24 and November 28, 2016, with attendance of approximately 60, 50 and 50, respectively, including the district council member. Incorporating a neighborhood-scale mixed use node along Burkitt Road was among the items discussed. A staff-led community meeting is required for major plan amendments. However, the district council member expressed to staff that another meeting was not necessary since the issue had been discussed at the development team-led meetings. Staff initially recommended waiving the community meeting requirement, per the district councilmember's request. However, on April 13, 2017, the Planning Commission deferred the proposal, and directed staff to hold a community meeting for the plan amendment prior to the case returning for its consideration.

Community meeting notices were mailed to property owners within 1,300 feet of the amendment area on April 20, 2017. The notice was posted on the Planning Department website. The community meeting was held on May 4, 2017, at the Cane Ridge Community Center, and 55 people attended. Councilmember Fabian Bedne, the development team, and Metro staff from Planning and Public Works also attended.

During the community meeting, the staff and development team answered multiple questions related to the amendment and Specific Plan applications, which were presented. Below is a summary of the range of major themes that attendees expressed at the community meeting via discussion and comment forms:

- The capacity of the existing road network, especially along Burkitt Road where sight distance, safety, and congestion are a concern for residents. Timing of required transportation infrastructure improvements was also a concern (i.e. desire for more improvements on the front end, rather than spread out over time as the development of the property progresses).
- The scale of the development and overall number of proposed units. Some questioned whether the proposal is consistent for an area that many consider rural.
- Concern about setting a precedent for commercial development to spread along Burkitt Road if allowed in the amendment area. Further questions arose about the logic of allowing commercial in the amendment area, given its proximity to existing commercial uses and entitlements on nearby Nolensville Pike. The type of commercial development is also a concern (e.g. opposition to big box retailers and uses that would generate pass-by trips, etc.). Some noted that neighborhood-scale commercial nearby may be appropriate.
- The design of the proposed residential units and whether they would conform to the existing context with regards to architecture and buffering/separation.
- The community's need for a new fire station (which is included in the Plan) and other needed infrastructure improvements was discussed.

## **ANALYSIS**

T3 NC policy is intended for areas where there is a concentration of land that is zoned, used, or intended to be used as commercial and mixed use, that is situated to serve a suburban neighborhood, and where the center's intensification is supported by surrounding or planned residential development, adequate infrastructure and adequate access such as arterial-boulevard and collector-avenue streets. T3 NC areas serve suburban neighborhoods within a five minute drive. The applicant has proposed an SP that includes a small area for commercial and mixed use that the existing T3 NE policy does not support. As a result, the applicant has requested a change to T3 NC policy.

The proposed center is intended to provide a walkable option for residents of the proposed development as well as residents of the existing developments south of Burkitt Road. The neighborhood center proposed in this SP may also provide an option for residents living farther east along Burkitt Road to access services without having to travel all the way to Nolensville Pike.

The amendment area is an appropriate location for T3 NC policy, given its association with the proposed 143.92-acre mixed-use development and its location along Burkitt Road, which is an arterial-boulevard, and located approximately one mile east of the intersection with Nolensville Pike, which is also an arterial-boulevard. The proposed SP includes a mix of residential (assisted living, multi-family and single-family), mixed use, live work and commercial uses. The proposed SP includes an overall limitation on commercial of 17,000 square feet, which would occur within the proposed T3 NC policy area. This center would serve the SP's proposed 800 residential units, as well as developments on the south side of Burkitt Road.

**STAFF RECOMMENDATION**

Staff recommends approval.

Ms. Blackshear recused herself and stepped out of the room at 4:37 p.m.

Mr. Sewell presented the staff recommendation of approval.

Councilmember Allen arrived at 4:40 p.m.

Mr. Tibbs arrived at 4:46 p.m.

Items 1a and 1b were heard and discussed together.

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

Ms. Farr and Ms. Diaz confirmed watching the video from the previous public hearing.

Mr. Haynes spoke in favor; it is a good plan with a variety of housing choices.

Mr. Gobbell spoke in favor of the application.

**Mr. Haynes moved and Mr. Gobbell seconded the motion to approve. (6-0) Councilmember Allen and Mr. Tibbs did not vote due to arriving late.**

**Approve (6-0)**

**Resolution No. RS2017-151**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017CP-012-001 is Approved. (6-0)**

**1b. 2017SP-023-001**

**BURKITT RIDGE**

Council District 31 (Fabian Bedne)

Staff Reviewer: Shawn Shepard

A request to rezone from AR2a to SP-MU zoning on property located at Burkitt Road (unnumbered), north of the terminus of Westcott Lane (143.92 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; Stacy Carter, owner. (See associated case # 2017CP-012-001)

**Staff Recommendation: Approve with conditions and disapprove without all conditions, subject to approval of the associated plan amendment. If the associated plan amendment is not approved, staff recommends disapproval as submitted.**

**APPLICANT REQUEST**

**Permit a mixed use development.**

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan – Mixed Use (SP-MU) zoning on property located at Burkitt Road (unnumbered), north of the terminus of Westcott Lane (143.92 acres), to permit a mixed-use development.

### **Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 71 lots with 17 duplex lots for a total of 88 units, based on the acreage only. However, application of the Subdivision Regulations may result in fewer units on this property.*

### **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 and commercial uses.

### **History**

The Metro Planning Commission considered this proposal at the April 13, 2017, Planning Commission meeting. A public hearing was held. The Planning Commission deferred the application to the May 11, 2017, meeting, in order to hear from the Council Member and to allow time for a community meeting led by planning staff on the associated Community Plan amendment. The Commission specified that the public hearing was closed but that they wished to hear from the Council Member.

### **CRITICAL PLANNING GOALS**

- Provides a Range of Housing Choices
- Creates Walkable Neighborhoods

The project incorporates a variety of residential dwelling types, including detached single-family dwellings, carriage houses, townhomes, and multi-family units along with opportunities for assisted living. The diversity of housing types provides for a range of choices in an area with a predominantly single-family land use pattern. The range of housing may also permit residents of the development to age in place. The proposal helps create walkable neighborhoods through the incorporation of sidewalks and by establishing a neighborhood center with commercial and civic uses to allow residents of the development to access businesses and services without using their cars.

### **SOUTHEAST NASHVILLE COMMUNITY PLAN**

#### **Existing Policy**

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.

#### **Proposed Policy (portion of property)**

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



### Consistent with Policy?

The proposed SP is consistent with the existing T3 NE policy and the proposed T3 Suburban Neighborhood Center, which is intended to create and enhance suburban neighborhoods with more housing choices and improved connectivity. The proposal includes a variety of housing types and incorporates sidewalks and design standards intended to enhance the pedestrian realm and increase connectivity. There are sensitive environmental features present on the site, including areas of steep slopes and streams, as indicated by the presence of Conservation policy along the western property boundary and in the northeast corner of the property. The proposed SP is designed to incorporate large areas of open space around those sensitive environmental features to ensure they remain undisturbed. The SP also incorporates open space and buffers to provide appropriate screening and transitions to surrounding residential neighborhoods. Overall, the building forms and intensity are arranged on the site in a manner that provides a transition from taller buildings and dense units adjacent to Burkitt Road, and transitions to less intense single-family uses and larger lots farther away from the corridor and along the policy boundary. The design of the SP serves to integrate this development into the existing and growing suburban residential fabric of the area.

The overall density of the project is 5.55 dwelling units per acre, or roughly equivalent in intensity to R8 zoning. There are numerous existing residential developments located on the south side of Burkitt Road, opposite the project site. Those developments include townhomes developed under RM9 zoning, single-family lots developed under R8 and RS10 zoning, and other residential Specific Plans ranging in density from approximately 3.5 to 4.5 units per acre, or roughly equivalent to RS10 zoning. The proposed SP is similar in overall intensity to the surrounding developments and what could be achieved under R8 zoning. However, the design of the proposed SP better minimizes impacts to sensitive environmental features, preserves larger areas of open space, and creates a better transition to surrounding neighborhoods than would be possible to achieve with a similarly dense development approved under base zoning.

Burkitt Road is currently identified on the Major and Collector Street Plan (MCSP) as an arterial boulevard. The MCSP calls for the road to be widened to five lanes in the future. As the area develops, Burkitt Road will serve as a major corridor in the southeast portion of the county, making this site along Burkitt an appropriate location for additional residential intensity.

The project site is located approximately one mile east of a Community Center, located at the intersection of Nolensville Pike and Burkitt Road. The associated plan amendment proposes the application of T3 NC policy to a 5.10-acre portion of the site near the entrance of the development to accommodate commercial and civic uses. The proposed center is intended to provide a walkable option for residents of the proposed development as well as residents of the existing developments south of Burkitt Road. The neighborhood center proposed in this SP may also provide an option for residents living farther east along Burkitt Road to access services without having to travel all the way to Nolensville Pike. The neighborhood center portion of the proposed SP is consistent with policy if the associated plan amendment is approved.

### **PLAN DETAILS**

The site encompasses approximately 143 acres north of Burkitt Road, approximately 0.78 miles east of the intersection of Burkitt Road and Nolensville Pike. The property is currently vacant.

#### Site Plan

The plan proposes a total of 17,000 square feet of commercial uses, institutional or civic uses, and a maximum of 800 residential units. The plan proposes flexibility in the layout and location of buildings by proposing five Neighborhood Districts and a set of Building Typologies which contain architectural and design standards that would regulate the form, setbacks, and other aspects of the buildings and parking. The Neighborhood Districts are mapped on the following page. Although the SP permits all uses allowed by the Mixed Use Limited – Alternative (MUL-A) zoning district, each Neighborhood District includes a specific range of proposed uses, as outlined in the table below.

<b>Neighborhood District</b>	<b>Uses</b>	<b>Building Forms</b>
District 1	<ul style="list-style-type: none"> <li>• Mixed civic, office and neighborhood retail</li> <li>• Denser multifamily residential, often in mixed use buildings</li> <li>• Assisted living</li> </ul>	<ul style="list-style-type: none"> <li>• Mixed use</li> <li>• Civic/institutional</li> <li>• Multifamily</li> </ul>
District 2	<ul style="list-style-type: none"> <li>• Civic/institutional</li> <li>• Denser multifamily residential</li> <li>• Assisted living</li> </ul>	<ul style="list-style-type: none"> <li>• Civic/institutional</li> <li>• Multifamily</li> <li>• Townhomes</li> </ul>
District 3	<ul style="list-style-type: none"> <li>• Moderate density multifamily residential</li> <li>• Single-family residential</li> </ul>	<ul style="list-style-type: none"> <li>• Townhomes</li> <li>• Carriage houses</li> <li>• Detached single-family</li> </ul>
District 4	<ul style="list-style-type: none"> <li>• Multifamily residential</li> <li>• Assisted living</li> </ul>	<ul style="list-style-type: none"> <li>• Multifamily</li> </ul>
District 5	<ul style="list-style-type: none"> <li>• Low density residential</li> </ul>	<ul style="list-style-type: none"> <li>• Detached single-family</li> <li>• Carriage houses</li> </ul>

The SP includes a proposed location for a fire station, to be finalized in coordination with Metro Fire and Metro General Services, which is an amenity needed in the area and desired by neighborhood residents.

Primary vehicular access is provided from two points on Burkitt Road, on either side of the neighborhood center. Future connections, generally consistent with planned collectors depicted on the Major and Collector Street Plan (MCSP), are provided in two locations to the west and in two locations to the north. Although the MCSP currently identifies a future connection to the east, the land use policy and character transition to rural at the eastern property line, making a future connection to the east inappropriate.

A general layout of streets and alleys is proposed, although the SP indicates that the interior circulation shall be flexible to respond to physical site conditions, dispersion of building types, community desires and changing markets. Typical street sections are included which incorporate sidewalks and planting strips consistent with local road standards. A six-foot wide sidewalk and eight-foot wide planting strip, consistent with the MCSP, shall be provided along Burkitt Road for the full length of the property, per staff's recommended conditions. The Site Design and Street Network plans conceptually depict sidewalks and planting strips, but the scale of the drawings makes it difficult to determine if the sidewalk and planting strip are consistent with MCSP standards.

Bulk standards are established for each building typology, including setbacks, build-to zones, height, and glazing requirements. Height is limited to 3.5 stories in 50 feet for mixed use, civic/institutional, and multifamily buildings and townhomes. Detached single-family and carriage units are limited to 3.5 stories in 45 feet, and detached garages are limited to two stories in 25 feet. The bulk standards specify that parking for each building typology shall be provided per Metro Zoning Code, with the exception of multifamily and townhome buildings, where the plan calls for a maximum of 2 spaces per unit, regardless of the number of bedrooms. The SP specifies that off-street parking should be provided behind or between buildings, with the exception of single-loaded access drives. Front entry garages are permitted for a maximum of 127 single-family detached units. The plan specifies that front entry garages on corner lots shall be access from a secondary street, and requires that front-loaded garages be recessed.

The overall SP regulations include architectural standards requiring avoidance of blank facades through incorporation of articulations or changes in material. Standards are also provided for prohibited materials and porch depth. A requirement for raised foundations is proposed for single-family residential dwellings.

#### **ANALYSIS**

The SP is generally consistent with the existing T3 NE policy, which calls for increased diversity of housing and improved vehicular and pedestrian connectivity. The SP provides for a general transition from more intense civic, commercial, and residential uses near the Burkitt Road corridor, to less intense residential uses in the interior of the site.

The proposed SP is organized into five Neighborhood Districts, each of which is intended for a different range of uses and intensities. In order to facilitate evaluation of the SP for consistency with the policy, the SP includes maximums for number of residential units and commercial square footage in each district, which allows staff to equate each district to a similar base zoning district in the Metro Zoning Ordinance. The intensities proposed range from an intensity roughly equivalent to RM20 zoning adjacent to Burkitt Road to an intensity equivalent to RS10 zoning toward the rear of the site. The T3 NE policy applicable to the site outside of the proposed neighborhood center supports a range of building types and intensities, and identifies a range of zoning districts that may be appropriate based on context, ranging from RS7.5 to RM20-A. The residential intensity on the site is consistent with the upper range of what might be appropriate in T3 NE policy.

The vehicular connections proposed in the SP establish connectivity to T3 NE policy areas to the north and west, setting up a network to better serve those areas as they redevelop. The street sections proposed in the SP all include sidewalks and planting strips to enhance the pedestrian realm throughout the development and provide pedestrian connectivity to the neighborhood center.

#### Live/Work

The SP also includes an allowance for up to 30 live/work units, defined as an accessory use to a townhome residence. As proposed, the live/work units include retail or office spaces that serve customers or patrons on site. The live/work units are permitted within Neighborhood District 1, which is coincident with the boundaries of the proposed policy amendment to establish an area of Neighborhood Center policy. The live/work units, as proposed, would integrate up to 16,500 square feet of potential commercial uses into the center, beyond the 17,000 square feet of commercial permitted in District 1. Limiting the proposed live/work units to District 1 is consistent with the proposed T3 NC policy.

#### Independent/Assisted Living

The SP also proposes independent or assisted living uses in Districts 2 and 4. The applicant has indicated that the intention is to integrate these uses, particularly the independent living, into typical residential buildings, rather than consolidate these uses into a single structure. The Metro Zoning Ordinance does not include a definition of independent living; therefore, such units would be reviewed as single-family or multifamily residential. The Metro Zoning Ordinance does include a definition of assisted care living, which states that where a common kitchen and communal area for all residents is provided, three rooming units in the facility shall be counted as one dwelling unit for purposes of determining the facility's density. The SP permits a maximum of 184 units of independent or assisted living. If all of those units were assisted living, as defined in the Metro Zoning Ordinance, up to 552 rooms could be provided. At the time of Final SP for any phase containing independent or assisted living, the applicant shall specify a maximum number of each type, to allow for confirmation that the proposed assisted living units meet the definition in the ordinance and to permit accurate review of parking and other requirements.

#### Flexibility

Although the proposed SP is generally consistent with existing and proposed policy, the SP proposes a high level of flexibility. The SP limits commercial uses to a maximum of 17,000 square feet, not including live/work spaces, and residential to a maximum of 800 units. The SP proposes maximum number of units within each neighborhood district, in order to ensure that no portion of the property is overdeveloped. The proposed unit maximums are based on a conceptual evaluation of the development that can be accommodated in any particular district subject to the proposed building form standards. The SP includes a proposed phasing plan, which breaks the development into 12 potential phases. Some of the proposed phases incorporate development in multiple neighborhood districts. The phasing plan is described as preliminary and subject to revisions based on market conditions.

The conceptual nature of the SP affords the developer flexibility to respond to market conditions, but it presents challenges in review of the appropriateness of the access and circulation, building layout and orientation, and ability of each area to accommodate parking, landscaping and other requirements for the various uses. Detailed design comments and conditions regarding the layout and orientation of buildings, access and circulation, and other issues, which are typically provided with review of the Preliminary SP, should be expected at the Final SP for each phase of the project. In order to address the challenges posed by the conceptual nature of the plan and ensure clarity during review of the Final SP for each phase, staff recommends several conditions addressing the site plan, phasing, street sections, lot orientation, and independent/assisted living. Those conditions are outlined in staff's recommendation below.

#### **FIRE MARSHAL RECOMMENDATION**

##### **Approve with conditions**

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

#### **STORMWATER RECOMMENDATION**

##### **Approve**

## **WATER SERVICES RECOMMENDATION**

### **Approve with conditions**

- Approved as a Preliminary SP only. If needed for abandonment/relocation of existing public sewer through the site, public sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

## **PUBLIC WORKS RECOMMENDATION**

### **Approve**

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Approve with conditions**

In accordance with the findings of the TIS, The developer shall construct the following roadway improvements.

- Developer shall install a traffic signal at the intersection of Burkitt Road and Westcott Lane/Site Access #1 when warranted. Signal warrant analysis shall be submitted with first 100 units Use and occupancy permits or equivalent traffic generating land use and at a minimum with development approval of every 200 units or with commercial development. Developer shall design and submit signal plan with appropriate pedestrian infrastructure to MPW traffic engineer and install signal when approved.
- Developer shall provide adequate sight distance at access roads to Burkitt Rd and roads internal to development. The existing trees and vegetation west of Site Access #2 should be cleared such that a minimum 500 feet of intersection sight distance is available when looking from the proposed access. Sight distance exhibits may be required.
- Site Access #1 and access #2 should be designed to include one exiting left turn lane, one exiting shared through/right turn lane with adequate storage and one entering lane. Access roads width shall allow adequate truck/bus turning movements.
- Developer shall construct an EB left turn lane and WB right turn lane with adequate storage on Burkitt Road at Westcott Lane/Site Access #1 and construct a westbound left turn lane on Burkitt Rd at Westcott Lane if not constructed by others prior to Signal installation.
- Developer shall construct an EB left turn lane and WB right turn lane on Burkitt Road at Site Access #2.
- The left turn lanes on Burkitt Rd at both access points should be designed to include a minimum of 50 feet of storage and adequate taper. The total storage and taper should be designed according to AASHTO guidelines or as approved by Metro Nashville Public Works.
- To prevent back-to-back left turn tapers, a continuous, center two-way left turn lane may be required along Burkitt Road in between the two site accesses. The left turn lanes on Burkitt Road at the proposed site accesses should be constructed prior to the signal installation at access #1.
- Developer shall construct a right turn deceleration lane for the westbound approach of Burkitt Road to Westcott Lane/Site Access #1 and at access #2. The deceleration lane shall be designed to provide adequate storage with a minimum of 50 feet of storage and adequate taper. The total storage and taper should be designed according to AASHTO guidelines or as approved by Metro Nashville Public Works.
- The right turn lane on Burkitt Road at Site Access #1 should be constructed prior to the installation of the traffic signal.
- The development should meet the requirements of the Major and Collector Street Plan through the dedication of right of way and construction of sidewalks along the property frontage.
- Additional analysis may be required to determine appropriate storage for turn lanes at access #1 and #2.
- The first drive or road off #1 and #2 access roads shall be located an appropriate distance from Burkitt Rd and Access Road intersection in order to allow adequate storage for exiting traffic at Burkitt Rd and for entering cars turning left or right into drive aisles or roads.
- Prior to any future transit service in the study area, an analysis by developer should be conducted to determine any necessary roadway improvements or transit shelters to accommodate transit facilities.
- Developer shall provide parking per parking standards of the Zoning Code (17.20). Parking shall be provided within parking lot areas and private garages internal to the development.
- Guest parking spaces shall be provided in the form of on-street parking with appropriate road width construction.
- Bicycle parking shall be provided per Metro requirements.
- Vehicles associated with the home occupation of the Live/Work units shall be limited to one vehicle with a maximum axle load capacity of one and one-half tons.
- The minimum number of guest parking spaces for the proposed Live/Work units shall be analyzed and provided based on the zoning requirements for the specific land uses of each unit, as each land use becomes apparent.
- Developer shall signalize the Burkitt Road and Old Hickory Blvd intersection when warranted and construct any necessary laneage. Signal warrant analysis shall be submitted prior to 50% of total development buildout and subsequently with development approval of every 200 residential units and/or with commercial buildout.
- Developer shall design signal plan at Burkitt Rd and Old Hickory Blvd and submit to MPW traffic engineer for approval and shall install signal when approved.
- Developer shall construct previously conditioned/ recommended road improvements at Nolensville Rd and Burkitt Rd for other nearby developments, if not constructed by others prior to 25% of total development buildout of Burkitt Ridge SP.

- The realignment of Old Burkitt Road, as well as the right turn lane on Burkitt Road at Old Burkitt Road are not the responsibility of the Burkitt Ridge developer.
- Developer shall extend the SB left turn lane on Nolensville Rd by modifying pavement markings prior to approval of the first 75 residential units.
- Extension of the southbound left turn lane on Nolensville Road is contingent on an approval from TDOT for the restriping. Furthermore, this condition will also be contingent on adequate pavement width being available along Nolensville Road. If the proposed restriping does not receive approval from TDOT or there is not adequate pavement width available along Nolensville Road, this improvement will not be required by developer.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	143.92	0.5 D	71 U	759	60	79

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
Single-Family Residential (210)	138.82		800 U	7044	570	697

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)	5.1		17,000 SF	765	21	63

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+7,050	+531	+681

**METRO SCHOOL BOARD REPORT**

Projected student generation existing AR2a district: **45 Elementary 37 Middle 32 High**

Projected student generation proposed SP-MU district: **100 Elementary 61 Middle 60 High**

The proposed SP zoning is expected to generate 107 more students than the existing AR2a zoning, assuming that the SP incorporates 130 single-family units based on the number of lots currently depicted on the Site Layout sheet. A change in the ratio of single and multifamily residential units, which the SP permits, could potentially impact the number of students generated. Students would attend Maxwell Elementary School, Marshall Middle School and Cane Ridge High School. None of the schools have been identified as over-capacity. This information is based upon data from the school board last updated November 2016.

Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site as described in the conditions of approval.

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

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? Up to 60% of the development could be constructed as workforce housing.
3. How will you enforce the affordability requirements? Developer focuses on providing workforce housing within the community.
4. Have any structures been demolished in the last 12 months? No.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions, subject to approval of the associated plan amendment. If the associated plan amendment is not approved, staff recommends disapproval as submitted.

### **CONDITIONS**

1. Permitted uses shall be limited to all uses allowed by MUL-A zoning, including a maximum of 17,000 square feet of commercial uses, a maximum of 800 residential units, and institutional or civic uses, as specified in the plan. Live/work use as defined in the plan shall also be permitted, subject to the limitations established in the SP. Home occupation is permitted as an accessory use, as established in the SP.
2. The phasing plan, if altered from that presented in the Preliminary SP, shall progress generally from the south end of the property, along Burkitt Road, to the north.
3. Both of the access points and road extensions to Burkitt Road depicted on the plan shall be constructed prior to approval of Use and Occupancy permits for any multifamily units beyond a maximum of 100 units, or prior to permits for any single-family units beyond a maximum of 30 units, whichever comes first. Both road extensions shall extend to the units noted in this condition.
4. A six-foot wide sidewalk and eight-foot wide planting strip, consistent with the requirements of the Major and Collector Street Plan shall be provided along Burkitt Road for the full property frontage. The required sidewalk shall be depicted on the final site plan.
5. All future street connections depicted on the Street Network sheet shall be built to the property line. If a temporary turnaround is required by Public Works or Fire Marshal standards, the turnaround shall be constructed so that its edge is coincident with the property line.
6. All proposed lots shall be required to comply with the standards of the Metro Subdivision Regulations at the time of Final Plat.
7. Portions of the property that fall within Conservation Policy shall be undisturbed and existing vegetation shall be maintained.
8. At Final SP for each phase or district containing independent/assisted living, the applicant shall be required to provide an exact breakdown of the number of independent living units and number of assisted living units so that parking and other requirements can be accurately reviewed. Assisted living units shall be calculated as defined in the Metro Zoning Ordinance.
9. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.
10. Elevations for all building types consistent with the bulk and architectural standards in the Preliminary SP shall be provided with the submittal of the Final Site plan for each phase.
11. 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 following zoning districts as of the date of the applicable request or application:
  - District 1: MUL-A
  - District 2: RM-20-A
  - District 3: RM9-A
  - District 4: RM15-A
  - District 5: RS10Uses are limited as described in the Council ordinance.
12. 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.
13. 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.

14. 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.
15. 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 recused herself and stepped out of the room at 4:37 p.m.

Ms. Shepard presented the staff recommendation of approval with conditions and disapproval without all conditions, subject to approval of the associated plan amendment. If the associated plan amendment is not approved, staff recommends disapproval as submitted.

Councilmember Allen arrived at 4:40 p.m.

Mr. Tibbs arrived at 4:46 p.m.

Items 1a and 1b were heard and discussed together.

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

Ms. Farr and Ms. Diaz confirmed watching the video from the previous public hearing.

Mr. Haynes spoke in favor; it is a good plan with a variety of housing choices.

Mr. Gobbell spoke in favor of the application.

**Approve with conditions and disapproved without all conditions. (6-0)**

**Resolution No. RS2017-152**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that **2017SP-023-001 is Approved with conditions and disapproved without all conditions. (6-0)**

**CONDITIONS**

1. Permitted uses shall be limited to all uses allowed by MUL-A zoning, including a maximum of 17,000 square feet of commercial uses, a maximum of 800 residential units, and institutional or civic uses, as specified in the plan. Live/work use as defined in the plan shall also be permitted, subject to the limitations established in the SP. Home occupation is permitted as an accessory use, as established in the SP.
2. The phasing plan, if altered from that presented in the Preliminary SP, shall progress generally from the south end of the property, along Burkitt Road, to the north.
3. Both of the access points and road extensions to Burkitt Road depicted on the plan shall be constructed prior to approval of Use and Occupancy permits for any multifamily units beyond a maximum of 100 units, or prior to permits for any single-family units beyond a maximum of 30 units, whichever comes first. Both road extensions shall extend to the units noted in this condition.
4. A six-foot wide sidewalk and eight-foot wide planting strip, consistent with the requirements of the Major and Collector Street Plan shall be provided along Burkitt Road for the full property frontage. The required sidewalk shall be depicted on the final site plan.
5. All future street connections depicted on the Street Network sheet shall be built to the property line. If a temporary turnaround is required by Public Works or Fire Marshal standards, the turnaround shall be constructed so that its edge is coincident with the property line.
6. All proposed lots shall be required to comply with the standards of the Metro Subdivision Regulations at the time of Final Plat.
7. Portions of the property that fall within Conservation Policy shall be undisturbed and existing vegetation shall be maintained.
8. At Final SP for each phase or district containing independent/assisted living, the applicant shall be required to provide an exact breakdown of the number of independent living units and number of assisted living units so that parking and other requirements can be accurately reviewed. Assisted living units shall be calculated as defined in the Metro Zoning Ordinance.
9. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has

- been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.
10. Elevations for all building types consistent with the bulk and architectural standards in the Preliminary SP shall be provided with the submittal of the Final Site plan for each phase.
  11. 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 following zoning districts as of the date of the applicable request or application:
    - District 1: MUL-A
    - District 2: RM-20-A
    - District 3: RM9-A
    - District 4: RM15-A
    - District 5: RS10

Uses are limited as described in the Council ordinance.
  12. 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.
  13. 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.
  14. 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.
  15. 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

## 2. 2016SP-062-001

### EARHART SUBDIVISION SP

Council District 12 (Steve Glover)

Staff Reviewer: Patrick Napier

A request to rezone from RS15 to SP-R zoning for property located at Earhart Road (unnumbered), approximately 1,000 feet south of John Hagar Road, (69.76 acres), to permit up to 180 units, requested by T-Square Engineering, Inc., applicant; KDS Investments GP, owner.

**Staff Recommendation: Defer to the May 25, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-062-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

## 3. 2017SP-005-001

### THE LIVERY AT 5TH AND MONROE

Council District 19 (Freddie O'Connell)

Staff Reviewer: Latisha Birkeland

A request to rezone from Mixed Use Neighborhood (MUN) to Specific Plan – Mixed Use (SP-MU) zoning and for Final Site Plan approval on property located at 1235 5th Avenue North, located within the Germantown Historic Preservation Overlay District and the Phillips-Jackson Street Redevelopment District, approximately 530 feet north of Madison Street (0.19 acres), to permit a mixed-use development.

**Staff Recommendation: Defer to the June 8, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017SP-005-001 to the June 8, 2017, Planning Commission Meeting. (7-0)**



**4. 2017SP-020-001**

**FAIRFIELD INN AND SUITES**

Council District 21 (Ed Kindall)  
Staff Reviewer: Shawn Shepard

A request to rezone from ORI to SP-C on properties located at 109, 111 and 113 29th Avenue North, at the southwest corner of Poston Avenue and 29th Avenue North, located within the 31st Avenue and Long Boulevard Urban Design Overlay District (0.49 acres), to permit a hotel, requested by Humphreys and Associates, applicant; Midtown Hotel Partners, LLC, owner.

**Staff Recommendation: Defer to the May 25, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017SP-020-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

**5. 2017SP-021-001**

**GLENROSE SP**

Council District 16 (Mike Freeman)  
Staff Reviewer: Gene Burse

A request to rezone from RS10 to SP-R zoning on properties located at 98 Rose Street and 99 Evelyn Drive, at the northeast corner of Miller Street and Rose Street (0.82), to permit six residential units, requested by Dale and Associates, applicant; SC2 Properties, LLC, owner.

**Staff Recommendation: Defer to the May 25, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017SP-021-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

**6. 2017SP-024-001**

**3413 OLD ANDERSON SP**

Council District 29 (Karen Y. Johnson)  
Staff Reviewer: Patrick Napier

A request to rezone from AR2a to SP-R zoning on property located at 3413 Old Anderson Road, approximately 400 feet north of Anderson Road (1.23 acres), to permit nine residential units, requested by Dale and Associates, applicant; Tennessee Avenue Development, LLC, owner.

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

**APPLICANT REQUEST**

**Preliminary SP to permit up to nine residential units.**

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan-Residential (SP-R) zoning on property located at 3413 Old Anderson Road, approximately 400 feet north of Anderson Road (1.23 acres), to permit nine residential units.

**Existing Zoning**

Agricultural/Residential (AR2A) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 lot for a total of 1 unit.*

**Proposed Zoning**

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

**ANTIOCH – PRIEST LAKE 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.

Consistent with Policy?

Yes. The proposed SP is consistent with the T3 NM policy and is appropriate given the site's location in a suburban area. The T3 NM policy is intended to retain the existing character of the neighborhood. Given the existing uses surrounding the site, the proposed layout and form of the SP will provide an appropriate transition from the single-family housing in the neighborhood to the multi-family housing located directly adjacent to this site.

**PLAN DETAILS**

The site consists of one parcel located at 3413 Old Anderson Road. The site contains 1.23 acres and is developed with one single-family home. Old Anderson Road is designated as a local street. The proposed SP includes nine detached residential dwelling units. Four units will front Old Anderson Road and five units will front an interior courtyard space located to the rear of the site. The proposed setbacks range between approximately 30 and 40 feet from Old Anderson Road. The adjacent land uses on the east side of Anderson Road and directly across from the property are largely attached multifamily. One adjacent parcel to the south is an existing single family home, and the parcel to the north a daycare. Predominantly single family neighborhoods are to the west.

The site will contain a single point of access from Old Anderson Road. All units will contain two-car garages and will be rear loaded. Additional guest parking is being provided on site. Sidewalks will be provided along Old Anderson Road consistent with the local street standards, 5 foot sidewalk and 4 foot grass strip. Units fronting Old Anderson Road will have a pedestrian connection to the public sidewalk. The units located to the rear of the site will have internal pedestrian connections which provide access to the proposed sidewalk along Old Anderson Road.

The proposed residential units will have a maximum height limitation of 3 stories and 35 feet. Conceptual building elevation drawings were not provided within the SP, however, architectural standards have been included on the plan and shall be demonstrated through architectural elevations submitted with the final SP plan.

**ANALYSIS**

The proposed plan is consistent with the T3 Suburban Neighborhood Maintenance Policy. This development would provide an additional housing choice within the neighborhood and provides for an appropriate transition given the surrounding land use pattern.

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve 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**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate sight distance at access drive.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.23	0.5 D	0 U	-	-	-

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
Multi-Family Residential (210)	1.23		10 U	96	8	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+96	+8	+11

**METRO SCHOOL BOARD REPORT**

Projected student generation existing **AR2-A** district: **0** Elementary **0** Middle **0** High

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

The proposed SP-R zoning district would generate 4 additional students than what is typically generated under the existing AR2-A zoning district. Students would attend Smith Springs Elementary, J.F. Kennedy Middle School and Antioch High School. There is capacity for additional students in Smith Springs Elementary and J.F. Kennedy Middle School. Antioch High school is identified as being full. There is capacity for additional High School students within the adjacent cluster. This information is based upon data from the school board last updated November 2016.

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

1. Will this project include any affordable or workforce housing units? It has not yet been determined.
2. If so, how many and what is the percentage of the entire development? Not yet determined
3. How will you enforce the affordability requirements? See above
4. Have any structures been demolished in the last 12 months? No

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Uses in the SP shall be limited to a maximum of 9 residential units.
2. 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 RM9 zoning district as of the date of the applicable request or application.
3. 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.
4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
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.

**Approve with conditions and disapproved without all conditions. (7-0) Consent Agenda**

**Resolution No. RS2017-153**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that **2017SP-024-001 is Approved with conditions and disapproved without all conditions. (7-0)**

**CONDITIONS**

1. Uses in the SP shall be limited to a maximum of 9 residential units.
2. 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 RM9 zoning district as of the date of the applicable request or application.
3. 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.
4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
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.

**7. 2015S-135-001**

**TOWN VIEW SUBDIVISION, RESUB LOT 33**

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create two lots on property located at 901 Townview Place, at the southeast corner of Willowbranch Drive and Townview Place, zoned R8 and RS3.75 (0.26 acres), requested by Clint T. Elliot Surveying, applicant; Moss Springs, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Create two lots.**

Final Plat

A request for final plat approval to create two lots on property located at 901 Townview Place, at the southeast corner of Willowbranch Drive and Townview Place, zoned One and Two-Family Residential (R8) and Single-Family Residential (RS3.75) (0.26 acres).

**Existing Zoning**

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

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

**PLAN DETAILS**

The request is for final plat approval to create two lots from one lot, totaling approximately 0.26 acres. The existing lot is located at the southeast corner of Willowbranch Drive and Townview Place. This lot is split-zoned with the majority of the lot zoned RS3.75; the northern portion of the lot is zoned R8. An existing structure is located on Lot 33-A. This structure is oriented toward Townview Place. Lot 33-B is vacant and also oriented to Townview Place; it is zoned RS3.75.

There is an existing sidewalk along Townview Place that ends at the corner of Townview Place and Willowbranch Drive. The applicant is required to extend the existing sidewalk network to provide an important pedestrian connection along Willowbranch Drive.

Section 3-5.2 of the Subdivision Regulations requires that newly created lots in residential areas that are previously subdivided and predominately developed must be comparable to surrounding lots in

regards to area and frontage. Lot 33-A and Lot 33-B meet the compatibility requirement for lot area and frontage, as both lots orient to Townview Place.

Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Neighborhood Maintenance policy area. Staff reviewed the final plat for the two lots within the T3 NM policy against the following criteria as required by the Subdivision Regulations:

Zoning Code

Both lots meet the minimum standards of the RS3.75 zoning district.

Both lots have frontage on a public street.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

The lots must be equal to or greater than 40 feet, which is equal to the surrounding lot with the least amount of frontage. Both lots have sufficient frontage along Townview Place.

<b>Lot 33-A. Lot Frontage Analysis</b>	
Minimum Proposed	70.47'
70% of Average	28'
<b>Smallest Surrounding Parcel</b>	<b>40'</b>

<b>Lot 33-B. Lot Frontage Analysis</b>	
Minimum Proposed	44.53'
70% of Average	28'
<b>Smallest Surrounding Parcel</b>	<b>40'</b>

2. Lot size: The proposed lots must have a lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

The minimum lot area for any new lot along Townview Place must be 4,309.23 square feet, which is the smallest parcel area of the surrounding parcels. The minimum lot area for 33-A is 6,660 square feet. The minimum lot area for 33-B is 4,660 square feet; therefore, both lots meet the community character for lot area along Townview Place.

<b>Lot 33-A. Lot Area Analysis</b>	
Minimum Proposed	6,660 sq. ft.
70% of Average	3,409 sq. ft.
<b>Smallest Surrounding Parcel</b>	<b>4,309 sq. ft.</b>

<b>Lot 33-B Area Analysis</b>	
Minimum Proposed	4,660 sq. ft.
70% of Average	3,409 sq. ft.
<b>Smallest Surrounding Parcel</b>	<b>4,309 sq. ft.</b>

3. Street Setback: The street setback would be as required by the Zoning Code.

4. Lot Orientation: Lot 33-A and Lot 33-B orient towards Townview Place.

Agency Review

All agencies have recommended approval.

Harmony of Development

Staff finds that this proposal would provide for harmonious development along Townview Place. Future development will be limited to two stories within 35 feet in height, to the roofline. The plat restricts parking between the primary structure and the street and limiting hard surface for vehicular access to a 16 feet driveway between the primary structure and the street.

**FIRE MARSHAL RECOMMENDATION**

**N/A**

**PUBLIC WORKS RECOMMENDATION**

**No exception taken**

**STORMWATER RECOMMENDATION**

**Approve**

**TRAFFIC & PARKING RECOMMENDATION**

**No exception taken**

**WATER SERVICES RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a driveway a maximum of 16 feet wide between the primary structure and the street
2. Height is limited to two stories in 35 feet.
3. A five foot sidewalk and a four foot planting strip shall be installed along Willowbranch Drive or bonded prior to plat recordation.
4. Add the following note to the plan/plat: The final site plan/ building permit 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.

**Approved with conditions. (7-0) Consent Agenda**

**Resolution No. RS2017-154**

"BE IT RESOLVED by The Metropolitan Planning Commission that **2015S-135-001 is Approved with conditions. (7-0)**

**CONDITIONS**

1. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a driveway a maximum of 16 feet wide between the primary structure and the street
2. Height is limited to two stories in 35 feet.
3. A five foot sidewalk and a four foot planting strip shall be installed along Willowbranch Drive or bonded prior to plat recordation.
4. Add the following note to the plan/plat: The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

**8. 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: Approve.**

**APPLICANT REQUEST**

**Amend building height limitation on plat.**

Plat Amendment

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 Single-Family Residential (RS5) (0.76 acres).

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

**HISTORY**

In January 2016, the Planning Commission approved a plat to create five lots from four existing lots located on Ozark Street, west of South 12<sup>th</sup> Street. The land use policy for the property is T4 Urban Neighborhood Evolving (T4 NE), which is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations. The plat was approved limiting height to two stories in 35 feet. This height restriction language is typically used in Neighborhood Maintenance policy areas, and not usually applied in Neighborhood Evolving policy areas.

This application was deferred at the April 27, 2017, Planning Commission meeting after the public hearing was closed. The Planning Commission deferred this item at the request of Councilmember Withers to allow the applicant time to work with the neighbors regarding the proposed amendment.

**PLAN DETAILS**

The proposed plat amendment would limit the height to three stories in 45 feet, which is allowed in the RS5 zoning district. The proposed amendment makes no further changes to the plat. The five lots will remain as they were approved in January 2016. The existing five lots have the following areas and street frontages:

- Lot 1: 6,664 Sq. Ft., (0.15 Acres), and 44.36 Ft. of frontage;
- Lot 2: 6,635 Sq. Ft., (0.15 Acres), and 44.36 Ft. of frontage;
- Lot 3: 6,625 Sq. Ft., (0.15 Acres), and 44.36 Ft. of frontage;
- Lot 4: 6,616 Sq. Ft., (0.15 Acres), and 44.36 Ft. of frontage;
- Lot 5: 6,607 Sq. Ft., (0.15 Acres), and 44.36 Ft. of frontage.

Sidewalks are required along Ozark Street. The applicant has paid the sidewalk in-lieu fee as part of the recording of the previously approved subdivision. The proposed lots will be designated as critical lots because the natural slope is 20 percent or greater. Prior to application for a building permit on a lot designated as critical, a critical lot plan shall be submitted for review and approval.

**ANALYSIS**

The surrounding homes range in height from 1-story, in 14 feet, to 3-stories, in 45 feet (52 feet including foundation). Newer homes built in this area are typically taller than the existing homes. This neighborhood is within a T4 Neighborhood Evolving policy, where change is expected with new development. A height limitation of 3 stories in 45 feet is appropriate in a T4 Neighborhood Evolving area.

**FIRE MARSHAL RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

Approve

**WATER SERVICES RECOMMENDATION**

Approve

**TRAFFIC AND PARKING RECOMMENDATION**

No exception taken

**PUBLIC WORKS RECOMMENDATION**

Approve

- In-lieu fee has been paid.

**STAFF RECOMMENDATION**

Staff recommends approval.

Approved. (7-0) Consent Agenda

**Resolution No. RS2017-155**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-199-001 is Approved. (7-0)

**9. 2017S-012-001**

**BINKLEY PROPERTY SUBDIVISION REPLAT OF LOT 1**

Council District 03 (Brenda Haywood)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create three lots on property located at 1227 Old Hickory Boulevard, approximately 360 feet northwest of Marydale Drive, zoned RS20 (2.65 acres), requested by Clint T. Elliott Surveying, applicant; Connerth Construction, LLC, owner.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2017S-012-001 indefinitely. (7-0)**

**10. 2017S-043-001**

**TRAIL HOLLOW SUBDIVISION**

Council District 03 (Brenda Haywood)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create two lots on property located at 3501 Trail Hollow Lane, at the northeast corner of Trail Hollow Lane and Brick Church Lane, zoned R10 (approximately 6.75 acres), requested by Crenshaw Land Surveying, applicant; Gulf Front Investment, LLC, owner.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2017S-043-001 indefinitely. (7-0)**



**11. 2017S-097-001**

**RESUB OF LOTS 1 & 2 ON THE PLAN OF BECK SPRINGS ADDITION  
AND LOT 1 ON THE PLAN OF T.L. HERBERT, JR.'S SUBDIVISION**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Patrick Napier

A request for final plat approval to create three lots on property located at 2223 24th Avenue North, approximately 585 feet north of Dowlan Street, zoned R6 (0.46 acres), requested by Q. Scott Pulliam, applicant; Integrity First Development Group, LLC, owner.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2017S-097-001 indefinitely. (7-0)**

**12. 103-79P-005**

**RIVERFRONT SHOPPING CENTER LOT 4 (AMENDMENT)**

Council District 11 (Larry Hagar)

Staff Reviewer: Latisha Birkeland

A request to amend a portion of a Planned Unit Development Overlay District on property located at 1432 Robinson Road, approximately 500 feet southeast of Martingale Drive, zoned CS (0.86 acres), to permit an addition to an existing car wash facility, requested by Q. Scott Pulliam, RLS, applicant; Champion Car Wash, LLC, owner.

**Staff Recommendation: Defer to the June 8, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 103-79P-005 to the June 8, 2017, Planning Commission Meeting. (7-0)**

**13. 2016Z-044PR-001**

Council District 16 (Mike Freeman)

Staff Reviewer: Latisha Birkeland

A request to rezone from R10 to CS zoning for a portion of property located at 981 Murfreesboro Pike, at the southwest side of the intersection of Millwood Drive and Murfreesboro Pike (0.70 acres), requested by Tune, Entrekin & White, PC, applicant; and Likes Family Trust C/O Robert J. Likes, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R10 to CS**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Commercial Services (CS) zoning for a portion of property located at 981 Murfreesboro Pike, at the southwest side of the intersection of Millwood Drive and Murfreesboro Pike (0.70 acres).

**Existing Zoning**

One and Two-Family (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.

**Proposed Zoning**

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

**SOUTH NASHVILLE COMMUNITY PLAN**

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

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?

The proposed CS zoning is consistent with the T4 Urban Mixed Use Corridor policy, in this location. The policy is intended to provide a balanced mixture of higher density residential and mixed use development. The proposed zone change would extend an existing CS zoning district on this parcel. Existing CS zoning is located to the east, west and north of this site along Murfreesboro Pike. The proposed zone would slightly increase the CS zoning district already in place along the corridor. CS-A is not required because the area being rezoned doesn't have street frontage.

**ANALYSIS**

The property is located near Murfreesboro Pike, south of Foothill Drive. The existing land use is a hotel/motel. The entire lot is approximately 5 acres and zoned CS and R10 zoning. Approximately two acres of the property that abuts Murfreesboro Pike is zoned CS. The remainder of the lot is zoned R10. A portion of the site is located within conservation policy due to steep slopes and floodplain.

The proposal would change a 0.70 acre portion of the property that is zoned R10 to CS zoning. The location of the proposed CS zoning district is adjacent to the existing CS zoning on this parcel along Murfreesboro Pike.

The T4 Mixed Use Corridor policy does support CS zoning based on the locational characteristics of the property. The proposed CS zoning will extend the existing CS zoning on this parcel. This parcel abuts the corridor where more intensive uses should be located. The policy supports commercial and mixed uses.

**FIRE DEPARTMENT 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: **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)	4.06	4.35	22 U	211	17	23

\*Based on 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 (814)	0.7	0.6 F	18,295 SF	821	22	66

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (210)	3.36	4.35	18 U	173	14	19

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+783	+19	+62

**STAFF RECOMMENDATION**  
Staff recommends approval.

**Approved. (7-0) Consent Agenda**

**Resolution No. RS2017-156**

“BE IT RESOLVED by The Metropolitan Planning Commission that **2016Z-044PR-001 is Approved. (7-0)**”

**14. 2017Z-041PR-001**

Council District 09 (Bill Pridemore)  
Staff Reviewer: Shawn Shepard

A request to rezone from RS40 to AR2a zoning on properties located at Hudson Road (unnumbered), at the northwest corner of Hudson Road and Menees Lane (55.26 acres), requested by Adam Sawyer, applicant and owner.

**Staff Recommendation: Defer to the June 8, 2017 Planning Commission meeting**

**The Metropolitan Planning Commission deferred 2017Z-041PR-001 to the June 8, 2017, Planning Commission Meeting. (7-0)**

**15. 2017SP-036-001**

**326 WELCH SP**  
Council District 26 (Jeremy Elrod)  
Staff Reviewer: Gene Burse

A request to rezone from OR20 to SP-R zoning on property located at 326 Welch Road, at the northeast corner of Welch Road and Travis Drive (2.31 acres), to permit up to 81 residential units, requested by Northern Property, LLC, applicant; J.W. Carell, owner.

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

**APPLICANT REQUEST**

Zone change to permit 81 residential units.

Preliminary SP

A request to rezone from Office/Residential (OR20) to Specific Plan-Residential (SP-R) zoning on property located at 326 Welch Road, (2.31 acres), to permit 81 residential units.

**Existing Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units up to 20 dwelling units per acre. *OR20 would permit a maximum of 46 residential units.*

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

- Supports infill development
- Supports a variety of transportation choices
- Provides a range of housing choices

This request meets three critical planning goals. The proposal supports infill development. Currently, this site is occupied by an office building and surface parking. Existing infrastructure will be used for the new 81 unit multi-family building. Development in areas with adequate infrastructure such as roads, water and sewer, is more appropriate than development not served with adequate infrastructure because it does not burden Metro with the cost of maintaining new infrastructure.

The request supports a variety of transportation choices for future users. The site is served by 2 existing bus routes, which will serve new residents. Pagoda Commons and the surrounding area provide a range of housing options, which supports Policy goals for this area. In the existing area are traditional suburban housing types and condominiums.

### **SOUTHEASTCOMMUNITY PLAN**

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban 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 - challenges that were not faced when the original classic, suburban neighborhoods were built.

#### Consistent with Policy?

Yes. The site is bordered by three policy areas. They include Conservation and T3 Neighborhood Maintenance policy to the east, south, and north. Also, they include T4 Urban Community Center Corridor policy to the west along Nolensville Pike. Neighborhood Evolving Policy at this site supports the proposed residential use of this SP. This policy encourages diversity in housing options for the area which this development will contribute to within the immediate neighborhood. In addition, there should be opportunities for housing choice and improvements to the connectivity within the pedestrian realm. Resulting development will have higher densities than classic suburban neighborhoods. This development provides a more intense residential use and an opportunity to serve as an appropriate transition area between single-family residential uses to the east and commercial uses to the south and west along Nolensville Pike. Also, improvements will be made to the pedestrian realm through the installation of new public sidewalks which currently do not exist.

### **PLAN DETAILS**

The site is located at 326 Welch Road in the Pagoda Commons neighborhood at the corner of Welch Road and Travis Drive. Properties to the west of Travis Drive are zoned Commercial Service (CS). Properties north and east of the site are zoned Multi-Family (RM20). Properties south of the site are zoned Shopping Center Regional (SCR). Single-family and multi-family uses are located north and east of the site. Commercial and office uses are located west and south of the site.

This request is for a four-story 81 unit multi-family building with associated onsite parking. There will be a total of 114 parking stalls, which is six more spaces required by the Zoning Code. The building will have two principal entrances, one located along Welch Road on the south side of the building and the other facing onsite parking on the north side of the building. Surface parking will be accessed through two access points along Travis Drive.

Site landscaping will include a Type 'A' buffer along the north and east property lines. This landscaping will help to screen the adjacent condo development from this proposed development. Additional landscaping, in the form of street trees, will be located along site frontage on both Welch Road and Travis Drive. Areas on the west side of the building and on the north side of the parking lot will help mitigate storm water runoff. New sidewalks will improve pedestrian connectivity onsite and throughout the immediate. Seven Mile Creek Greenway, a nearby recreational amenity, is located directly across the site to the south next to Walmart. New sidewalks to be installed will provide residents of this proposed development pedestrian access to the greenway.

Architectural standards are included on the plan and elevations will be provided with the final site plan. The standards include façade and material requirements. The proposed units shall have a maximum height limitation of fifty feet.

New sidewalks will be installed, according to local standards, along Welch Road and Travis Drive helping to fill in gaps within the sidewalk network in the Pagoda Commons neighborhood. There is not a strong sidewalk network in the vicinity.

### **ANALYSIS**

The SP application is consistent with the T3 Suburban Neighborhood Evolving policy and meets several critical planning goals. The 81 residential units are close to transit and a greenway. These units will serve as a transition area between the residential uses to the east and commercial uses to the west.

**FIRE DEPARTMENT RECOMMENDATION****Approve with conditions**

- AWC with 2 means of ingress/egress as shown. Fire Code issues will be addressed in the permit phase.

**STORMWATER RECOMMENDATION****Approve****WATER SERVICES****Approve**

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

**PUBLIC WORKS RECOMMENDATION****Approve with conditions.**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Comply MPW Traffic Engineer conditions.
- Dedicate ROW to the back of sidewalk on the southwest corner.

**TRAFFIC AND PARKING RECOMMENDATION****Approve with conditions.**

- A Traffic study shall be required prior to Final SP approval.

Maximum Uses in Existing Zoning District: **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	2.31	0.8 F	80,498 SF	1129	158	169

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
Multi-Family Residential (220)	2.31	-	81 U	615	44	63

Traffic changes between maximum: **OR20 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		-514	-114	-106

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS10 district: 5 Elementary 3 Middle 3 High**

**Projected student generation proposed SP-R district: 9 Elementary 5 Middle 5 High**

The proposed SP zoning district could generate eight more students than what would typically be generated under the existing OR20 zoning district. Students would attend Glenclyff Elementary School, Wright Middle School, and Glenclyff High School. Each school has been identified as having additional capacity except Glenclyff Elementary. Students zoned for Glenclyff elementary would likely attend Paragon Mills Elementary School or Haywood Elementary School, which are the nearest elementary schools to the site. This information is based upon data from the school board last updated November 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? None.

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the proposed SP is consistent with the T3 Suburban Neighborhood Evolving policy.

## CONDITIONS

1. Uses within this SP shall be limited to a maximum of eighty-one (81) multifamily residential units.
2. Internal shared sidewalks shall be five feet (5') in width.
3. Sidewalks five feet (5') in width and a grass strip four feet (4') in width shall be installed along site frontage on Welch Road and Travis Drive.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The following design standards shall be added to the plan:
  - a) Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
  - b) Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
  - c) EIFS, vinyl siding and untreated wood shall be prohibited.
  - d) Porches shall provide a minimum of six feet of depth.
  - e) A raised foundation of 18" - 36" is required for all residential structures.
6. 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.
7. The final site plan shall add the following note to the internal private five-foot (5') shared sidewalks at each principal entrance shall be maintained by the Homeowner's Association.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. 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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## Approved with conditions and disapproved without all conditions. (7-0) Consent Agenda

### Resolution No. RS2017-157

"BE IT RESOLVED by The Metropolitan Planning Commission that **2017SP-036-001 is Approved with conditions and disapproved without all conditions. (7-0)**

## CONDITIONS

1. Uses within this SP shall be limited to a maximum of eighty-one (81) multifamily residential units.
2. Internal shared sidewalks shall be five feet (5') in width.
3. Sidewalks five feet (5') in width and a grass strip four feet (4') in width shall be installed along site frontage on Welch Road and Travis Drive.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The following design standards shall be added to the plan:
  - a) Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
  - b) Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
  - c) EIFS, vinyl siding and untreated wood shall be prohibited.
  - d) Porches shall provide a minimum of six feet of depth.
  - e) A raised foundation of 18" - 36" is required for all residential structures.
6. 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.
7. The final site plan shall add the following note to the internal private five-foot (5') shared sidewalks at each principal entrance shall be maintained by the Homeowner's Association.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

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

**16. 2017SP-037-001**

**HICKORY TRAILS SP**

Council District 08 (Nancy VanReece)

Staff Reviewer: Patrick Napier

A request to rezone from RS20 to SP-R zoning on property located at 630 Old Hickory Boulevard, at the northeast corner of Old Hickory Boulevard and North Marthona Road (0.96 acres), to permit up to 13 residential units, requested by ASE Consulting, LLC, applicant; Craft Properties, LLC, owner.

**Staff Recommendation: Defer to the May 25, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017SP-037-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

**17. 2017SP-038-001**

**1339 SOUTH DICKERSON PIKE SP**

Council District 03 (Brenda Haywood)

Staff Reviewer: Gene Burse

A request to rezone from CS to SP-MU zoning on property located at 1339 Dickerson Pike, at the corner of Dickerson Pike and Old Dickerson Pike (4.93 acres), to permit 10,800 square feet of bus service/repair and 6,000 square feet of office, requested by Dale & Associates, applicant; Robert Warner, owner.

**Staff Recommendation: Defer to the May 25, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017SP-038-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

**18. 2017SP-039-001**

**VILLERY PLACE**

Council District 05 (Scott Davis)

Staff Reviewer: Abbie Rickoff

A request to rezone from RM20 to SP-R zoning on property located at 106 N 8th Street, approximately 200 feet north of Main Street (0.20 acres), to permit up to six residential units, requested by Stone & Howorth, PLC, applicant; Melba Jackson, owner.

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

**APPLICANT REQUEST**

**Preliminary SP to permit up to 6 residential units.**

Preliminary SP

A request to rezone from Multi-Family Residential (RM20) to Specific Plan – Residential (SP-R) zoning on property located at 106 N 8th Street, approximately 200 feet north of Main Street to permit up to six residential units (0.20 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. *RM20 would permit a maximum of 4 units.*

## **Proposed Zoning**

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

## **CRITICAL PLANNING GOALS**

- Supports Infill Development

This request creates an opportunity for urban development that fills in gaps in areas served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure.

## **EAST NASHVILLE COMMUNITY PLAN**

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

## Consistent with Policy?

The proposed SP is consistent with the policy, which is intended to enhance urban neighborhoods with a variety of housing choices and high levels of connectivity. The development will permit up to 6 residential units, which promotes a variety of housing types in the neighborhood. Sidewalks, consistent with the local street standard, will be provided along N. 8<sup>th</sup> Street to improve pedestrian connectivity. The development is located on an existing MTA bus route, providing an alternative method of transportation for current and potential future residents. The site is also within one block of Frederick Douglass Park, which encourages pedestrian activity to surrounding residential and commercial properties.

## **PLAN DETAILS**

The site is located on the east side of N. 8<sup>th</sup> Street, north of Main Street and south of Ramsey Street. The property currently contains a single-family dwelling, which will be demolished. Surrounding land uses to the south and along Main Street are more intense and include commercial, office and multi-family residential. However, land uses to the north are less intense and include residential and institutional uses. North 8<sup>th</sup> Street is generally the dividing line between higher density residential development (to the west) and lower density residential development (to the east). The site's close proximity to Frederick Douglass Park, located north near Ellington Parkway, will allow future residents to use an existing community open space.

The site plan proposes 6 residential units. Three units front N. 8<sup>th</sup> Street and are generally in line with the front setbacks of the multi-family development located on the adjacent (southern) property. The fourth unit fronts the interior of the site. The fifth and sixth units front an improved alley, which is located south of the site and runs parallel with Main Street. Site access is provided from the alley. Five-foot sidewalks and a four-foot planting strip, consistent with Metro Public Works standards for a local road, are provided along N. 8<sup>th</sup> Street. A private sidewalk is provided from N. 8<sup>th</sup> Street through the site to the alley for internal connectivity.

Garages are provided on all units and 2 bicycle parking spaces have been provided for the development. The plan includes architectural standards requiring raised foundations, minimum glazing requirements, minimum porch depths and prohibited materials. Staff recommends that additional windows be provided on Unit 4 along the northern and eastern facades to allow additional light into the development in a manner that also addresses surrounding parcels.

## **ANALYSIS**

The policy is intended to create and enhance urban neighborhoods with improved connectivity and a variety of housing choice. Access will be taken from an existing alley, so no additional curb cuts are needed along N. 8<sup>th</sup> Street. The proposed SP includes 6 residential units in close proximity to the Main Street corridor, which provides for additional housing choice near higher-density development.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

## **STORMWATER RECOMMENDATION**

### **Approve**



**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**PUBLIC WORKS RECOMMENDATION**

**Approve 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.
- Indicate the installation of a driveway ramp per MPW standards at the intersection of 8th and Alley #277

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

Maximum Uses in Existing Zoning District: **RM20**

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)	0.2	-	4 U	27	3	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
Multi-Family Residential (220)	0.2	-	6 U	40	4	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+13	+1	+1

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RM20 district: 1 Elementary 0 Middle 0 High

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

The proposed SP zoning is expected to generate one more student than the existing RM20 zoning. Students would attend Glenn Elementary School, Jere Baxter Middle School and Maplewood High School. All three schools have been identified as having additional capacity.

This information is based upon data from the school board last updated November 2016.

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

1. Will this project include any affordable or workforce housing units? Unit #4 is being set aside for the current property owner to purchase at cost. From the perspective of the developer, this makes this unit "affordable".
2. If so, how many and what is the percentage of the entire development? 16.67% if the above is accepted
3. How will you enforce the affordability requirements? Still in discussion
4. Have any structures been demolished in the last 12 months? No

**STAFF RECOMMENDATION**

The proposal is consistent with the T4 NE policy and with the existing residential uses along N. 8<sup>th</sup> Street. Therefore, staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Uses within the SP shall be limited to a maximum of 6 residential units.
2. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
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 RM40-A zoning district as of the date of the applicable request or application.
4. Sidewalks, consistent with the local street standard of 5' sidewalk and 4' planting strip, shall be required on N. 8<sup>th</sup> Street.
5. 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.
6. The maximum height shall be 3 stories in 45 feet.
7. Building elevations shall be submitted with the final site plan.
8. Unit #4 shall include additional windows or glazing along the northern and eastern facades to allow additional light into the development in a manner that also addresses surrounding parcels.
9. A raised foundation of 18" - 36" is required for all residential structures that front N. 8<sup>th</sup> Street.
10. 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.
11. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
12. 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.
13. 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.
14. 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.

**Approved with conditions and disapproved without all conditions. (7-0) Consent Agenda**

**Resolution No. RS2017-158**

"BE IT RESOLVED by The Metropolitan Planning Commission that **2017SP-039-001 is Approved with conditions and disapproved without all conditions. (7-0)**

**CONDITIONS**

1. Uses within the SP shall be limited to a maximum of 6 residential units.
2. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
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 RM40-A zoning district as of the date of the applicable request or application.
4. Sidewalks, consistent with the local street standard of 5' sidewalk and 4' planting strip, shall be required on N. 8<sup>th</sup> Street.
5. 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.
6. The maximum height shall be 3 stories in 45 feet.
7. Building elevations shall be submitted with the final site plan.
8. Unit #4 shall include additional windows or glazing along the northern and eastern facades to allow additional light into the development in a manner that also addresses surrounding parcels.
9. A raised foundation of 18" - 36" is required for all residential structures that front N. 8<sup>th</sup> Street.
10. 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.
11. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
12. 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.

13. 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.
14. 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.

**19. 2017SP-040-001**

**6035 NEIGHBORLY AVE**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Patrick Napier

A request to rezone from R6 to SP-R zoning on properties located at 6035 Neighborly Avenue and Neighborly Avenue (unnumbered), at the southeast corner of Neighborly Avenue and Marcia Avenue, (0.66 acres), to permit up to seven residential units, requested by Stone & Howorth, PLC, applicant; Superior Development, LLC, owner.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2017SP-040-001 indefinitely. (7-0)**

**20a. 2017HL-004-001**

**2250 LEBANON PIKE**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Latisha Birkeland

A request to apply a Historical Landmark Overlay District on property located at 2250 Lebanon Pike, at the northeast corner of Lebanon Pike and Briley Parkway, zoned R8, within the Downtown Donelson Urban Design Overlay District (1.85 acres), requested by Councilmember Jeff Syracuse, applicant; Lewis and Connie James, owners. (See associated case # 2017NHL-002-001)

**Staff Recommendation: Approve**

**APPLICANT REQUEST**

**Apply a Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historical Landmark Overlay District (HL) on property located at 2250 Lebanon Pike, at the northeast corner of Lebanon Pike and Briley Parkway, zoned One and Two-Family Residential (R8), within the Downtown Donelson Urban Design Overlay District (1.85 acres).

**Existing Zoning**

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

**Proposed Zoning**

Historic Landmark Overlay District (HL) is applied to 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.

**DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN**

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

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) considered this application at its October 19, 2016 meeting. Historic Zoning Commission staff recommends approval of this application. Metro Historic Commission staff provided the following background information:

**The Belair Mansion**

Belair, one of the impressive antebellum homes in the Nashville area, was built in 1832 on a grant of one thousand acres by John Harding of Belle Meade for his daughter, Elizabeth, who married Joseph Clay of Kentucky. Constructed of bricks laid in Flemish bond, the house was built in an L-shape, but has had many additions. In 1838, William Nichol bought the place and added a wing on either end, as well as making changes to the house. The winding stairway and rosewood doors were added at this time, and it is probable that some elaboration to the front of the house was made. In recent years the exterior bricks have been painted white.

The style of architecture of Belair is generally Federal, with some classic revival influence shown in the two-story portico with fluted Doric columns and a one-story deck roof. There are a total of 30 rooms in the house, with four halls and three stairways. At the back of the large entrance hall an elliptical stairway rises to the second floor. The stairway is similar to the one at the Hermitage, as are the two wings added by Nicol in 1838, indicating the possible influence of Andrew Jackson, a neighbor who often visited Nichol.

The floors in Belair are of random width pine and ash. The doors exhibit interesting mouldings and the trim is elaborate with dentil work. Many of the ceilings have been decorated with frescoed plaster.

At the rear of the ell is the kitchen with living quarters above, which was built separate from the house but has since been connected and has had extensive remodeling done to utilize it as a playroom. The original dining room has been converted into a modern kitchen.

Development and an expressway destroyed the outbuildings; however, the principle building remains.

**Analysis and Findings:**

Belair is significant as an excellent example of its style of architecture and because of its association with the development of the general area of Nashville, now known as Donelson. The property is listed in the National Register of Historic places and so meets criterion 5 of section 17.36.120 of the ordinance.

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 October 19, 2016, the Metro Historic Zoning Commission reviewed the request and recommended approval of the Historic Landmark designation. In addition, they adopted the existing design guidelines for Historic Landmarks to guide changes on the property.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

**Approved. (6-0-1) Consent Agenda**

**Resolution No. RS2017-159**

“BE IT RESOLVED by The Metropolitan Planning Commission that **2017HL-004-001 is Approved. (6-0-1)**”

**20b. 2017NHL-002-001**

**BELAIR MANSION NEIGHBORHOOD LANDMARK OVERLAY**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Latisha Birkeland

A request to apply a Neighborhood Landmark Overlay District to properties located at 2250, 2254 Lebanon Pike and Lebanon Pike (unnumbered) and Revere Place (unnumbered), at the corner of the Briley Parkway Ramp and Lebanon Pike, zoned RS20 and R8 (5.92 acres), and partially within the Downtown Donelson Urban Design Overlay, requested by Lewis and Connie James, applicants and owners (see associated # 2017HL-004-001).

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply a Neighborhood Landmark Overlay.**

Neighborhood Landmark Overlay

A request to apply a Neighborhood Landmark Overlay District (NLOD) to properties located at 2250, 2254 Lebanon Pike and Lebanon Pike (unnumbered) and Revere Place (unnumbered), at the corner of the Briley Parkway Ramp and Lebanon Pike, zoned Single-Family Residential (RS20) and One and Two-Family Residential (R8) (5.92 acres), and partially within the Downtown Donelson Urban Design Overlay.

**Existing Zoning**

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

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

**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 assist in preserving the historic Belair Mansion, which was built in 1925, by allowing additional uses on the property and within the structure.

**HISTORY**

This property is located at 2250 Lebanon Drive. The house on the property was constructed in 1832.

**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 structure on this property is important for Donelson, Davidson County, and the State of Tennessee due to their significance in the region's cultural history. The main house has been listed on the National Register of Historic Places. Retaining this feature would reinforce the neighborhood's traditional and unique character.

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 building 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 building and grounds while also allowing a development plan to be prepared that would allow uses other than those permitted under the existing 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.

Section 17.40.160.B.3 of the Metro Code states:

Neighborhood Landmark Development Plan. A development plan for the reuse of any feature encompassed by a NL district shall be submitted and approved by the planning commission at a properly noticed public hearing. No zoning permits, building permits or other land development permit of any kind that would alter the character of the district shall be issued within a NL district prior to approval of a neighborhood landmark development plan according to the procedures of this article and chapter. This provision shall not be intended to prevent the issuance of any permit necessary to stabilize any condition of imminent danger to life safety.

**FIRE MARSHAL RECOMMENDATION**  
N/A

**STORMWATER RECOMMENDATION**  
N/A

**PUBLIC WORKS RECOMMENDATION**  
N/A

**WATER SERVICES RECOMMENDATION**  
N/A

**TRAFFIC AND PARKING RECOMMENDATION**  
N/A

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approved. (6-0-1) Consent Agenda**

**Resolution No. RS2017-160**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017NHL-002-001 is Approved. (6-0-1)

**21. 2017S-013-001**

**TRINITY HEIGHTS RESUB OF LOT 23**

Council District 05 (Scott Davis)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create two lots and a variance from the sidewalk requirement on property located at 315 Edwin Street, approximately 275 feet east of Meridian Street, zoned RS5 (0.38 acres), requested by Clint T. Elliott Surveying, applicant; John and Evelyn Davis, owners.

**Staff Recommendation: Approve the subdivision with conditions and disapprove the sidewalk variance request.**

**APPLICANT REQUEST**

**Final Plat to create two lots and a variance from the sidewalk requirements.**

Final Plat

A request for final plat approval to create two lots and a variance from the sidewalk requirement on property located at 315 Edwin Street, approximately 275 feet east of Meridian Street, zoned RS5 (0.38 acres).

**Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS5 would permit a maximum of 3 lots. However, this proposal is subject to the compatibility requirements of the Subdivision Regulations, which result in fewer lots as described below.*

**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**

This request is for final plat approval for property located at 315 Trinity Lane. This parcel currently contains one single family dwelling and an accessory structure. The existing lot is 16,598 square feet (0.38 acres) and is proposed to be split into two lots. The proposed subdivision includes a request for a variance from the sidewalk requirements for the subdivision.

**ANALYSIS**

Section 3-5.2 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions and for determining their compatibility in Neighborhood Maintenance policies.

**Zoning Code**

The proposed lots meet the minimum standards of the RS5 zoning district.

**Street Frontage**

The proposed lots have frontage on a public street.

**Community Character**

a. Lot frontage analysis: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

In this instance, lots created along Edwin Street must have frontage of at least equal to 50 feet. The proposed lots have 50 feet of frontage and therefore meet the compatibility requirements for frontage.

<b>Lot 1 and Lot 2 Frontage</b>	
Proposed Frontage	50 ft.
<b>Minimum Frontage</b>	<b>50 ft.</b>
70% Average	35 ft.

b. Lot area analysis: The proposed lots must have a total area either equal to or greater than 70% of the average area of surrounding parcels or equal to or greater than the surrounding lot with the least amount of area, whichever is greater.

In this instance, the proposed lots must be equal to or greater than 7,841 feet. The size of the proposed lots is 8,299 square feet. Both of the proposed lots meet the compatibility requirements for area.

<b>Lot 1 and Lot 2 Area</b>	
Proposed Size	8,299 SF
<b>Minimum Size</b>	<b>7,841 SF</b>
70% Average	5,663 SF

c. Street setbacks: Future structures would comply with setbacks as established by Metro Zoning Code.

d. Lot orientation: Both lots front Edwin Street and are consistent with the surrounding parcels.

**HISTORY**

In November 2016, the applicant applied for a final plat to subdivide the subject property. During the review process, staff determined that the plat could be reviewed administratively since the subdivision met the compatibility criteria for infill subdivisions as required by the Subdivision Regulations. The applicant was informed that sidewalks would be required with the subdivision per Section 3-8.2 of the Subdivision Regulations and in January 2017, the plat was approved with the following conditions:

Planning

1. Sidewalks are required along Edwin Street (5' sidewalk with 4' grass strip). 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,
2. Existing structures shall be demolished before plat is recorded.

Public Works

1. 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.

In February 2017, the applicant elected to post a bond for sidewalks with the Planning Department. The applicant is now seeking a variance from the sidewalk requirement.

**Sidewalk Variance**

When a sidewalk network exists, new sidewalks must be constructed along the frontage of lots created by an infill subdivision to extend the network. When a sidewalk network does not exist, the applicant may either construct a sidewalk or make a financial contribution per Section 3-8.2.c of the Subdivision Regulations. The applicant has requested a variance from the requirement to construct the required sidewalk for the Edwin Street frontage.

If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall make findings based upon the evidence presented to it in each specific case that:



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

The applicant has identified a drainage ditch, located on the north side of Edwin Street, as a hardship which prevents sidewalk construction. Staff, in consultation with Public Works, has not identified a unique hardship and recommends disapproval of the sidewalk variance.

**FIRE MARSHAL RECOMMENDATION**  
**N/A**

**STORMWATER RECOMMENDATION**  
**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**

**WATER SERVICES RECOMMENDATION**  
**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval of the subdivision with conditions and disapproval of the variance request.

**CONDITIONS**

1. Sidewalks are required along Edwin Street (5' sidewalk with 4' grass strip). 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, or
  - b. Construct sidewalk and have it accepted by Public Works
2. Existing structures shall be demolished before plat is recorded.

Ms. Rickoff presented the staff recommendation of approval of the subdivision with conditions and disapproval of the sidewalk variance request.

Ashonti Davis, 321 Edwin St, spoke in opposition because the drainage issues need to be fixed first.

Councilmember Davis spoke in favor of the sidewalk variance.

Phillip Taylor, 1990 Oneida, spoke in favor of the sidewalk variance.

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

Councilmember Allen inquired about drainage infrastructure.

Steve Mishu, Metro Storm Water, explained that if the ditch is deep, they will not only have to extend infrastructure within their property, but also possibly beyond upstream and downstream to tie back in to some slopes.

Ms. Diaz spoke in opposition due to stormwater issues and single-family homes having to build something so complicated mid-block.

Dr. Sims expressed concern with precedent setting; how does building infrastructure and installing sidewalks become equitable?

Mr. Tibbs stated that this needs to be engineered from one side of the street to the other. If we piecemeal this area, we could be causing more problems and issues later. This would be better if they were able to contribute to the sidewalk fee.

Ms. Hagan-Dier explained that based on the mid-block location, other lots have been developed and are not required to build sidewalks, the drainage issues on this property, and the cost that would be required to construct sidewalks with headwalls, etc., to tie into the sewer, "C" seems to apply to the situation. If we find that A, B, C, and D apply, we could give a variance and then require an in lieu fee.

Ms. Blackshear stated that a piecemeal approach is not smart planning.

Ms. Davis noted that in this case, it is more expensive to construct the sidewalk and the in lieu fee creates a hardship.

Mr. Haynes stated once we start negotiating fees, we have to be consistent with that. If there are hardships, staff will need to set the in lieu fee and not waiver on it.

Councilmember Allen agreed that the precedent issue is very important.

Mr. Tibbs stressed that the entire street needs to be engineered; it can't be piecemealed in the middle.

Ms. Davis requested a decision, not a deferral.

Ms. Diaz moved to approve staff recommendation with conditions. No second. Motion failed.

**Ms. Hagan-Dier moved and Mr. Tibbs seconded the motion to approve the subdivision request and approve the request for a variance to construct sidewalks with a condition to pay a contribution in lieu of sidewalk construction and dedication of right-of-way if necessary. (8-1) Ms. Diaz voted against.**

Mr. Haynes left the meeting at 6:12 p.m.

**Approved with conditions and a request for a variance to construct sidewalks is approved, with a condition to pay a contribution in lieu of sidewalk construction and dedication of right of way if necessary. (8-1)**

**Resolution No. RS2017-161**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017S-013-001 is Approved with conditions and a request for a variance to construct sidewalks is approved, with a condition to pay a contribution in lieu of sidewalk construction and dedication of right of way if necessary.**

**CONDITIONS**

1. Sidewalks are required along Edwin Street (5' sidewalk with 4' grass strip). Therefore, prior to final plat recordation, the payment in lieu for 100 feet of frontage must be paid.
2. Existing structures shall be demolished before plat is recorded.

**22. 2017S-068-001**

**CROLYWOOD SUBDIVISION BLOCK K LOT 6**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Abbie Rickoff

A request for final plat approval to create two lots on property located at 426 Croley Drive, at the corner of O'Brien Avenue and Croley Drive, zoned R8 (0.41 acres), requested by Cherry Land Surveying, applicant; Lightfoot Graham Development, owner.

**Staff Recommendation: Defer to the May 25, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017S-096-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

**23. 2017S-111-001**

**H.G. MCNABB SUBDIVISION RESUB OF RESERVED TRACT**

Council District 16 (Mike Freeman)

Staff Reviewer: Patrick Napier

A request for final plat approval to create two lots and to remove the reserve parcel status on property located at 522 Radnor Street, approximately 185 feet east of Louise Drive, zoned RS7.5 (0.42 acres), requested by James Terry & Associates, applicant; Larry Everett, owner.

**Staff Recommendation: Defer to the May 25, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017S-111-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

**24. 2013UD-002-009**

**TACO JOHN'S**

Council District 32 (Jacobia Dowell)

Staff Reviewer: Justin Wallace

A request for a major modification to the Murfreesboro Pike Urban Design Overlay District standards on property located at 2827 Murfreesboro Pike, at the corner of Hamilton Church Road and Murfreesboro Pike, zoned CS (2.47 acres), to permit a modification of the required facade width and modification of the required sidewalk widths, requested by 4 Site, Inc., applicant; Bank of Camden, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Modification to the facade width standards of the Murfreesboro Pike at Una Antioch Urban Design Overlay (UDO), and to the sidewalk standards of the Major and Collector Street Plan.**

UDO Major Modification

A request for a modification to the facade width standards to allow a 40 foot facade width along Murfreesboro Pike, and to allow a reduced sidewalk width for portions of Hamilton Church Road frontage, for property located at 2827 Murfreesboro Pike (2.47acres), within the Murfreesboro Road at Una Antioch UDO.

**Existing Zoning**

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

Murfreesboro Pike Urban Design Overlay (UDO) is intended to foster suburban development that is pedestrian friendly while still accommodating for the market needs of suburban development. This UDO focuses on broad design standards while emphasizing best practices for quality suburban design.

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

T3 Suburban Community Center Policy (T3 CC) is intended to enhance and create suburban community centers that serve suburban communities generally within a 10 to 20 minute drive. They are pedestrian friendly areas, generally located at prominent intersections that contain mixed use, commercial and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC areas are served by highly connected street networks, sidewalks and existing or planned mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

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

### Consistent with Policy?

Yes. The project proposes a restaurant use that is compatible with the land use and general character of corridors outlined in suburban policy. The proposed development enables safe, attractive and comfortable access for pedestrians and offers a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and existing or planned mass transit along Murfreesboro Pike, which is a prominent arterial-boulevard served by multiple modes of transportation.

### **PLAN DETAILS**

The property is approximately 2.47 acres located at 2827 Murfreesboro Pike, at the corner of Hamilton Church Road and Murfreesboro Pike. The proposed project is an approximately 1,750 square foot quick service restaurant with a drive through, consistent with allowable uses permitted under CS zoning.

### **ANALYSIS**

The applicant is requesting modifications to the façade width requirement of the UDO and sidewalk width requirements of the MCSP. Overall, the proposed project is consistent with the intent of the UDO to foster suburban development that is pedestrian friendly while accommodating for market needs of suburban development. The proposed project provides sidewalks along the street frontages, while the streets accommodate various transit modes including buffered bike lanes and vehicles along the Murfreesboro corridor. The proposed project will also include landscaping along the street frontages.

#### Façade Width

The UDO requires a minimum 45% facade width along street frontages. However, for large property frontages, the minimum 45% facade width requirement may not always be realistically achievable. The property's frontage along Murfreesboro Pike is approximately 393 feet and the 45% façade width requirement would equate to a building façade that is approximately 177 feet wide. In addition, 233 feet of the Murfreesboro Pike street frontage is encumbered by a sanitary sewer, gas and stormwater easement. The resulting buildable frontage width is 160 feet, and the minimum 45% façade width requirement would equate to a building façade that is approximately 72 feet. The project is proposing a facade width of 40 feet along Murfreesboro Pike, a dimension typical for a quick service restaurant building type. The building is situated on the site so that the front of the building with the greatest amount of glazing is oriented to the street.

Given the building type and use as a quick service restaurant, the required facade width does not appear to be realistically achievable in this instance due to the existing easement that crosses the property. The proposed layout of the building, with back of house functions to the rear and dining area functions to the front, results in a better frontage condition. Specifically, the main entry, storefront and dining areas all face the street and the proposed glazing percentage is 58% where the standard requires 45%.

Additionally, the proposed layout reduces conflict between vehicles and pedestrians. The pattern of vehicular flow is designed so that access and queue lanes occur to the rear of the building, and the pedestrian entry and access occur at the front of the building along Murfreesboro Pike.

In conclusion, the proposed layout enables safe and comfortable pedestrian access, reduces conflict between vehicular traffic and pedestrians, and allows the building façade to maximize the storefront and exceed the minimum required glazing percentage, which are all consistent with the intent and goals of the Murfreesboro Pike Urban Design Overlay.

#### Sidewalk Width

The subject site contains a number of physical barriers that prevent the applicant from achieving the full dimensions required by the Major and Collector Street Plan (MCSP). Planning staff have coordinated with Metro agencies to achieve a design alternative to provide a continuous sidewalk along all public right-of-ways. The subject property is bounded by three public streets along the north, east, and west boundaries of the site with approximately 393 feet of frontage along Murfreesboro Pike, 220 feet along Hamilton Church Road and 250 feet along Hamilton Crossings.

Specifically, along Hamilton Church Road the MCSP requires a 6 foot planting strip and 8 foot clear sidewalk for approximately 220 feet. The proposed streetscape includes a 2 foot planting strip and 5 foot sidewalk for approximately 150 linear feet before transitioning to the full width required by the MCSP for the remaining frontage length. Physical barriers, including a culvert and drainage ditch, impede the constructability of the required 14 foot streetscape across the full length of frontage. While the proposed sidewalk does not meet the minimum required width, the 2 foot planting strip does offer a minimum physical separation from Hamilton Church Road and a 5 foot sidewalk provides a minimum width of continuous sidewalk at a critical intersection.

Along Murfreesboro Pike, the MCSP requires a 6 foot planting strip and 8 foot clear sidewalk dimension for approximately 393 feet of frontage length. The proposed streetscape includes no planting strip and an 8 foot clear sidewalk for approximately 40 feet due to the presence of overhead lines impeding the constructability of the required 14 foot streetscape. For the remaining 353 of frontage, the proposed design complies with the MCSP. While the portion of streetscape does not comply with the MCSP, the small segment occurs within close proximity to a pedestrian crossing.

**FIRE DEPARTMENT RECOMMENDATION**  
N/A

**STORMWATER RECOMMENDATION**  
N/A

**WATER SERVICES**  
**Approve with Conditions**

- Approved as a Preliminary UDO/Site Plan only. If relocation of the public sewer is needed, public sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/UDO plans. The required capacity fees must also be paid prior to Final Site Plan/UDO approval.

**PUBLIC WORKS RECOMMENDATION**  
**Approve with Conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Comply with MPC approval of sidewalk and grass strip width. Some variation may occur with the submittal of detailed construction drawings.

**TRAFFIC AND PARKING RECOMMENDATION**  
N/A

- Does not include site plan approval

**STAFF RECOMMENDATION**

Staff recommends approval with conditions. The proposed façade width and sidewalk dimensions is consistent with the intent of the UDO to foster suburban development that is pedestrian friendly while offering an improved pedestrian environment given physical site constraints at a critical intersection where development would otherwise not occur.

**CONDITIONS**

1. UDO final site plan approval shall be required before building permits, consistent with any approved modifications and all unmodified UDO standards including cross and joint access provisions.
2. Dedication of cross-access easement shall be recorded at the Register of Deeds prior to the issuance of a building permit.

**Approved with conditions. (6-0-1) Consent Agenda**

**Resolution No. RS2017-162**

"BE IT RESOLVED by The Metropolitan Planning Commission that **2013UD-002-009 is Approved with conditions. (6-0-1)**

**CONDITIONS**

1. UDO final site plan approval shall be required before building permits, consistent with any approved modifications and all unmodified UDO standards including cross and joint access provisions.
2. Dedication of cross-access easement shall be recorded at the Register of Deeds prior to the issuance of a building permit.

**25. 2017Z-030PR-001**

Council District 13 (Holly Huevo)  
Staff Reviewer: Patrick Napier

A request to rezone from RS10 to RS5 zoning on property located at 912 Massman Drive, east of the terminus of Frontage Road (8.23 acres), requested by PDR Engineers, applicant; Phillip Taylor Darden, owner.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Zone change from RS10 to RS5.**

Zone Change

A request to rezone from Single-Family Residential (RS10) to Single-Family Residential (RS5) zoning on property located at 912 Massman Drive, east of the terminus of Frontage Road (8.23 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 35lots based on acreage only. Total number of lots may vary based on application of the Subdivision Regulations or utilization of the Cluster Lot provision.*

**Proposed Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 71 lots based on acreage only. Total number of lots may vary based on application of the Subdivision Regulations or utilization of the Cluster Lot provision.*

**ANTIOCH – PRIEST LAKE 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.

Consistent with Policy?

No. This request would not continue or maintain the existing pattern of development when compared with the surrounding neighborhoods within the same policy to the east of Massman Drive.

**ANALYSIS**

This property is on the seam of two development profiles: to the east, the Bel Air neighborhood contains lots with an average size in excess of 9,000 sq. ft. Properties to the south, also fronting on Massman Drive, are primarily large single family lots and an isolated area of multi-family. The proposed rezoning is inconsistent with both the developed single family properties to the south and the east. Given the Neighborhood Maintenance policy, the zoning as it exists permits the development of the property in a manner that is consistent with the existing subdivisions in the area.

**FIRE DEPARTMENT RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

N/A

**WATER SERVICES**

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: **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	8.23	4.35 D	35 U	-	-	-

Maximum Uses in Proposed 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)	8.23	8.71 D	71 U	-	-	-

Traffic changes between maximum: **RS10 and RS5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	8.23	-	+36 U	-	-	-

**METRO SCHOOL BOARD REPORT**

Projected student generation existing **RS10** district: **8 Elementary 6 Middle 4 High**

Projected student generation proposed **RS5** district: **17 Elementary 11 Middle 8 High**

The proposed RS5 zoning district will generate more 18 students than what is typically generated under the existing RS10 zoning district. Students would attend Glenview Elementary School, Wright Middle School, and Glenclyff High School. Each school has been identified as having additional capacity. This information is based upon data from the school board last updated November 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 disapproval.

Mr. Napier presented the staff recommendation of disapproval.

There was no applicant in attendance; only staff.

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

**Ms. Blackshear moved and Ms. Hagan-Dier seconded the motion to disapprove. (8-0)**

**Disapproved. (8-0)**

**Resolution No. RS2017-163**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-030PR-001 is Disapproved. (8-0)**

**26. 2017Z-037PR-001**

Council District 05 (Scott Davis)

Staff Reviewer: Latisha Birkeland

A request to rezone from CS and RS5 to RM20-A, MUL-A, R6-A, and RM9-A zoning for various properties south of E Trinity Lane, (41.71), requested by Councilmember Scott Davis, applicant; various property owners.

**Staff Recommendation: Defer to the June 8, 2017 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017Z-037PR-001 to the June 8, 2017, Planning Commission Meeting. (7-0)**

## 27. 2017Z-048PR-001

Council District 16 (Mike Freeman)

Staff Reviewer: Shawn Shepard

A request to rezone from OR20 and RS5 to RM-20A zoning for properties located at 341 Oriel Avenue and Austin Avenue (unnumbered), at the corner of Austin Avenue and Oriel Avenue (0.33 acres), requested by Peter Jones, applicant; Chris Crimmins, owner.

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Zone change from OR20 and RS5 to RM20-A.**

#### Zone Change

A request to rezone from Office Residential (OR20) and Single-Family Residential (RS5) to Multi-Family Residential – Alternative (RM20-A) zoning for properties located at 341 Oriel Avenue and Austin Avenue (unnumbered), at the corner of Austin Avenue and Oriel Avenue (0.33 acres).

#### **Existing Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. Approximately 0.15 acres of the site are in OR20 zoning. *OR20 would permit a maximum of three units.*

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. Approximately 0.18 acres of the site are in RS5 zoning. *RS5 would permit a maximum of one unit.*

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

### **SOUTH NASHVILLE COMMUNITY PLAN**

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

#### Consistent with Policy?

The proposed zone change is consistent with policy. The subject properties are located in an area with an existing mix of one and two-family residential dwellings and industrial land uses and on a seam between policy areas. Properties to the west of the subject site are in an area of T4 Neighborhood Maintenance policy. Properties to the east of the site, along Nolensville Pike and Interstate 440, are located in an area of T4 Mixed Use Corridor Policy. The subject property sits at the northwest corner of a north-south band of T4 NE policy that serves to create a transition between the more intense mixed use development along Nolensville Pike and the existing residential land use more interior to the neighborhood. The requested zoning, RM20-A, would permit multifamily residential units which would help provide a transition between the one and two-family residential dwellings to the west and south and the existing industrial land uses to the north and east, and to provide a transition from the corridor as this area redevelops. The requested zoning is consistent with the goals of the T4 NE policy.

### **ANALYSIS**

The site consists of two parcels located at the corner of Austin and Oriel Avenues. There is an existing built alley to the south of the site. The site is currently vacant. The parcels to the east and north are occupied by existing industrial land uses, with single and two-family residential development to the south and west along the rest of the block face. The location of the subject properties relative to existing uses already makes them an appropriate place to transition from more intense development to the residential neighborhood. As the area redevelops, with more intensity in areas of T4 Mixed Use Corridor policy along Nolensville Pike, the role of this property as a transition will become more pronounced. The requested zoning, RM20-A, will permit up to six multifamily residential units. The Alternative district requires access from an alley when one exists, and also includes building placement and design standards intended to enhance the pedestrian realm. The proposed zoning is consistent with the T4 NE policy, and provides an appropriate transition from more intense mixed use development to the interior of the residential neighborhood.



**FIRE MARSHAL RECOMMENDATION**  
N/A

**PUBLIC WORKS RECOMMENDATION**  
N/A

**TRAFFIC AND PARKING RECOMMENDATION**  
**Approved with conditions**

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

Maximum Uses in Existing Zoning District: **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.15	0.8	5,227 SF	138	18	18

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)	0.18	8.71 D	1 U	10	1	2

Maximum Uses in Proposed Zoning District: **RM20A**

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)	0.33		6 U	40	4	4

Traffic changes between maximum: **OR20, RS5 and RM20A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-108	-15	-16

**METRO SCHOOL BOARD REPORT**

Projected student generation existing OR20 district: 0 Elementary 0 Middle 0 High

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

Projected student generation proposed RM20-A district: 1 Elementary 0 Middle 0 High

The proposed zoning is expected to generate one additional student beyond the existing zoning. Students would attend Whitsitt Elementary School, Wright Middle School, and Glencliff High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2016.

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

1. Will this project include any affordable or workforce housing units? The proposal increases the supply of for-sale housing in an existing neighborhood. The additional supply will provide incremental relief to housing demand and pricing pressures. While, at this time, the project is not intended to provide below market housing it will establish a family housing type that will likely sell for less than a single-family or two-family dwelling in the same neighborhood. This project will provide another option for households wishing to live within a healthy residential neighborhood but not able to afford the larger more land intensive housing types.
2. If so, how many and what is the percentage of the entire development? All of the units will likely be marketed at a lower price point than the traditional one and two-family homes being built in the surrounding neighborhood.
3. How will you enforce the affordability requirements? N/A
4. Have any structures been demolished in the last 12 months? There are no buildings on either of the lots.

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the T4 Urban Neighborhood Evolving policy.

**Approved. (7-0) Consent Agenda**

**Resolution No. RS2017-164**

"BE IT RESOLVED by The Metropolitan Planning Commission that **2017Z-048PR-001 is Approved. (7-0)**

**28. 2017Z-050PR-001**

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

A request to rezone from CS and R6 to RM15 zoning on property located at 622 Croley Drive, west of the terminus of Deal Avenue (2.64 acres), requested by Dale and Associates, applicant; Michaels Real Estate, LLC, owner.

**Staff Recommendation: Defer to the May 25, 2017, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2017Z-050PR-001 to the May 25, 2017, Planning Commission Meeting. (7-0)**

**29. 2017Z-051PR-001**

Council District 05 (Scott Davis)  
Staff Reviewer: Latisha Birkeland

A request to rezone from RS5 to RM20-A on properties located at Penning Avenue (unnumbered), Public Street (unnumbered), Lucile Street (unnumbered) and a portion of Dickerson Pike (unnumbered), (18.74 acres), and to rezone from CS and RS5 to MUG-A on properties located at 1412 Dickerson Pike and on a portion of two parcels along Dickerson Pike (unnumbered), (1.89 acres), west of the terminus of Fern Avenue (20.63 acres total).

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS5 to RM20-A and zone change from CS and RS5 to MUG-A.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential-Alternative (RM20-A) on properties located at Penning Avenue (unnumbered), Public Street (unnumbered), Lucile Street (unnumbered) and a portion of Dickerson Pike (unnumbered), (18.74 acres), and to rezone from Commercial Services (CS) and Single-Family Residential (RS5) to Mixed Use General-Alternative (MUG-A) on properties located at 1412 Dickerson Pike and on a portion of two parcels along Dickerson Pike (unnumbered), (1.89 acres), west of the terminus of Fern Avenue (20.63 acres total).

**Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre, (1.89 acres).

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses, (41.71 acres).

### **Proposed Zoning**

Mixed Use General-A (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.

Multi-Family Residential -Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of 374 units based on 18.74 acres only.*

### **HISTORY**

In July 2015, the Metro Planning Commission recommended approval of a zone change application similar to this application. The Metro Planning Commission recommended approval of similar properties changing to MUG-A zoning in Mixed Use Corridor policy and RM40-A in the Neighborhood Evolving policy. Ultimately the Council Bill was withdrawn and the properties were not rezoned.

### **EAST NASHVILLE COMMUNITY PLAN**

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

T4 Urban Neighborhood Evolving (T4 NE) policy 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.

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 zone change is consistent within each policy. Conservation policy is mainly located toward the rear of the site, along I-65. The proposed MUG-A zoning district is consistent with the T4 CM policy area along Dickerson Pike, an appropriate location for higher intensity development. The RM20-A is consistent with the T4 NE policy interior to the site.

### **ANALYSIS**

The zone change request includes properties along Dickerson Pike and Elvira Street. The property along Dickerson Pike includes a two-family residential unit and a retail use. The majority of the property included in the propose zone change is vacant. Bus service is available along Dickerson Pike with the closest bus stop approximately 75 feet from the property. The Planning Commission recommended approval of a similar zone change request in 2015.

### **FIRE MARSHAL’S OFFICE RECOMMENDATION**

N/A

### **PUBLIC WORKS RECOMMENDATION**

N/A

### **TRAFFIC AND PARKING RECOMMENDATION**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	20	8.71 D	174 U	1731	132	177

Maximum Uses in Existing 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 (814)	0.63	0.6	16,465 SF	743	21	61

Maximum Uses in Proposed Zoning District: **RM20-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)	18.74		374 U	2390	187	224

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 (814)	1.89	3	246,985 SF	12223	263	1166

Traffic changes between maximum: **RS5, CS and RM20-A and MUG-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+12,139	+297	+1,152

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approved. (7-0) Consent Agenda**

**Resolution No. RS2017-165**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that **2017Z-051PR-001 is Approved. (7-0)**

## I: OTHER BUSINESS

30. Set Public Hearing date for amendments to the Subdivision Regulations on June 22, 2017.

Approved. (7-0) Consent Agenda

**Resolution No. RS2017-166**

"BE IT RESOLVED by The Metropolitan Planning Commission **Set Public Hearing Dates of amendments to the Subdivision Regulations on June 22, 2017 has been Approved. (7-0)**

31. New Employee Contract: Levi Hill.

Approved. (7-0) Consent Agenda

**Resolution No. RS2017-167**

"BE IT RESOLVED by The Metropolitan Planning Commission that **the new employee contract for Levi Hill is Approved. (7-0)**

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

Approved. (7-0) Consent Agenda

**Resolution No. RS2017-168**

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

36. Legislative Update

## J: MPC CALENDAR OF UPCOMING EVENTS

**May 25, 2017**

MPC Meeting

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

**June 08, 2017**

MPC Meeting

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

**June 22, 2017**

MPC Meeting

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

## K: ADJOURNMENT

The meeting adjourned at 6:25 p.m.



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

Date: May 11, 2017  
To: Metropolitan Nashville-Davidson County Planning  
Commissioners  
From: Bob Leeman  
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: Gobbell; Tibbs (arriving late); Hagan-Dier; Farr; Sims; Diaz
  - b. Leaving Early: Haynes (5:30p)
  - c. Not Attending: Adkins
2. Legal Representation – Emily Lamb will be attending.

**B. Executive Office**

1. Staff continues to meet with Metro Schools curriculum planners to prepare for next school year, and made a presentation to students at STEM Preparatory Academy on growth, traffic, and NashvilleNext initiatives.

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**Administrative Approved Items and**

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

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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 5/1/2017**.

<b>APPROVALS</b>	<b># of Applics</b>	<b># of Applics '17</b>
Specific Plans	1	17
PUDs	0	2
UDOs	0	5
Subdivisions	4	52
Mandatory Referrals	5	84
<b>Grand Total</b>	10	160

**SPECIFIC PLANS (finals only): MPC Approval**

**Finding: Final site plan conforms to the approved development plan.**

<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>
8/31/2016 11:21	4/19/2017 0:00	PLRECAPPR	2015SP-059-002	SMITH SPRINGS COMMUNITY CENTER	A request for final site plan approval on properties located at 2801 and 2803 Smith Springs Road, approximately 630 feet southeast of Clearlake Drive West, zoned SP-S (7.90 acres), to permit a community center, requested by Barge Cauthen & Associates, applicant; Metro Government, owner.	29 (Karen Y. Johnson)

**URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval**

**Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.**

<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>
NONE						

**PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval**

<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>

NONE						
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**MANDATORY REFERRALS: MPC Approval**

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District (CM Name)
4/3/2017 7:59	4/21/2017 0:00 PLRECAPP	2017M-028PR-001	STATE ROUTE 6 TRAFFIC SIGNAL MAINTENANCE AGREEMENT	A request for a resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation and the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Public Works, for a General Maintenance Agreement for a traffic signal at State Route 6 near intersection of Church Street (Fed No. PHSIP-6(101), State No. 19022-3219-94, PIN 120118.00), requested by Metro Public Works, applicant.	19 (Freddie O'Connell)
4/4/2017 14:37	4/25/2017 0:00 PLRECAPP	2017M-016EN-001	HOLIDAY INN AT 415 4TH AVENUE SOUTH AERIAL ENCROACHMENT	A request for an aerial encroachment comprised of a 4' wide by 57' long balcony extension a minimum of 50' feet about sidewalk, a 4' canopy a minimum of 12' above sidewalk and two (2) 6' projecting signs a minimum of 20' above sidewalk on property located at 415 4th Avenue South, requested by HFR Design, Inc., applicant; Pinnacle 4th and Peabody, LLC, owner.	19 (Freddie O'Connell)
4/6/2017 15:15	4/25/2017 0:00 PLRECAPP	2017M-018EN-001	NORTH GULCH MULTIFAMILY AT 600 11TH AVENUE NORTH ENCROACHMENT	A request for an encroachment comprised of two (2) protective bollards and irrigation encroaching the public right-of-way on property located at 600 11th Avenue North, requested by Littlejohn Engineering, applicant; North Gulch Apartments, LLC, owner.	19 (Freddie O'Connell)
4/11/2017 8:13	4/25/2017 0:00 PLRECAPP	2017M-041ES-001	2508 DICKERSON PIKE EASEMENT RIGHTS ABANDONMENT	A request for abandonment of any easement rights for former Alley No. 1078 on property located at 2508 Dickerson Pike (Map 071-03 Parcel 026), Alley No. 1078 was previously abandoned by Council Bill No. 75-583, requested by Metro Water Services, applicant.	02 (DeCosta Hastings)
3/24/2017 10:22	4/27/2017 0:00 PLRECAPP	2017M-027PR-001	ROSE PARK GROUND LEASE AMENDMENT	A request for approval of an ordinance approving amendment two to the Ground Lease for Rose Park between the Metropolitan Government of Nashville and Davidson County, acting by and	17 (Colby Sledge)



					through the Department of Parks and Recreation, and Belmont University, to permit the addition of a 80' by 120' building, requested by the Metro Legal Department, applicant.	

**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)
3/16/2017 12:47	4/20/2017 0:00	PLAPADMIN	2017S-098-001	JOSEPH KNOWLES SUBDIVISION AMENDMENT	A request for final plat to remove the single family residence restriction note on property located at 853 B Bradford Avenue, approximately 150 feet southwest of Knowles Avenue, zoned R8 and within the Waverly Belmont Neighborhood Conservation District (0.24 acres), requested by Aaron and Jennifer Noffsinger, applicant and owners.	17 (Colby Sledge)
11/1/2016 15:14	4/20/2017 0:00	PLAPADMIN	2017S-003-001	CAPITOL VIEW SUBDIVISION RESUB OF LOTS 2, 4 AND 5	A request for final plat approval to create four lots on properties located at 406 11th Avenue North and Nelson Merry Street (unnumbered), at the northeast corner of Charlotte Avenue and 11th Avenue North, zoned DTC (9.89 acres), requested by BWSC, Inc., applicant; North Charlotte Avenue Holdings, LLC, owner.	19 (Freddie O'Connell)
1/11/2017 11:26	4/21/2017 0:00	PLAPADMIN	2017S-054-001	VILLAGES OF RIVERWOOD SECTION 1 PHASE 7	A request for final plat approval to create 47 lots on property located at Hoggett Ford Road (unnumbered), at the southwest corner of Hoggett Ford Road and Riverbirch Way, zoned RM9 and within the Villages of Riverwood Urban Design Overlay District (7.19 acres), requested by Ragan-Smith and Associates, applicant; Beazer Homes	14 (Kevin Rhoten)

					Crop., owner.	
11/29/2016 13:01	5/1/2017 0:00	PLRECAPP	2017S-024-001	HAMILTON SUBDIVISION	A request for final plat approval to create two lots on property located at 543 Hamilton Avenue, approximately 500 feet east of Martin Street, zoned R6 (0.38 acres), requested by Duane Cuthbertson, applicant; Clarence & Sherry Millers, owners.	17 (Colby Sledge)

### Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
5/1/17	Approved Extension	2015B-037-002	GERMANTOWN PDG MULTI FAMILY
4/26/17	Approved Extension/Reduction	2008B-026-006	LONG HUNTER CHASE, PHASE 3, SECTION 3
4/26/17	Approved Extension/Reduction	2008B-027-006	LONG HUNTER CHASE, PHASE 3, SECTION 3A
4/19/17	Approved Reduction	2016B-024-002	BELLEVUE STATION, RESUB LOT 2
4/18/17	Approved Extension	2016B-007-002	VINTAGE AT BURKITT STATION
4/18/17	Approved New	2017B-008-001	BURKITT VILLAGE PHASE 3
4/18/17	Approved New	2017B-009-001	GENE SMITH PROPERTY
4/27/17	Approved Extension/Reduction	2016B-019-002	BURKITT VILLAGE, PHASE 9, SECTION 1
4/28/17	Approved Extension/Reduction	2016B-018-002	BURKITT VILLAGE, PHASE 5, SECTION 2

### Schedule

- A. **Thursday, May 11, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- B. **Thursday, May 25, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Thursday, June 8, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, June 22, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, July 13, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Thursday, July 27, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- G. **Thursday, August 10, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, August 24, 2017- [MPC Meeting](#)**; 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center