



METROPOLITAN PLANNING COMMISSION MINUTES

January 11, 2018
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

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

Commissioners Present:
Greg Adkins, Chair
Jessica Farr, Vice Chair
Jeff Haynes
Ron Gobbell
Dr. Pearl Sims
Dr. Terry Jo Bichell
Brian Tibbs
Councilmember Fabian Bedne

Commissioners Absent:
Lillian Blackshear
Daveisha Moore

Staff Present:
Bob Leeman, Interim Executive Director
Carrie Logan, Assistant Director, Special Projects]
George Rooker, Special Projects Manager
Kelly Adams, Admin Services Officer III
Lucy Kempf, Planning Manager II
Lee Jones, Planning Manager II
Michael Briggs, Planning Manager I
Lisa Milligan, Planner III
Greg Claxton, Planner III
Marty Sewell, Planner III
Anita McCaig, Planner III
Andrew Collins, Planner III
Latisha Birkeland, Planner II
Shawn Shepard, Planner II
Dara Sanders, Planner II
Abbie Rickoff, Planner II
Levi Hill, Planner II
Justin Wallace, Planner I
Jessica Buechler, Planner I
Patrick Napier, Planner I
Laura Hardwicke, Planner I
Anna Grider, Planner I
Craig Owensby, Public Information Officer
Emilv Lamb, Legal

Robert P. Leeman, AICP
Secretary and Interim Executive Director, Metro Planning Commission
Metro Planning Department of Nashville and Davidson County
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300
p: (615) 862-7190; f: (615) 862-7130

Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

Comments on any agenda item can be mailed, hand-delivered, faxed, or emailed to the Planning Department by noon on meeting day. Written comments can also be brought to the Planning Commission meeting and distributed during the public hearing. Please provide 15 copies of any correspondence brought to the meeting.

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

Speaking to the Commission

Anyone can speak before the Commission during a public hearing. A Planning Department staff member presents each case, followed by the applicant, community members opposed to the application, and community members in favor.

Community members may speak for two minutes each. Representatives of neighborhood groups or other organizations may speak for five minutes if written notice is received before the meeting. Applicants may speak for ten minutes, with the option of reserving two minutes for rebuttal after public comments are complete. Councilmembers may speak at the beginning of the meeting, after an item is presented by staff, or during the public hearing on that item, with no time limit.

If you intend to speak during a meeting, you will be asked to fill out a short "Request to Speak" form.

Items set for consent or deferral will be listed at the start of the meeting.

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

Legal Notice

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



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

MEETING AGENDA

A: CALL TO ORDER

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

B: ADOPTION OF AGENDA

Councilmember Bedne moved and Mr. Gobbell seconded the motion to adopt the agenda. (7-0)

C: APPROVAL OF DECEMBER 14, 2017 MINUTES

Dr. Sims moved and Mr. Gobbell seconded the motion to approve the December 14, 2017 minutes. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Syracuse spoke in favor of Items 8, 20, 23, and 36.

Councilmember Davis spoke in favor of Items 3 and 4.

E: ITEMS FOR DEFERRAL / WITHDRAWAL

- 2a. **2017Z-029TX-001**
SIDEWALK CONTRIBUTION IN COUNCIL DISTRICTS
- 2b. **2017Z-030TX-001**
SIDEWALK COSTS STUDY
- 10a. **2017CP-013-001**
ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT
- 10b. **2017Z-119PR-001**
- 12. **2006SP-093-001**
OLDE MILL SP PERIODIC REVIEW
- 13. **2013SP-046-003**
CORNERSTONE CHURCH (AMENDMENT)
- 14. **2015SP-049-003**
1225 STAINBACK AVENUE (AMENDMENT)
- 18. **2018SP-002-001**
3712 BENHAM AVENUE SP
- 19. **2018SP-003-001**
1600 DB TODD JR. SP
- 24. **2018SP-017-001**
GLENDALE & SCENIC
- 27. **2017S-217-001**
OLD HICKORY CROSSING SUBDIVISION
- 29. **2017S-263-001**
DRY FORK CREEK SUBDIVISION RESUB OF LOT 4
- 30. **2017S-271-001**
JENKINS PROPERTY

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

F: CONSENT AGENDA ITEMS

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

- 5. 2017S-225-001**
ELDER PLACE SUBDIVISION RESUB OF LOT 1
- 7. 2017S-254-001**
RIVERVIEW AT CUMBERLAND HILLS
- 8. 2009UD-001-009**
DOWNTOWN DONELSON UDO (MASONRY SPECIALTY)
- 11a. 2018CP-012-001**
SOUTHEAST COMMUNITY PLAN AMENDMENT
- 11b. 2018SP-012-001**
SOUTH POINTE MARKET PLACE SP
- 15. 2017SP-006-003**
SCOVEL STREET ROW HOMES (AMENDMENT)
- 16. 2017SP-095-001**
19TH AND CHET ATKINS OFFICE BUILDING SP
- 17. 2017SP-098-001**
6719 CHARLOTTE PIKE SP
- 20. 2018SP-004-001**
425 WOODBERRY COURT SP
- 21. 2018SP-010-001**
TAILGATE BREWERY SP
- 22. 2018SP-014-001**
SUSTAIN AT CITY HEIGHTS
- 23. 2018SP-015-001**
CAMBRIA SUITES SP
- 25. 2014NL-002-003**
SIMPKINS GROCERY (DEVELOPMENT PLAN REVISION)
- 26. 2007S-172-001**
CLAIRMONT VILLAGE
- 28. 2017S-248-001**
2230 FOX AVENUE SUBDIVISION
- 31. 2013UD-002-011**
CHECKERS & TACO JOHN'S
- 32. 2018Z-001PR-001**
- 33. 2018Z-002PR-001**

34. 2018Z-003PR-001

35. 2018Z-007PR-001

36. 2018Z-008PR-001

37. 2018Z-010PR-001

41. Accept the Director's Report and Approve Administrative Items

Ms. Farr arrived at 4:12 p.m.

Councilmember Vercher requested a one meeting deferral for Item 26.

Mr. Gobbell moved and Mr. Tibbs seconded the motion to approve the Consent Agenda. (8-0)

Councilmember Bedne moved and Mr. Haynes seconded the motion to defer Item 26 to the January 25, 2018 Planning Commission meeting. (8-0)

G: ITEMS TO BE CONSIDERED

1. **2018CP-003-001** **WEST TRINITY/KATIE HILL/HAYNES PLAN AMENDMENT** Council District 02 (DeCosta Hastings) Staff Reviewer: Dara Sanders

A request to amend the Bordeaux-Whites Creek Community Plan to various properties located west of Brick Church Pike, (1989.69 acres), requested by the Metro Planning Department, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST **Amend Bordeaux-Whites Creek Community Plan.**

Major Plan Amendment

A request to amend the Bordeaux-Whites Creek Community Plan by identifying Haynes Trinity as a distinct community within the planning area, amending the Community Character Policy, and adopting a small area plan to establish a vision and provide supplemental policy guidance for various properties along Trinity Lane, east of Clarksville Pike, south of Moormans Arm Road, and west of Brick Church Pike (1989.69 acres).

BORDEAUX-WHITES CREEK COMMUNITY PLAN

Background

Multiple property owners and neighborhood leaders have approached the Planning Department over the last year with policy questions and concerns related to individual properties and entire neighborhoods within the Bordeaux-Whites Creek Community Planning area. Due to the high percentage of undeveloped and underdeveloped properties, the community's interest in amending various Community Character Policies in the area, and the increasing development interests in the area, the Planning Department initiated a community plan amendment to identify common goals in the community and guide change and growth accordingly.

The boundary of the study area was established by planning staff and finalized by the Steering Committee (see additional details under "Community Participation"). The study area reaches from Interstate 65 to east of Clarksville Pike, following the Cumberland River on the south and capturing multiple established neighborhoods north of West Trinity Lane.

ANALYSIS

The planning team met with the area Councilmember and various city/state agencies, including Parks, Public Works, Transit Authority, and Tennessee Department of Transportation, to complete our analysis of the study area prior to the community participation process. The team also discussed the study area with Metro Stormwater and Nashville Electric Service.

The majority of the area is zoned for single-and two-family dwellings with clusters of commercial zoning along Trinity Lane and the I-65 Interchange.

Haynes Trinity is guided by a variety of different Community Character Policies. While T3 Suburban Neighborhood Evolving Policy is currently applied to the majority of the land area in the community, the southeastern portion of the study area is guided by policies within the Urban Transect. During the research phase of this study, staff prepared an analysis of the policies applied to other communities of similar distance from Downtown Nashville. Although suburban policies are predominant within the Haynes Trinity area, the findings of the analysis indicated that the Urban Transect was applied to other similar properties within 3.5 miles of Downtown Nashville and that the Urban Transect was applied to properties within 2.5 miles with a higher level of detail at the block and parcel level.

West Trinity Lane, designated as a Suburban Arterial Boulevard in the Major and Collector Street Plan, is the primary east-west transportation route through the study area and was constructed 15 years ago as a five-lane section with the anticipation of increased traffic. West Trinity Lane averages 20,000 vehicle trips per day but is designed for a capacity significantly higher. Buena Vista Pike (Suburban Collector Avenue), Whites Creek Pike (Suburban Arterial Boulevard), and Brick Church Pike (Suburban Collector Avenue and Suburban Arterial Boulevard) connect Haynes Trinity to the north.

Existing transit service is routed to the developed areas along Buena Vista Pike and Whites Creek Pike. Service does not currently exist along West Trinity Lane between Buena Vista Pike and Whites Creek Pike due to lack of demand associated with a primarily undeveloped area; however, service is planned to be extended in the near future when funding is made available.

Transportation connectivity is limited outside of the study area due to geographic barriers, such as I-65 and the Cumberland River; however, existing transportation infrastructure was designed to accommodate increased intensity.

There are currently two opportunities to travel east of I-65 at West Trinity Lane and Fern Avenue. Clarksville Pike and I-65 serve as the two means of crossing the Cumberland River.

Haynes Trinity has steep slopes north of West Trinity Lane and along the Cumberland River, contributing to rolling hills, a riverfront bluff, and pristine views of Downtown Nashville. A relatively small percentage of the study area is impacted by floodplain and floodway associated with the Cumberland River, Whites Creek, and Pages Branch.

COMMUNITY PARTICIPATION

Staff developed an extensive public outreach and participation program beyond the minimum community meeting requirements of the Planning Commission's Rules and Procedures, including a Steering Committee and multiple means of promoting the project and participation opportunities.

The public participation process for this project was centered on a four-day charrette. A charrette is a collaborative planning and design effort organized to build consensus and focus on one or more common goals. The Haynes Trinity charrette was held November 13th to 16th at the Born Again Church campus at the center of the study area.

The Planning Department formed a Steering Committee to assist the planning team with public outreach and engagement as well as to act as a sounding board for the concept map, strategies for development and infrastructure, and potential planning recommendations. This committee is comprised of a mixture of business leaders, neighborhood leaders, property owners, and development professionals. Within the Steering Committee, experiences range from long-time residents and business owners to newcomers.

Staff met with the Steering Committee on October 17, 2017, to explain the land use policy, the charrette process, and the Steering Committee's role. As part of the orientation meeting, the Committee finalized the study area boundary. The resulting study area is larger than many small design plan areas, but the Committee felt it was vital to incorporate the length of the West Trinity corridor and the adjacent neighborhoods to address the character of the corridor in its entirety.

As part of the standard policy amendment process, public notice of the charrette schedule, including community meetings, was mailed to approximately 3,500 property owners within and near the study area. In addition to the standard public notice letter, a project website was created and dedicated to just this planning process – WestTrinityStudy.nashville.gov – and project flyers were sent to the Steering Committee members and other stakeholders to share with their contacts and email lists. A second flyer was produced for the charrette week to distribute to meeting attendees reminding them of upcoming meetings and the project website. Press releases were prepared and sent to the various media outlets. The Tennessean, Nashville Post, and WSMV Channel 4 covered the process.

Two evening community meetings were held – Monday, November 13th, and Thursday, November 16th – and an on-site design studio was set up so that community stakeholders could participate in the process based on their scheduling needs and to better understand the charrette process.

Approximately 200 community members, stakeholders, and representatives attended the community visioning meeting on November 13th to convey their vision and expectations for the future. This meeting included a presentation of community planning in Davidson County and what the team knew about the area. After hearing the presentation, participants completed three exercises and reported their work to the larger group. The results of these exercises informed the work that the planning team completed throughout the week.

An on-site design studio was at Born Again Church throughout the week. Working on-site made it possible for community stakeholders to participate in the process based on their scheduling needs and to better understand the charrette process.

Meetings with business and neighborhood stakeholder groups were held during the Open Design Studio to continue to understand the issues and opportunities in the study area and to begin developing a vision statement to articulate the community's expectations for the future. The planning team also met with the Steering Committee to review the results of the community visioning exercises and to discuss policy needs for the area.

A work-in-progress public presentation concluded the charrette. More than 100 community members attended to hear a summary of the week's work, including the results of the visioning exercises, the vision statement, and the planning team's concepts for achieving the community's vision and expectations. At the end of the presentation, attendees were encouraged to interact with the participation stations to respond to the concepts formulated during charrette week.

The planning team learned the following key issues during charrette week:

1. The community wants to be more connected within the study area, as well as to their neighbors outside of the study area.
2. The community places high priority on promoting and protecting public access to the River as the area grows.

3. Important community resources and services are either insufficient or missing from the area.
4. The community character policies currently applied in the area will not achieve the community's vision and expectations for the future.

PROPOSAL (Note: A copy of proposed small area plan and associated maps is attached as Addendum 1)

Amend the name of the Community Plan to “Bordeaux-Whites Creek-Haynes Trinity. Staff learned through the planning process that this community does not identify as “Bordeaux” or “Whites Creek”, so staff worked with the Steering Committee to identify a name specific to the area that pays respect to the significance of the community. This is a community of historical and social importance in Davidson County, as outlined in the proposed updates to the Community Plan. Staff recommends amending the title of the Community Plan to include “Haynes Trinity” as one of many means of recognizing the significance of this community.

Amend the Community Character Policy. The Haynes Trinity stakeholders expressed clearly that they want the area to grow to be a lively, thriving, and complete urban community. This idea was reinforced by the consistent community support for an integrated mixture of housing within walking distance of neighborhood services and a highly connected street system with sidewalks, bikeways, and transit facilities.

Staff recommends that the T4 Urban Transect be extended to the I-65 interchange and along Trinity Lane to the western boundary of the study area. The proposed policy application is fine-tuned at the lot and block level and responds to large undeveloped tracts of land, unconstructed urban street networks, existing but incomplete urban neighborhoods, topographically challenged areas, and man-made conditions (utilities, major transportation corridors, etc.).

Staff also recommends policy amendments to apply T3 Neighborhood Maintenance policy to maintain the character of existing neighborhoods that are currently guided by the T3 Neighborhood Evolving policy. These are suburban residential neighborhoods with cultural significance and a stable character that were identified consistently throughout the planning process as a high priority to maintain.

Adopt a small area plan with supplemental policies related to mobility, parks, and open space. Staff learned through the planning process that the stakeholders of this community have a common vision and common goals for the future of Haynes Trinity. The proposed small area plan identifies the vision and goals that were explored through the planning process and provides additional policy guidance to supplement the Community Character Policies. This guidance will be considered for all applicable zoning, subdivision, and development applications.

Mobility – Staff proposes guidance for increasing connectivity in developed areas and establishing a street network in greenfield areas, particularly in the areas guided by the T4 Urban Transect. Staff has also identified in the plan the expressed need for transportation systems, specifically a bridge over the Cumberland River, providing increased connectivity to Downtown Nashville.

Primary Greenway – Staff proposes guidance for creating an east-west greenway along the riverfront of the Cumberland River's north bank within the study area. This guidance pertains to properties with river frontage and addresses greenway design, siting, development, and public access. Alternate siting guidance is provided to account for existing development along the River.

Staff has provided a design scenario illustrating a concept for achieving a Primary Greenway through development and redevelopment. This design scenario does not indicate details or exact locations of the greenway and associated open space. Staff will use the scenarios as a guide for appropriate development along the river, and will assist applicants in achieving the community's vision for creating a greenway and associated development along the Cumberland River.

Secondary Greenways – Staff proposes guidance for two secondary greenways - one along Pages Branch in the southeast portion of the study area and one along a TVA easement north of West Trinity Lane. These secondary greenways are linear corridors of open space for conservation, recreation, and non-motorized transportation that connect neighborhoods to attractors, such as schools, transit centers, parks, and neighborhood services.

Staff has provided a design scenario illustrating a concept for achieving the Pages Branch Secondary Greenway through redevelopment. This design scenario does not indicate details or the exact location of the greenway. Staff will use the scenarios as a guide for appropriate development along Pages Branch, and will assist applicants in achieving the community's vision for creating a greenway and associated development along the stream.

Lock One Park – Community stakeholders and participants identified Lock One Park as a valuable community resource and emphasized high priority for its enhancement and expansion, which is also a goal identified in Metro Parks' Plan to Play. Staff identifies adjacent properties encumbered by the 100-year floodplain as idea areas for expansion. Further, staff recommends that contribution to the expansion or enhancement of Lock One Park through zoning and development requests qualify as consideration for additional height or intensity.

Improved Access to Hartman Park – Staff recommends broad guidance intended to improve access to Hartman Park, including short-term pedestrian and cyclist improvements and updates to the Major and Collector Street Plan to promote long-term pedestrian and cyclist improvements to Buena Vista Pike and Tuckers Lane.

Privately-Owned Public Space – Privately-owned public space (POPS) is a term applied to privately-owned and maintained physical space that is established through zoning approval to be permanently accessible to the public. POPS may be outdoor (natural environmental features, pocket park, plaza, etc.) or indoor (exhibition area or atrium). Staff recommends that provisions for POPS as a public benefit through zoning and development requests qualify as consideration for additional height or intensity.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Sanders presented the staff recommendation of approval.

Roy Dale, 516 Heather Place, asked for approval and commended staff on their hard work.

Winnie Forrester, 2611 Shreeve Lane, spoke in favor of the application.

Richard Jackson, 1800 Baptist World Center Dr, spoke in favor of the application.

Joyce George, 711 Work Dr, spoke in favor of the application.

Jamie Isabel spoke in favor of the application.

Jay Cawthon, 834 West Hillview Dr, spoke in favor of the application.

Jack Cawthon, 4010 Valley Road, spoke in favor of the application.

Bill Munson, 407 West Trinity Lane, spoke in favor of the application.

Mac McDonald, 1222 16th Ave S, spoke in favor of the application; it is a great example of community involvement.

Christ Harriston, 2821 Stokers Lane N, spoke in favor of the application.

Jamie Frazier, 829 West Trinity Lane, spoke in favor of the application.

Donovan Hilton, 739 Garrison Dr, spoke in favor of the application.

Jim McLean, 3520 Murphy Rd, spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Mr. Haynes spoke in favor of the application.

Mr. Gobbell thanked staff for their hard work and spoke in favor of the application.

Mr. Tibbs spoke in favor of the application.

Councilmember Bedne spoke in favor of the application and thanked the staff for their great work.

Dr. Bichell spoke in favor of the application and hopes staff will continue to do this in the other pockets where it's needed.

Dr. Sims spoke in favor of the application.

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

Resolution No. RS2018-1

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018CP-003-001 is **Approved. (8-0)**”

Councilmember Bedne left at 5:05 p.m.

2a. 2017Z-029TX-001
BL2017-1029
SIDEWALK CONTRIBUTION IN COUNCIL DISTRICTS
Staff Reviewer: Carrie Logan

A request to amend the Metropolitan Code of Laws Section 17.20.120 to require contributions paid in lieu of the construction of sidewalks to stay within council districts, requested by Councilmember Steve Glover, applicant.
Staff Recommendation: Defer to the March 8, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2017Z-029TX-001 to the March 8, 2018, Planning Commission meeting. (7-0)

2b. 2017Z-030TX-001
BL2017-1030
SIDEWALK COSTS STUDY
Staff Reviewer: Carrie Logan

A request to amend the Metropolitan Code of Laws Chapter 2.48 to require an annual study be conducted by the Department of Public Works to determine the cost of sidewalks within Davidson County and further amending Metropolitan Code of Laws Section 17.20.120 to preclude in lieu payments absent such study, requested by Councilmember Steve Glover, applicant.
Staff Recommendation: Defer to the March 8, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2017Z-030TX-001 to the March 8, 2018, Planning Commission meeting. (7-0)

3. 2017SP-074-001
MARSHALL CROSSING SP
Council District 05 (Scott Davis)
Staff Reviewer: Patrick Napier

A request to rezone from RS5 to SP-R zoning on properties located at 1699, 1701, 1703 and 1705 Lischey Avenue, at the northeast corner of Lischey Avenue and Marshall Street (0.87 acres), to permit up to 13 multi-family residential units, requested by Smith Gee Studio, applicant; Heather Anderson, owner.
Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST
Preliminary SP to permit up to 13 residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan - Residential (SP-R) zoning on properties located at 1699, 1701, 1703 and 1705 Lischey Avenue, at the northeast corner of Lischey Avenue and Marshall Street (0.87 acres), to permit up to 13 multi-family residential units.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 7 lots. However, application of the Subdivision Regulations may result in fewer units on this property.*

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.

History

This SP was presented to the Planning Commission and a public hearing was held at the November 9th Planning Commission meeting. The site plan presented to the Planning Commission contained 15 multi-family residential units with 29 associated surface parking spaces. The proposed site plan reduces the residential units from 15 to 13. Larger landscape buffers are provided to the north and east of the site and, the size of the surface parking area and number of parking spaces has been reduced.

A 50 foot right-of-way currently exists for the unbuilt Marshall Street. The developer would be responsible for constructing Marshall Street to the eastern property boundary. There is sufficient right-of-way to extend Marshall Street in the future and although there is some limited areas of topography, staff anticipates that the extension of the road is feasible. Construction plans complying with all standards of Metro would be required prior to be approved.

CRITICAL PLANNING GOALS

- Supports Infill Development
- Provides a Range of Housing Choices

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. The neighborhood contains a mix of one and two-family residential uses, along with institutional and commercial uses. The proposed SP includes 15 detached residential dwellings which will provide an additional housing choice for residents of the area.

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 13 multi-family residential units, which promotes a variety of housing types in the neighborhood. Sidewalks, consistent with the local street standard, will be provided along Marshall Street. Sidewalks, consistent with the Major and Collector Street Plan, will be provided along Lischey Avenue. These sidewalks will further enhance the existing sidewalk network along Lischey Avenue. There is an existing MTA transit stop along Lischey Avenue directly fronting this site.

PLAN DETAILS

The site consists of four existing lots on approximately 0.87 acres located at the northeast corner of Lischey Avenue and Marshall Street. The proposal includes constructing Marshall Street to meet Metro standards for a local street. The neighborhood contains a mix of one and two-family residential uses. A commercial use to the south consists of a large greenhouse.

The site plan proposes up to 13 multi-family residential units. Four of the proposed units will front Lischey Avenue and three will front Marshall Street. The remaining 6 units will front on to an interior open space. The plan includes architectural standards requiring raised foundations, minimum glazing percentage, minimum porch depths and prohibited materials. The plan limits the building height to a maximum of two and a half stories in 36 feet. A condition of approval will limit the maximum height for the three units oriented towards the open space adjacent to the eastern property line to two stories in 30 feet.

Properties to the north and east are located within a T4 Neighborhood Maintenance land use policy and contain single family homes. While intensity of this plan is consistent with the T4 NE policy, the policy also provides guidance for appropriate transitions to less intense policy areas such as T4 Neighborhood Maintenance. The units shown in the northeastern portion of the site plan identified as units A13, A12, and A11 will be limited in height to 2 stories in 30 feet to provide a transition to the single family homes abutting this site.

The site plan proposes a 20 foot wide B-2 landscape buffer along the east property lines. This buffer will be located between the proposed units along the northern property line and the units fronting Marshall Street. The landscape buffer will facilitate an appropriate transition for the existing single family homes located adjacent to the eastern and northern property lines property line.

Parking is provided in a surface lot containing 19 parking spaces. Access will be provided through a single connection to Marshall Street. Five-foot sidewalks are provided interior to the development connecting the units to the green space, parking area, and the proposed sidewalks along Lischey Avenue and Marshall Street. A 5 foot sidewalk and 4 foot planting strip consistent with standards for a local road are provided along Marshall Street. A 6 foot sidewalk and a 6 foot planting strip consistent with the requirements of the Major and Collector Street Plan are provided along Lischey Avenue.

ANALYSIS

The policy is intended to create and enhance urban neighborhoods with improved connectivity and a variety of housing choice where density is secondary to the form of development. The proposed plan provides an alternative form of housing which is contextually sensitive to the maintenance policy areas to the east and north east of the site. The predominant character of the surrounding neighborhood contains detached single family dwellings with some two

family structures. The detached housing type proposed in this plan introduces a new housing type for the area which is consistent with the goal of increased housing choice stated in the policy. The density of the proposed plan is consistent with the goals of the policy which identifies moderate to high residential density as appropriate in evolving areas.

The site plan proposes structures which are regularly spaced and contain shallow setbacks in relation to Lischey Avenue and the structures located internally on the site. This setback pattern establishes minimal spacing between buildings which is consistent with the goals of the policy. Parking is located to the rear of the units fronting Lischey Ave which will allow the structures to provide an effective screen for the surface parking area. A formal landscape buffer which is provided along the east and north property lines will help transition to the existing structures with the maintenance land use policy area. Open space is provided in the form of a courtyard accessible to all dwelling units within the site.

The site contains a high level of connectivity given the existing sidewalks along Lischey which provide a safe path for pedestrian travel and the access to alternative transit such as MTA service. The improvement of the sidewalk along Lischey and the proposed sidewalk along Marshall Street will enhance the existing sidewalk network within the area.

Access will be taken from Marshall Street, which will be constructed along with the development of the site. Access from a local street will aid in the reduction of vehicular conflict along Lischey, a residential collector street. In conclusion, the site plan as proposed is consistent with the T4 NE policy and achieves the goals and objectives of the policy through the site layout and form of the proposed structures.

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 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. MWS also recommends the applicant revise their availability study before Final SP phase, to reflect the latest layout/unit count and reduce capacity fee amounts.

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 on the plan book that Marshall St is to be constructed per MPW standard ST-252
- With the submittal of the Final SP, submit full roadway construction drawings per Subdivision Street Design Standards Section 3.7

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District:RS5

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.87	8.71 D	7 U	67	6	8

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)	0.87		13 U	144	12	16

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+6 U	+77	+6	+8

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 2 Elementary 1 Middle 1 High

Projected student generation proposed SP-R district: 5 Elementary 2 Middle 2 High

The proposed SP zoning is expected to generate 5 more students than the existing RS5 zoning. Students would attend Tom Joy 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.

STAFF RECOMMENDATION

The proposal is consistent with the T4 NE policy and with the existing residential uses along Lischey Avenue; therefore, staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted land uses shall be limited to a maximum of 13 multi-family units.
2. Units A11, A12, and A13 as shown on the preliminary site plan shall be limited to a maximum height of two stories in 30 feet.
3. A B-2 landscape buffer is required along the east and north property lines where the preliminary SP site plan shows an A-1 Buffer.
4. With the submittal of the final SP site plan all internal sidewalks shall provide a minimum width of 5 feet.
5. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
6. All references to on street parking shall be removed from the corrected copy of the preliminary site plan.
7. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.
9. 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.
10. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Milligan presented the staff recommendation of approval with conditions and disapproval without all conditions.

Scott Morton, 1005 N 14th St, spoke in favor of the application. Density has been reduced from 15 units to 13 units, more open space has been added, and the landscape buffers on the perimeter have been increased.

Hunter Gee, 1005 N 14th St, spoke in favor of the application as it does meet policy.

Gordon Harmon, 1826 Joy Cir, spoke in opposition. The density is still too high and the units are not affordable. Just because it meets policy doesn't make it right.

Christy Grace, 1603 Lischey Ave, spoke in opposition to the application. The density is too high, it doesn't fit with the character of the neighborhood, and there was very little community involvement.

Ashonti Davis, 321 Edwin St, spoke in opposition to the application due to lack of community involvement.

Scott Morton asked for approval and explained they had to work within the policy as that is all they have to go on.

Chairman Adkins closed the Public Hearing.

Mr. Tibbs spoke in favor of the application as it does meet policy.

Mr. Gobbell spoke in favor of the application as it does meet policy.

Mr. Haynes spoke in favor of the application as it clearly supports the policy.

Ms. Farr noted that the lots aren't consistent to begin with. If we want to increase affordability, we have to have more units.

Dr. Sims spoke in opposition due to lack of community involvement. She explained that planning is happening to the neighborhood instead of with the neighborhood.

Dr. Bichell spoke in favor of the application as it meets policy.

Mr. Gobbell moved and Ms. Farr seconded the motion to approve with conditions and disapprove without all conditions. (6-1) Dr. Sims voted against.

Resolution No. RS2018-2

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-074-001 is **Approved with conditions and disapproved without all conditions. (6-1)**"

4. 2017SP-097-001

207 MYRTLE STREET

Council District 05 (Scott Davis)

Staff Reviewer: Anna Grider

A request to rezone from RS5 to SP-R zoning for property located at 207 Myrtle Street, approximately 165 feet south of Smiley Street, (0.27 acres), to permit four detached multi-family, residential units, requested by Dale & Associates, applicant; Michael Moghadam and Emily Johnson, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Preliminary SP to permit up to four residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan – Residential (SP-R) zoning on property located at 207 Myrtle Street, approximately 165 feet south of Smiley Street (0.27 acres), to permit up to four multi-family residential units.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of two lots, based on acreage only.*

Application of the Subdivision Regulations may result in fewer lots.

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

No, the proposed SP-R zoning is inconsistent with T4 Urban Neighborhood Maintenance policy which is intended to maintain the general character of the existing urban neighborhood. The neighborhood primarily consists of single-family homes with some scattered two-family homes. The property requested to be rezoned contains a single family residential unit. The proposed zone change would allow four multi-family residential units on this lot. The plan also proposes two parking spaces in the front setback that are inconsistent both with the policy and the existing development pattern along Myrtle Street. The proposed plan of four residential units is not consistent with the existing character of the area and is not supported by the T4 Neighborhood Maintenance policy.

The property is located on the edge of a T4 NM policy area, directly across the street from T4 Neighborhood Evolving (T4 NE) policy. The T4 NE policy area is developed predominantly with one and two-family dwellings. The requested zoning, SP-R, is more intense than the development located within the T4 Neighborhood Evolving policy.

PLAN DETAILS

The site consists of one parcel totaling 0.27 acres located on the east side of Myrtle Street, approximately 165 feet south of Smiley Street. A single-family home exists on this lot. The existing zoning district allows for single-family residential uses. The neighborhood maintenance area contains single-family homes.

Site Plan

The plan proposes four detached multi-family residential units. Two of the proposed units front Myrtle Street and the remaining two units in the rear orient to the driveway. The buildings are proposed to have a height of 2 stories within 30 feet. The plan includes architectural standards requiring raised foundations, minimum glazing requirements, minimum porch depths and prohibited materials.

Vehicular access is via an existing alley. Two parking spaces are located on Myrtle Street and six parking spaces are provided in the rear. Traffic and Parking has indicated that the parking spaces along Myrtle Street must be removed.

Four-foot sidewalks are provided interior to the development connecting the units in the rear to the units in the front, to the parking area, and the street and alley. There is an existing sidewalk on Myrtle Street; however, a five-foot sidewalk and four-foot planting strip consistent with Metro Public Works standards for a local road is required along Myrtle Street.

ANALYSIS

The current zoning allows only single-family residential uses; the proposed plan would permit a multi-family development on this parcel. Multi-family residential development is not consistent with the existing development in the area, which is comprised of single and two-family housing on individual lots. The plan also proposes two parking spaces in the front setback which is inconsistent with policy and not in context with the existing pattern of development in the neighborhood.

The proposed zone change is inconsistent with T4 Neighborhood Maintenance policy and is not context sensitive to the neighborhood.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

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.
- If sidewalks are required then they should be shown on the plans per MCSP and MPW standards and specs.
- The head in parking stalls on the alley are to have 24' clear from the back of the stall to the opposite ROW.
- Remove the head in parking on Myrtle St or provide a turn around on development.

WATER SERVICES RECOMMENDATION

Approve with conditions

- There is concern that 4 individual water service lines can be built to serve this submitted layout. Before the Final SP can be approved, the applicant must prove all four of these units can be served by individual water serve lines, via an approved private water/sewer utility plan.
- MWS policy does not allow shared private sewer lines, unless a variance is approved, and a Letter of Responsibility is filed with MWS. Before the Final SP is approved, these items must be addressed, if this development wishes to employ a shared private sewer design.
- The required capacity fees must also be paid prior to Final Site Plan/SP approval.

STORMWATER RECOMMENDATION
Approve

TRAFFIC AND PARKING RECOMMENDATION
Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.27	8.71 D	2 U	20	2	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.27		4 U	39	3	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+19	+1	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed SP-R district: 1 Elementary 0 Middle 0 High

The proposed SP-R zoning could generate one more student than what is typically generated under the existing RS5 zoning district. Students would attend Glenn Enhanced Option Elementary, 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.

STAFF RECOMMENDATION

Staff recommends disapproval as the request is inconsistent with the T4 Neighborhood Maintenance policy.

Ms. Grider presented the staff recommendation of disapproval.

Roy Dale, 516 Heather Place, explained that he knows this does not meet policy; he would just like a recommendation in order to move it to the next level.

Gordon Harmon, 1826 Joy Circle, spoke in opposition to the application as it does not meet policy.

Amos Allen, 128 McFerrin, spoke in opposition to the application.

Chairman Adkins closed the Public Hearing.

Mr. Farr spoke in favor of staff recommendation. It does not meet policy.

Dr. Bichell spoke in favor of staff recommendation.

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

Resolution No. RS2018-3

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-097-001 is **Disapproved. (7-0)**”

5. 2017S-225-001
ELDER PLACE SUBDIVISION RESUB OF LOT 1
 Council District 25 (Russ Pulley)
 Staff Reviewer: Gene Burse

A request for final plat approval to create two lots on property located at 3800 Estes Road, at the southeast corner of Elder Place and Estes Road, zoned R20 (0.92 acres), requested by Dale and Associates, applicant; John Loudenslager and Michelle Cunningham, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 3800 Estes Road, at the southeast corner of Elder Place and Estes Road, zoned One and Two-Family Residential (R20) (0.92 acres).

Existing Zoning

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

GREEN HILLS- MIDTOWN COMMUNITY PLAN

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

PLAN DETAILS

This site is located at 3800 Estes Road in the Elder Place Subdivision. The proposal is to create two lots. The proposed lots have the following area and frontages:

Existing Lot:

- Lot 1: 40,281 square feet, (0.925 Acres) and 107.19 feet of frontage along Estes Road;

Proposed Lots:

- Lot 1: 30,252 square feet (0.694 Acres) and 107.19 feet of frontage along Estes Road;
- Lot 2: 10,029 square feet (0.230 Acres) and 116.5 feet of frontage along Elder Place

ANALYSIS

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

Zoning Code

Both proposed lots meet the minimum standards of the One and Two-Family (R20) zoning district with the cluster lot provision.

Street Frontage

Both proposed lots have frontage on a public street.

Community Character

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, the lots created must have the following frontages:

Lot 1 Frontage		Lot 2 Frontage	
Proposed Frontage	107.19 ft.	Proposed Frontage	116.5 ft.
Minimum Frontage	128 ft.	Minimum Frontage	85 ft.
70% Average	N/A.	70% Average	64.8 ft.

Lot 2 meets the frontage requirement. Lot 1 does not meet the frontage requirement; however, the frontage of the lot is not changing. There is only 1 lot, the lot immediately to the south, that is included in the calculation for Lot 1.

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 lots created must have the following areas:

Lot 1 Area		Lot 2 Area	
Proposed Size	30,252 sq. ft.	Proposed Size	10,029 sq. ft.
Minimum Size	43,560 sq. ft.	Minimum Size	10,029 sq. ft.
70% Average	N/A	70% Average	7,700 sq. ft.

Lot 2 meets the area requirement. Lot 1 does not meet the area requirement.

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

Lot orientation: Orientation of proposed lots shall be consistent with the surrounding parcels. Lot 1 orients toward Estes Drive while Lot 2 orients toward Elder Place, consistent with the lot pattern in the area.

Agency Review

All agencies have recommended approval.

HARMONY OF DEVELOPMENT

The Metro Planning Commission may consider whether this proposal can provide for the harmonious development for the immediate area per Section 3-5.2.f of the Subdivision Regulations. In this instance, there is only one lot that is utilized for the compatibility analysis; however, the remainder of most of the lots along Estes Drive to the south and west - although not utilized in the comparison - are smaller than the proposed Lot 1. Therefore, in this unique instance, staff finds that this proposal, with the conditions mentioned below, would provide for harmonious development.

Staff finds that this proposal, with conditions mentioned below, would provide for harmonious development within the immediate area including along both Estes Road and Elder Place.

FIRE DEPARTMENT RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Add the following label to Lot #2 on the mylar: 'MINIMUM F.F.E. = 532.00'

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. The homeowner's association must sign the final plat prior to recordation.
2. Add the following note to the plat: Setbacks shall be as per Metro Zoning Code.
3. Height is limited to two stories in 35 feet for any new residential structures.

Approved with conditions. Consent Agenda (8-0)

Resolution No. RS2018-4

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017S-225 is **Approved with conditions. (8-0)**"

CONDITIONS

1. The homeowner's association must sign the final plat prior to recordation.
2. Add the following note to the plat: Setbacks shall be as per Metro Zoning Code.
3. Height is limited to two stories in 35 feet for any new residential structures.

6. 2017S-243-001
ANDERSON ESTATES RESUB LOT 4 OF TRACT 14
 Council District 09 (Bill Pridemore)
 Staff Reviewer: Levi Hill

A request for final plat approval to create two lots on property located at 205 Scalf Drive, approximately 425 feet south of Roosevelt Avenue, zoned RS7.5 (0.49 acres), requested by Southern Precision Land Surveying, applicant; Martin Bubis and Richard Vick, owners.
Staff Recommendation: Disapprove.

APPLICANT REQUEST
Final plat approval to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 205 Scalf Drive, approximately 425 feet south of Roosevelt Avenue, zoned RS7.5 (0.49 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 2 lots.*

MADISON COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

PLAN DETAILS

This request is for final plat approval to create two lots located at 205 Scalf Drive. This parcel currently contains one single-family dwelling unit on 0.49 acres of land. Lot 1 is proposed to contain 11,375 square feet, and lot 2 is proposed to contain 9,625 square feet

ANALYSIS

Section 3-5.2 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions and for determining their compatibility in Neighborhood Maintenance policies. The proposal must meet the following requirements:

Zoning Code

The proposed lots meet the minimum standards of the RS7.5 zoning district.

Street Frontage

The proposed lots have frontage on a public street.

Community Character

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, the lots created must be equal to or greater than 61.33 feet for the frontage along Scalf Drive. Only one of the proposed lots meets the requirement for lot frontage.

Lot 1 Frontage		Lot 2 Frontage	
Proposed Frontage	65.00 ft.	Proposed Frontage	55.00 ft.
Minimum Frontage	61.33 ft.	Minimum Frontage	61.33 ft.
70% Average	61.33 ft.	70% Average	61.33 ft.

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 lots must be equal to or greater than 11,214 square feet. The current size of the proposed lots is 11,375 square feet for Lot 1 and 9,625 square feet for Lot 2. Lot 1 satisfies the area requirement for lot compatibility. Lot 2 does not satisfy the area requirement for lot compatibility.

Lot 1 Area	
Proposed Size	11,375 sq. ft.
Minimum Size	11,214 sq. ft.
70% Average	11,214 sq. ft.

Lot 2 Area	
Proposed Size	9,625 sq. ft.
Minimum Size	11,214 sq. ft.
70% Average	11,214 sq. ft.

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

Lot orientation: Orientation of proposed lots shall be consistent with the surrounding parcels. In this instance both lots proposed by this subdivision are oriented to Scalf Drive consistent with the orientation of the adjacent lots to the north and south.

Harmonious Development

If the proposed subdivision fails to meet subsection d of Section 3-5.2 within Subdivision Regulations, the Planning Commission may grant an exception to the compatibility criteria by considering a larger area to evaluate general compatibility. The Planning Commission determines if the subdivision can provide for the harmonious development of the area.

The applicant has not proposed any additional conditions which would bring the proposed infill subdivision closer to harmony with the surrounding parcels. Staff finds that the lots resulting from the proposed final plat are not harmonious with the surrounding neighborhood given the lot size and frontage of the adjacent lots.

FIRE DEPARTMENT RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Returned for Corrections

- Cite the New FEMA: Panel Number (H), Zone X, AE, or A, and Date (4/5/2017) to plat.
- Provide PUDE's adjacent to ROW.

WATER SERVICES

Returned for Corrections

- For the latest re-plat (stamped-received 12/18/17), our original comments still apply:
- The following comments apply to public sewer issues only. Madison Suburban Utility District serves this site with water:
- Attached is a copy of the above-referenced subdivision (received on October 2, 2017) on which we have noted our comments. Adjust Note #12, as marked (the re-plat did not edit this note correctly). The required capacity fees must be paid prior to plat approval (see MWS letter to Southern Precision Land Surveying, dated 9/18/2017, for details).

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends disapproval as the proposed lots do not meet the minimum requirements of the Subdivision Regulations and not all reviewing agencies have recommended approval.

Mr. Hill presented the staff recommendation of disapproval.

Richard Vick, property owner, spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Dr. Bichell spoke in favor of staff recommendation.

Ms. Farr explained that she understands the applicant's point regarding the diversity in lot sizes.

Mr. Haynes spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017S-243-001 is **Disapproved. (7-0)**”

7. 2017S-254-001

RIVERVIEW AT CUMBERLAND HILLS

Council District 10 (Doug Pardue)

Staff Reviewer: Latisha Birkeland

A request for concept plan approval to create 37 lots including 9 two-family lots, for a total of 46 units on properties located at 2133 E Hill Drive, 2135B E Hill Drive, Twin Hills Drive (unnumbered), and E Hill Drive (unnumbered), at the current terminus of E Hill Drive, zoned R20 (19.85 acres), requested by Dewey Engineering, applicant; Domus Partners, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan approval to create 37 lots including 9 two-family lots, for a total of 46 units.

Concept Plan

A request for concept plan approval to create 37 lots including 9 two-family lots, for a total of 46 units on properties located at 2133 E Hill Drive, 2135B E Hill Drive, Twin Hills Drive (unnumbered), and E Hill Drive (unnumbered), at the current terminus of E Hill Drive, zoned One and Two-Family Residential (R20) (19.85 acres).

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 43 lots with 10 duplex lots for a total of 53 units, based on 19.85 acres.*

HISTORY

This item was presented at the December 14, 2017, Planning Commission meeting. The public hearing was held and closed. The Planning Commission heard concerns from the public as it related to the potential impact of the proposed subdivision to the immediate neighborhood, including concerns regarding notices. The Planning Commission deferred this item to provide an opportunity for notices to be re-sent and to reopen the public hearing.

MADISON COMMUNITY PLAN

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

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

PLAN DETAILS

The property is approximately 19.85 acres and is located west of Cumberland Hills Drive. The majority of the site is vacant. The proposed plan is surrounded by one and two-family residential uses to the north, east and west of the site. A CSX railroad is located south of the site.

Site Plan

The site plan proposes up to 37 single-family lots including 9 two-family lots, for a total of 46 units. Lot sizes range from 10,001 square feet to 19,854 square feet. All of the 37 lots will front on to new public roads.

The concept plan proposes to extend Cumberland Hills Drive from the east to provide access to the new lots. New streets will include a five foot wide sidewalk and a four foot wide grass strip, consistent with local street standards. A five foot wide trail is included in the open space area along the southeastern property line.

A 20 foot C-3 landscape buffer is proposed along all property lines that abut existing lots. Two open space areas with amenities including a playground and walking trail is provided in the development, which exceeds the requirements of the Zoning Code for the cluster lot option.

ANALYSIS

The cluster lot option in the Zoning Code allows for flexibility of design, the creation of open space and the preservation of natural features in Single-Family (RS) and One and Two-Family (R) zoning districts. To promote creative designs, lots are allowed to contain less land area than what is normally required by the base zoning district. The minimum lot area within a cluster subdivision can be reduced down two smaller base zone districts. With this plan, the applicant is proposing to cluster the parcels to 10,000 square foot lot sizes. The cluster lot option does not allow more density than what would be allowed under R20 zoning. The cluster lot option allows a reduction in lot sizes to work with existing topography, create more useable open space, etc.

In cluster lot subdivisions, a minimum of 15 percent of the development shall be open space. Of the total 19.85 acres, 5.59 acres will remain as open space, or 28% of total area.

- Stormwater facilities, such as bio swales and detention ponds, included in the open space, occupy 1.10 acres of open space.
- Landscaping buffer occupies 1.04 acres of open space.
- Total usable open space is 3.45 acres or 17% of total area.

Developers are also required to install recreational facilities within a portion of the open space. The applicant has proposed a playground within open space in the center of the development as well as a walking trail within open space along the northeastern edge of the development.

The plan meets the requirements of the Subdivision Regulations and Zoning Code for a cluster lot subdivision. The proposed plan cannot connect to the Val Marie Drive to the west. The existing right-of-way along Val Marie Drive decreases at the property line of the proposed development. The right-of-way at this location is too narrow to connect a public street. The proposed plan is using the only access available to develop these properties. The plan provides for street connectivity by extending Cumberland Hills Drive and by providing future stub streets to the property to the north, if those properties redevelop in the future. The proposed plan identifies locations of duplex lots primarily on corner lots and on lots with a large amount of square feet. This provides for disbursement of additional housing types in the development.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approve

MADISON SUBURBAN UTILITY DISTRICT

Approve

WATER SERVICES

Approve with conditions

- The below comments apply to public sewer issues only. Madison Suburban Utility District serves this site with water:
- Approved as a Concept Plan only. Public sewer construction plans must be submitted and approved prior to Final Site Plan approval. (These plans may entail abandonment/relocation of a public force main, which will require a Mandatory Referral.) These approved construction plans must match the Final Site Plans. The required capacity fees must also be paid prior to Final Site Plan approval.
- FYI - MWS recommends the applicant submit a revised availability study to MWS before Final Site Plan stage, to reflect that latest unit count and site layout (will reduce the required capacity fees accordingly.)

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Dedicate right-of-way along the northern property line from the terminus of the existing right-of-way of East Hill Drive to the proposed new road.
2. Remove proposed setbacks.
3. Extend Road C to the property line.
4. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
5. 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.
6. Must comply with all conditions and requirements of all Metro agencies.

Ms. Birkeland presented the staff recommendation of approval with conditions.

Michael Dewey, 2925 Berry Hill Dr, spoke in favor of the application.

Mark England, 2301 Marsha Dr, spoke in favor of the application. This should have two points of access instead of one.

Stacey Farrell, 217 Northside Dr, spoke in opposition to the application as it only has one point of access.

John Sturdivant Jr, 352 Cumberland Hills Dr, spoke in opposition to the application due to traffic concerns.

Carol England, 2301 Marsha Dr, spoke in opposition to the application as it does not fit with the character of the neighborhood.

Ted Mominy, 401 Cumberland Hills Dr, spoke in opposition to the application due to traffic and decreased property value concerns.

Chris Weigel, 405 Cumberland Hills Dr, spoke in opposition due to stormwater and drainage concerns.

Stephanie Sturdivant, 352 Cumberland Hills Dr, spoke in opposition due to drainage, traffic, safety, and quality of life concerns.

Sue Sturdivant, 352 Cumberland Hills Dr, spoke in opposition to the application.

Michael Dewey asked for approval and clarified that the Fire Marshall has approved this.

Chairman Adkins closed the Public Hearing.

Mr. Leeman explained that a condition was omitted from the staff report and suggested a deferral.

Mr. Tibbs moved and Mr. Gobbell seconded the motion to defer to the January 25, 2018, Planning Commission meeting with the Public Hearing to be reopened. (7-0)
Resolution No. RS2018-6

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017S-254-001 is **Deferred to the January 25, 2018, Planning Commission meeting with the Public Hearing to be reopened. (7-0)”**

- 8. 2009UD-001-009**
DOWNTOWN DONELSON UDO (MASONRY SPECIALTY)
Council District 15 (Jeff Syracuse)
Staff Reviewer: Jessica Buechler

A request for final site plan and modification approval on property located at 2540 Park Drive, at the corner of Park Drive and Crump Drive, zoned OR20 and within the Downtown Donelson Urban Design Overlay District (0.39 acres), to permit an office building, requested by Holland Holdings, LLC, applicant and owner.
Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Major modification of the setback along Crump Drive and minor modification of the setback along Park Drive, ground floor height, and glazing standards of the Downtown Donelson Urban Design Overlay and final site plan approval.

UDO Modification and Final Site Plan

A request for final site plan and modification approval on property located at 2540 Park Drive, at the corner of Park Drive and Crump Drive, zoned Office/Residential (OR20) and within the Downtown Donelson Urban Design Overlay District (0.39 acres), to permit an office building.

Existing Zoning

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

Downtown Donelson Urban Design Overlay (UDO) is intended to foster pedestrian friendly mixed-use development along the Lebanon Pike corridor through design standards for buildings, lots, access, parking, landscaping and signage. The UDO is organized into seven subdistricts that are each envisioned to have unique character and development standards. The proposed project is located within Subdistrict 2 of the UDO. The intent of this Subdistrict is to enhance the suburban character of the area while promoting a higher standard of design and an enhanced pedestrian environment.

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

T4 Urban Community Center (T4 CC) is intended to maintain, enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5 minute drive or a 5 to 10 minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

Consistent with Policy?

Yes. The project proposes an office use that will transition from the commercial development along the Lebanon Pike corridor to the adjacent T3 Suburban Neighborhood Evolving policy. The project enhances infrastructure by providing sidewalks that will improve pedestrian connectivity in the area.

PLAN DETAILS

The proposed project is an approximately 10,600 square foot office building located at the corner of Park Drive and Crump Drive. The two story building ranges from 24 to 30 feet in height along Park Drive due to the approximately 16 feet of grade change from the south to north property line. Access to the building is provided at grade along Park Drive.

ANALYSIS

The applicant is requesting a major modification to the setback standard along Crump Drive and minor modifications to the setback along Park Drive, ground floor height and glazing standards. Minor modifications are deviations of 20% or less of the standard that may be considered by the Planning Commission's designee. Major modifications are deviations of 21% or more of the standard that are required to be considered by the Planning Commission. Overall, the proposed project is consistent with the intent of Subdistrict 2 of the UDO to enhance the suburban character of the area while promoting a higher standard of design and an enhanced pedestrian environment. The material of the building is proposed to be brick, and the site is adequately landscaped. The project provides sidewalks along the street frontages which will enhance the pedestrian environment.

Setback

The UDO requires a zero foot minimum and ten foot maximum setback along Park Drive and Crump Drive. The applicant is proposing a 14 – 16 foot setback along Crump Drive and an 11'6" setback along Park Drive. The setback modification along Park Drive is within 20% of the standard and would be considered a minor modification. The setback modification along Crump Drive is a major modification that is required to be considered by Planning Commission. The applicant is requesting the setback modifications due to the location of overhead power lines along Crump Drive and Park Drive and the 15' clearance required by NES. The applicant has located the building as close as possible to the property line while still being able to meet NES clearance standards.

Ground Floor Height

The UDO requires multi-story non-residential buildings to have a 14 foot ground floor height and the applicant is proposing 12 feet. The surrounding context is single story residential, office and commercial. The proposed 12 foot ground floor height would reduce the overall height of the building to be more in character with the surrounding context.

Glazing

The UDO requires a minimum 40% ground floor glazing for non-residential buildings, to be calculated from the average grade at the sidewalk to 14 feet above grade. Due to the proposed 12 foot ground floor height and the grade change on the site, the applicant is requesting minor modifications to the ground floor glazing standards along Park Drive and Crump Drive. Along Park Drive the applicant is proposing 36% ground floor glazing measured at 14 feet above grade. If the glazing were measured at the 12 foot proposed ground floor height it would be 42%, which exceeds the standard. Along Crump Drive the ground floor is three feet below grade due to the grade change on the site. Glazing is 37% measured to 14 feet above grade and 57% measured along the visible ground floor (9 feet above grade). The proposed project meets the intent of the ground floor glazing standard.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

- Project is still under active review, however, based on the latest review the site is unlikely to change in layout. Stormwater approves with the condition that the grading permit application is carried to fruition and final construction drawings align with the approved grading permit.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits, before their construction may begin.

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.
- Submit copy of ROW dedication to the back of the proposed sidewalk prior to building permit approval by MPW.

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions of the modifications and final site plan. The modifications and site plan are consistent with the intent of the UDO to enhance the suburban character of the area while promoting a higher standard of design and an enhanced pedestrian environment.

CONDITIONS (if approved)

1. The requirements of all other agencies must be met prior to the issuance of building permits.

Approved with conditions. Consent Agenda (8-0)

Resolution No. RS2018-7

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009UD-001-009 is **Approved with conditions. (8-0)**”

CONDITIONS (if approved)

1. The requirements of all other agencies must be met prior to the issuance of building permits.

9. 2017Z-116PR-001

Council District 04 (Robert Swope)
Staff Reviewer: Shawn Shepard

A request to rezone from R15 to MUL-A zoning on properties located at 401 Kinhawk Drive and Nolensville Pike (unnumbered), at the southwest corner of Nolensville Pike and Kinhawk Drive (2.8 acres), requested by Dale and Associates, applicant; Thomas and Dena Campbell and Forest Acres Estates Trust, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from R15 to MUL-A.

Zone Change

A request to rezone from One and Two-Family Residential (R15) to Mixed Use Limited – Alternative (MUL-A) zoning on properties located at 401 Kinhawk Drive and Nolensville Pike (unnumbered), at the southwest corner of Nolensville Pike and Kinhawk Drive (2.8 acres).

Existing Zoning

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of eight lots with two duplex lots for a total of 10 units, subject to compliance with all applicable provisions of the Metro Subdivision Regulations.*

Proposed Zoning

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

SOUTHEAST NASHVILLE COMMUNITY PLAN

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

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

Consistent with Policy?

No. The requested MUL-A zoning is not consistent with policy. Portions of the southern parcel in the zone change area, Parcel 043, are within Conservation policy, which recognizes the presence of a stream and associated buffers in the northern part of the parcel and the presence of steep slopes in the southern portion of the parcel. Conservation policy is also present along the Nolensville Pike frontage of the northern parcel in the zone change area, Parcel 025. The remainder of the site is within T3 NM policy, which is intended to maintain the general character of existing suburban neighborhoods and support residential uses.

The existing land use pattern in the neighborhoods surrounding the site along both sides of Nolensville Pike consists of single-family residential uses on moderately-sized lots. The T3 NM policy acknowledges that these neighborhoods may experience some change over time, when existing buildings are replaced or when vacant properties develop, but that efforts should be made to retain the existing character of the neighborhood in terms of development pattern, building form, land use, and the public realm. The requested MUL-A zoning would permit a range of land uses, including nonresidential uses, and building types that are inconsistent with the existing character of the neighborhood and not supported by the policy.

This section of Nolensville Pike is identified as an arterial-boulevard and classified in NashvilleNext as a Long Term Need Multimodal Corridor. The T3 NM policy states that the design of development along arterial-boulevards or at the edges of T3 NM areas may vary slightly in character from development interior to the neighborhood, in terms of lot size, building spacing, and building footprint. In all other respects, development along the corridor complements development behind the corridor. While a broader range of housing types might be appropriate in this location to transition between the corridor and the neighborhood, T3 NM policy does not support non-residential uses other than institutional uses. The requested MUL-A zoning would introduce non-residential uses in an area with a predominant pattern of single-family residential uses. MUL-A zoning would also permit an intensity of development that does not provide an appropriate transition to the neighborhood in terms of building type, massing and orientation.

Finally, T3 NM policy was applied along this section of Nolensville Pike, in part, in response to a community desire to limit commercial development to established centers and avoid the development of strip commercial centers along the full length of the corridor. There are areas of T3 Suburban Community Center policy less than one half mile to the north of the site and areas of T4 Urban Neighborhood Center and T4 Urban Community Center policy less than 400 feet to the south of the site. These existing centers provide opportunities for mixed use development and neighborhood services in proximity to the subject properties. The requested zoning, MUL-A, is not supported by the T3 NM policy and is inappropriate given the location of the site in proximity to existing centers.

ANALYSIS

The zone change area consists of two parcels totaling 2.8 acres located at the southwest corner of the intersection of Nolensville Pike and Kinhawk Drive. The smaller parcel, Parcel 025, which has frontage on Kinhawk Drive, contains a single-family residence. The larger parcel, Parcel 043, has frontage solely on Nolensville Pike and is vacant. The site is surrounded by existing neighborhoods, with a development pattern of single-family residences on moderately-sized lots.

The requested zoning, MUL-A, would permit a variety of residential, institutional, office, medical, commercial, and recreational uses. MUL-A zoning includes building placement and bulk standards designed to create walkable neighborhoods, but it does not include a minimum lot size, and it permits building sizes, heights, and lot coverages that are far greater than those currently present in the residential neighborhood. The standards of the MUL-A zoning district are inconsistent with the existing character of the neighborhood and the predominant development pattern of the area. The requested zoning is also inconsistent with the goals of T3 NM policy to preserve the character of the neighborhood, and would be inappropriate in this location, which is close to existing neighborhood and community centers that provide opportunities for residents of these neighborhoods to access jobs and services. As the requested zoning is not supported by the policy, staff recommends disapproval.

FIRE MARSHAL RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

TRAFFIC AND PARKING RECOMMENDATION

Approved with conditions

- Traffic study may be required at the time of development.

Maximum Uses in Existing Zoning District: R15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	2.8	2.9 D	10 U	96	8	11

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.4	1.0	60 U	488	34	51

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.7	1.0 F	30,492 SF	535	73	113

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.7	1.0 F	30,492 SF	1343	32	95

Traffic changes between maximum: R15 and MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+2,270	+131	+248

METRO SCHOOL BOARD REPORT

Projected student generation existing R15 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed MUL-A district: 6 Elementary 3 Middle 3 High

The proposed MUL-A zoning district will generate 9 additional students beyond what would be generated under the existing R15 zoning, assuming 40% of the floor area is utilized for non-residential uses. Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. Shayne Elementary and Overton High School have been identified as over capacity. There is capacity within the cluster for elementary school students and within the adjacent cluster for additional high school students. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends disapproval as the request is not consistent with the T3 Suburban Neighborhood Maintenance policy.

Ms. Shepard presented the staff recommendation of disapproval.

Roy Dale, 516 Heather Place, explained that the councilmember simply wants a recommendation in order to move this on to council.

Ann Schmidt, 6006 Hawkdale Dr, spoke in opposition due to environmental, traffic, safety, and quality of life concerns.

Jerry Duke, Kinhawk Dr, spoke in opposition to the application because it will change the character of the neighborhood.

Chairman Adkins closed the Public Hearing.

Mr. Gobbell spoke in favor of staff recommendation.

Ms. Farr spoke in favor of staff recommendation and stressed to the councilmember that there are solid reasons for disapproval.

Mr. Haynes moved and Mr. Gobbell seconded the motion to disapprove. (7-0)

Resolution No. RS2018-8

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-116PR-001 is **Disapproved. (7-0)**”

10a. 2017CP-013-001

ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Anna Grider

A request to amend the Antioch-Priest Lake Community Plan by changing from T3 Neighborhood Maintenance to Transition on properties located at 354, 355, 409, 410, 413 and 416 Bell Road, 300 and 301 Rural Hill Road, and 234 Davenport Drive, north of the intersection of Anderson Road and Bell Road, zoned R10 and within a Planned Unit Development Overlay District and the Murfreesboro Pike Urban Design Overlay District (approximately 9.67 acres), requested by The Income Tax Center, Inc., applicant; various owners. (See associated case # 2017Z-119PR-001).

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2017CP-013-001. (7-0)

10b. 2017Z-119PR-001

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Levi Hill

A request to rezone from R10 to OR20 zoning on property located at 355 Bell Road, approximately 160 feet north of Rural Hill Road (1.22 acres), requested by The Income Tax Center, Inc., applicant and owner. (See associated case # 2017CP-013-001).

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2017Z-119PR-001. (7-0)

11a. 2018CP-012-001
SOUTHEAST COMMUNITY PLAN AMENDMENT
Council District 31 (Fabian Bedne)
Staff Reviewer: Anna Grider

A request to amend the Southeast Community Plan by changing from T3 Neighborhood Evolving to T3 Neighborhood Center on a portion of properties located at 6424 and 6434 Pettus Road, zoned AR2a (1.75 acres), requested by Kimley-Horn, applicant; Alvin Beerman, owner. (See associated case # 2018SP-012-001)

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 to change from T3 Suburban Neighborhood Evolving (T3 NE) Policy to T3 Suburban Neighborhood Center (T3 NC) Policy on a portion of properties located at 6424 and 6434 Pettus Road, east of the intersection of Pettus Road and Nolensville Pike, zoned Agricultural/Residential (AR2a) (approximately 1.75 acres).

SOUTHEAST COMMUNITY PLAN

Current Policy

T3 Suburban Neighborhood Evolving (T3NE) 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

T3 Suburban Neighborhood Center (T3NC) 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.

BACKGROUND

The community plan amendment was requested in conjunction with zone change application 2018SP-012-001, a request to change the zoning from Agricultural/Residential (AR2a) to Specific Plan – Commercial (SP-C) zoning to permit retail and restaurant development east of the intersection of Pettus Road and Nolensville Pike. The SP request includes a total of 5.65 acres. Approximately 3.9 acres of the development are located within T3NC policy which supports the proposed commercial development; however, the remaining 1.75 acres included in the SP request are located with T3NE policy, which does not support the proposed commercial uses. The plan amendment request only includes the northern portion (1.75 acres) of the proposed SP., because the remainder of the property is already located within a T3NC policy area that supports the proposed development. As part of the application process, the Executive Director determined the plan amendment is major with a required community meeting.

While Conservation policy is currently applied to an eastern portion of the site, this drainage area has been determined by TDEC and Metro Stormwater to only provide wet weather conveyance; therefore, the Conservation policy is not protecting an environmentally-sensitive feature, and is not applicable to this property.

COMMUNITY PARTICIPATION

On December 27, 2017, a community meeting was held at Cane Ridge Community Center, located at 6043 Cane Ridge Road, to discuss the applicant’s plan amendment and zoning requests. Approximately 10 people attended, including Councilmember Fabian Bedne, the development team, and staff from the Planning Department. Many of the attendees had attended one or more previous meetings earlier in the year held by the Councilmember, this applicant, and surrounding SP applicants.

Planning staff spoke and answered questions at the meeting regarding the plan amendment and Specific Plan applications. Attendees generally expressed support for the plan amendment and sought details of the proposed project. The main issues discussed at the community meeting were about traffic and access, stormwater management, landscaping and buffering, sidewalks, and details of the proposed uses. The traffic and access concerns related primarily to the proposed addition of a turn lane on Pettus Road and the proposed public street between the commercial development and the assisted living facility. Attendees generally were in favor of these additions but voiced concerns about the speed of traffic coming down the hill on Pettus Road towards Nolensville and about the capacity of Pettus Road to handle the anticipated additional traffic.

ANALYSIS

The proposed amendment area is a suitable location for the expansion of the existing T3 NC policy.

Policy Application

The proposed expansion of the T3 NC policy is consistent with the intent of the application of this policy category. T3 NC policy should be applied to areas that are suitable for creating services to meet the daily needs of the surrounding neighborhoods within a five-minute drive. T3 NC areas are pedestrian-friendly areas, generally located at intersections of suburban streets, where the center's intensification is supported by surrounding existing or planned residential development, adequate infrastructure, and adequate access such as arterial-boulevard and collector-avenue streets. It is also preferable that the same policy categories are applied along street frontages, and the proposed expansion of the policy area will make it more closely align with the existing T3 NC policy across Pettus Rd.

The site is also adjacent to two recently approved developments, an assisted living facility, and a suburban residential neighborhood. Both of these developments will benefit from an easily-accessible center with neighborhood services, including a grocery, additional retail, and restaurant(s).

Connectivity

The proposed expansion of the T3 NC policy is appropriate, given the high level of existing and proposed connectivity at the intersection of Nolensville Pike, a major arterial and Pettus Road, a collector avenue. The connectivity of the area will be improved by the addition of a proposed public road on the east side of the site and the addition of sidewalks along all three streets to which the site has frontage. The proximity to Nolensville Pike and Pettus Road makes it a significant and accessible intersection with the opportunity to increase the connectivity of the area.

Amending the Community Character Policy from T3 NE to T3 NC is appropriate because of the opportunities described above for providing increased connectivity and additional consumer goods and services to support the growing neighborhood.

STAFF RECOMMENDATION

Staff recommends approval of the amendment request.

Approved. Consent Agenda (8-0)

Resolution No. RS2018-9

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018CP-012-001 is **Approved. (8-0)**”

11b. 2018SP-012-001
SOUTH POINTE MARKET PLACE SP
Council District 31 (Fabian Bedne)
Staff Reviewer: Shawn Shepard

A request to rezone from AR2-A to SP zoning for properties located at 6438 and 6444 Pettus Road and a portion of 6424, 6434 Pettus Road, east of the intersection of Pettus Road and Nolensville Pike (approximately 5.28 acres), to permit retail and restaurant, requested by Kimley Horn and Associates, Inc., applicant; Houston E. Hill, David R. and H.E. Hill and C.E.H. Melby, Co-Trustees, Alvin C. Beerman, Et ux, and Barbara A. Wardlaw, owners. (See associated case # 2018CP-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.

APPLICANT REQUEST

Zone change to permit a commercial development.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) and Specific Plan (SP) to Specific Plan – Commercial (SP-C) zoning for properties located at 6438 and 6444 Pettus Road and a portion of 6424 and 6434 Pettus Road, east of the intersection of Pettus Road and Nolensville Pike (approximately 5.28 acres), to permit retail and restaurant.

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 2 duplex lots for a total of 4 units, subject to compliance with the requirements of the Metro Subdivision Regulations.*

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. *A portion of Parcel 084 is currently zoned SP-R to permit an assisted living facility. The approved site plan includes an access road in this portion of Parcel 084 which will be shared by the two developments.*

Proposed Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

SOUTHEAST NASHVILLE COMMUNITY PLAN

Existing Policy

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

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

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.

Proposed Policy

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 project site is comprised of two parcels and portions of two others. The two parcels located at the intersection of Nolensville Pike and Pettus Road, Parcels 084 and 127, are currently within T3 Suburban Neighborhood Center (T3 NC) policy. Portions of two parcels along Pettus road just north of the intersection, Parcels 082 and 083, are currently within T3 Suburban Neighborhood Evolving (T3 NE) policy. The Conservation policy present on the site indicates the presence of a feature determined by Metro Stormwater to be a wet weather conveyance that does not require buffering or protection. The proposed SP is not consistent with the existing area of T3 NE policy, which is a primarily residential policy that does not support commercial uses. The proposed SP is consistent with the T3 NC policy, which would encompass the entire project site if the associated plan amendment (2018CP-012-001) is approved. T3 NC policy is intended to create neighborhood centers to serve surrounding suburban neighborhoods. The proposed SP is located adjacent to recently approved SPs that include an assisted living facility to the east and a residential

neighborhood containing 170 units to the north. This SP includes a neighborhood scale grocery store, retail, and restaurant uses that are intended to serve the residents of the adjacent assisted living and residential developments as well as the surrounding suburban residential neighborhood.

PLAN DETAILS

The site is comprised of two parcels and portions of two others totaling 5.8 acres at the intersection of Pettus Road and Nolensville Pike. The properties are currently developed with single-family residential uses. The Metro Council recently approved a Specific Plan for an assisted living facility on property east of the site and a Specific Plan for 170 residential units on property north of the site. Those Specific Plans include a proposed public road which will connect this development to the assisted living and residential developments and also to Nolensville Pike.

Site Plan

The plan proposes a maximum of 34,000 square feet of general retail, including a 22,000 square-foot grocery store located in the northern portion of the site. The remaining retail space is in two clusters, one adjacent to the grocery store and a second at the front of the site along Nolensville Pike and the proposed public road. A 4,000 square-foot quick service restaurant, classified as a fast food restaurant in the Metro Zoning Ordinance, is located on the corner of the site closest to the intersection of Nolensville Pike and Pettus Road.

Vehicular access is provided in two locations along Pettus Road and in three locations along the proposed public road on the east side of the site. A total of 212 surface parking spaces are provided to serve the proposed uses, consistent with the requirements in the Metro Zoning Ordinance. An 8-foot sidewalk and 6-foot planting strip are provided along Pettus Road, and an 8-foot sidewalk and 6-foot planting strip are provided along Nolensville Pike, meeting or exceeding the requirements of the Major and Collector Street Plan. The public road along the eastern side of the site which will be shared by all three developments in the area will have 5-foot sidewalks and 4-foot planting strips consistent with the Metro requirements for a local street. Sidewalk connections are provided internal to the development connecting each of the buildings to the public sidewalks along the perimeter.

A 10-foot Type A landscape buffer is provided along the northern property line between the parking area and the adjacent residential development to the north. Perimeter landscaping requirements for parking areas are provided along all of the other frontages. The plan includes architectural design standards for minimum glazing and entrances, prohibited materials, and requirements for articulations or other architectural features to avoid uninterrupted blank facades. Height is limited to 2 stories in 30 feet. The SP also includes additional details on style and location of exterior and parking lot lighting, particularly for the area at the northern edge of the site where the plan transitions to adjacent residential development.

ANALYSIS

The proposed SP is consistent with the goals of the proposed T3 NC policy in this location. The site is located at the intersection of Nolensville Pike, which is a major arterial, and Pettus Road, which is identified as a collector. The site is adjacent to two recently approved developments, an assisted living facility, and a suburban residential neighborhood. Both of these developments will benefit from an easily accessible center with neighborhood services, including a grocery, additional retail, and restaurant. The site has frontage on three streets, and the buildings are oriented to address all frontages while remaining consistent with the design guidance in T3 NC policy which calls for moderate setbacks and one bay of parking between buildings and the street. Access is limited to Pettus and the proposed public road, which reduces curb cuts and manages access on the Nolensville Pike corridor.

At the northern edge of the site, this SP transitions into an adjacent SP that includes 170 residential units. The portion of the residential SP plan immediately adjacent to this commercial SP site includes open space and an access road. There is a topographic difference of a few feet between the two SPs, with this commercial SP sitting below the residential development separated by a retaining wall. In order to minimize potential impacts of the commercial, such as noise or glare, on the residential development, the current application incorporates a Type A landscape buffer at the top of the retaining wall. The proposal also includes a lighting plan and a provision for full cut-off light fixtures. These elements, combined with the difference in grade, will screen and soften the grocery store and ensure an appropriate transition from the commercial to the residential development along the boundary between the two SPs.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

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. (This new public sewer must be built to give both to the grocery/retail parcel, as well as the outparcel, direct access to public sewer. No shared private sewer systems, or private sewers crossing multiple parcels, will be allowed.)
- The required capacity fees must also be paid prior to Final Site Plan/SP approval.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Comply with the MPW TIS approved recommendations.
- The final design of the proposed public road between this SP and Traditions SP is to be coordinated with MPW Engineering, lane widths, turn lane lengths, tapers, etc. will be determined at that time and are subject to change from the preliminary plan submitted.
- The final design of the required roadway and street side design elements (pavement widths, lane widths, sidewalk, grass strip, curb line, etc.) is to be coordinated with MPW prior to Final SP. The final design should place the center line of Pettus Road in center of the Pettus Road ROW and make the impacts of MCSP ROW requirements equitable for both sides of the street. However, if the development obtains or makes the ROW available on both sides of Pettus Road the currently submitted design may be acceptable.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

In accordance with findings of TIS, developer shall construct the following roadway improvements. Any revision to site plan may require additional traffic analysis.

Nolensville Pike and Pettus Road

- The analysis of the projected traffic volumes at the intersection indicate the existing storage for westbound traffic on Pettus Road will be inadequate. It is recommended to widen Pettus to a 3-lane cross section consisting of one 11-foot travel lane in each direction with a center 10-foot lane for a minimum of 400 feet east of Nolensville Pike or as approved by MPW. The center lane should provide approximately 240 feet of left turn storage at the intersection with Nolensville Pike and then transition into a two-way left-turn lane.
- Due to the future widening of Nolensville Pk, by TDOT resulting in decreased left turn lane storage, additional left turn lane storage shall be provided on Pettus Rd to provide the recommended storage after completion of the TDOT Nolensville Pk project. Developer shall widened Pettus Rd along project frontage to provide a 3 lane x section and transition per AASHTO standards.
- It is recommended that South Point Marketplace developer coordinate construction of turn lanes on Pettus Rd and Nolensville Pk with TDOT Nolensville Pk road widening plans.
- Developer shall modify signal at Pettus and Nolensville Pk and submit signal plans to MPW traffic engineer and install signal modifications when directed by MPW if not previously constructed by South Point residential SP.
- Developer of South Point Marketplace shall install a Right Turn Overlap Phasing on the eastbound approach for Concord / Nolensville Road and shall coordinate and optimize off sets for Concord, Burkitt and Pettus Road intersections upon completion of work at the Burkitt and Pettus Road intersection by those developers required to do this work. Developer shall design signal plans and submit to MPW traffic engineer for approval if not already installed prior to U&O permit for Southpoint Marketplace.
- The signal timing between the signalized intersections of Nolensville Pike with Concord Road, Pettus Road, and Burkitt Road should be coordinated and the optimized offsets for those intersections be implemented. MPW traffic engineer may require developer to conduct a signal coordination study.

Nolensville Pike and Future Public Road

- The analysis of the projected traffic volumes at the intersection indicate the planned storage for westbound left turns will be inadequate. It is recommended provide a minimum of 190 feet of left turn storage on the westbound approach of the future public road. The roadway cross-section is recommended to consist of one 11-foot travel lane in each direction with a center 10-foot left-turn lane or as approved by MPW.
- Due to the future widening of Nolensville Pk by TDOT resulting in decreased left turn lane storage, the new public road shall be constructed to provide the recommended storage after completion of the TDOT Nolensville Pk project with appropriate transition per AASHTO standards. Pedestrian infrastructure shall be constructed. Developer shall construct the new public road if not already constructed prior to U & O permit for Southpoint Marketplace.

Site Access Driveways

- All site access driveways should be designed to include sufficient width for one entering lane and one exiting lane. A R1-1 'Stop' sign and stop bar should be installed on each egress approach.
- Coordinate with Traditions SP to align driveways if feasible.
- As part of the construction of the project, each site access should be designed such that the departure sight triangles, as specified by AASHTO, will be clear of all sight obstructions, including landscaping, existing vegetation, monument signs/walls, fences, etc.
- The field investigations and site plane observations indicate that the sight distance available at all proposed site accesses will be adequate for left and right turns onto Pettus Road and the future public road with two exceptions.

- The available sight distance for left turns onto Pettus Road from Site Access #2 falls 25 feet below the design value of 500 feet. The recommended widening of Pettus Road will provide a two-way left-turn lane at this access driveway which will allow a two-stage left-turn if needed. Pettus Rd roadway construction plans shall allow adequate sight distance at driveways.
- The available sight distance for left turns onto the future public road from Site Access #5 falls 90 feet below the design value of 290 feet. This access drive will primarily serve as loading access for the proposed supermarket and is anticipated to have very few exiting left turns. No site generated trips were distributed to this movement.
- Due to limited sight distance at access #5, deliveries/loading shall be during off peak travel times and limited sight distance signage shall be installed or developer shall provide adequate sight distance. Or developer shall provide an entering access drive only with no exiting traffic allowed. A R5-1 "Do not Enter" sign should be installed facing the egress approach along with an arrow pavement marking facing the direction of entering traffic.
- Due to the increase in traffic volumes and access points along Pettus Road in the vicinity of the project site, consideration should be given to lowering the 45mph speed limit on Pettus Road to increase overall roadway safety along this section of commercial development. Developer shall apply to MPW T&P commission to reduce speed limit.
- Developer shall provide at a minimum parking and loading and any drive thru facilities for each phase of building construction in accordance with metro code.
- Fast food drive thru shall be designed to provide adequate queuing on site. No spillback into public ROW on Pettus Rd will be allowed. Restaurant owner may be required to position traffic officer to deny drive thru access during peak times.

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	5.4	0.5 D	4 U	39	3	5

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Fast Food Restaurant (934)	1	-	4,500 S.F.	2233	223	153

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	2	-	12,000 S.F.	552	17	51

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Supermarket (850)	3.4	-	22,000 S.F.	2865	47	283

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+5,611	+284	+482

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.

CONDITIONS

1. Permitted land uses shall be limited to a maximum of 34,000 square feet of general retail and 4,000 square feet of restaurant, fast food.
2. Comply with all conditions of Metro Public Works and Traffic and Parking.
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 CN zoning district for single-family residential units and the RM9 zoning district for multi-family residential units.

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

Approved with conditions and disapproved without all conditions. Consent Agenda (8-0)
Resolution No. RS2018-10

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-012-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

CONDITIONS

1. Permitted land uses shall be limited to a maximum of 34,000 square feet of general retail and 4,000 square feet of restaurant, fast food.
2. Comply with all conditions of Metro Public Works and Traffic and Parking.
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 CN zoning district for single-family residential units and the RM9 zoning district for multi-family residential units.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

12. 2006SP-093-001

OLDE MILL SP PERIODIC REVIEW

Council District 22 (Sheri Weiner); 35 (Dave Rosenberg)
 Staff Reviewer: Levi Hill

A request for a periodic review of the Olde Mill Specific Plan District on property located at 8811 Newsom Station Road and 8873 Newsom Station Road, approximately 1700 feet northwest of Coley Davis Road (131.06 acres), zoned SP, approved for 16 two-family units, 35 townhomes, and 197 single-family homes via Council Bill BL2007-1405, requested by Councilmember Sheri Weiner and Councilmember Dave Rosenberg, applicant; Old Mill Partnership and Eugene Cowden, owners.

Staff Recommendation: Defer to the January 25, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2006SP-093-001 to the January 25, 2018, Planning Commission meeting. (7-0)

13. 2013SP-046-003
CORNERSTONE CHURCH (AMENDMENT)
Council District 08 (Nancy VanReece)
Staff Reviewer: Levi Hill

A request to amend a Specific Plan by removing an assisted living facility and incorporating athletic fields on property located at 726 Old Hickory Boulevard and for a portion of property located at Boyds Hilltop Drive (unnumbered), at the northwest corner of Old Hickory Boulevard and N. Graycroft Avenue, zoned SP-MU (43.19 acres), requested by Civil Site Design Group, applicant; Cornerstone Church of Nashville, owner.

Staff Recommendation: Defer to the February 8, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2013SP-046-003 to the February 8, 2018, Planning Commission meeting. (7-0)

14. 2015SP-049-003
1225 STAINBACK AVENUE (AMENDMENT)
Council District 05 (Scott Davis)
Staff Reviewer: Levi Hill

A request to amend a Specific Plan to permit four non owner occupied short term rentals on properties located at 330, 332, 334, 336, and 336 B Douglas Avenue, at the southeast corner of Douglas Avenue and Stainback Avenue, (0.14 acres), requested by Goodhope Development Consulting, applicant; Strategic Options International, LLC, owner.

Staff Recommendation: Defer to the January 25, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015SP-049-003 to the January 25, 2018, Planning Commission meeting. (7-0)

15. 2017SP-006-003
SCOVEL STREET ROW HOMES (AMENDMENT)
Council District 19 (Freddie O'Connell)
Staff Reviewer: Patrick Napier

A request to amend a Specific Plan on properties located at 1022 Scovel Street and Scovel Street (unnumbered), at the northwest corner of Scovel Street and 10th Avenue North, zoned SP-R and within the Phillips-Jackson Street Redevelopment District (1.21 acres), to permit an additional 4 multi-family residential units, requested by Civil Site Design Group, applicant; Cottingham Development, LLC, owner.

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

APPLICANT REQUEST

Amend an SP to permit four additional residential units.

Amendment to SP

A request to amend a Specific Plan on properties located at 1022 Scovel Street and Scovel Street (unnumbered), at the northwest corner of Scovel Street and 10th Avenue North, zoned R6-A and Specific Plan-Resident (SP-R) within the Phillips-Jackson Street Redevelopment District (1.21 acres), to permit an additional four multi-family residential units for a total of 30 units.

Existing Zoning

One and Two-Family Residential-Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.26 dwelling units per acre including 25 percent duplex lots. *R6-A would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

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. The SP is currently approved for 26 multi-family 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. This Specific Plan includes only one residential building type. The amendment proposes an additional four multi-family residential units

NORTH NASHVILLE COMMUNITY PLAN

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

Consistent with Policy?

Yes. The amendment to SP is consistent with the T4 Urban Neighborhood Evolving Policy and is appropriate given the site's location in an urban area. The rezoning would meet the goals of the policy by placing increased density in proximity to alternative methods of transportation. This request further meets policy by placing the access to the rear of the proposed structures and placing the units in a location that addresses the street and the surrounding public realm in a meaningful way.

PLAN DETAILS

The site is within the Phillips-Jackson Street Redevelopment District and contains a total 1.21 acres.

Site Plan

A total of 30 residential units are proposed by the amendment to SP. As shown the proposed units are consistent with the bulk and design of the previously approved units. The amendment would allow an additional 4 multi-family residential dwelling units for a total of 30 units within the SP.

The site plan indicates no changes will be made to the previously approved portion of the site. The existing Units, 1-10 front onto Scovel Street and Units 11-16 front onto 10th Avenue North. Units 17-26 are located within the interior of the site. The portion of the site that contains the amended area is comprised of Units 29 and 30 which will front onto Scovel Street and Units 28 and 29 which will be located within the interior of the site.

The plan shows a 1.5 foot right-of-way dedication for the parcel associated with the proposed amendment along the existing alley to the rear of the site which is consistent with the previously approved site plan. The site plan indicates the two access points shown in the previously approved site plan will remain and provide access to the rear loaded garages for the units fronting 10th Avenue North and Scovel Street. Units 27 and 28 will contain rear loaded garages accessed from the alley. On site stormwater mitigation will also be provided through a bio-retention area located at the exterior corner of 10th Avenue North and Scovel Street.

The portion of the site which contains the amended area will provide a pedestrian connection from Units 27 and 28 located at the rear of the site to the sidewalk along Scovel Street. All internal sidewalks will have a minimum width of 5 feet and provide a network of pedestrian connections from interior of the site to 10th Avenue North and Scovel Street. The site plan indicates the sidewalks along Scovel Street will be constructed according to the standards of the Major and Collector Street Plan. The MCSP requires a 4 foot wide grass strip and a 6 foot wide sidewalk along the Scovel Street frontage. The amendment does not propose a change for the sidewalks along 10th Avenue North.

Architectural standards are included on the plans which are consistent with the standards within the previously approved SP plan. The standards include standard façade requirements. The proposed units shall have a maximum height limitation of 43 feet measured to the parapet. The habitable space of the proposed structures will have a maximum height of 35 feet 11 inches as indicated by elevations provided with the site plan. Elevations will be provided with the final site plan

The site plan notes that the owner or developer will maintain trash and recycling through a private service for as long as the development remains in place consistent with the previously approved SP plan. The responsibility shall be transferred to the homeowner association for the development upon its establishment.

ANALYSIS

The site is surrounded by a mixture of single and two-family uses as well as civic and commercial uses. The adjacent lot to the amended portion of this SP is currently zoned R6-A. While this lot is currently vacant the lower intensity zoning adjacent to this SP will have an appropriate transition given the landscape buffer provided along the western property line. This amendment will continue the sidewalk network along Scovel Street providing further pedestrian connectivity for the area.

The SP is consistent with the current T4 Urban Neighborhood Evolving policy. As the proposed SP is consistent with the land use polices and meets several critical planning goals, staff recommends approval with conditions

M.D.H.A RECOMMENDATION

Approve with conditions

- Submit civil plan with MCSP sidewalks.

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 Amendment only. For Final SP approval, the previously-approved public water/sewer construction plans must be revised and approved, to include public extensions to reach these 5 additional units. If adding a shared private sewer system, the applicant must submit for, and receive approval of, a variance for the proposed shared private sewer system, prior to Final SP approval. This variance package must contain a Letter Of Responsibility, and must match the Final Site Plan/SP plans, as well the revised public construction 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.
- All ROW dedications are to be recorded and copy remitted to MPW prior to building permit sign off
- Indicate on the plans the location of the dumpster and recycling container on-site.
- On sheet C1.00 indicate location of existing utilities. Confirm no vertical obstructions within the proposed sidewalks.
- Indicate installation of an ADA complaint ramp at the intersection of Scovel and 10th.
- Indicate the installation of a ST-325 ramp at the alley connection to 10th.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Comply with road comments. Apply to T&P to restrict parking along Scovel and 10th Ave frontages.

Maximum Uses in Existing 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)	1.21	-	26 U	282	17	35

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)	1.21	-	30 U	312	19	35

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+4 U	+30	+2	-

METRO SCHOOL BOARD REPORT

Projected student generation existing R6-A district: 1 Elementary 1 Middle 1 High

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

The proposed SP zoning district would generate no more students than what is typically generated under the existing R6-A zoning district. Students would attend Buena Vista Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as this request is consistent with policy and achieves several critical planning goals.

CONDITIONS

1. Permitted uses in the SP shall be limited to a maximum of 30 multi-family units.
 2. Comply with all conditions of Council Bill BL2017-632
 3. Final elevations consistent with conceptual elevations shall be submitted for review and approval with the final site plan submittal.
 4. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
 5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
 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 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.
 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. 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.
- 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.

Approved with conditions and disapproved without all conditions. Consent Agenda (8-0)

Resolution No. RS2018-11

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-006-003 is **Approved with conditions and disapproved without all conditions. (8-0)**"

CONDITIONS

1. Permitted uses in the SP shall be limited to a maximum of 30 multi-family units.
 2. Comply with all conditions of Council Bill BL2017-632
 3. Final elevations consistent with conceptual elevations shall be submitted for review and approval with the final site plan submittal.
 4. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
 5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
 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 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.
 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. 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.
- 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.

16. 2017SP-095-001
19TH AND CHET ATKINS OFFICE BUILDING SP
Council District 19 (Freddie O'Connell)
Staff Reviewer: Shawn Shepard

A request to rezone from ORI-A to SP-MNR zoning on properties located at 821, 823, 825 and 827 19th Avenue South, at the northwest corner of Chet Atkins Place and 19th Avenue South (0.76 acres), to permit a mixed use development, requested by Ragan-Smith and Associates, applicant; 19th Avenue Land Partners, LLC and Verges-James, LLC, owners.

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

APPLICANT REQUEST

Zone change to permit a mixed use development.

Preliminary SP

A request to rezone from Office Residential Intensive – Alternative (ORI-A) to Specific Plan – Mixed Non-Residential (SP-MNR) zoning on properties located at 821, 823, 825 and 827 19th Avenue South, at the northwest corner of Chet Atkins Place and 19th Avenue South (0.76 acres), to permit a mixed use development.

Existing Zoning

Office/Residential Intensive-Alternative (ORI-A) is intended for high intensity office and/or multi-family residential uses with limited retail opportunities and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

Proposed Zoning

Specific Plan-Mixed Non-Residential (SP-MNR) 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 office and commercial uses.

GREEN HILLS – MIDTOWN COMMUNITY PLAN

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

The site is within a special policy area in the Midtown Study, 10-MT-T5-MU-02. The special policy for T5 Center Mixed Use Neighborhood Area 2 includes specific guidance on building form, vehicular and pedestrian connectivity, and intensity. This site is located in an area bounded by Alley #447, east of Division Street, Alley #444, east of 19th Avenue South, and Alley #448, which is north of Grand Avenue. The policy indicates that development in this area should have a lower building heights and masses than along the West End Avenue corridor because of structural constraints to development, with maximum building heights of 20 stories. The policy calls for improvements to vehicular, bicycle and pedestrian infrastructure above and beyond those called for in the Major and Collector Street Plan (MCSP) in order to support building heights exceeding eight stories, given the constrained existing infrastructure in this area. Additionally, the policy provides guidance regarding transitions between more intense development along West End Avenue and lower intensity and historic areas to the east such as Music Row.

Consistent with Policy?

T5 MU policy areas contain a significant amount of vertical mixed use development in buildings with high density residential, institutional, high-intensity commercial, and office land uses. These areas are served by high levels of connectivity with complete street networks, and provide services to meet the daily needs of residents in the neighborhood and within a five to ten minute walk. Buildings have high lot coverage, shallow setbacks, and are oriented to the street. The proposed SP includes 210,000 square feet of general office and 26,000 square feet of all other uses permitted by the Office Residential Intensive – Alternative (ORI-A) zoning district. The proposed building is located across 19th Avenue South from two recently approved multi-family residential developments. The non-office uses, which could include retail, restaurant, or personal care services, are intended to serve both tenants of the building and residents and employees of the surrounding neighborhood, including those in the developments across the street. A portion of the non-office space will be located along the 19th Avenue frontage, particularly at the corner of 19th Avenue and Chet Atkins, in order to address the street and activate the pedestrian realm, consistent with the guidance in the policy.

Access will be provided via points on 19th and Chet Atkins as well as from the alley along the west side of the site. In response to guidance in the Midtown Study special policy for enhancements above and beyond those called for in the MCSP when taller buildings are proposed, the plan incorporates a variety of bicycle and pedestrian infrastructure improvements. Per the conditions of approval, sidewalks consistent with the MCSP and the Midtown Study are

provided along 19th Avenue South and Chet Atkins Place. The plan incorporates 20 public bike parking spaces and an additional 25 bicycle storage spaces including lockers within the building for tenants, as part of an effort to encourage tenants to make use of active forms of transportation. Staff also recommends a condition requiring the applicant to coordinate with Planning and Metro Public Works to improve bicycle infrastructure identified in the WalknBike Plan along streets in the vicinity of the project.

PLAN DETAILS

The site is comprised of four parcels totaling 0.76 acres located at the northwest corner of the intersection of 19th Avenue South and Chet Atkins Place. Two of the parcels contain existing structures currently used as offices. Both structures are identified as National Register Eligible buildings. One of the parcels is vacant, but is currently in use as a temporary construction office for the M Residences residential development under construction on the east side of 19th Avenue South. The remaining parcel is used as a parking lot. The Planning Commission recently recommended approval of a Specific Plan for a mixed use development including residential and restaurant uses at the intersection of 19th Avenue South and Division Streets, just northeast of the subject site. The larger area, which is identified as a Tier One Center in NashvilleNext, contains a mix of commercial, office, multi-family residential and parking uses.

Site Plan

The plan proposes a maximum of 216,000 square feet of general office and 26,000 square feet of other nonresidential uses as specified on the plan, primarily including all uses permitted in the ORI-A zoning district. The SP proposes a Floor Area Ratio of 7.10 and a maximum height of 15 stories in 222 feet.

Vehicular access to the above-grade parking structure for office tenants and other daily users of the building is provided from Chet Atkins Place. Vehicular access for customers of the retail and restaurant spaces to the below-grade garage is provided from 19th Avenue South. The 19th Avenue South access drive connects underneath the building to Alley #446 on the western side of the site, with the pull-through serving valet and ride-share drop-off. Service and loading access is via the alley. Both 19th Avenue South and Chet Atkins Place are local streets, but guidance regarding the pedestrian realm along both frontages is provided in the Midtown Study. A four-foot grass strip and eight-foot sidewalk will be provided along 19th Avenue South consistent with the standards established in the Midtown Study. A 10-foot sidewalk and 4-foot planting strip are provided along Chet Atkins Place, which exceeds the sidewalk requirements established by the Midtown Study and enhances the pedestrian realm at the corner.

Twenty bicycle parking spaces available to the public, with an additional 25 spaces or lockers for indoor bike storage provided for tenants of the building. Pursuant to recommendations of the Traffic Impact Study (TIS), a pedestrian crosswalk will be installed at the intersection of 19th Avenue and Chet Atkins Place. The plan also includes notes regarding incorporation of Transportation Demand Management best practices such limiting delivery times to non-peak hours, informational kiosks and wayfinding to transit options, and encouraging future tenants to stagger work hours and incentivize carpooling.

The principle pedestrian entrances to the building are provided on the first level along 19th Avenue South directly to the non-office portions of the building as well as to a lobby serving the office tenants. The non-office uses will be used to screen the parking garage at the ground floor and activate the corner of 19th Avenue and Chet Atkins. The plan includes conceptual elevations with proposed materials as well as standards for avoidance of long, uninterrupted blank facades through incorporation of material changes or articulations.

ANALYSIS

The mix of uses and the massing, orientation and placement of the building are consistent with the goals of the T5 MU policy and the location of this site within a Tier One Center identified in NashvilleNext. This portion of Nashville is intended to be among the most intense in the county outside of the downtown area, and to include both Nashville's major employers as well as residential, commercial and service uses to create lively, mixed use neighborhoods. This portion of Midtown is served by transit along Broadway and West End. The site is located less than two blocks from Music Row; the addition of general office space in this area could provide opportunities for offices associated with music production and related businesses that are consistent with the historic uses along Music Row. The proximity of this site to several larger-scale residential developments in the Midtown area also make this site an appropriate location for additional nonresidential intensity to serve residents and employees in the surrounding neighborhood. The non-offices uses are located on the ground floor of the building to activate the street, and partially screen the parking structure.

The site has frontage on both 19th Avenue South and Chet Atkins Place and is bordered on the west by an existing alley. The alley is currently 16 feet wide. It will be widened to 20 feet along the length of this site, but due to the substandard width north of the site, it cannot serve as the primary access for the project. Vehicular access will be provided from both 19th Avenue South and Chet Atkins place in order to encourage dispersal of traffic across several streets in the neighborhood rather than concentrating impacts at one intersection. Parking will be provided in a split-level garage incorporated into the structure and will meet Metro Zoning Code requirements for the uses proposed. The existing street network in the vicinity is constrained and opportunities for improvements are limited by a lack of right-of-way. The plan includes notes regarding incorporation of indoor bike storage for building tenants in addition to

public bike parking as required by the Metro Zoning Ordinance. Staff recommends a condition requiring the location of the public and indoor bicycle storage be identified on the plans at Final SP.

In order to encourage use of modes of transportation other than single-occupancy vehicles, the plan includes notes encouraging incorporation of Transportation Demand Management (TDM) best practices. The Planning Department is currently implementing the Nashville Complete Trips TDM program, which, among other strategies, is working with the development community to ensure new development is designed to make walking, biking, or taking transit easy, safe and convenient. Consistent with efforts to implement the Complete Trips program and with existing requirements for a TDM component in traffic studies, staff recommends that the applicant work with Planning and Public Works to prepare a TDM plan incorporating applicable strategies for submittal and review as part of the Final SP. Additionally, staff recommends a condition of approval requiring the applicant to coordinate with Planning and Public Works to develop a plan for two-way, major, protected bike lanes on 21st Avenue South from West End to Broadway, as identified in the WalknBike plan. The design, which will add protected bike lanes adjacent to the Vanderbilt campus and include bicycle signals at the West End Avenue and Broadway intersections, will contribute to a planned network of bicycle routes and enhance overall connectivity for cyclists in the area. As conditioned, the plan goes above and beyond the requirements of the MCSP to improve connectivity in the area despite constraints on improving the road network.

The proposed building includes high site coverage and shallow setbacks, consistent with the goals of the policy. The proposed 15-story height is in the middle of the range supported by the policy and special policy and is consistent with the height of surrounding developments in the area. In addition to the conceptual elevations and architectural standards for avoidance of uninterrupted blank facades included in the plan, staff recommends conditions to ensure that the façade treatments for the parking structure integrate and complement the habitable portions of the building, are included on all portions of the building visible from public streets and open spaces, and that materials are designed to block light bleed from the garage at night.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

METRO HISTORIC ZONING STAFF RECOMMENDATION

The properties at 823 19th Avenue South and 825 19th Avenue South have been determined eligible for listing in the National Register of Historic Places (NRE). The Historical Commission encourages the applicants to retain both buildings and incorporate them into the new development. If the plan does not include retention of the historic buildings, the Historical Commission recommends the following: applicants to 1) document the buildings (photographs and drawings, according to HABS standards) and submit documentation to the Historical Commission prior to demolition, and 2) remove salvageable materials, fixtures, etc., prior to demolition. Additionally, Historical Commission staff would like to visit the site with the applicant and/or property owners, along with Council Member O'Connell and representatives from Historic Nashville, Inc., to discuss the project and these recommendations prior to demolition.

WATER SERVICES RECOMMENDATION

Approve with conditions

- This site lies in a combined sewer watershed, and must adhere to MWS's combined sewer regulations. These regulations must be met, prior to Final SP approval. (Regulations only apply, if this development will tie new sanitary and/or storm sewer service lines into a public combined sewer less than 18 inches in size.)
- The required capacity fees must also be paid prior to Final Site Plan/SP approval.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- With Final SP, submit Truck turn templates for the proposed loading docks, trucks entering and exiting the site.
- Submit recorded copy of ROW dedication prior to building permit approval by MPW.
- With Final SP, submit first floor(s) architectural plans that indicate pedestrian doors are recessed out of the pedestrian way/ sidewalk.
- Comply with the MPW Traffic Engineer conditions.
- All construction within the ROW shall comply with the MPW standard drawings (ST-200, ST-210, ST-325, etc.) There are to be no vertical obstructions (poles, signs, guy wires, etc.) within the proposed sidewalk, they are to be relocated by the development.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

In accordance with TIS findings, developer shall construct the following roadway improvements:

- All site access driveways should include at a minimum one entering lane and one exiting lane. Parking Gates on access drive off Chet Atkins shall be located an appropriate distance to ROW to allow necessary queue distance for entering traffic. Gate equipment shall operate with minimum delay to entering traffic.
- Final SP plan shall identify any necessary on street parking restrictions on 19th Ave and Chet Atkins and apply for T&P approval.
- The site access driveway located off of 19th Avenue should widen on site to accommodate one valet lane and one through lane for both entering and exiting vehicles. Valet storage should be maximized in order to prevent queueing onto 19th Avenue. Final SP plan shall include a striping and signage plan to identify areas for valet and short term deliveries on entry plaza on site. A valet circulation route shall be identified on final sp plans.
- A daily service delivery area should be provided on site.
- It should be noted that due to the deterioration in level of service on the Division Street approaches at the 19th Avenue South intersection, traffic signal control was not recommended for this study intersection. Furthermore, due to right-of-way restrictions along the study area roadways, additional turn lanes could not feasibly be added at the intersection in order to sufficiently improve the level of service for the northbound and southbound approaches.
- The eastbound approach of Chet Atkins Place at the 19th Avenue South intersection should be striped with separate left turn and through/right turn lanes. The through/right turn lane should include a minimum of 100 feet of storage. Additionally, the existing parking on the north side of Chet Atkins Place should be removed within 100 feet of the stop line at the 19th Avenue South intersection. The approach restriping should include a new stop bar and a pedestrian crosswalk along Chet Atkins Place.
- Developer shall align Chet Atkins to remove the offset at 19th Ave. Developer shall prepare road construction plans prior to final SP approval. Road plans shall provide adequate lane widths, lane alignment and appropriate lane transitions and pavement marking and signage plan.
- Loading/unloading traffic should not be permitted on Chet Atkins Place. Developer shall apply to T&P to restrict on street loading along frontage prior to Final SP approval.
- Delivery times for the development should be restricted to non-peak hours, exclusively.
- Tenants for the general office land use should be encouraged to offer employees staggered work hours or an option to work remotely, as well as providing incentives for carpooling, biking, or using transit services. It should be noted that the developers plan to promote ride-sharing and offer to pay for a percentage of the costs for employees if they choose to use to transit services.

Maximum Uses in Existing Zoning District: ORI-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.76	3.0 F	99,316 SF	1328	187	191

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
Office (710)	0.69		216,000 SF	2414	348	321

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
Restaurant (932)	0.06		20,000 SF	2543	231	223

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.01		2,150 SF	894	24	70

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4,523	+416	+423

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted land uses shall be limited to a maximum of 210,000 square feet of general office and a maximum of 26,000 square feet of all other non-residential uses permitted by the ORI-A zoning district, Furniture Store, or Nanobrewery.
2. Façade treatment of parking structures shall be designed to integrate and complement the architecture of the habitable portions of the building and the surrounding context of the built environment. Openings for natural ventilation must be integrated into a cohesive building façade design.
3. Architectural cladding and façade treatments as described above shall be required on parking structure facades visible from public streets and public open spaces at the time of permitting. This shall include building facades, and portions thereof, that do not front a public street but are visible from them.
4. Façade treatment shall turn the corner alongside property lines a minimum of 20 feet.
5. Parking structure façade treatments and cladding shall be designed to block light bleed from the garage and car headlights at night.
6. The location of exterior public bicycle parking and interior tenant bicycle storage shall be identified on the Final SP plans.
7. The applicant shall coordinate with Metro Planning and Public Works to prepare a Transportation Demand Management plan incorporating applicable demand management strategies applicable to future owners or managers of the property. The plan shall be submitted for evaluation with the Final SP.
8. The applicant shall coordinate with Metro Planning and Public Works to develop a plan for two-way major protected bike lanes on 21st Avenue South from West End Avenue to Broadway, as identified in the WalknBike plan. The design will reduce the number of travel lanes from three to two, using the existing curb space to add two-way protected bike lanes adjacent to Vanderbilt campus. The design shall also include bicycle signals at the West End Avenue and Broadway intersections.
9. Comply with all conditions of Metro Public Works and Traffic and Parking.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI-A zoning district.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. 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. Consent Agenda (8-0)

Resolution No. RS2018-12

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-095-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

CONDITIONS

1. Permitted land uses shall be limited to a maximum of 210,000 square feet of general office and a maximum of 26,000 square feet of all other non-residential uses permitted by the ORI-A zoning district, Furniture Store, or Nanobrewery.
2. Façade treatment of parking structures shall be designed to integrate and complement the architecture of the habitable portions of the building and the surrounding context of the built environment. Openings for natural ventilation must be integrated into a cohesive building façade design.
3. Architectural cladding and façade treatments as described above shall be required on parking structure facades visible from public streets and public open spaces at the time of permitting. This shall include building facades, and portions thereof, that do not front a public street but are visible from them.

4. Façade treatment shall turn the corner alongside property lines a minimum of 20 feet.
5. Parking structure façade treatments and cladding shall be designed to block light bleed from the garage and car headlights at night.
6. The location of exterior public bicycle parking and interior tenant bicycle storage shall be identified on the Final SP plans.
7. The applicant shall coordinate with Metro Planning and Public Works to prepare a Transportation Demand Management plan incorporating applicable demand management strategies applicable to future owners or managers of the property. The plan shall be submitted for evaluation with the Final SP.
8. The applicant shall coordinate with Metro Planning and Public Works to develop a plan for two-way major protected bike lanes on 21st Avenue South from West End Avenue to Broadway, as identified in the WalknBike plan. The design will reduce the number of travel lanes from three to two, using the existing curb space to add two-way protected bike lanes adjacent to Vanderbilt campus. The design shall also include bicycle signals at the West End Avenue and Broadway intersections.
9. Comply with all conditions of Metro Public Works and Traffic and Parking.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI-A zoning district.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. 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.

17. 2017SP-098-001

6719 CHARLOTTE PIKE SP

Council District 23 (Mina Johnson)

Staff Reviewer: Abbie Rickoff

A request to rezone from RS40 to SP-R zoning for property located at 6719 Charlotte Pike, approximately 175 feet west of Brook Hollow Road, (1.1 acres), to permit 11 multi-family units, requested by Dale & Associates, applicant; JV Hospitality Group, LLC, owner.

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

APPLICANT REQUEST

Preliminary SP to permit up to 11 multi-family residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS40) to Specific Plan – Mixed Residential (SP-MR) zoning for property located at 6719 Charlotte Pike, approximately 175 feet west of Brook Hollow Road, to permit 11 multi-family units (1.1 acres).

Existing Zoning

Single-family Residential District (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of 1 unit.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

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

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. This proposal includes attached and detached residential dwellings, which will provide an additional housing choice for residents in the area. The plan provides open space and a sufficient internal sidewalk network that connects to Charlotte Pike and the surrounding neighborhood. Higher density areas typically foster walkability and better public transportation because housing, work and conveniences are located within a smaller area, making them more assessable by foot and or public transportation. This site is located approximately 350 feet west of an existing MTA bus route located across the street near the Nashville West Shopping Center, providing alternative transportation options for future residents.

WEST NASHVILLE COMMUNITY PLAN

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

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

Supplemental Policy Area (Area 3)

The supplemental policy recognizes areas along Charlotte Pike, between Old Charlotte Pike and to the east of Russleo Drive. The supplemental policy supports higher intensity residential infill development along Charlotte Pike that frames the corridor, appropriately transitioning to the single-family residential areas interior to the neighborhood outside of the Supplemental Policy. Effective transitions may include a reduction in scale, mass, and height between the parcels fronting the corridor and the interior Neighborhood Maintenance area.

Consistent with Policy?

The proposed SP is consistent with the T3 NM policy as well as the supplemental policy that applies to the site. NashvilleNext also identifies this area as a Transition or Infill Area on a high capacity transit corridor, where additional future growth and higher density housing is appropriate. The proposed plan provides for a more intense residential development pattern along Charlotte Pike by locating the attached units along the corridor, consistent with the supplemental policy. The detached units are located behind the Charlotte Pike units, effectively transitioning to the single-family lots located directly south of the site. Open space is provided behind the detached units, buffering the site from the existing single-family lots internal to the neighborhood. A small area of Conservation policy exists along the eastern property line and is associated with a stream buffer.

PLAN DETAILS

The site is approximately 1.1 acres and currently contains one residential structure, which is not included in this proposal. The site is located on the south side of Charlotte Pike between W. Hillwood Drive and Brook Hollow Road, directly across from Nashville West. The surrounding land uses south of Charlotte Pike are primarily single-family, with scattered institutional and two-family land uses as well. The Hillwood Court at Nashville West SP, a residential SP located west of this site, is similarly configured to this plan with higher intensity residential development along Charlotte Pike that transitions to detached units at the rear of the site.

The site plan proposes 11 multi-family units, including 5 attached townhome units and 6 detached cottage units. The 5 attached units will front Charlotte Pike. The 6 detached units are located behind the townhomes and front common open space. Landscaping is incorporated throughout the development including a large area of open space south of the cottage units. The open space appropriately buffers the site from the existing single-family neighborhood by providing approximately 85 feet of open space between the southern-most cottage and the single-family lots south of the site along Fleetwood Drive, in Neighborhood Maintenance policy. Landscape buffers have been provided around the periphery of the site outside of the required stream buffers, which are located along a portion of the eastern and southern property lines.

Vehicular access is provided from Charlotte Pike to a shared private drive located along the western property line. The shared drive feeds into a surface parking lot located between the townhomes and cottages, east of the shared drive. A total of 24 parking stalls are provided, including surface parking and two-car garages which are proposed on all cottage units. A combined 10-foot wide joint access easement and 10-foot wide standard "C" landscape buffer are proposed along the entire western property line to allow options for future connectivity to the west (APN # 10211004400). Staff recommends that a cross access easement be included along the drive aisle between the site's entrance and the surface parking lot for future east-west connectivity from Charlotte Pike.

The plan includes architectural standards requiring raised foundations, minimum glazing requirements, minimum porch depths and prohibited materials. The plan limits the building height to a maximum of three stories in 35 feet for

the attached units, and three stories in 27 feet for the detached cottages, which is consistent with the Hillwood Court at Nashville West SP located west of the site.

ANALYSIS

The SP is consistent with the site's land use policies and it also meets several critical planning goals. The plan provides higher density residential development along the corridor that transitions in scale, mass, and height between the parcels fronting Charlotte Pike and interior T3 NM areas. The SP provides for additional housing choice for residents in the area, and the proposed architectural standards and treatments enhance the design quality of the neighborhood.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Fire Code issues will be addressed in the permit phase. Provide flow data and hydrant locations for subdivision pre-approval.

STORMWATER RECOMMENDATION

Approve with conditions

- The following buffer widths and zones shall be applied to community waters, as described in Section 6.9.1:
- Zone 1 for all buffers shall be considered a “no disturb zone”, where the vegetation cannot be disturbed, removed or replanted unless a buffer restoration plan has been approved by MWS.
- Zone 2 can consist of managed vegetation, meaning the buffer zone can be disturbed and planted with grass or other vegetation. However, no structures or impervious surfaces shall be placed in Zone 2.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Before the Final SP is approved, the applicant must receive approval of a Variance for the proposed shared private sewer service line, as well as must submit a Letter of Responsibility for all units using this shared private sewer line.
- A 4-inch private water service will require submission and approval of a private water/sewer utility plan, before the Final SP is approved.
- 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.
- Coordinate final design of stormwater outfall with MPW and MWS, if directed toward public ROW.

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **RS40**

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)	1.1	1.08 D	1 U	10	1	2

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 (230)	1.1		11 U	95	9	10

Traffic changes between maximum: **RS40 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+10 U	+85	+8	+8

METRO SCHOOL BOARD REPORT

Projected student generation existing RS40 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-MR district: 1 Elementary 0 Middle 0 High

The proposed SP zoning is expected to generate one more student than the existing RS40 zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G. Hill Middle School is identified as being over capacity; however, the proposed SP is not expected to generate any additional middle school students within the cluster. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

The proposal is consistent with the land use policies and supports several critical planning goals. Therefore, staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses within the SP shall be limited to a maximum of 11 multi-family units.
2. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
3. 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.
4. On the corrected set, revise Standard Note # 12: If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. On the corrected set, modify the ten-foot wide standard "C" buffer along the eastern and property line to be outside of the stream buffer areas.
6. On the corrected set, include supplemental landscaping in the open space near the southern property line, outside of the stream buffer.
7. On the corrected set, include a cross access easement along the drive aisle between the site's entrance and the surface parking lot for future east-west connectivity.
8. A joint access easement shall be recorded with the final site plan to establish future connectivity to the west (APN # 10211004400).
9. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
10. On the final site plan, the solid waste containers shall be screened with a 6 foot decorative opaque wall or fence.
11. The final site plan shall comply with Metro Zoning Code Parking requirements.
12. 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.
13. 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.
14. 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.
15. 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.
16. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
17. Comply with all conditions of Stormwater, Water Services, and Public Works.
18. 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. Consent Agenda (8-0)

Resolution No. RS2018-13

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-098-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

CONDITIONS

1. **Permitted uses within the SP shall be limited to a maximum of 11 multi-family units.**
2. **The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.**

3. 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.
4. On the corrected set, revise Standard Note # 12: If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. On the corrected set, modify the ten-foot wide standard "C" buffer along the eastern and property line to be outside of the stream buffer areas.
6. On the corrected set, include supplemental landscaping in the open space near the southern property line, outside of the stream buffer.
7. On the corrected set, include a cross access easement along the drive aisle between the site's entrance and the surface parking lot for future east-west connectivity.
8. A joint access easement shall be recorded with the final site plan to establish future connectivity to the west (APN # 10211004400).
9. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
10. On the final site plan, the solid waste containers shall be screened with a 6 foot decorative opaque wall or fence.
11. The final site plan shall comply with Metro Zoning Code Parking requirements.
12. 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.
13. 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.
14. 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.
15. 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.
16. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
17. Comply with all conditions of Stormwater, Water Services, and Public Works.
18. 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.

18. 2018SP-002-001

3712 BENHAM AVENUE SP
 Council District 25 (Russ Pulley)
 Staff Reviewer: Gene Burse

A request to rezone from R10 to SP-R zoning on property located at 3712 Benham Avenue, approximately 400 feet northeast of Glen Echo Road (0.62 acres), to permit three multi-family residential units, requested by Dale and Associates, applicant; Laurie Scott, owner.

Staff Recommendation: Defer to the January 25, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-002-001 to the January 25, 2018, Planning Commission meeting. (7-0)

19. 2018SP-003-001

1600 DB TODD JR. SP
 Council District 21 (Ed Kindall)
 Staff Reviewer: Patrick Napier

A request to rezone from RS5 to SP-R zoning for property located at 1600 Dr. DB Todd Jr. Boulevard, at the northeast corner of Dr. DB Todd Jr. Boulevard and Cockrill Street (0.29 acres), to permit up to three multi-family residential units, requested by Sebasiiine Eraga, applicant; Hanna Tope, owner.

Staff Recommendation: Defer to the January 25, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-003-001 to the January 25, 2018, Planning Commission meeting. (7-0)

20. 2018SP-004-001

425 WOODBERRY COURT SP

Council District 15 (Jeff Syracuse)

Staff Reviewer: Shawn Shepard

A request to rezone from RS10 to SP-R zoning on property located at 425 Woodberry Court, at the southeast corner of Woodberry Drive and Woodberry Court (0.52 acres), to permit a two-family residential unit, requested by Mathew McCloskey, applicant and owner.

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

APPLICANT REQUEST

Zone change from RS10 to SP-R.

Zone Change

A request to rezone from Single-Family Residential (RS10) to Specific Plan – Residential (SP-R) zoning on property located at 425 Woodberry Court, at the southeast corner of Woodberry Drive and Woodberry Court (0.52 acres), to permit a maximum of one two-family residential unit.

Existing Zoning

Single-Family Residential (RS10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of two units, subject to compliance with the requirements of the Metro Subdivision Regulations.*

Proposed Zoning

Specific Plan-Residential 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.

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

Consistent with Policy?

The T3 NM land use policy is intended to preserve the general character of existing suburban residential neighborhoods, even as those areas experience some change over time. The neighborhood has a predominant pattern of single-family residences with some two-family units scattered throughout. The proposed SP would permit a two-family residential use within an existing structure which has the form and appearance of a single-family residence. The SP will provide for an additional housing option while maintaining the character of the existing neighborhood.

ANALYSIS

The request is a regulatory SP and does not include a site plan. The property is 0.52 acres in size and contains an existing single-family dwelling. The neighborhood surrounding the subject property contains primarily single-family residential land uses, with scattered two-family residential uses.

The zoning in the area is primarily RS20, with some One and Two-Family Residential (R10 and R20) zoning along the corridors at the perimeter of the neighborhood.

The property is slightly larger than the average lot size in the area and is located on a corner. Larger, corner lots are often identified as appropriate locations to incorporate additional housing choice into established neighborhoods while minimizing the impacts on neighborhood character. The SP allows a two-family residential unit within the existing home on the property; substantive changes to the exterior of the structure to accommodate the use are prohibited. The existing home is a single-family residence that already has two entrances. The character of the neighborhood is defined by single-family residences on moderately sized lots with moderate setbacks and lot coverage. Allowing the existing structure to be used as a duplex would incorporate an additional housing choice without altering the existing character of the neighborhood. The SP includes a requirement for installation of a second driveway to accommodate all parking on site and prohibits short term rental, both at the request of the surrounding neighbors. Staff recommends that the applicant be required to provide a site plan depicting the location of the proposed driveway for review by Planning and Public Works at the time of Final SP. As proposed, the SP is consistent with the goals of the T3 Neighborhood Maintenance policy to ensure protection of neighborhood character as buildings evolve over time.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Flow data provided and is adequate for construction 12-18-17.
- Fire Code issues will be addressed in the permit phase.

STORMWATER RECOMMENDATION

N/A

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only.

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.
- If sidewalks are required then they should be shown on the plans per MCSP and MPW standards and specs, within dedicated ROW.
- Access to the property is to comply with Metro Zoning Code 17.20 and 13.12.

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.52	4.35 D	4 U	39	3	5

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)	0.52	-	2 U	20	2	3

Traffic changes between maximum: RS10 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	-19	-1	-2

METRO SCHOOL BOARD REPORT

Projected student generation existing RS10 district: 0 Elementary 0 Middle 0 High

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

The proposed SP-R district would not generate any additional students beyond the existing RS10 zoning. Students would attend McGavock Elementary, Two Rivers Middle School, and McGavock High School. All schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the request is consistent with the T3 Suburban Neighborhood Maintenance policy.

CONDITIONS

1. Permitted uses shall be limited to a single-family residential unit or a two-family residential unit within the existing structure. Should the existing structure be demolished, the use shall be limited to a single-family residential use only. Short Term Rental Property (STRP) use is prohibited.
2. There shall be no exterior structural alterations to the home for the use.
3. All parking shall be on site. With the Final SP, the applicant shall provide a plan indicating the location of a second driveway to be installed on the side of the property facing Woodberry Drive to ensure adequate on-site parking for the use.

4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district.
5. 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.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. 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. Consent Agenda (8-0)

Resolution No. RS2018-14

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-004-001 is **Approved with conditions and disapproved without all conditions. (8-0)**”

CONDITIONS

1. **Permitted uses shall be limited to a single-family residential unit or a two-family residential unit within the existing structure. Should the existing structure be demolished, the use shall be limited to a single-family residential use only. Short Term Rental Property (STRP) use is prohibited.**
2. **There shall be no exterior structural alterations to the home for the use.**
3. **All parking shall be on site. With the Final SP, the applicant shall provide a plan indicating the location of a second driveway to be installed on the side of the property facing Woodberry Drive to ensure adequate on-site parking for the use.**
4. **If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district.**
5. **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.**
6. **A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.**
7. **Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.**
8. **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.**

21. 2018SP-010-001

TAILGATE BREWERY SP

Council District 22 (Sheri Weiner)
Staff Reviewer: Latisha Birkeland

A request to rezone from CL to SP-C zoning on property located at 7300 Charlotte Pike, approximately 1000 feet east of Old Hickory Boulevard (7.35 acres), to permit all uses within the CL zone district and a microbrewery, requested by Waller Lansden, applicant; Wesley Keegan, owner.

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

APPLICANT REQUEST

Zone change from CL and SP.

Preliminary SP

A request to rezone from Commercial Limited (CL) to Specific Plan-Commercial (SP-C) zoning on property located at 7300 Charlotte Pike, approximately 1000 feet east of Old Hickory Boulevard, to permit all uses within the Commercial Limited (CL) zone district and a microbrewery (7.35 acres).

Existing Zoning

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

Proposed Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

BELLEVUE COMMUNITY PLAN

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

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

Consistent with Policy?

The property is located at the edge of an area of T3 Suburban Mixed Use Corridor policy along Charlotte Pike. T3 CM policy supports a mixture of uses along the corridor. The proposed SP is consistent with the policy, as it allows all uses permitted by CL zoning and a microbrewery. A microbrewery allows the production of beer, regardless of the percentage of alcohol by volume, in quantities not to exceed 5,000 barrels per month. This site is located at the edge of the T3 CM policy along Charlotte Pike, which is classified as an arterial-boulevard and adjacent to District Impact policy. District Impact Policy supports uses with the potential to have significant, adverse impact on the surrounding area. More intense uses, such as a microbrewery, are appropriate in this location. The SP also includes standards limiting disturbance to the site as well as truck delivery restrictions. The proposed SP allows a microbrewery which is consistent with the goals of the policy to create and enhance corridors by encouraging a mixed use development.

PLAN DETAILS

The request is a regulatory SP and does not include a site plan. The existing zoning is Commercial Limited (CL). The proposed SP allows all uses permitted by the CL zoning district and a microbrewery. A portion of the site has already been disturbed and the Tailgate operation currently exists on the site. Tailgate is a full service restaurant, nanobrewery, meeting space for the community and event venue. The proposed SP does not permit additional disturbance to the site. The proposed SP restricts truck deliveries to be limited to no more than 10 semi-trailer trucks per day and that truck deliveries shall not occur outside the hours of 7:00 am and 5:00 pm. The site has an access point at the corner of Old Charlotte Pike and Charlotte Pike. This access point currently allows access from both Charlotte Pike and Old Charlotte Pike. All provisions for access shall comply with the Metro Zoning Code.

ANALYSIS

The property included in the proposed SP totals approximately 7.3 acres and is an established full service restaurant. This site is located at the edge of the T3 CM policy and located along an arterial-boulevard. By allowing the existing establishment to remain and include an additional microbrewery use, the proposed SP is consistent with the goals of the policy to create and enhance corridors by encouraging a mixed use development.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

N/A

WATER SERVICES RECOMMENDATION

N/A

HARPETH VALLEY UTILITY DISTRICT

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- If sidewalks are required then they should be shown on the plans per MCSP and MPW standards and specs.
- All provisions for access shall comply with the Metro Zoning Code

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Comply with Road comments.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to all uses permitted by the Commercial Limited (CL) zoning district and a microbrewery.
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 CL zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. 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.
4. 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. Consent Agenda (8-0)

Resolution No. RS2018-15

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-010-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

CONDITIONS

1. Permitted uses shall be limited to all uses permitted by the Commercial Limited (CL) zoning district and a microbrewery.
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 CL zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. 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.
4. 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.

22. 2018SP-014-001

SUSTAIN AT CITY HEIGHTS

Council District 21 (Ed Kindall)

Staff Reviewer: Gene Burse

A request to rezone from RS5 to SP-R zoning for properties located at 2122 Herman Street and Herman Street (unnumbered), approximately 155 feet east of 22nd Ave N, (0.54 acres), to permit 10 multi-family residential units, requested by Catalyst Design Group, applicant; Max Khazanov, owner.

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

APPLICANT REQUEST

Zone change to permit ten multi-family residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan-Residential (SP-R) zoning for properties located at 2122 Herman Street and Herman Street (unnumbered), approximately 155 feet east of 22nd Ave N to permit a maximum of ten multi-family residential units, (0.54 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at an overall density of 8.71 dwelling units per acre. *RS5 would permit a maximum of 4 lots for a total of 4 units.*

Proposed Zoning

Specific Plan-Residential 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.

NORTH NASHVILLE COMMUNITY PLAN

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

Supplemental Policy

The 08-T4-NE-01 supplemental policy area is intended to encourage gradual redevelopment over this planning period rather than wholesale change. Design based zoning or an alternative zoning district can help facilitate development in a sensitive manner.

Consistent with Policy?

The proposed SP is consistent with T4 Urban Neighborhood Evolving (T4 NE) policy at this location and is consistent with the 08-T4-NE-01 supplemental policy. T4 Neighborhood Evolving policy encourages moderate density development patterns, improvements to the pedestrian realm, and additional housing choices. This proposal introduces an additional housing choice within the immediate area by proposing detached multi-family units. This plan also proposes a moderate amount of density along a corridor with existing transit. This site is located approximately 200 feet from an existing transit stop at the corner of Herman Street and 22nd Avenue North. The plan also provides a layout and building type that is consistent with the existing character of the immediate area. The layout consists of a compact design appropriate for urban neighborhoods. The proposed detached multi-family building type is similar to other detached multi-family building types located within the immediate area. This plan is consistent with 08-T4-NE-01 as it does not introduce wholesale change to the immediate area but gradually introduces an additional housing option.

PLAN DETAILS

Existing site conditions include two parcels for total of 0.54 acres of land located along Herman Street. One parcel is vacant and the other parcel has a single-family residential structure. This proposal includes ten multi-family residential units, associated parking, onsite storm water mitigation, and sidewalk improvements along Herman Street. Units within the plan are oriented to Herman Street or the centralized courtyard. Units along Herman Street have shallow setbacks consistent with the established character of the neighborhood. The plan provides 21 parking spaces, which is consistent with the requirements of the Metro Zoning Code. Fifteen parking spaces are located in the rear of the site adjacent to the existing alley and six spaces are on street parking spaces along Herman Street. Onsite stormwater mitigation includes pervious pavers for 15 parking spaces and bio-retention areas with associated landscaping located in the center of the site.

This plan provides sidewalk improvements consistent with the Major and Collector Street Plan along site frontage on Herman Street (sidewalks six feet in width). The site has access from an existing alley. This site is served by existing transit service. Landscaping is located along the eastern portion of the site in the form of a Type A-4 buffer and includes a wooden privacy fence six feet in height. The eastern portion of the site abuts an existing single-family residential use. The plan also provides a wooden privacy fence six feet in height along the western portion of the site. The western portion of the site abuts an existing religious institution.

ANALYSIS

This plan provides infill development near the intersection of Herman Street and 22nd Avenue North. Nearby land uses include single-family residential, two-family residential and institutional uses. There are many vacant parcels of land within the immediate area. Single-family residential is the primary land use within the immediate area. The plan

appropriately addresses Herman Street through building orientation and setbacks. Proposed sidewalk improvements will enhance the pedestrian realm by upgrading a portion of the existing sidewalk network to be consistent with standards of the Major and Collector Street Plan.

FIRE DEPARTMENT RECOMMENDATION
Approve

STORMWATER RECOMMENDATION
Approve

WATER SERVICES RECOMMENDATION
Approve with conditions.

- Approved as a Preliminary SP only. The applicant must submit for, and receive approval of, a variance for the proposed shared private sewer system, prior to Final SP approval. This variance package must contain a Letter Of Responsibility, and 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.
- Sidewalks are to be located within dedicated ROW. Submit recorded copy of ROW dedication prior to building permit approval by MPW.

TRAFFIC AND PARKING RECOMMENDATION
Approve with conditions
 • Comply with road comments

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)	0.54	8.71 D	4 U	39	3	5

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 (230)	0.54	-	10 U	87	9	10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+6 U	+48	+6	+5

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 1 Elementary 0 Middle 1 High
Projected student generation proposed SP-R district: 2 Elementary 1 Middle 1 High

The proposed SP zoning district is expected to generate more students than what is typically generated under the existing RS5 zoning district. Students would attend Park Avenue Enhanced Optional Elementary School, McKissack Middle School, and Pearl-Cohn 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.

STAFF RECOMMENDATION

Approve with conditions and disapprove without all conditions.

CONDITIONS (if approved)

1. Permitted uses shall be limited to ten multi-family residential units.

2. Sidewalks shall be installed along Herman Street consistent with standards of the Major and Collector Street Plan (sidewalks 6 feet in width). Provide public access easement for portion of sidewalks not located within public right-of-way.
 3. All internal sidewalks shall be a minimum of five feet (5') in width.
 4. The following design standards shall be added to the plan:
 - Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - EIFS, vinyl siding and untreated wood shall be prohibited.
 - A raised foundation of 18"- 36" is required for all residential structures.
 5. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
 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. If a development standard is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
 8. 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.
 9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
 10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
- 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 and disapproved without all conditions. Consent Agenda (8-0)

Resolution No. RS2018-16

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-014-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

CONDITIONS (if approved)

1. Permitted uses shall be limited to ten multi-family residential units.
2. Sidewalks shall be installed along Herman Street consistent with standards of the Major and Collector Street Plan (sidewalks 6 feet in width). Provide public access easement for portion of sidewalks not located within public right-of-way.
3. All internal sidewalks shall be a minimum of five feet (5') in width.
4. The following design standards shall be added to the plan:
 - Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - EIFS, vinyl siding and untreated wood shall be prohibited.
 - A raised foundation of 18"- 36" is required for all residential structures.
5. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
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. If a development standard is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
8. 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.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan.

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

23. 2018SP-015-001

CAMBRIA SUITES SP

Council District 15 (Jeff Syracuse)

Staff Reviewer: Levi Hill

A request to rezone from IWD to SP-C zoning on property located at 40 Rachel Drive, north of the terminus of Rachel Drive (5.59 acres), to permit two hotels, requested by Arnold Consulting Engineering Services, applicant; Royal Business Partners, owner.

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

APPLICANT REQUEST

Rezone to SP to permit two hotels.

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan-Commercial (SP-C) zoning on property located at 40 Rachel Drive, north of the terminus of Rachel Drive (5.59 acres), to permit two hotels.

Existing Zoning

Industrial Warehousing/Distribution is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures

Proposed Zoning

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

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

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

Consistent with Policy?

Yes, at this location. The property is located within a District Employment Center policy area which is intended to create concentrations of employment with a mixture of commercial, office, and light industrial uses. A portion of the property lies within the Conservation policy area. These areas of conservation are in response to streams that run along the northern and western boundary of the site. The proposed plan locates buildings outside of these areas. Surrounding properties are developed with office, industrial, and institutional uses. Existing transit service is located along Royal Parkway while the nearest MTA stop is located approximately 1,000 feet away at the intersection of Rachel Drive and Royal Parkway. The plan proposes two hotels in proximity to large scale commercial and institutional uses. Additionally, the proposed plan would contribute to employment within the district while servicing other non-residential uses in the greater area, consistent with the goals of the policy.

PLAN DETAILS

The site is located at 40 Rachel Drive, north of the terminus of Rachel Drive. The site is approximately 5.59 acres and is currently undeveloped.

Site Plan

The plan includes two phases consisting of two hotels with associated parking located on separate lots. Phase one is located on the western lot and consists of a 130-room hotel totaling 85,746 square feet. Phase two is located on the eastern lot and consists of a 95-room hotel totaling 43,560 square feet. 162 parking spaces will be provided on-site for phase one 155 parking spaces will be provided on-site for phase two meeting the Metro Zoning Code parking requirements.

Access for both phases is provided by two entrances from Rachel Drive while a private drive network provides internal circulation within the development. The plan proposes a maximum height of 4 floors in 56 feet for both phases. A five foot sidewalk and four foot planting strip shall be installed along the private drive that connects the public road to the hotel to provide a full connection to Rachel Drive. Both internal and perimeter landscaping is proposed.

ANALYSIS

The plan is consistent with the land use policy and preserves the sensitive environmental features of the site. The plan proposes two hotels within the D Employment Center area, which is supported by land use policy. Sidewalks will be provided to create a walkable site and connect to Rachel Drive, creating a pedestrian friendly environment also supported by the D Employment Center.

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. 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.
- If sidewalks are required then they should be shown on the plans per MCSP and MPW standards and specs, within dedicated ROW.

TRAFFIC AND PARKING RECOMMENDATION

Approve with Conditions

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

- Traffic operations at the intersection of Royal Parkway currently exceed the Metro Nashville –Davidson County's policy goal for level of service and will continue to exceed the policy goal for traffic operations after the Rachel Drive Hotels site is complete.
- The future queues for turning movements at the intersection of Royal Parkway and Rachel Drive will be stored within the storage length provided in the existing turn lane. No turn lane extensions will be necessary to accommodate future queues after development of the Rachel Drive Hotels site.
- Pedestrian traffic signal control at the intersection of Royal Parkway and Rachel Drive is not recommended due to the lack of sidewalks on Royal Parkway and Rachel Drive that would incorporate this area into a walkable development area. The only sidewalk present at the intersection of Royal Parkway and Rachel Drive is located on the east side of Rachel Drive south of Royal Parkway.
- The Rachel Drive access serving Hotel A at the Rachel Drive Hotels site should be a Metro Public Works ST-324 driveway ramp with a width of 24 feet of pavement to allow for one egress lane and one ingress lane.
- The Rachel Drive access serving Hotel B at the Rachel Drive Hotels site should be a Metro Public Works ST-324 driveway ramp with a width of 24 feet of pavement to allow for one egress lane and one ingress lane.
- The grading, landscaping, and development signage for the Rachel Drive Hotels site should be designed to provide intersection sight distance for a 25 mph speed per AASHTO guidelines at each of the proposed site access driveways.
- Developer shall refurbish lane markings on Rachel Dr. at intersection with Royal Parkway as necessary. Provide a pavement marking plan with Final SP plans.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.59	0.80	194,800 S.F.	694	120	92

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	5.59	-	225 Rooms	2007	146	142

Traffic changes between maximum: **IWD and SP-C**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-67,100 S.F.	+1,313	+26	+50

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to two hotels with up to a total of 225 rooms.
2. The maximum height of all buildings is limited to 4 stories in 56 feet.
3. A 5 foot sidewalk and a 4 foot planting strip shall be installed along the private drive from Rachel Drive to each phase.
4. Pedestrian connections shall be included from the private drive extending to the parking lot and building
5. Elevations consistent with the approved preliminary SP shall be included with submittal of the final site plan.
6. This approval does not include any signs. There shall be no pole or billboard signs, changeable LED, video signs or similar signs allowing automatic changeable messages. All other signs shall meet the ORI zoning requirements.
7. The requirements for parking established in Section 17.20.030 of the Metro Zoning Ordinance shall be met for all uses with the Final SP.
8. Sidewalks and planting strips consistent with local street standards shall be installed along the Rachel Drive property frontage.
9. Comply with all conditions of Public Works.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI zoning district.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. 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.
15. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

Approved with conditions and disapproved without all conditions. Consent Agenda (8-0)

Resolution No. RS2018-17

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-015-001 is **Approved with conditions and disapproved without all conditions. (8-0)**”

CONDITIONS

1. **Permitted uses shall be limited to two hotels with up to a total of 225 rooms.**
2. **The maximum height of all buildings is limited to 4 stories in 56 feet.**

3. A 5 foot sidewalk and a 4 foot planting strip shall be installed along the private drive from Rachel Drive to each phase.
4. Pedestrian connections shall be included from the private drive extending to the parking lot and building
5. Elevations consistent with the approved preliminary SP shall be included with submittal of the final site plan.
6. This approval does not include any signs. There shall be no pole or billboard signs, changeable LED, video signs or similar signs allowing automatic changeable messages. All other signs shall meet the ORI zoning requirements.
7. The requirements for parking established in Section 17.20.030 of the Metro Zoning Ordinance shall be met for all uses with the Final SP.
8. Sidewalks and planting strips consistent with local street standards shall be installed along the Rachel Drive property frontage.
9. Comply with all conditions of Public Works.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI zoning district.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. 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.
15. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

24. 2018SP-017-001

GLENDALE & SCENIC SP

Council District 25 (Russ Pulley)
Staff Reviewer: Levi Hill

A request to rezone from R20 to SP-R zoning on property located at 1120 Glendale Lane, at the northwest corner of Glendale Lane and Scenic Drive, (19.87 acres), to permit two single-family lots and/or a community education use of up to 200 persons, a religious institution, an orphanage, or a day care center (over 75), requested by Councilmember Russ Pulley, applicant; Monroe Harding Children's Homes, owner.

Staff Recommendation: Defer to the February 22, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018SP-017-001 to the February 22, 2018, Planning Commission meeting. (7-0)

25. 2014NL-002-003

SIMPKINS GROCERY (DEVELOPMENT PLAN REVISION)

Council District 06 (Brett Withers)
Staff Reviewer: Patrick Napier

A request to revise the Simpkins Grocery Neighborhood Landmark Overlay District on property located at 1627 Shelby Avenue, at the northwest corner of South 17th Street and Shelby Avenue, zoned R6 and within the Lockeland Springs - East End Neighborhood Conservation Overlay District (0.11 acres), requested by Austin Bauman, applicant; Eliot Houser, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise a Neighborhood Landmark Development Plan.

Neighborhood Landmark Overlay District

A request to revise the Simpkins Grocery Neighborhood Landmark Development Plan on property located at 1627 Shelby Avenue, at the northwest corner of South 17th Street and Shelby Avenue, zoned One and Two-Family

Residential (R6) and within the Lockeland Springs - East End Neighborhood Conservation Overlay District (0.11 acres).

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. R6 would permit a maximum of 1 lot, permitting one duplex for a total of 2 units.

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. The approved Development Plan permits a retail use and a single-family residential unit.

HISTORY

Metro Council approved a Neighborhood Landmark Overlay district on the property on March 27, 2014. Subsequently, the Metro Planning Commission approved a Development Plan for the property. The Development Plan allowed for a retail use limited to 733 square feet and a single-family residential unit. The hours of operation were specified as well as limitations on signage.

PLAN DETAILS

The purpose of the Neighborhood Landmark is to preserve and protect neighborhood features that are important to maintain and enhance the neighborhood character. The applicant is proposing to revise the currently approved Development Plan in regards to hours of operation and signage. The permitted use as outlined in the approved Development Plan remains unchanged. The Metro Code provides the criteria for revising a Development Plan within a neighborhood Landmark Overlay district in section 17.40.160.L, Changes to a Neighborhood Landmark Development Plan. The proposed modification would be a major modification.

Hours of Operation

Currently, the approved hours of operation are Tuesday and Thursday through Saturday from 11 a.m. to 8 p.m. The proposed hours of operation are Tuesday through Sunday as follows: Tuesday through Friday from 10 am to 6 pm; Saturday from 10 am to 4 pm; and Sunday from noon to 4 p.m. Staff finds the operating hours to be appropriate.

Signage

At the time of approval of the Neighborhood Landmark Overlay District approval there was no existing signage on the building. The approved Development Plan included the recreation of the Coco-Cola sign and signage on the front of the façade. The applicant is proposing to change only the signage on the front façade as demonstrated below. The proposed signage would be hand painted and consistent in size with the currently approved signage.

Per the Metro Zoning Code, any signage within a Neighborhood Landmark Overlay District shall be consistent with the context, scale, and character of the neighborhood and should take into consideration the scale and massing of the building. Staff finds that the proposed signage is consistent with the size and type of the previously approved signage and is appropriate for the building.



Existing front façade signage



Proposed front façade signage

ANALYSIS

With the ability to adaptively reuse the site, improvements and maintenance to the structure can be made and any impacts a commercial use may have on the adjoining properties can be mitigated. Staff recommends the revision to the development plan be approved as the requested changes preserve the integrity of the existing structure and are

consistent with the criteria within the Metro Code and are in keeping with the intent of the previously approved Development Plan.

FIRE MARSHALL
N/A

HISTORIC ZONING COMMISSION
N/A

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. Final design may vary based on field conditions.

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions of the revision to the Development Plan.

CONDITIONS

1. Building signage shall be limited as shown on the submitted drawing. No additional signage, including temporary signage, is permitted.
2. No illumination is permitted for exterior signage.
3. Hours of operation shall be limited as follows:
 - Tuesday through Friday: 10 am to 6 pm
 - Saturday: 10 am to 4 pm
 - Sunday: 12 pm to 4 pm

Ms. Milligan presented the staff recommendation of approval with conditions.

Austin Bauman, 1629 Shelby Ave, spoke in favor of the application.

David Bethuy, 1901 Shelby Ave, spoke in favor of the application.

Kathryn McDonald, 717 S 12th St, spoke in favor of the application. The neighborhood needs more local shops that people can walk and bike to. This will be a real asset to the neighborhood.

Victoria Cumbon, 1003 Davidson, spoke in favor of the application and noted that this will reduce traffic in the area.

Sadie Cooper, 603 S 15th St, spoke in favor of the application due to the walkability to local businesses. This will be very beneficial to the neighborhood.

Janelle Siebrandt, 1901 Shelby Ave, spoke in favor of the application.

William Kirkmon, 1520 Holly St, spoke in favor of the application as it will help decrease traffic and enhance the neighborhood.

Brent Gillespy, 1807 Lillian St, spoke in favor of the application as it will promote a healthy neighborhood and reduce traffic.

Julia Gilinets, 1807 Lillian St, spoke in favor of the application.

Edwin Willmore, 1626 Shelby Ave, spoke in opposition to the proposed Sunday hours of operation.

Kris Mumford, 406 S 17th St, spoke in opposition because this for a retail use, not just a bike shop.

ML Sandoz, 1808 Fatherland St, spoke in opposition to the application; a decision should be made on general retail, not just a bike shop.

Mr. Bauman explained that if they could be successful and open less hours, they would.

Chairman Adkins closed the Public Hearing.

Ms. Farr spoke in favor of the application; getting more services and people into the neighborhood is important.

Dr. Bichell spoke in favor of the application. The Sunday hours of operation are reasonable and it won't add any extra traffic beyond what the church brings in.

Mr. Tibbs spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions. (7-0)

Resolution No. RS2018-18

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014NL-002-003 is **Approved with conditions. (7-0)**"

CONDITIONS

- 1. Building signage shall be limited as shown on the submitted drawing. No additional signage, including temporary signage, is permitted.**
- 2. No illumination is permitted for exterior signage.**
- 3. Hours of operation shall be limited as follows:**
 - **Tuesday through Friday: 10 am to 6 pm**
 - **Saturday: 10 am to 4 pm**
 - **Sunday: 12 pm to 4 pm**

26. 2007S-172-001

CLAIRMONT VILLAGE

Council District 28 (Tanaka Vercher)
Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create up to 45 clustered lots on property located at Moss Road (unnumbered), north of the terminus of Ottenville Avenue, zoned RS7.5 (9.87 acres), requested by Lukens Engineering Consulting, applicant; VMA Real Estate, LLC, owner.

Staff Recommendation: Approve with conditions.

The Metropolitan Planning Commission deferred 2007S-172-001 to the January 25, 2018, Planning Commission meeting. (8-0)

27. 2017S-217-001

OLD HICKORY CROSSING SUBDIVISION

Council District 31 (Fabian Bedne)
Staff Reviewer: Latisha Birkeland

A request for concept plan approval to create up to 108 single-family lots on properties located at Old Hickory Boulevard (unnumbered), at the northeast corner of Old Hickory Boulevard and Legacy Drive, zoned RS10 (34.06 acres), requested by Batson and Associates, applicant; Randall Smith and Corey Craig, owners.

Staff Recommendation: Defer to the February 8, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2017S-217-001 to the February 8, 2018, Planning Commission meeting. (7-0)

28. 2017S-248-001

2230 FOX AVENUE SUBDIVISION

Council District 16 (Mike Freeman)
Staff Reviewer: Abbie Rickoff

A request for final plat approval to create two lots on properties located at 2230 Fox Avenue, at the northeast corner of Rose Street and Fox Avenue, zoned RS5 (0.26 acres), requested by Marty Cantrell, applicant; Timothy B. Cothran, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

A request for final plat approval to create two lots on properties located at 2230 Fox Avenue, at the northeast corner of Rose Street and Fox Avenue, zoned Single-Family Residential (RS5) (0.26 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 2 lots, based on the acreage only. However, application of the Subdivision Regulations may result in fewer lots on this property.*

SOUTH NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

PLAN DETAILS

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This request is for final plat approval to create two lots where two parcels currently exist at the corner of Rose Street and Fox Avenue, west of Foster Avenue and approximately 220 feet south of Interstate-440. The 0.258-acre site previously contained a single-family dwelling, which was recently demolished. An existing alley is located behind the lots nearest the eastern property line.

Section 3-5.2 of the Subdivision Regulations requires that newly created lots in areas that are previously subdivided and predominately developed must be comparable to the surrounding lots in regards to frontage and area. Neither of the proposed lots meet the compatibility requirements for frontage and area. The applicant requests approval under Section 3-5.2(f) of the Subdivision Regulations, under which the Planning Commission may grant approval of a subdivision that does not meet the compatibility criteria if the subdivision can provide for harmonious development within the community.

Background

Prior to June 2017, the site contained two legal parcels:

- Parcel 232 (proposed Lot 1): 7,500 SF and 50 feet of frontage
- Parcel 231 (proposed Lot 2): 3,750 SF and 25 feet of frontage

In June 2017, a portion of Parcel 231 was conveyed to Parcel 232 through recordation of a deed, rather than through a final plat. The 2017 deed resulted in two equally sized but unbuildable parcels, each approximately 5,600 SF and 37.5 feet of frontage.

The applicant is now requesting final plat approval to create two legal lots:

- Lot 1: 6,000 SF and 40 feet of frontage
- Lot 2: 5,250 SF and 35 feet of frontage

The total site area (approximately 11,250 SF) and frontage (75 feet) remains unchanged from when the parcels were legally established, prior to the 2017 deed recordation.

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

Both proposed lots have frontage on a public street.

Community Character

Section 3-5.2.d of the Subdivision Regulations requires that newly created lots in areas that are previously subdivided and predominately developed must be comparable to the surrounding lots in regards to frontage, area, setback, and orientation. For the purposes of this analysis, "surrounding parcels" is defined by the Subdivision Regulations as the five R, RS, AR2A, or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less.

1. 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. Along Fox Avenue, lots created must have frontage at least equal to 50 feet. The proposed lots have 40 feet of frontage (lot 1) and 35 feet of frontage (lot 2), and do not meet compatibility requirements for frontage.

Lot 1 Frontage	
Proposed Frontage	40 ft.
Minimum Frontage	50 ft.
70% Average	43.75

Lot 2 Frontage	
Proposed Frontage	35 ft.
Minimum Frontage	50 ft.
70% Average	43.75 ft.

2. 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. Along Fox Avenue, the proposed lots must be equal to or greater than approximately 7,574 square feet (0.17 acres). The proposed lots are 6,000 square feet (Lot 1) and 5,250 square feet (Lot 2), and do not meet compatibility requirements for area.

Lot 1 Size	
Proposed Size	6,000 SF
Minimum Size	7,574 SF
70% Average	6,559 SF

Lot 2 Size	
Proposed Size	5,250 SF
Minimum Size	7,574 SF
70% Average	6,559 SF

2. Street setbacks: Future structures would have to comply with setbacks as established by Metro Zoning Code.

3. Lot orientation: Orientation of the proposed lots shall be consistent with the surrounding parcels. Lots 1 and 2 front Fox Avenue and are consistent with the surrounding parcels.

Analysis

Based on the Subdivision Regulation’s definition of surrounding lots, neither of the proposed lots meets the frontage or area requirements of the surrounding lots. The applicant requests approval under Section 3-5.2 of the Subdivision Regulations, which states that when surrounding parcels do not exist, or do not meet the criteria to be used in the analysis, the Planning Commission may grant an exception to the compatibility requirement by considering whether the subdivision can provide for the harmonious development of the community.

In this case, staff evaluated the site’s configuration and neighborhood context in order to determine the development implications on the surrounding development pattern. While zoning entitlements would have permitted a single-family dwelling on each parcel, staff considered the development pattern of this site under previous conditions and under the proposed plan.

Staff considered the existing block pattern and road network, surrounding development context, and additional standards that are being proposed with this subdivision, and concluded that, in this case, the proposed subdivision would provide for more harmonious development by resulting in two more uniformly-spaced lots that exceed the minimum lot size requirement of 5,000 square feet.

Based on the Subdivision Regulation’s criteria for determining compatibility, the proposed lots do not meet area or frontage requirements. The Planning Commission may grant approval if it determines that the subdivision provides for harmonious development of the community. The applicant has proposed additional conditions to attempt to meet the harmonious development provision, including limiting height to a maximum of 2 stories in 30 feet, limiting access to the rear alley only, and requiring raised foundation on all residential structures. These additional standards would not have been required if the parcels had developed independently. On balance, given the proposed conditions and the parcel configuration, staff finds the proposed plat to be harmonious and recommends approval.

FIRE MARSHAL RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Approve

PUBLIC WORKS RECOMMENDATION
Approve

TRAFFIC AND PARKING RECOMMENDATION
Approve

WATER SERVICES RECOMMENDATION
Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Correct Note #20: No parking shall be permitted between the primary structure and the street. Vehicular access for Lot 1 and Lot 2 shall be provided from the rear alley only.
2. Height shall be limited to a maximum of two stories in 30 feet measured to the roofline.
3. A raised foundation of 18 inches to 36 inches is required for all residential structures.
4. The 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.
5. A corrected copy of the final plat incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to plat recordation.

Approved with conditions. Consent Agenda (8-0)

Resolution No. RS2018-19

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017S-248-001 is **Approved with conditions. (8-0)**”

CONDITIONS

1. **Correct Note #20: No parking shall be permitted between the primary structure and the street. Vehicular access for Lot 1 and Lot 2 shall be provided from the rear alley only.**
2. **Height shall be limited to a maximum of two stories in 30 feet measured to the roofline.**
3. **A raised foundation of 18 inches to 36 inches is required for all residential structures.**
4. **The 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.**
5. **A corrected copy of the final plat incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to plat recordation.**

29. 2017S-263-001

DRY FORK CREEK SUBDIVISION RESUB OF LOT 4

Council District 01 (Nick Leonardo)

Staff Reviewer: Gene Burse

A request for final plat approval to shift lot lines on properties located at 4881 and 4891 Clarksville Highway, approximately 180 feet southeast of Lloyd Road, zoned RS15 (2.36 acres), requested by Clint T. Elliott Surveying, applicant; Richard and Hamby Priester and Michael and Ruth Stewart, owners.

Staff Recommendation: Defer to the January 25, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2017S-263-001 to the January 25, 2018, Planning Commission meeting. (7-0)

30. 2017S-271-001

JENKINS PROPERTY

Council District 33 (Antoinette Lee)

Staff Reviewer: Latisha Birkeland

A request for concept plan approval to create up to 430 lots on properties located at 4309, 4335 and 4381 Maxwell Road, south of the terminus of Flagstone Drive, zoned RS10 (117.28 acres), requested by James Cooley, applicant; Donald and Maud Jenkins, owners.

Staff Recommendation: Defer to the February 8, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2017S-271-001 to the February 8, 2018, Planning Commission meeting. (7-0)

31. 2013UD-002-011
CHECKERS & 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 and final site plan approval on property located at 2827 Murfreesboro Pike, at the corner of Murfreesboro Pike and Hamilton Church Road, zoned CS and within the Murfreesboro Pike Urban Design Overlay District (2.47 acres), to permit a restaurant, requested by Kimley-Horn, applicant; CH-2827 Murfreesboro Pike Nashville TN, LLC, owner.

Staff Recommendation: Approve with conditions the request to modify façade width and required sidewalk widths.

APPLICANT REQUEST

Modification of the facade width and sidewalk standards of the Murfreesboro Pike Urban Design Overlay.

UDO Major Modification

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 Commercial Services (CS) (2.47 acres), to permit a modification of the facade width and modification of the required sidewalk widths.

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 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 project proposes two quick service restaurants with drive-thru lanes, which is consistent with allowable uses permitted under Commercial Services District.

BACKGROUND

On May 11, 2017, the Planning Commission unanimously approved with conditions a related project, Case #2013UD-002-009, a modification to the façade width and MCSP sidewalk widths for a Taco John's restaurant. Since then, the applicant has added a Checkers restaurant and relocated Taco John's to the rear of the site. This change altered the previously approved plan and therefore the applicant is required to submit a separate final site plan application. The modifications requested as part of the current final site plan application are generally consistent with those in the previously approved final site plan application.

ANALYSIS

The applicant is requesting modifications to the façade width and sidewalk width requirements of the UDO. Overall, the proposed project is consistent with the intent of the UDO to foster suburban development that is pedestrian friendly while still accommodating for market needs. The site provides sidewalks along the street frontages, accommodates various transit modes, including buffered bike lanes and vehicles, along Murfreesboro Pike, and is adequately landscaped.

Façade Width

The UDO requires that 45% of the buildable lot frontage be occupied by a building facade. For Checkers, the total lot frontage along Murfreesboro Pike is approximately 377 ft. The non-buildable frontage, including all combined sanitary sewer, gas, and stormwater easements, equates to 231 ft. and the remaining buildable frontage is 146 ft. A 45% façade width would equate to a building that is approximately 65 ft. wide. The applicant is proposing a building façade width of 40 ft.

For Taco John's, the total lot frontage along Hamilton Crossings is approximately 145 ft. The non-buildable frontage, including all access easements, equates to 40 ft and the remaining buildable frontage is 105 ft. A 45% façade width would equate to a building that is approximately 47 ft. wide. The applicant is proposing a building façade width of 38 ft.

Given the building type and use as a quick service restaurant, the required façade width does not appear to be realistically achievable in this instance due to the excessive lot size in addition to the numerous easements present on the lot, which prohibit buildable frontage. 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 including appropriate amount of glazing and dining area along the street.

Additionally, Planning staff worked with the applicant so that the proposed layout decreases 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 whereas pedestrian entry and access occurs toward the front of the building along Murfreesboro Pike.

Sidewalk Width

The site contains a number of physical barriers that prevent the applicant from meeting the full MCSP required dimensions. Planning staff has coordinated with metro agencies to achieve a design alternative to provide a continuous sidewalk along all public right-of-way. The property is bounded by three public streets along the north, east, and west of the site with approximately 393 feet of frontage along Murfreesboro Pike, 220 feet along Hamilton Church Road and 250 feet along Hamilton Crossing. The current proposal as outlined below is consistent with the plan previously approved by the Planning Commission.

Specifically, along Hamilton Church Road, the MCSP requires a 6 foot planting strip and 8 foot clear sidewalk. Physical barriers, including a culvert and drainage ditch, impede the construction of the required 14 foot streetscape. The applicant proposes an alternative design - a 2 foot planting strip and 5 foot sidewalk for approximately 150 linear feet. 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 project complies with the MCSP required streetscape along the entirety of street frontage with the exception of a 20 ft. segment with reduced planting strip width. The presence of several existing structures, including a billboard, overhead electric lines and utility poles, impede the construction of the required 14 foot streetscape. Because this segment forms an extension of sidewalk from the cross walk at the lighted intersection of Murfreesboro Pike and Hamilton Church Road, the impact of reducing the planting strip appears minor where vehicles will generally be reducing speeds and stopping at the stoplight. Along Hamilton Crossing, the project complies with the MCSP streetscape standard along the entirety of street frontage and therefore no request for a modification is needed.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

- The Grading & Drainage plan is approved. Approved (updated) plans need to be submitted to Planning if they haven't already.

WATER SERVICES RECOMMENDATION

Approve with conditions

- As construction plans have been approved, and match the latest Final Site Plan/UDO revision (stamped received 12/19/17), MWS recommends approval, on the following condition: 1) Approval does not apply to private water and

sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits, before their construction may begin.

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.
- All work completed within the Murfreesboro Pike ROW requires a permit from TDOT. Submit copy to MPW prior to commencement of work within the ROW.
- Sidewalks are to be ADA compliant post construction, may require relocation of guy wires at existing power poles.

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions for the request to modify the façade width and sidewalk standards.

CONDITIONS

1. Building permits shall be consistent with any approved modifications granted, and shall comply with all unmodified UDO standards.
2. Dedication of cross-access easement shall be recorded with the Register of Deeds prior to issuance of a building permit.

Approved with conditions the request to modify façade width and required sidewalk widths. Consent Agenda (8-0)

Resolution No. RS2018-20

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-011 is **Approved with conditions. (8-0)**”

CONDITIONS

1. Building permits shall be consistent with any approved modifications granted, and shall comply with all unmodified UDO standards.
2. Dedication of cross-access easement shall be recorded with the Register of Deeds prior to issuance of a building permit.

32. 2018Z-001PR-001

Council District 26 (Jeremy Elrod)
Staff Reviewer: Gene Burse

A request to rezone from OR20 to SCR zoning for a portion of property located at 4095 B Nolensville Pike, approximately 470 feet north of the intersection of Nolensville Pike and Harding Place (2.75 acres), requested by Nolen Harding Properties, LLC, applicant; SSI Nolensville, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from OR20 to SCR.

Zone Change

A request to rezone from Office/Residential (OR20) to Shopping Center Regional (SCR) zoning for a portion of property located at 4095 B Nolensville Pike, approximately 470 feet north of the intersection of Nolensville Pike and Harding Place (2.75 acres).

Existing Zoning

Office Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 55 units.*

Proposed Zoning

Shopping Center Regional (SCR) is intended for high intensity retail, office, and consumer service uses for a regional market area.

SOUTHEAST COMMUNITY PLAN

T4 Urban Community Center (T4 CC) is intended to maintain, enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5 minute drive or a 5 to 10 minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

Consistent with Policy?

Yes. The proposed rezoning is consistent with the T4 Urban Community Center policy as it allows for additional services that meet the daily needs of residents within adjacent neighborhoods. The site is located in an area that has a concentration of existing commercial uses within a Nashville Next designated First Tier Center. The redevelopment of the site will provide opportunities for a diversity of uses such as commercial, mixed use, and office within the immediate area. This request creates an opportunity for urban development that fills in gaps in areas served by existing infrastructure.

ANALYSIS

The proposal is to rezone a 2.75 acre portion of an existing 4.07 acre parcel located on the west side of Nolensville Pike, approximately 470 feet north of Harding Place. A portion of the property is currently zoned SCR while the portion covered by this application is zoned OR20. Nolensville Pike has existing MTA service, and an MTA stop is located at the intersection of Nolensville Pike and Harding Place approximately 600 feet south of the site. Nolensville Pike is identified as a high capacity corridor per the Major and Collector Street Plan and is slated for future transportation improvements including light rail. The site is adjacent to existing commercial uses that abut to the north and south as well as an existing single-family residential area to the west. The site is accessed from Nolensville Pike. This site currently contains an existing auto repair/body shop which is located in the eastern portion of the site along Nolensville Pike. Improvements along Nolensville Pike consistent with standards of the Major and Collector Street Plan will be required at the time of development.

The intent of the policy is to maintain, enhance, and create urban community centers with development or redevelopment that provides a mix of uses and services to meet the needs of the larger surrounding urban area. Rezoning this portion of the parcel to Shopping Center Regional (SCR) will provide an opportunity for this site to achieve the intent of the policy.

Due to a clerical error, notice of the public hearing was not mailed on the date required by the Planning Commission Rules and Procedures. However, signs were posted according procedure and the notice of public hearing was mailed seven days prior to the date of the public hearing. Therefore, staff recommends suspension of the rules regarding public notice mailing.

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: **OR20**

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)	1.5	-	30 U	306	19	35

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)	1.25	0.8 F	43,560 S.F.	704	97	128

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.75	1.0	119,790 S.F.	7637	172	718

Traffic changes between maximum: **OR20 and SCR**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+6,627	+56	+555

STAFF RECOMMENDATION

Staff recommends approval as the request is consistent with the T4 Urban Community Center policy of the Southeast Community Plan area.

Approved. Consent Agenda (8-0)

Resolution No. RS2018-21

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-001PR-001 is **Approved. (8-0)**”

33. 2018Z-002PR-001

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

A request to rezone from IWD to RM20-A zoning for property located at 849 Cherokee Ave, approximately 1,800 feet east of Jones Ave (0.40 acres), requested by Rhythm Homes and Development, LLC, applicant; Larry King, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Zone change from IWD to RM20-A.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Multi-Family Residential – Alternative (RM20-A) zoning for property located at 849 Cherokee Ave, approximately 1,800 feet east of Jones Ave (0.40 acres).

Existing Zoning

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

Proposed Zoning

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 8 units.*

EAST NASHVILLE COMMUNITY PLAN

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

Consistent with Policy?

The proposed zone change is consistent with policy, which is intended to enhance urban neighborhoods by providing a diversity of housing in mixed use areas. The proposed zoning is more consistent with policy than the existing industrial zoning. Cherokee Avenue contains mixed residential, non-residential, and vacant land uses where additional residential units may be supported by the surrounding development pattern. The site is located in an area

of T4 MU policy that is adjacent to Neighborhood Evolving policy (north and south). The site is located south of E. Trinity Lane, which is identified by NashvilleNext as a high capacity transit corridor that transitions to a Tier 2 Center near Ellington Parkway. NashvilleNext identifies this site as a transition or infill area, where higher density housing is appropriate along and around corridors and centers to provide a harmonious connection to surrounding neighborhoods. Rezoning from IWD to RM20-A will allow the site to redevelop in a manner that is consistent with the policy and the surrounding context.

ANALYSIS

The site is located on the north side of Cherokee Avenue, west of Ellington Parkway and north of Chickasaw Avenue. The 0.40-acre parcel is vacant. The existing land use pattern along the block contains a mixture of industrial, commercial, institutional, office, and residential development.

The requested rezoning from IWD to RM20-A creates potential for redevelopment that is consistent with T4 MU policy. T4 MU policy was purposefully applied to this area with the adoption of NashvilleNext to encourage development that is compatible with the surrounding area. The RM20-A zoning district supports moderate-intensity residential development that contributes to the mixed-use development pattern along the block. Rezoning to a non-industrial zoning district encourages less intense land uses in an area which is envisioned to become primarily mixed use, consistent with the policy and surrounding context. Multi-family residential development at the site will provide additional housing opportunities in proximity to non-residential land uses, bringing the site closer to the goals of the policy by enhancing and creating urban mixed use neighborhoods.

The RM20-A district includes standards for development including the location of a building and its associated parking, and minimum foundation, glazing, and façade requirements. Rezoning to an alternative zoning district will ensure that future development is consistent with the T4 Mixed Use Neighborhood policy and with the surrounding context. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

FIRE MARSHAL RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

TRAFFIC AND PARKING RECOMMENDATION

Approved with conditions

- Traffic study may be required at the time of development.

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.40	0.8 F	13,939 S.F.	50	28	17

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)	0.40	-	8 U	54	5	5

Traffic changes between maximum: IWD and RM20-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+4	-23	-12

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed RM20-A district: 3 Elementary 1 Middle 1 High

The proposed zoning is expected to generate 5 additional students beyond the existing zoning. Students would attend Tom Joy 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.

STAFF RECOMMENDATION

Staff recommends approval with conditions as the request is consistent with the T4 Urban Mixed Use Neighborhood policy.

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

Approved with conditions. Consent Agenda (8-0)

Resolution No. RS2018-22

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-002PR-001 is **Approved with conditions. (8-0)**”

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

34. 2018Z-003PR-001

Council District 17 (Colby Sledge)
Staff Reviewer: Levi Hill

A request to rezone from R6 to OR20-A zoning for property located at 754 Lynwood Avenue, approximately 145 feet west of Ridley Blvd (0.15 acres), requested by Dana Hardy and Cynthia Lucas, applicants and owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Zone change from R6 to OR20.

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Office/Residential-Alternative (OR20-A) zoning on property located at 754 Lynwood Avenue, approximately 145 feet west of Ridley Blvd (0.15 acres).

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 1 duplex lot for a total of 2 units.*

Proposed Zoning

Office/Residential (OR20-A) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *OR20-A would permit a maximum of 3 units.*

GREEN HILLS - MIDTOWN COMMUNITY PLAN

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

Consistent with Policy?

Yes. The rezoning permits a mixture of uses, including residential and office, consistent with the T4 MU policy. The site is approximately 300 feet from 8th Avenue South, an arterial in the Major and Collector Street Plan and features existing MTA service. The site has high levels of connectivity including an existing alley network. The proposed rezoning brings the property closer to the goals of the policy by encouraging mixed use development with higher density residential or office uses located in proximity to an arterial boulevard.

ANALYSIS

This requested rezoning to OR20-A is consistent with the surrounding land uses and land use policies of the area. The property is located on approximately 0.15 acres on the north side of Lynwood Avenue, approximately 300 feet east of 8th Avenue South. The site currently contains a single-family residence while surrounding properties to the east and west are also developed with single-family uses. Surrounding property to the north is developed with an existing financial office while property immediately across Lynwood Avenue is vacant. The proposed rezoning allows for redevelopment or reuse of property that has existing infrastructure in a way that enhances the mixed use neighborhood and meets the goals of the policy. The bulk and building placement standards associated with OR20-A zoning ensure mixed-use development that addresses the pedestrian realm and limits the amount of parking between the building and the street. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

**FIRE MARSHAL RECOMMENDATION
N/A**

**PUBLIC WORKS RECOMMENDATION
N/A**

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.15	7.26 D	1 U	10	1	2

Maximum Uses in Proposed Zoning District: **OR20-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)	0.15	-	3 U	20	2	2

Traffic changes between maximum: **R6 and OR20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+10	+1	-

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed OR20-A district: 0 Elementary 0 Middle 0 High

The proposed zoning is expected to generate no more students beyond the existing zoning. Students would attend Waverly-Belmont Elementary School, J.T. Moore Middle School, and Hillsboro 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.

STAFF RECOMMENDATION

Staff recommends approval with conditions as the request is consistent with the T4 Mixed Use Neighborhood policy.

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

Approved with conditions. Consent Agenda (8-0)

Resolution No. RS2018-23

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-003PR-001 is **Approved with conditions. (8-0)**”

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

35. 2018Z-007PR-001

BL2018-1051

Council District 19 (Freddie O'Connell); 21 (Ed Kindall)

Staff Reviewer: Shawn Shepard

A request to remove the adult entertainment overlay for various properties located east of 21st Ave N, (178.12 acres), requested by Councilmember Erica Gilmore, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change to remove the adult entertainment overlay.

Zone Change

A request to remove the adult entertainment overlay for various properties located east of 21st Ave N, (178.12 acres).

Existing Zoning

Adult Entertainment Overlay (AEO) is intended to provide adequate locational opportunities for adult entertainment establishments within the downtown area of Nashville and Davidson County while reasonably directing such uses to locations that minimize disruption both to the general community and specific land uses identified in Section 17.36.260 of the Metro Zoning Ordinance.

Proposed Zoning

The proposal is to remove the AEO from the subject properties, as indicated on the map below. The existing base zoning districts applicable to each property will not change as a result of this proposal.

NORTH NASHVILLE COMMUNITY PLAN

GREEN HILLS – MIDTOWN COMMUNITY PLAN

Existing Policies

The area proposed for removal of the AEO includes properties located within numerous land use policies. The majority of the area is within the T5 Center Mixed Use Neighborhood (T5 MU) policy, which is intended to maintain, enhance and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas of Davidson County and include some of Nashville's major employment centers such as Midtown. Small clusters of properties primarily located along the perimeter of the area proposed for removal of the overlay are within the T4 Urban Mixed Use Corridor, District Major Institutional, Civic, and Open Space policy areas.

Consistent with Policy?

The AEO is intended to provide adequate locational opportunities for adult entertainment establishments within the downtown area of Nashville and Davidson County. The AEO currently applies to the majority of the downtown core where the applicable land use policies are primarily in the T6 Downtown transect. The area proposed to be removed from the overlay is separated from the rest of the overlay area by Interstate 40, which also serves as the boundary between T6 Downtown transect policy areas and T5 Center policy areas in Midtown. Unlike the T6 transect, which places priority on an intense mixture of all types of uses including commercial, office, governmental, residential, retail and entertainment, the T5 transect is characterized as predominantly residential. The portion of Midtown affected by this proposal has seen an increase in multi-family residential development alongside or vertically integrated with non-residential uses, consistent with the goals of the predominant T5 MU policy. Given the emphasis on residential in the T5 and T4 MU policies applicable in this area, removal of the AEO is appropriate. The AEO will remain in place on properties within the T6 transect, where a more diverse mix of uses is prioritized and appropriate, providing adequate locational opportunities.

BACKGROUND

The Metro Council adopted the current Adult Entertainment Overlay (AEO) district as part of the 1998 Zoning Code rewrite. Adult entertainment uses are permitted by right in the Mixed Use Intensive (MUI and MUI-A), Core Frame (CF), Downtown Code (DTC), and Industrial zoning districts on properties within the AEO. The AEO also establishes locational standards for these uses within the overlay based on minimum separation distances between adult uses and certain sensitive uses. The AEO specifies that adult entertainment uses shall not be located within 500 feet of a religious institution, a facility engaged primarily in community education, a day care center or home day care, a college or university, or a park. These sensitive uses are ones where large numbers of children and adults may congregate, assemble, or visit for learning, studying, and contemplative thought. To ensure the public health, safety,

and welfare of Nashville residents and visitors, these sensitive uses are afforded a physical separation as a buffer from adult entertainment uses. Adult entertainment uses are also not permitted within a redevelopment district unless the district specifically authorizes adult uses as a permitted land use, and no adult entertainment use shall locate within 150 feet of any other adult entertainment establishment.

In 2005, Metro Council approved a text amendment to the zoning code to modify the names of some of the sensitive uses to more closely correspond with land uses and definitions in the Metro Zoning Ordinance and to add day care center or home day care as a sensitive use. The existing boundary of the AEO has not been modified since its initial adoption in 1998.

FINDINGS

In approving the existing overlay, Metro Council made the following findings, which are relevant to analysis of the current proposal:

Findings. Based on evidence of the adverse secondary effects of adult uses presented in committee meetings and in reports made available to the Metropolitan Council, and on findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, L.L.C.*, 124 S.Ct. 2219 (June 7, 2004); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *Pap's A.M. v. City of Erie*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 426 U.S. 50 (1976); *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *California v. LaRue*, 409 U.S. 109 (1972); and *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Brandywine, Inc. v. City of Richmond*, 359 F.3d 830 (6th Cir. 2004); *Currence v. City of Cincinnati*, 2002 U.S. App. LEXIS 1258; *Broadway Books v. Roberts*, 642 F.Supp. 486 (E.D. Tenn. 1986); *Bright Lights, Inc. v. City of Newport*, 830 F.Supp. 378 (E.D. Ky. 1993); *Richland Bookmart v. Nichols*, 137 F.3d 435 (6th Cir. 1998); *Richland Bookmart, Inc. v. Nichols*, 278 F.3d 570 (6th Cir. 2002); *Center for Fair Public Policy v. Maricopa County*, 336 F.3d 1153 (9th Cir. 2003); *Deja vu v. Metro Government*, 1999 U.S. App. LEXIS 535 (6th Cir. 1999); *Bamon Corp. v. City of Dayton*, 7923 F.2d 470 (6th Cir. 1991); *Triplett Grille, Inc. v. City of Akron*, 40 F.3d 129 (6th Cir. 1994); *O'Connor v. City and County of Denver*, 894 F.2d 1210 (10th Cir. 1990); *Deja vu of Nashville, Inc., et al. v. Metropolitan Government of Nashville and Davidson County*, 274 F.3d 377 (6th Cir. 2001); *Z.J. Gifts D-2, L.L.C. v. City of Aurora*, 136 F.3d 683 (10th Cir. 1998); *ILQ Investments, Inc. v. City of Rochester*, 25 F.3d 1413 (8th Cir. 1994); *Threesome Entertainment v. Strittmather*, 4 F.Supp.2d 710 (N.D. Ohio 1998); *Bigg Wolf Discount Video Sales, Inc. v. Montgomery County*, 256 F. Supp. 2d 385 (D. Md. 2003); *Kentucky Restaurant Concepts, Inc. v. City of Louisville and Jefferson County*, 209 F.Supp.2d 672 (W.D. Ky. 2002); *Restaurant Ventures v. Lexington-Fayette Urban County Gov't*, 60 S.W.3d 572 (Ct. App. Ky. 2001); *World Wide Video of Washington, Inc. v. City of Spokane*, 368 F.3d 1186 (9th Cir. 2004); *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); and based upon reports concerning secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Austin, Texas - 1986; Indianapolis, Indiana - 1984; Garden Grove, California - 1991; Houston, Texas - 1983, 1997; Phoenix, Arizona - 1979, 1995-98; Chattanooga, Tennessee - 1999-2003; Minneapolis, Minnesota - 1980; Los Angeles, California - 1977; Whittier, California - 1978; Spokane, Washington - 2001; St. Cloud, Minnesota - 1994; Littleton, Colorado - 2004; Oklahoma City, Oklahoma - 1986; Dallas, Texas - 1997; Greensboro, North Carolina - 2003; Amarillo, Texas - 1977; New York, New York Times Square - 1994; and the Report of the Attorney General's Working Group On The Regulation Of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota), the Metropolitan Council finds:

- (1) Sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, illicit drug use and drug trafficking, negative impacts on property values, urban blight, litter, and sexual assault and exploitation.
- (2) a 1984 Indianapolis study and a 1986 Oklahoma City study evidence that the adverse secondary effects associated with sexually oriented businesses extend to off-site or retail-only sexually oriented businesses.
- (3) Sexually oriented businesses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other sexually oriented businesses, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of sexually oriented businesses in one area.
- (4) Each of the foregoing negative secondary effects constitutes a harm which the Metropolitan Government has a substantial government interest in preventing and/or abating. This substantial government interest in preventing secondary effects, which is the Metropolitan Government's rationale for this ordinance, exists independent of any comparative analysis between sexually oriented and non-sexually oriented businesses. Additionally, the Metropolitan Government's interest in regulating sexually oriented businesses extends to preventing future secondary effects of either current or future sexually oriented businesses that may locate within the jurisdiction of the

Metropolitan Government. The Metropolitan Government finds that the cases and documentation relied on in this article are reasonably believed to be relevant to said secondary effects.

ANALYSIS

Adult entertainment uses are considered a protected form of free speech under the United States Constitution. Hence, any restrictions on this speech must be narrowly tailored to serve a substantial government interest. Specifically, the United States Supreme Court has held that the First Amendment requires only that the government “refrain from effectively denying respondents a reasonable opportunity to open and operate an adult theater within the city.” *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986). The current proposal is to remove the AEO from approximately 767 parcels located west of Interstate 40 in the Midtown area. Removal of the AEO would render these parcels ineligible for adult entertainment uses, as location within the overlay is the first criteria to be met when identifying an available parcel for such a use.

The intent of the AEO is to ensure adequate opportunities for adult entertainment establishments to locate within Nashville and Davidson County. To determine how the proposed change to the overlay boundary would impact available opportunities, staff used Metro’s Geographic Information System (GIS) to identify possible future adult entertainment locations given the requirements established in the Metro Zoning Ordinance. In conducting the analysis, staff accounted for the required base zoning districts, the locations of known existing sensitive uses outlined in the Zoning Ordinance, the boundaries of redevelopment districts, and the locations of existing adult entertainment businesses.

Staff’s analysis indicates that there are 266 available parcels within the current AEO boundary on which an adult entertainment use could locate. It should be noted that condominium units are typically assigned individual parcel numbers even if all are physically located within a single building on a single piece of property. Staff accounted for known high-rise condominium buildings by counting those as one parcel. With removal of the parcels identified in this application from the overlay, there will be 134 available parcels on which an adult entertainment use could locate, a decrease of approximately 50 percent. The proposed change to the AEO boundary will place one existing business operating within the current AEO outside the AEO boundary, rendering that use legally non-conforming. The business may continue to operate as a legally non-conforming use subject to the standards for nonconformities established in the Metro Zoning Ordinance.

The AEO standards were last amended in 2005 (the amendment did not alter the AEO boundary). At that time, there were 17 adult entertainment businesses operating within the AEO and three legally non-conforming adult entertainment businesses operating outside the AEO. The amendments to the list of sensitive uses made in 2005 were anticipated to reduce the number of available locations by only three percent. Currently, there are three adult entertainment businesses operating within the AEO and three legally non-conforming businesses operating outside of the overlay. This represents a 70 percent decrease in the number of adult entertainment uses operating in Nashville and Davidson County over a 12-year period. The decrease in the number of businesses exceeds the decrease in available parcels triggered by the last amendment of the standards by a significant margin, indicating that forces other than the standards of the AEO may be involved in the declining prevalence of adult entertainment uses.

While the proposed amendment to the AEO boundary will reduce the number of available parcels on which these uses can locate, the reduction is proportional to the demonstrated reduction in the number of these uses over time. As amended, the boundary of the AEO continues to provide adequate locational opportunities for adult entertainment establishments within the downtown core, in areas identified in the land use policies established through NashvilleNext as most appropriate for a diverse mix of uses. The proposal to remove parcels from the AEO is consistent with the community goals established in NashvilleNext, affords protection for the public health, safety, and welfare by ensuring adult entertainment uses are located in a manner that minimizes disruption to the general community and sensitive uses in particular, and maintains the intent of the AEO to ensure adequate locational opportunities for adult businesses. Therefore, staff recommends approval.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
N/A

STAFF RECOMMENDATION
Staff recommends approval.

Ms. Shepard presented the staff recommendation of approval.

Patrick Schipani, 1500 Church St, spoke in favor of the application. Déjà vu has considerably increased crime in this area.

Bob Lynch, 222 2nd Ave N, spoke in opposition to the application.

Chairman Adkins closed the Public Hearing.

Dr. Sims spoke in favor of staff recommendation.

Dr. Bichell spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Mr. Haynes moved and Ms. Farr seconded the motion to approve. (7-0)

Resolution No. RS2018-24

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-007PR-001 is **Approved. (7-0)**”

36. 2018Z-008PR-001

Council District 15 (Jeff Syracuse)
Staff Reviewer: Levi Hill

A request to rezone from CS and IWD to MUG zoning for property located at 540 Royal Parkway, approximately 275 feet west of Rachel Drive (6.93 acres), requested by Hawkins Partners, Inc., applicant; Nashville Airport Platinum, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Zone change from CS and IWD to MUG

Zone Change

A request to rezone from Commercial Service (CS) and Industrial Warehousing/Distribution (IWD) to Mixed Use General (MUG) zoning on property located at 540 Royal Parkway, approximately 275 feet west of Rachel Drive (6.93 acres).

Existing Zoning

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

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

Proposed Zoning

Mixed Use General (MUG) is intended for a moderately high intensity mixture of residential, retail, and office uses.

DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

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

Consistent with Policy?

Yes. The rezoning permits a mixture of uses, including residential and commercial, consistent with the D EC policy. The site is located along Royal Parkway, which is identified as an arterial by the Major and Collector Street Plan and the site is approximately 1,200 feet from a NashvilleNext designated Tier 3 center. Additionally, Royal Parkway features existing MTA service while the site is located approximately 100 feet from the nearest MTA bus stop. The proposed rezoning is consistent with the goals of the policy as it will allow for a wide range of uses in an area designated for concentrations of employment. Additionally, the MUG zoning would permit secondary or supportive uses that would serve the overall employment center policy area.

ANALYSIS

This requested rezoning to MUG is consistent with the surrounding land uses and land use policies of the area. The property is located on approximately 6.93 acres on the south side of Royal Parkway, approximately 275 feet east from the intersection of Royal Parkway and Rachel Drive. The site has secondary frontage along Ellery Court and is currently undeveloped. Royal Parkway is designated in the Major and Collector Street Plan as an arterial boulevard, and surrounding land uses in the area include a mixture of institutional, industrial, commercial, and office uses. The proposed rezoning allows for the development of an infill site that has existing infrastructure in a way that meets the goals of the policy. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

FIRE MARSHAL 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: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	6.0	0.6 F	156,816 S.F.	9098	201	860

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.93	0.8 F	32,408 S.F.	116	45	29

Maximum Uses in Proposed Zoning District: MUG

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)	3.93	3.0 F	513 U	3233	256	300

Maximum Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.5	3.0 F	196,020 S.F.	10518	230	999

Maximum Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	1.5	3.0 F	196,020 S.F.	2240	322	299

Traffic changes between maximum: CS, IWD and MUG

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+6,777	+562	+709

METRO SCHOOL BOARD REPORT

Projected student generation existing CS/IWD district: 0 Elementary 0 Middle 0 High

Projected student generation proposed MUG district: 48 Elementary 28 Middle 24 High

The proposed MUG zoning district will generate 100 additional students beyond what would be generated under the existing Cs and IWD zoning, assuming 40% of the floor area is utilized for non-residential uses. Students would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions as the request is consistent with the D Employment Center policy.

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

Approved with conditions. Consent Agenda (8-0)

Resolution No. RS2018-25

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-008PR-001 is **Approved with conditions. (8-0)**”

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

37. 2018Z-010PR-001

Council District 17 (Colby Sledge)
Staff Reviewer: Latisha Birkeland

A request to rezone from IWD to MUL-A zoning on property located at 1229 Martin Street, approximately 110 feet north of Gray Street (0.14 acres), requested by Doc’s Beeratorium, LLC, applicant; Robert and Christine Orrall, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Zone change from IWD to MUL-A

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use Limited – Alternative (MUL-A) zoning on property located at 1229 Martin Street, approximately 110 feet north of Gray Street (0.14 acres).

Existing Zoning

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

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

SOUTH NASHVILLE COMMUNITY PLAN

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

Consistent with Policy?

Yes. The rezoning is consistent with the T4 Urban Mixed Use Neighborhood policy. The proposed zoning allows for a mixture of uses including commercial and residential, with building placement and bulk standards designed to create walkable neighborhoods. The parcel is located approximately 190 feet south of a collector, which makes the application of MUL-A zoning appropriate and consistent with the policy.

ANALYSIS

The requested rezoning to MUL-A is consistent with the policy for the area and is an appropriate zoning given the surrounding land uses and land use policy. The parcel is located along the west side of Martin Street which is designated in the Major and Collector Streets Plan as an urban, mixed-use collector-avenue. The rezoning allows for

redevelopment of a lot that has existing infrastructure in a way that enhances the street frontages and meets the goals of the policy. The bulk and building placement standards associated with MUL-A zoning ensure mixed-use development that addresses the pedestrian realm and relegates parking to the side or rear of buildings.

FIRE DEPARTMENT RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
Approve with conditions

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.14	0.8 F	4,878 S.F.	18	16	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.07	1.0 F	3 U	20	2	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.035	1.0 F	1,524 S.F.	103	9	26

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.035	1.0 F	1,524 S.F.	17	7	7

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+122	+2	+26

METRO SCHOOL BOARD REPORT

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

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

The proposed MUL-A zoning district will generate three additional students than what could be generated under the existing IWD zoning. Students would attend Fall-Hamilton Elementary, Cameron Middle School, and Glenclyff High School. Fall-Hamilton Elementary has been identified as over capacity. There is capacity within the cluster for elementary school students. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions as the request is consistent with the T4 Urban Mixed Use Neighborhood policy.

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

Approved with conditions. Consent Agenda (8-0)

Resolution No. RS2018-26

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-010PR-001 is **Approved with conditions. (8-0)**”

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

H: OTHER BUSINESS

- 38. Historic Zoning Commission Report
- 39. Board of Parks and Recreation Report
- 40. Executive Committee Report
- 41. Accept the Director's Report and Approve Administrative Items

Approved. Consent Agenda (8-0)

Resolution No. RS2018-27

“BE IT RESOLVED by The Metropolitan Planning Commission that the Director’s Report and Administrative Items are **Approved. (8-0)**”

- 42. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

January 25, 2018

MPC Meeting

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

February 08, 2018

MPC Meeting

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

February 22, 2018

MPC Meeting

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

J: ADJOURNMENT

Chairman

Secretary



METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY
 Planning Department
 Metro Office Building, 2nd Floor

Date: January 11, 2018

To: Metropolitan Nashville-Davidson County Planning Commissioners

From: Robert Leeman, Interim Executive Director

Re: Executive Director’s Report

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; Sims; Bedne; Bichell; Haynes; Farr; Adkins
 - b. Leaving Early:
 - c. Not Attending: Moore; Blackshear
2. Legal Representation – Emily Lamb will be attending.

B. Executive Office

1. Quarter 4 Planning Department Grants Update attached below.

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

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 1/3/2018**.

APPROVALS	# of Applics	# of Applics '17
Specific Plans	2	0
PUDs	1	0
UDOs	2	0
Subdivisions	9	1
Mandatory Referrals	11	4
Grand Total	25	5

SPECIFIC PLANS (finals only): MPC Approval
Finding: Final site plan conforms to the approved development plan.

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
3/16/2017 8:31	12/12/2017 0:00	PLRECAPP	2016SP-068-002	13TH AVENUE SOUTH & SIGLER SP (FINAL)	A request for final site plan approval for properties located at 1116 and 1118 Sigler Street, at the northeast corner of Sigler Street and 13th Avenue South, (0.54 acres), to permit 11 multi-family units, requested by Dale & Associates, applicant; Maverick Sigler, LLC, owner.	19 (Freddie O'Connell)
10/11/2016 14:22	12/19/2017 0:00	PLRECAPP	2015SP-110-002	2202 HOBBS ROAD	A request for final site plan approval on properties located at 2202 B and 2204 Hobbs Road, 413, 415, 417, 419 and 419 B Village Hall Place, approximately 350 feet northwest of Stammer Place, zoned SP-R (2.25 acres), to permit 11 residential units, requested by Dale and Associates, applicant; Haury & Smith Contractors, Inc. and O.I.C. Village Hall Phase 2, owners.	34 (Angie Henderson)

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.

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
6/15/2017 11:54	12/15/2017 0:00	PLAPADMIN	2005UD-003-002	CAROTHERS FARMS PHASE 3, SECTION 2 and 3	A request for final site plan approval on portions of properties located at 7211 Carothers Road and Carothers Road (unnumbered), zoned MUL, RM9 and within the Carothers Crossing Urban Design Overlay District (31.78 acres), to permit 107 units within Section 2 and 3 of Phase 3 with Section 2 as previously approved and revisions to Section 3, requested by Stantec, applicant; WM Sub CC PDL, LLC, owner.	33 (Antoinette Lee)
8/17/2017 11:11	12/20/2017 0:00	PLAPADMIN	2017UD-003-002	MOSS SPRING DRIVE UDO	A request for final site plan on various properties located along Trevino Place, approximately 165 feet east of Moss Landing Drive, zoned AR2a, RS10 and within the Moss Spring Drive Urban Design Overlay District (3.73 acres), to permit 16 single-family residential units, requested by Bruce Hardin, applicant; Moss Springs, LLC, owner.	29 (Karen Y. Johnson)

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

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
11/2/2017 12:07	12/19/2017 0:00	PLPADMIN	142-66P-005	800 NORTH GALLATIN	A request for final site plan approval for a Planned Unit Development Overlay District on a portion of property located at 800 Gallatin Pike, at the southeast corner of Anderson Lane and Gallatin Pike, zoned CL (4.98 acres), to permit Automobile Sales, requested by Gresham, Smith and Partners, applicant; Macs Retail, LLC, owner.	09 (Bill Pridemore)

MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
11/28/2017 12:00	12/12/2017 0:00	PLRECAPP	2018M-002ES-001	THE ENSWORTH SCHOOL ABANDONMENT OF SEWER MAIN AND EASEMENTS	A request for the abandonment of approximately 82 linear feet of 8-inch Sewer Main and any associated easements (Map 116-03 Parcel 141) (Project No. 16-SL-139), requested by Metro Water Services, applicant.	24 (Kathleen Murphy)
11/28/2017 12:15	12/19/2017 0:00	PLRECAPP	2018M-003ES-001	AVERY GREEN COURT STORMWATER IMPROVEMENT PROJECT	A request for permanent and temporary easements, acquired through negotiations and acceptance, for the Avery Green Court Stormwater Improvement Project (Project No. 18-SWC-127), requested by Metro Water Services, applicant.	11 (Larry Hagar)
11/13/2017 9:01	12/19/2017 0:00	PLRECAPP	2017M-093ES-001	ALLEY 1821 AND UNNAMED ROW ABANDONMENT OF EASEMENT RIGHTS	A request for the abandonment of easement rights for a portion of Alley 1821 and an unnamed right-of-way (abandoned by Council Bill 82-1083) (part of Map 105-16 Parcel 176), requested by Metro Water Services, applicant.	17 (Colby Sledge)
11/20/2017 11:09	12/19/2017 0:00	PLRECAPP	2018M-001ES-001	HILLSBORO HIGH SCHOOL REDEVELOPMENT	A request for the abandonment of approximately 990 linear feet of 8-inch Sewer Main and easements, and to accept new 697 linear feet of 8-inch Sewer Main, Sanitary Manholes and any associated easements (Map 117-15 Parcel 037) (Project No. 17-SL-139), requested by Metro Water Services, applicant.	25 (Russ Pulley)
11/28/2017 10:53	12/19/2017 0:00	PLRECAPP	2018M-001AB-001	RODNEY DRIVE RIGHT-OF-WAY ABANDONMENT	A request for the abandonment of a portion of Rodney Drive, from Hapwood Drive approximately 327 feet northwest to its terminus (see sketch for details), easement to be retained, requested by Kimley-Horn, applicant.	22 (Sheri Weiner)
11/28/2017 11:40	12/19/2017 0:00	PLRECAPP	2018M-002AB-001	LENOX AVENUE ROW AND EASEMENT ABANDONMENT	A request for the abandonment of Lenox Avenue, from Orlando Avenue approximately 300 feet northeast to its terminus (see sketch for details), easement to be retained, requested by Dale and Associates, applicant.	24 (Kathleen Murphy)
10/5/2017 8:36	12/28/2017 0:00	PLRECAPP	2017M-084ES-001	4941 BRICK CHURCH PIKE IMPROVEMENT PROJECT	A request for permanent and temporary easements, acquired through negotiations and acceptance, for the 4941 Church Pike Stormwater	03 (Brenda Haywood)

					Improvement Project (Map 024 Parcel 064) (Project No. 18-SWC-106), requested by Metro Water Services, applicant.	
12/21/2017 10:09	1/3/2018 0:00	PLRECAPPR	2018M-003PR-001	STRIVE COLLEGIATE ACADEMY, INC. AND DONELSON CORPORATE CENTRE, L.P. SUBLEASE AGREEMENT	A request for an ordinance authorizing the Director of Public Property to enter into a Sublease Agreement and a Consent by Lessor to Sublease Agreement with Strive Collegiate Academy, Inc. and Donelson Corporate Centre, L.P. for temporary office space at 3055 Lebanon Pike, Nashville, Tennessee (Map 085 Parcel 037), requested by the Department of Finance, applicant.	14 (Kevin Rhoten)
12/22/2017 8:50	1/3/2018 0:00	PLRECAPPR	2018M-004ES-001	FIFTH AND BROADWAY	A request for the abandonment of approximately 536 linear feet of 30-inch Sewer Main and Fire Hydrant and to accept 448 linear feet of 30-inch Sewer Main, 42 linear feet of 38-inch Sewer Main, 28 linear feet of 53-inch Sewer Main, 27 linear feet of 60-inch Sewer Main, Sanitary Manholes and Fire Hydrants (Map 093-06-3 Parcel 116) (MWS Project No. 17-WL-174 and 17-SL-145), requested by Metro Water Services, applicant.	19 (Freddie O'Connell)
12/22/2017 9:41	1/3/2018 0:00	PLRECAPPR	2018M-005ES-001	CARVELL AVENUE	A request for the abandonment of approximately 1000 linear feet of 2-inch Water Line and to accept new 1000 linear feet of 8-inch Water Line and Fire Hydrant (Map 105-11 Parcels 198, 312) (MWS Project No. 17-WL-196), requested by Metro Water Services, applicant.	17 (Colby Sledge)
12/22/2017 10:08	1/3/2018 0:00	PLRECAPPR	2018M-006ES-001	BELMONT HILLS DORMITORY	A request for the abandonment of approximately 323 linear feet of 6-inch Water Main and Easements (Map 105-09 Parcel 100) (MWS Project No. 17-WL-226), requested by Metro Water Services, applicant.	18 (Burkley Allen)

SUBDIVISIONS: Administrative Approval						
Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
10/20/2017 13:25	12/7/2017 0:00	PLAPADMIN	2017S-261-001	VILLAGE GREEN - PHASE 2	A request for final plat approval to create six lots and open space on a portion of property located at Donelson Avenue (unnumbered), approximately 150 feet west of Hadley Avenue, zoned SP (0.88 acres), requested by Crawford & Cummings, applicant; Village Green of Old Hickory, LLC, owner.	11 (Larry Hagar)
9/28/2017 8:57	12/7/2017 0:00	PLAPADMIN	2017S-249-001	THE CROSSINGS AT HICKORY HOLLOW PHASE 2	A request for final plat approval to abandon and dedicate easements on properties located at 5830 and 5846 Crossings Blvd, at the southwest corner of Crossings Blvd and Old Franklin Road, zoned R10 and within a Planned Unit Development Overlay District (21.90 acres), requested by S&ME, Inc., applicant; KP Nashville, LLC, owner.	32 (Jacobia Dowell)

7/13/2017 11:05	12/11/2017 0:00	PLAPADMIN	2017S-197-001	STEPHENS VALLEY PHASE 1A SECTION ONE	A request for final plat approval to dedicate right-of-way for the entry boulevard on a portion of property located at 441 Union Bridge Road, approximately 290 feet east of Timber Gap Drive, zoned SP-MU (0.40 acres), requested by Ragan-Smith and Associates, applicant; Rochford Realty and Construction Company, Inc., owner.	35 (Dave Rosenberg)
7/29/2016 13:53	12/19/2017 0:00	PLRECAPP	2016S-192-001	CARROLTON STATION PHASE 1	A request for final plat approval to consolidate two lots into one lot and shift lot lines on properties located at 308 Carrolton Station Drive, 2625 Una Antioch Pike, 4841 Bowfield Drive and Bowfield Drive (unnumbered), at the northwest and northeast corner of Una Antioch Pike and Payne Road South, zoned MUL and RM6, and within a Planned Unit Development Overlay (25.35 acres), requested by Crawford & Cummings, PC, applicant; various owners.	28 (Tanaka Vercher)
11/4/2016 11:52	12/20/2017 0:00	PLAPADMIN	2017S-006-001	MOORE TRACT RESUB OF A PORTION OF LOTS 4 AND 5	A request for final plat approval to create two lots on property located at 514 Moore Avenue, approximately 320 feet northwest of Rains Avenue, zoned R6 (0.31 acres), requested by Clint T. Elliott Surveying, applicant; Roger Madden, owner.	17 (Colby Sledge)
4/13/2017 12:04	12/20/2017 0:00	PLAPADMIN	2017S-127-001	5501 KENTUCKY AVENUE	A request for final plat approval to create two lots on property located at 5501 Kentucky Avenue, approximately 480 feet east of Morrow Road, zoned R6 (0.29 acres), requested by Harrah & Associates, applicant; Joe Anderson, Jr., owner.	20 (Mary Carolyn Roberts)
6/16/2016 10:42	12/20/2017 0:00	PLAPADMIN	2016S-150-001	MAP OF EASTMORELAND PLACE-SHIELDS SUBDIVISION OF GLEAVES LAND RESUB	A request for final plat approval to create one lot, create an alley and dedicate Right-Of-Way on property located at 121 Lucile Street, approximately 365 feet southeast of Dickerson Pike, zoned SP-R (1.43 acres), requested by Dale & Associates, Inc., applicant; D224, LLC, owner.	05 (Scott Davis)
9/8/2017 10:41	12/20/2017 0:00	PLAPADMIN	2017S-235-001	CARRINGTON PLACE, PHASE 4	A request for final plat approval to create 12 lots and dedicate open space on part of property located at 4412 Eatons Creek Road, at the current terminus of Queens Lane, zoned RS15 (11.52 acres), requested by H & H Land Surveying, applicant; Corey Craig and Randall Smith, owners.	01 (Nick Leonardo)
9/25/2017 13:31	1/3/2018 0:00	PLAPADMIN	2017S-245-001	SUNRISE HEIGHTS SECOND ADDITION RESUB OF LOT 430 AND PART OF LOT 429	A request for final plat approval to create two lots on property located at 520 Elgin Street, approximately 155 feet west of Short Street, zoned RS7.5 (0.36 acres), requested by Crenshaw Land Surveying, applicant; Caprice Palmer and Deborah Campbell, owners.	16 (Mike Freeman)

Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
12/8/17	Approved New	2016B-026-001	BURKITT SPRINGS, PHASE 3
12/20/17	Approved Extension/Increase	2006B-081-008	CAMBRIDGE FOREST, SECTION 10
12/7/17	Approved Extension	2015B-035-003	RESUBDIVISION OF SENIOR CITIZENS BUILDING CORPORATION SUBDIVISION
12/21/17	Approved Extension	2014B-031-004	FORTE PROPERTY
12/8/17	Approved New	2017B-040-001	STEPHENS VALLEY PHASE 1A SECTION ONE
12/7/17	Approved Extension	2014B-036-005	THE RESERVE AT STONE HALL, PHASE 1, SECTION 2D
12/20/17	Approved New	2017B-042-001	PINE RIDGE ESTATES PHASE 2
12/20/17	Approved New	2017B-045-001	TULIP GROVE POINTE, SECTION 4
12/21/17	Approved Extension	2012B-030-006	WESTPORT BUSINESS PARK, PHASE 1
12/12/17	Approved Extension	2015B-052-003	LCD LOTS 1 AND 2
12/20/17	Approved Extension	2007B-028-008	CAMBRIDGE FOREST, PHASE 6
12/20/17	Approved New	2017B-049-001	BURKITT COMMONS PHASE 1

Schedule

- A. Thursday, January 11, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- B. Thursday, January 25, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- C. Thursday, February 8, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- D. Thursday, February 22, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- E. Thursday, March 8, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- F. Thursday, March 22, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- G. Thursday, April 12, 2018- [MPC Meeting](#); 4 pm, 2601 Bransford Ave., Metro Schools Board Room**
- H. Thursday, April 26, 2018- [MPC Meeting](#); 4 pm, 2601 Bransford Ave., Metro Schools Board Room**
- I. Thursday, May 10, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- J. Thursday, May 24, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- K. Thursday, June 14, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- L. Thursday, June 28, 2018- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**

Planning Department Grants Quarterly Update – January 2018

Grants Awarded				
Grant	Description/Notes	Award	Anticipated Completion	
NEA - Our Town	Wedgewood Houston Maker District	\$50,000	September 30, 2018	
TDOT - Congestion Mitigation and Air Quality (CMAQ)	Transportation Demand Management	\$1,184,684	June 30, 2020	
In Close-Out				
TDOT – Safe Routes to Schools	Programming completed at 2 schools, preparing final reports			
Grants Submitted But Not Awarded September 1 - December 31, 2017				
Grant	Description/Notes	Submitted	Request	
TDH - Healthy Active Built Environments	Letter of Intent for Walking District program education, engagement and marketing	11/17/17	\$40,000	
Grants Submitted September 1 - December 31, 2017				
Grant	Description/Notes	Submitted	Notification	Request
TDOT - Transportation Alternatives Projects (TAP)	Construction of Park Plaza connector to Four-Forty Greenway Phase 1	10/3/17	Unknown	\$510,943
USDOT - Transportation Investment Generating Economic Recovery (TIGER)	Four-Forty Greenway	10/16/17	Unknown	\$13,672,612
Grants Evaluated But Not Submitted At This Time September 1 - December 31, 2017				
Grant	Description/Notes	Due		
Better Bike Share	Marketing and Planning for bike share expansion; considered Bike share equity program. Nashville Downtown Partnership determined timing not right with Bicycle General Manager position vacant	10/06/17		
EPA – Building Blocks for Sustainable Communities	Various technical assistance opportunities. No projects fit funding priorities.	Fall 2017		

Next Quarter Future Grant Opportunities		
Grant	Description/Notes	Due
FHWA- Accelerated Innovation Deployment Demonstration (pass through TDOT)	Software to detect near misses for bike/ped safety. This innovation will be used as a decision support system to inform placement of multimodal crossings, real time signalization, potential transit hubs and bust stop improvements and bike share access, and areas where alternative and low cost sidewalks may be useful.	Rolling
Partners for Places	Fosters long-term relationships between local government sustainability offices and place-based foundations that make our urban areas more prosperous, livable, and vibrant.	January 2018
MPO- Active Transportation Program	Bicycle and Pedestrian infrastructure with an emphasis on safety through design. Abstracts submitted April 2017. Full Application expected January 2018.	February 2018
National Science Foundation – Smart and Connected Communities	Supports research that enables smart and connected communities to bring about new levels of economic opportunity and growth, safety and security, health and wellness, and overall quality of life. Vanderbilt recipient, Planning sub-awardee	Letter of intent: 1/28/18 Full Proposal: 2/28/18
TN Department of Tourism – Tourism Enhancement Grants	Grants to help preserve tourism assets and improve tourist related economic impact. Up to \$75,000 50/50 match.	1/28/18
EPA – Brownfields Area Wide Planning Grant	Conduct activities that will enable the recipient to develop a specific area-wide plan for assessing, cleaning up and reusing catalyst/high priority brownfields sites.	February 2018
TDEC – Recreational Educational Services grants	Purchase of land for parks, trail development and capital projects in parks, greenways, and natural areas; non-routine maintenance and rehabilitation of trailhead facilities	4/18/18