



# METROPOLITAN PLANNING COMMISSION

## MINUTES

**June 28, 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

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

**Commissioners Present:**

Greg Adkins, Chair  
Jessica Farr, Vice Chair  
Jeff Haynes  
Ron Gobbell  
Lillian Blackshear  
Dr. Pearl Sims  
Dr. Terry Jo Bichell  
Daveisha Moore  
Councilmember Fabian Bedne

**Commissioners Absent:**

Brian Tibbs

**Staff Present:**

Lucy Kempf, Executive Director  
Bob Leeman, Deputy Director  
George Rooker, Special Projects Manager  
Kelly Adams, Admin Services Officer III  
Lee Jones, Planning Manager II  
Michael Briggs, Planning Manager I  
Greg Claxton, Planner III  
Lisa Milligan, Planner III  
Shawn Shepard, Planner III  
Anita McCaig, Planner III  
Dara Sanders, Planner III  
Marty Sewell, Planner III  
Latisha Birkeland, Planner II  
Abbie Rickoff, Planner II  
Levi Hill, Planner II  
Nick Lindeman, Planner II

Patrick Napier, Planner I  
Gene Burse, Planner I  
Jessica Buechler, Planner I  
Eric Hammer, Planner I  
Craig Owensby, Public Information Officer  
Justin Marsh, Legal

**Lucy Alden Kempf**

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

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

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](mailto: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.**



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# MEETING AGENDA

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## **A: CALL TO ORDER**

The meeting was called to order at 4:02 p.m.

## **B: ADOPTION OF AGENDA**

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

## **C: APPROVAL OF JUNE 14, 2018 MINUTES**

Mr. Gobbell moved and Dr. Sims seconded the motion to approve the June 14, 2018 minutes. (7-0)

## **D: RECOGNITION OF COUNCILMEMBERS**

Councilmember VanReece spoke in favor of Item 11 and Item 20.

*Dr. Bichell arrived at 4:04 p.m.*

Councilmember Pulley spoke in favor of Item 29 and Item 1.

Councilmember Anthony Davis spoke in favor of Items 7a and 7b.

Councilmember O'Connell spoke in favor of Item 23.

*Ms. Farr arrived at 4:10 p.m.*

Councilmember Henderson spoke in favor of Item 28.

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

**5. 2018Z-038PR-001**

**6. 2018Z-039PR-001**

**8a. 2018CP-006-001**  
**BELLEVUE COMMUNITY PLAN AMENDMENT**

**8b. 2018SP-043-001**  
**SECURITY CENTRAL STORAGE**

**14. 2018SP-035-001**  
**ELM HILL PLACE**

**17. 2018S-093-001**  
**OLD MATTHEWS AND WEBSTER ROAD**

**30. 2018Z-061PR-001**

Mr. Gobbell moved and Ms. Farr seconded the motion to approve the Deferred and Withdrawn Items. (9-0)

Ms. Blackshear recused herself from Item 14.

## **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.

- 2. 2018SP-007-001**  
PRINCE AND DUKE SP
- 3. 2018SP-016-001**  
CITY VIEW ESTATES SP
- 4. 2018SP-033-001**  
2423 BUENA VISTA SP
- 9. 2018CP-014-003**  
DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN AMENDMENT
- 11. 2017SP-034-002**  
BROADMOOR AND BEN ALLEN SP
- 12. 2018SP-029-001**  
405 40TH AVENUE NORTH SP
- 16. 2018S-086-001**  
BRYANT PLACE
- 18. 2018S-101-001**  
THE OTIS AND JANE MAXWELL PROPERTY
- 19. 38-79P-003**  
RIVERGATE MALL PUD (CHICK-FIL-A REVISION AND FINAL)
- 20. 4-85P-002**  
ARROWHEAD PUD (REVISION)
- 21. 53-81P-001**  
HIGHLAND RIDGE PUD (REVISION)
- 22. 2005UD-006-036**  
2909 PARTHENON AVENUE
- 24. 2018NHC-002-001**  
2018-1228/Withers  
EASTWOOD NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT
- 25. 2018Z-052PR-001**

- 26. **2018Z-055PR-001**
- 27. **2018Z-058PR-001**
- 28. **2018Z-059PR-001**  
BL2018-1226/Henderson
- 31. **Employee contract renewal for Greg Claxton and Patrick Napier**
- 32. **New Employee contract for Jason Swaggart**
- 33. **Confirmation of the Urban Resident's Association's nominee to the Downtown Code Design Review Committee.**
- 37. **Accept the Director's Report and Approve Administrative Items**  
Dr. Sims moved and Dr. Bichell seconded the motion to approve the Consent Agenda. (9-0)

Ms. Blackshear recused herself from Items 20 and 21.

**G: ITEMS TO BE CONSIDERED**

- 1. **2018M-001OT-001**  
BL2018-1139/Syracuse  
**DONELSON TRANSIT-ORIENTED REDEVELOPMENT PLAN**  
Council District 15 (Jeff Syracuse)  
Staff Reviewer: Jessica Buechler

A request to establish a Transit-Oriented Redevelopment District on various properties located along Lebanon Pike, from Park Drive to Stewarts Ferry Pike (144.15 acres).

**Staff Recommendation: Approve as recommended in this staff report including the amended Substitute Ordinance and including any additional amendments at Council to increase open space requirements or provide clarifying language in the ordinance or plan. Planning staff has also addressed the following items as directed by the Planning Commission: The Transit and Affordability Taskforce Recommendation of creating a baseline survey, prohibiting short-term rentals, and the DRC Process and Make-Up.**

**APPLICANT REQUEST**  
**Establish a Transit-Oriented Redevelopment District.**

Transit-Oriented Redevelopment District  
A request to establish a Transit-Oriented Redevelopment District on various properties located along Lebanon Pike, from Park Drive to Stewarts Ferry Pike (144.15 acres).

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

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

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

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

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

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

Specific Plan-Auto (SP-A) 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 automobile uses.

### **Existing Overlay Zoning**

Downtown Donelson Urban Design Overlay (UDO) is an adopted form-based code for the area. The code was adopted by Council to implement the, “vision for the redevelopment of an aging community center into a pedestrian-friendly, mixed-use downtown for the Donelson community,” as requested during a public participatory planning process for the area along Lebanon Pike between Briley Parkway and Stewarts Ferry Pike. While the standards in the code do not necessarily provide any increased intensity than is provided by the underlying zoning, they do assure a more predictable form of development that emphasizes sensitivity to the pedestrian environment and minimizes intrusion of the automobile into the built environment. For instance the UDO places a cap on building heights, ranging from three to five stories, thus keeping buildings more pedestrian-oriented. Without the adopted UDO (the standards incorporated into the proposed Redevelopment District), the underlying zoning would permit much taller buildings, only regulated by the Zoning Code’s height control plane standard.

### **DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN**

The Donelson Transit-Oriented Redevelopment District is located within a Tier One Center as identified on the Growth and Preservation Concept Map. Centers are pedestrian-friendly areas with frequent transit service that contain a dense mix of homes, shops, jobs, and parks, as well as services, schools, and cultural amenities. Tier One centers are the focus of coordinated investments to shape growth and support transit service in the near term.

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.

Transition (TR) is intended to enhance and create areas that can serve as transitions between higher-intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small- to medium-sized footprints.

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.

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 Residential Corridor (T3 RC) is intended to maintain, enhance, and create suburban residential corridors. T3 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T3 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

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.

## HISTORY

In May 2017, the Tennessee Legislature passed legislation enabling housing authorities to create Transit-Oriented Redevelopment Districts in transit-deficient areas. A transit-deficient area is an area where facilities for high capacity transit are necessary to promote the elimination of traffic hazards, the implementation of regional solutions to traffic congestion, and the improvement of traffic facilities in order to protect the safety, health, morals and welfare of the community. High capacity transit means a form of mass transit that carries more people or provides more frequent service than a local bus service with the goal of providing faster, more convenient, and more reliable service for a larger number of passengers; and includes subway, monorail, heavy rail, commuter rail, light rail, streetcar, and bus rapid transit.

In fall 2017, the Metropolitan Development and Housing Agency (MDHA) began meeting with officials and property owners about developing a Transit-Oriented Redevelopment District along the existing Music City Star commuter rail line, within the Donelson community. The Donelson Transit-Oriented Redevelopment Plan was then prepared for the redevelopment district based on public input and consists of text, maps, and a boundary description. The Plan was approved by the MDHA board in February 2018. The MDHA Board approved revisions to the plan April 10, 2018.

The Planning Commission's role in the adoption or amendment of Redevelopment Plans is advisory. Since this is the first Transit-Oriented Redevelopment District, the Executive Director of Planning is recommending a public hearing be held to gather public input and ensure a public process.

The Donelson Transit-Oriented Redevelopment District and Plan went before the Planning Commission with a public hearing at the May 24, 2018 meeting. The Planning Commission deferred the case and instructed Planning Staff to work with MDHA to look further into the following items:

1. The Transit and Affordability Taskforce recommendations;
  - a. Land Banking
  - b. Baseline Survey
2. Prohibiting short-term rentals; and
3. The Design Review Committee
  - a. Make-up
  - b. Review Process

These items are addressed below and are also addressed in the amended Substitute Ordinance and Plan as outlined further in the staff report.

1. The Transit and Affordability Taskforce recommendations
  - a. Land Banking

The purpose of a land bank is to hold on to surplus property to be available in the future for affordable housing developments. Metro currently analyzes its surplus property and holds on to properties to be donated to the Barnes Fund to be used for affordable housing. As part of the process Metro will send the surplus property list to Planning staff to be evaluated on whether or not a property is appropriate for affordable housing. Planning staff will look at the zoning, policy, environmental conditions, whether or not the lot is buildable, and if the location is appropriate for affordable housing. Planning staff will then provide that information to the finance department and share the list with the Mayor's Office. The Housing Nashville Report (May 2017) notes that over 40 Metro-owned properties have been donated to nonprofit organizations for affordable housing development. This is the current process that is in place for looking at surplus properties throughout the whole county and further discussions on land banking would be a broader community discussion.

- b. Baseline Survey

At the request of the Metro Planning Commission and to address The Transit and Affordability Taskforce recommendations, Metro Planning staff has compiled a scorecard of housing affordability and current businesses in the area around the proposed Donelson Transit-Oriented Redevelopment District (TORD). The Mayor's Office of Housing has worked with the Planning Department staff to define and analyze the methodology used for the Donelson TORD process. This methodology uses housing assumptions consistent with federal housing standards and can be replicated in other areas throughout the city. The Mayor's Office supports this methodology and will continue to work with the Planning Department throughout this process and future TOD processes. Below is a summary of the memo and data that is attached as an addendum. The Baseline Survey Study Area (study area) extends approximately ¼ mile out from the Redevelopment District boundary and takes into account local neighborhood boundaries. In determining housing affordability, Planning staff looked at income and housing costs. Area Median Income was used as the basis for our affordability calculations since it is a best practice and aligns with Affordable Housing guidelines used by the Department of Housing and Urban Development and the Mayor's Office of Housing. The analysis also accounts for current property tax costs, but does not include home owners insurance, utilities or home maintenance. Housing cost data was looked at both from: 1. Metro Assessor's Office and 2. U.S. Census Bureau 2012-2016 American Community Survey 5-Year Estimates.

1. Based on the Metro Assessor's data, the study area is home to 1,031 dwelling units with an average value of \$209,199. Of these 1,031 units, 90% are affordable at 100% of AMI, 75.4% are affordable to moderate income (80% of AMI) households and nearly 62% are affordable to low income (60% of AMI) households.

2. Based on Census data, the 4 study area block groups are home to 1,127 dwelling units, 344 of which are renter occupied with the remaining 783 units being owner occupied. Of the 344 rental units, 89.8%, are affordable at 100% of AMI, 83.4% are affordable to moderate income (80% of AMI) households and 68.6% are affordable to low income (60% of AMI) households. Of the 783 owner occupied units, 97.4% are affordable at 100% of AMI, 91.7% are affordable to moderate income households and 76.6% are affordable to low income households. Note that affordability is generally better in the Census data, as those estimates cover the time period of 2012-2016, and as such, include measurements covering the earlier stages of Nashville's recent increases in housing values.

In addition to this data, we have gathered a wide range of demographic and property value data from the U.S. Census Bureau, the Metro Assessor's Office and HUD, among others. These data support the establishment of a baseline of affordability and will allow future affordability reports for the study area. In regards to business retention, the Planning Department has a spreadsheet of existing businesses within the District that could be used to track changes in businesses over time.

We recommend that updates to the survey be done every four years, corresponding with the Metro Assessor's Office reassessment years. While new Census data will be available annually, waiting until the next assessment will ensure accuracy and consistency with the 2017 Assessment – a primary data source for this work.

## 2. Short-Term Rentals

During the Planning Commission meeting the question of prohibiting short-term rentals (STRPs) within the District was brought up. The amended Substitute Ordinance addressed this by listing non-owner occupied short-term rentals as a prohibited use and owner occupied as a permitted with conditions use. Planning staff has inquired with Metro Legal as to whether STRPs may be prohibited from the redevelopment district in light of the new state law (The Short-Term Rental Unit Act). We have been advised that while STRPs can be prohibited, they cannot be eliminated where such uses already exist. Planning staff then recommends approval as proposed in the amended Substitute Ordinance.

## 3. Design Review Committee (DRC)

### a. Make-Up

Planning staff recommends approval of the DRC make-up as proposed in the Council amended Substitute Ordinance (outlined later in this report). This is a diverse make-up that includes staff from MDHA, Planning Department, Historical Commission, and Division of Transportation, a design professional, a current owner of real property, and two members nominated by the District Council Member. Should the nomination of the DRC members change in future amendments, Planning staff would recommend that at a minimum two members be nominated by the District Council Member as is currently proposed in the amended Substitute Ordinance.

### b. Process

Planning and MDHA have signed a Memorandum of Agreement (MOA) to study the review process. This MOA outlines a process whereby a third party consultant will study the current redevelopment district review process within Nashville as well as redevelopment district review processes throughout the United States and make a recommendation as to any necessary changes to achieve best practices. Planning and MDHA agree that this process shall be completed within one year of the effective date of the redevelopment district.

Until such time that the consultant's recommendations are complete, Planning staff recommends the follow process:

A pre-application meeting with Planning and MDHA is required for all applicants to determine which process to follow prior to submitting an application. There are two paths that a project may be determined to follow; projects reviewed "by-right" and those that require "major modifications".

### a. By-Right Projects

- Concept Plan Application (Optional): For projects seeking conceptual approval prior to UDO Final Site Plan and Building Permits.
  - Submittal Requirements: Conceptual site plan, landscape plan, and elevations
- UDO Final Site Plan Application: For new construction or additions of greater than 25% of the existing structure.
  - Submittal Requirements: Full civil/architectural drawing set
- Building/Signage Permit Application: For signage or building additions of less than 25% of the existing structure – no UDO Final Site Plan required.

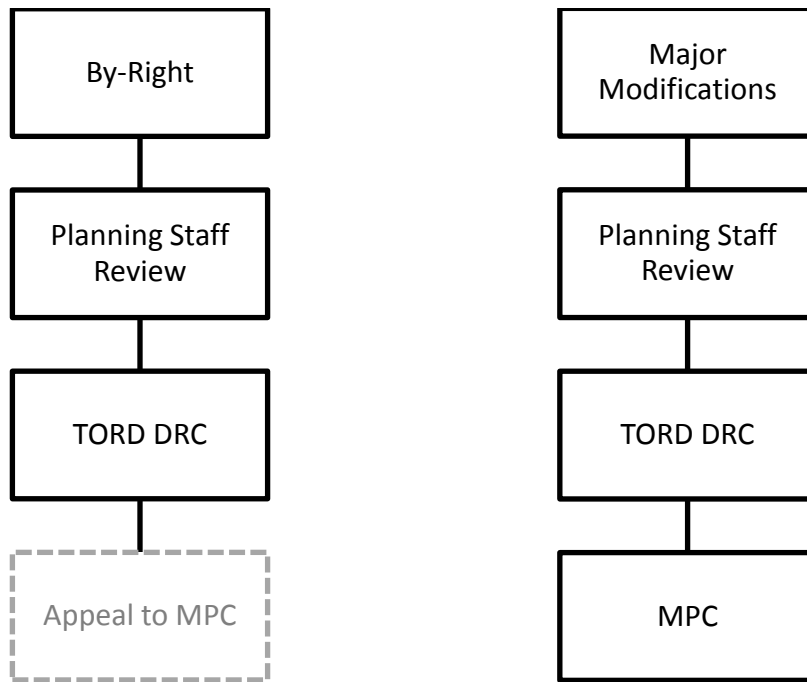


For all By-Right projects the applicant will submit the applicable application to the Planning Department. The Planning Department will review the plans and distribute them to the Transit-Oriented Redevelopment District Design Review Committee (TORD DRC) for consideration. The applicant will then go before the TORD DRC for approval. Any decision made by the TORD DRC regarding a UDO standard may be appealed to the Planning Commission.

b. Major Modifications (deviations of greater than 20% of a UDO standard)

- Major Modification Application : For projects requesting a major modification to a UDO standard)
  - Submittal Requirements: Site plan, landscape plan, elevation, memo describing the modification and reasoning)

For major modifications, the applicant will submit the UDO Modification Application at the Planning Department according to the Planning Commission schedule. The Planning Department will review the plans and distribute them to the Transit-Oriented Redevelopment District Design Review Committee (TORD DRC) for consideration. The TORD DRC will make a recommendation on the major modification to the Planning Commission. The UDO Major Modification will then go before the Planning Commission with a Public Hearing for consideration. If approved, the applicant follows the By-Right process for UDO Final Site Plan or Building/Signage permit.



**Density within Redevelopment Districts**

An additional item that came up in the May 24, 2018 Planning Commission meeting was the question of how much density would be added to the district with the implementation of the Plan. Since the Plan does not change the base zoning and is adopting the development standards of the UDO document, the density is not changing from what would currently be allowed today.

**PROVISIONS OF THE PLAN**

Purpose

A Transit-Oriented Redevelopment Plan sets a 30 year transit-oriented redevelopment period, establishes tax increment financing (TIF) capacity, grants MDHA land acquisition authority for public purposes, creates a design review process, and provides land use controls. The purpose of the Donelson Transit-Oriented Redevelopment Plan (Plan) is to work towards addressing transit deficiencies, as well as to assist in the implementation of the adopted Downtown Donelson Urban Design Overlay (UDO). The main actions proposed for the project area are to create better transit connections; additional retail spaces, including small-scale, local retail businesses; and housing that attracts new residents with a mixture of incomes, including workforce and affordable units. New streetscapes, infrastructure, and public facilities should be created.

### Boundary

As defined by the state legislation, the Transit-Oriented Redevelopment District could encompass a much larger area along Lebanon Pike, however, MDHA worked with staff to identify an area that is narrowed in focus to only include property within the Downtown Donelson UDO and to not include the surrounding residential neighborhoods.

### Land Use Provisions

Land uses are per the base zoning except for the conditional and prohibited uses as stated in the Plan. The conditional and prohibited uses were developed based on input received through a series of public meetings. The intent of the land use districts is to provide for facilities, businesses, services and residences that support transit-oriented development in an urban area along a major corridor.

### Development Standards

The Plan adopts the development standards of the Downtown Donelson UDO as approved in BL2009-560, effective November 2009 and amended by BL2010-799 effective January 2011 and any future amendments made by Metropolitan Council or modifications by the Metropolitan Planning Commission. The UDO was developed through a public process that included a series of community meetings from February 2009 to September 2009. These meetings started out with community visioning sessions that laid out the broad vision for the future of Donelson, and then went into UDO development that focused on developing the standards. These standards include Bulk, Architectural and Building Type, Fence and Wall, Parking and Access, Landscape Buffering and Screening, Signage, Development Incentives, and Transfer of Development Rights.

The Downtown Donelson UDO establishes sub-districts that are intended to reflect the community's vision for differing character throughout Downtown Donelson. The Regulating Plan component of the UDO is the guiding map for the implementation of the community's vision. The regulating plan shows the sub-districts and street types that govern the development standards for each property. The Redevelopment Plan primarily encompasses Sub-district 1 (Transit-Oriented Development Sub-district).

The intent of this sub-district is to create Transit Oriented Development (TOD); development that is within a 5 minute walk or ¼ mile in distance to the Donelson Music City Star Station. This sub-district is intended to include a mixture of commercial, residential, and office land uses, and coordinates with other modes of transportation (bike, pedestrian and vehicular). The Plan includes additional standards for off-street parking, buffering, signage, temporary structures, and vehicular service areas.

### Modifications

Based on site-specific issues, modifications to the standards may be necessary. Any standard within the Plan may be modified as set forth within the Plan and Downtown Donelson UDO; insofar as the intent of the standard is being met; the modification results in better urban design for the neighborhood as a whole; and the modification does not impede or burden existing or future development of adjacent properties.

Minor modifications (deviations of 20 percent or less) may be approved by the MDHA Design Review Committee. Any major modifications, deviations of more than 20 percent to a UDO standard, shall be considered by the Planning Commission.

### Additional Provisions of the Plan

- Duration of Land Use Controls. The provisions of the Plan shall continue in effect until December 31, 2048.
- Land Acquisition. Land Acquisition may be used to install infrastructure such as streets, utilities, parks, public open spaces, public playgrounds, pedestrian ways, parking structures, and to construct privately-owned affordable housing or workforce housing.
- Relocation Assistance. The MDHA has established plans and procedures, and shall provide assistance to individuals and businesses permanently or temporarily displaced by its actions in acquiring land for implementation of this Plan.
- Redevelopment Obligation and Land Use Controls. The improvements within the Redevelopment District will be made in accordance with the applicable zoning ordinances, provisions, and regulations of the Metropolitan Government of Nashville and Davidson County; building, electrical, plumbing and other local codes and ordinances; the requirements of this Plan; and such other requirements as may be set forth in the contracts between MDHA and the developers.
- Tax Increment Financing. Tax increment financing may be used to fund infrastructure, affordable housing, and economic development activities. Specifically, MDHA commits, with this plan, ten million dollars of tax increment financing to the development of affordable and workforce housing units.

### **Amended Substitute Ordinance and Plan Document dated April 10, 2018**

At the June 5, 2018 Council meeting an amendment was introduced to further address affordable housing, short-term rentals and the Design Review Committee.

- Affordable Housing

By amending Section 6 by renumbering subsection 6(d) as 6(e), and adding the following as the new subsection 6(d): (d) In pursuit of feasible performance measures, MDHA shall establish annual goals for the development and preservation of fixed affordable housing units and shall further publish an annual scorecard listing of all fixed affordable housing units within the Project Area. The initial scorecard shall be submitted to the Metropolitan Council and published on the MDHA website on January 1, 2019 and continue annually thereafter.

Within the plan, it was added that the amount of tax increment financing toward the development of affordable and workforce housing units is not to exceed \$15,000,000 (fifteen million dollars).

- Short-Term Rentals

Within the Plan, short-term rentals had been listed as a permitted with conditions use. The amendment changed this so that owner-occupied short-term rentals are a permitted with conditions use and non-owner occupied short-term rentals are a prohibited use.

- Design Review Committee

The following sections were added to the Ordinance:  
Section 8.

In order to achieve the objectives of the Redevelopment Plan, a Design Review Committee must approve all improvements affecting the exterior appearance of property and requiring building permits upon land located within the Project Area. The Metropolitan Development and Housing Agency and the Metropolitan Planning Department shall endeavor to determine, jointly, an efficient best practice service to the public for design review and the processing of applications for development (hereinafter, "process"). If, within one (1) year following approval of this ordinance, a process has not been submitted to the Metropolitan Council for review, the Metropolitan Council shall be authorized to establish such process by resolution approving such process without an amendment to the Plan.

The amendments to the Plan removed the language that the Design Review Committee shall be designated by the Executive Director of MDHA from the Review Process and Submittal Requirements section and replaced it with the following language:

A Design Review Committee shall be appointed by nomination of the mayor of the Metropolitan Government of Nashville and Davidson County and approved by resolution of the Metropolitan Council. The Design Review Committee shall consist of nine (9) members who shall serve without compensation for a term of five (5) years each, composed as follows:

- (i) Two (2) representatives of the Metropolitan Development and Housing Agency;
- (ii) One (1) representative of the Metropolitan Planning Department;
- (iii) One (1) representative of the Metropolitan Historic Commission;
- (iv) One (1) representative of the Metropolitan Division of Transportation;
- (v) One (1) qualified design professional licensed to practice architecture, civil engineering, landscape architecture, or urban planning in Tennessee;
- (vi) One (1) current owner of real property within the redevelopment district;
- (vii) Two (2) members nominated by the district council member of the Metropolitan Council in whose district the Project Area is located.

## **ANALYSIS**

The Donelson Community envisioned a Transit-Oriented Development materializing around the Donelson Music City Star Station nearly a decade ago. The Downtown Donelson UDO, with a TOD sub-district in this location, was adopted by Metro Council to help realize the community's vision. The proposed Donelson Transit-Oriented Redevelopment Plan will help achieve critical planning goals, not just for the Donelson community, but for the City as a whole.

- The Donelson Transit-Oriented Redevelopment Plan addresses the NashvilleNext goal of investing in the near term in the places identified by the Growth and Preservation Concept Map as most critical to shape or manage demand in order to create mixed-income communities that support a healthy environment, strong neighborhoods, high-capacity transit, walkability, and a prosperous economy.
- The Plan will help implement the existing T4 CC policy to create urban community centers and enhance infrastructure and transportation networks to improve pedestrian, bicycle, and vehicular connectivity.
- The Plan will provide additional financing for infrastructure such as roads, bike and pedestrian improvements, parks, streetscape improvements, structured parking, and utilities, all of which are critical elements in creating walkable centers with meaningful transportation choices.
- The infrastructure improvements and the development they facilitate will benefit the environment, the economy, and public health by making it easy for people to walk, bicycle, or take transit.

- The Plan includes a significant percentage of the financing generated to be applied to affordable housing within the district. This requirement offers the benefits of living in a mixed-use, pedestrian-oriented environment with access to transit to lower-income households who need these benefits most, as transportation expenses can be a significant proportion of household expenditures. The Plan will make TOD development more likely in this location, which will provide access to more affordable transportation options to those living within and surrounding the district.

In the near future, Planning staff will convene a stakeholder group to look into what amendments may be needed to the UDO document to further achieve the policy and community's goals. MDHA is reviewing the amended substitute bill and had not provided comments at the time of publication.

**STAFF RECOMMENDATION**

Staff recommends approval as recommended in this staff report including the amended Substitute Ordinance and including any amendments at Council to increase open space requirements or provide clarifying language in the ordinance or plan. Planning staff has also addressed the following items as directed by the Planning Commission: The Transit and Affordability Taskforce Recommendation of creating a baseline survey, prohibiting Short-term Rentals, and the DRC Process and Make-Up. The Donelson Transit-Oriented Redevelopment District is in line with the policy; it will assist in implementing the Downtown Donelson UDO; and it will help achieve critical planning goals for the community and the City.

**An A Substitute Ordinance Approving the Donelson Transit-Oriented Redevelopment Plan**

WHEREAS, the Tennessee General Assembly has adopted 2017 Public Acts, Chapter 254, effective as of May 2, 2017 (codified at Tennessee Code Annotated, Sections 13-20-701 through 13-20-708), authorizing a housing authority to approve and implement a transit-oriented redevelopment project in order to redevelop transit-deficient areas; and

WHEREAS, the Metropolitan Development and Housing Agency desires to redevelop the transit-deficient area located within 1,320 feet on either side of Lebanon Pike between Park Drive ~~to~~ and Stewarts Ferry Pike; and

WHEREAS, the Metropolitan Development and Housing Agency has completed studies and prepared a plan for redevelopment entitled the "Donelson Transit-Oriented Redevelopment Plan," (herein referred to as the "Plan") consisting of a text, Redevelopment Plan Maps 1 and 2, and Exhibit "A" attached thereto, all dated ~~January 30~~ April 10, 2018, which have been submitted to the ~~Metropolitan~~ Council of the Metropolitan Government of Nashville and Davidson County, Tennessee (herein referred to as the "Metropolitan Council") for review and approval; and

WHEREAS, a copy of the Plan is attached to the Substitute Ordinance as an exhibit, and any capitalized terms in the Substitute Ordinance that are not defined herein shall have the meaning provided in the Plan; and

WHEREAS, the Metropolitan Development and Housing Agency has examined the area proposed for inclusion in the redevelopment project and determined that the absence of facilities for high capacity transit options for the area constitutes a serious and growing menace that is injurious to the public health, safety, morals, and welfare of residents and that facilities for high capacity transit are necessary to promote the elimination of traffic hazards, the implementation of regional solutions to traffic congestion, and the improvement of traffic facilities in order to protect the safety, health, morals, and welfare of the community; and the members of this Metropolitan Council have been duly apprised and are aware of these conditions; and

WHEREAS, the Plan adopts the development standards set forth in the Downtown Donelson UDO as adopted by the Metropolitan Council by BL2009-560, effective November 23, 2009, and as amended by BL2010-799, effective ~~February 4~~ January 24, 2011; and

WHEREAS, the project is located in Metropolitan Nashville and Davidson County, Tennessee and is to be undertaken by the Metropolitan Development and Housing Agency in accordance with and in furtherance of the objectives of Article I, Section 8 and 21 and Article II, Section 28 of the Constitution of Tennessee; 'The Housing Authorities Law,' Chapters 20 and 45, Public Acts of Tennessee of 1935 (1<sup>st</sup> Extraordinary Session), as amended; Chapter 114 of Public Acts of Tennessee of 1945, as amended; Chapter 181 of Public Acts of Tennessee of 1955 (said statutes now codified in Tennessee Code Annotated Sections 13-20-201 through 13-20-209) and 2017 Public Acts, Chapter 254 (now codified at Tennessee Code Annotated Sections 13-20-701 through 13-20-708); and

WHEREAS, the Metropolitan Development and Housing Agency desires to utilize the tax increment funding provision pursuant to Tennessee Code Annotated Section 13-20-706 in furtherance of its projects; and

WHEREAS, the Plan conforms to Section 5.06.010 through Section 5.06.060 of the Metropolitan Code of Laws regarding the use of tax increment financing; and

WHEREAS, the Plan for the area is designed to implement the concepts from *Let's Move Nashville: Metro's Transportation Solution*, which was released in October of 2017, which incorporated ideas from the *NashvilleNext* long range plan for Nashville's future growth adopted by the Metropolitan Planning Commission in 2015, the *nMotion* regional transit plan adopted in 2016, and the recommendations of the Transit and Affordability Taskforce released in January 2018; and

WHEREAS, the Plan sets aside a minimum of ten million dollars (\$10,000,000) of tax increment financing for affordable housing ("Minimum Housing TIF"); and

WHEREAS, the Plan for the area prescribes certain land uses and controls and provides for the acquisition by negotiation or otherwise of certain properties for public use or for resale to a redeveloper or developers; and

WHEREAS, the Plan provides for relocation assistance to be provided to individuals and businesses permanently or temporarily displaced by the acquisition of land by MDHA for implementation of this Plan in accordance with the Uniform Relocation and Real Property Acquisition Policies Act of 1970; and,

WHEREAS, the members of the Metropolitan Council have carefully considered and reviewed the proposal for redevelopment, including requirements for affordable and workforce housing and the relocation of businesses that may be displaced; and

WHEREAS, as the Metropolitan Government seeks to establish future transit-oriented redevelopment districts, it along with the Metropolitan Development and Housing Agency intends to amend the subsection of the Redevelopment Plan entitled "Review Process and Submittal Requirements," which is intended to be temporary; and

WHEREAS, in order to implement the Plan, the Metropolitan Council must approve and authorize certain actions;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, ~~TENNESSEE~~ TENNESSEE:

Section 1. That it is hereby found and determined that the redevelopment area defined by the Plan entitled "Donelson Transit-Oriented Redevelopment Plan," dated ~~January 30~~ April 10, 2018, is a transit-deficient area as defined in and in accordance with Tennessee Code Annotated Section 13-20-702(4).

~~Section 2. That it is hereby found and determined that conditions existing within the transit deficient area are detrimental to the safety, health, morals and welfare of the people of Nashville and Davidson County and such conditions should be eliminated.~~

Section 2. That it is hereby found and determined that the transit-deficient area, or such portions thereof as deemed necessary for acquisition by the Metropolitan Development and Housing Agency by negotiation or otherwise, as provided by Tennessee Code Annotated 13-20-703, and so designated pursuant to the Plan, should be so acquired by the Metropolitan Development and Housing Agency, provided that the Metropolitan Development and Housing Agency shall not use eminent domain to eliminate transit-deficient areas and may only use eminent domain to acquire land, or interests in land, for public facilities and public infrastructure, including high capacity transit facilities.

Section 3. That the Plan entitled "Donelson Transit-Oriented Redevelopment Plan," consisting of a text, Redevelopment Plan (~~R.P.~~) Maps 1 and 2, and Exhibit "A" attached thereto, all dated ~~January 30~~ April 10, 2018, as filed with the Metropolitan Clerk, is hereby in all respects approved.

Section 4. That it is hereby found and determined that the Plan for the project area conforms to the *NashvilleNext* Plan and adopts the design standards of the Downtown Donelson Urban Design Overlay.

Section 5. That the use of tax increment funding pursuant to Tennessee Code Annotated Section 13-20-706, is hereby approved for undertaking activities specified in the Plan.

Any property taxes levied upon property within the boundaries of the Donelson Transit-Oriented Redevelopment District each year after the effective date of this Ordinance shall be divided as provided in Tennessee Code Annotated Section 9-23-103. In accordance with Section 5.06.020 of the Metropolitan Code, the Metropolitan Development and Housing Agency is hereby authorized to collect and use all incremental ~~increment~~ revenues generated from all parcels identified in the Donelson Transit-Oriented Redevelopment District for uses permitted in the Plan and as allowed under Tennessee Code Annotated Section 13-20-706 and Tennessee Code Annotated Section 9-23-103.

No incremental tax revenues for property in the Project Area may be pledged as collateral for, or to support payment of, a loan or other debt obligation related to a project or property outside of the Project Area.

Section 6.

(a) In connection with the Plan, the term "Affordable Housing" shall mean residential units affordable to and occupied by households earning sixty percent (60%) or less of area median income (AMI); and the term "Workforce Housing" shall mean residential units affordable to and occupied by households earning more than sixty percent (60%) but not more than one hundred and twenty percent (120%) of AMI.

(b) At least once every five (5) years, MDHA shall make a recommendation to the Metropolitan Council about what portion of Minimum Housing TIF shall be used for Affordable Housing and for Workforce Housing. The period from the date this ordinance is passed until MDHA's first review and recommendation shall be referred to as the "Initial Period." Each subsequent period between reviews and recommendations shall be referred to as a "Subsequent Period."

(c) For the Initial Period, one hundred percent (100%) of Minimum Housing TIF awarded during this period must be used for Affordable Housing. During the Initial Period, if any tax increment revenues are pledged as collateral for, or to support payment of, a loan or other debt obligation related to Workforce Housing, it shall not count toward the Minimum Housing TIF established in the Plan.

(d) If any amendments to this Section 6 are determined to be necessary as a result of MDHA's periodic review and recommendation for a Subsequent Period, changes to this Section 6 may be accomplished by Resolution of the Metropolitan Council without an amendment to the Plan.

Section 7. Any Affordable Housing units created using tax increment financing under the Plan must remain qualified as Affordable Housing for a period of fifteen (15) years or the duration of the tax increment loan, whichever is greater. Any Workforce Housing units created using Tax Increment Financing under the Plan must remain qualified as Workforce Housing for a period of fifteen (15) years or the duration of the tax increment loan, whichever is greater.

Section 8. That it is hereby found and determined that, in addition to the elimination of transit-deficient areas from the Donelson Transit-Oriented Redevelopment District, the undertaking of the Donelson Transit-Oriented Redevelopment Project in such area will further promote the public welfare and proper development of the community.

Section 9. The subsection of the Plan entitled "Review Process and Submittal Requirements" may be replaced in whole or in part by the Metropolitan Council adopting a Resolution.

Section 10. That it is hereby found and determined that the Plan for the Donelson Transit-Oriented Redevelopment District will afford maximum opportunity, consistent with sound needs of the locality as a whole, for the redevelopment of the area by private enterprise.

Section 11. That this Ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

AMENDMENT NO. \_\_\_\_\_  
TO  
SUBSTITUTE ORDINANCE NO. BL2018-1139

Madam President –

I move to amend Substitute Ordinance No. BL2018-1139 as follows:

I. By amending Section 3 by substituting the document attached hereto, entitled "Donelson Transit-Oriented Redevelopment Plan," as "Exhibit A" thereto.

II. By otherwise substituting the document attached hereto, entitled "Donelson Transit-Oriented Redevelopment Plan," for all other references to "Exhibit A" or "the Plan" within the ordinance.

III. By amending Section 6 by renumbering subsection 6(d) as 6(e), and adding the following as the new subsection 6(d):

(d) In pursuit of feasible performance measures, MDHA shall establish annual goals for the development and preservation of fixed affordable housing units and shall further publish an annual scorecard listing of all fixed affordable housing units within the Project Area. The initial scorecard shall be submitted to the Metropolitan Council and published on the MDHA website on January 1, 2019 and continue annually thereafter.

IV. By adding a new Section 8, renumbering the remaining sections as necessary, with the new Section 8 stating as follows:

Section 8. In order to achieve the objectives of the Redevelopment Plan, a Design Review Committee must approve all improvements affecting the exterior appearance of property and requiring building permits upon land located within the Project Area.

The Metropolitan Development and Housing Agency and the Metropolitan Planning Department shall endeavor to determine, jointly, an efficient best practice service to the public for design review and the processing of applications for development (hereinafter, "process"). If, within one (1) year following approval of this ordinance, a process has not been submitted to the Metropolitan Council for review, the Metropolitan Council shall be authorized to establish such process by resolution approving such process without an amendment to the Plan.

INTRODUCED BY:

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Jeff Syracuse  
Member of Council

## Baseline Survey Memo

### Summary:

At the request of the Metro Planning Commission at the May 24, 2018 meeting, and to address The Transit and Affordability Taskforce recommendations, Metro Planning staff has compiled a scorecard of housing affordability and current businesses in the area around the proposed Donelson Transit Oriented Redevelopment District (TORD) site. This memo will provide an overview of the data included in that scorecard and will inform the establishment of fixed targets for both affordable housing and local business development/retention.

The Donelson Station Music City Star station, located at 2705 Lebanon Pike, is the focal point of the proposed Donelson TORD. This site sits near the center of the Donelson Redevelopment District, which extends 1.2 miles eastward from the 2500 block of Lebanon Pike to its intersection with Munn Rd. Based on guidance from Council and taking into account local neighborhood boundaries, we established a baseline survey study area which extends approximately ¼ mile out from the Redevelopment District boundary.

### Methods and Data:

Residential affordability is largely the function of two factors: income and housing costs. To be considered affordable, monthly housing payments should not exceed 30% of household income. All affordability calculations for owner-occupied units assume a 20% Down Payment, 30-year fixed rate mortgage at 4.64% and spending no greater than 30% of Area Median Income (AMI) on housing payments. Using Area Median Income as the basis for our affordability calculations is a best practice and aligns with Affordable Housing guidelines used by the Department of Housing and Urban Development and the Mayor's Office of Housing. The analysis also accounts for current property tax costs, but does not include home owners insurance, utilities or home maintenance.

The data presented in this memo are for properties located within the Study Area, with the following exceptions: Area Median Income data is for the Nashville-Davidson--Murfreesboro--Franklin, TN HUD Metro FMR Area and U.S. Census Bureau estimates of income and housing cost (gross rent and property values) are for 4 Block Groups which roughly correlate with the baseline survey study area. Block Groups were chosen based on where the majority of their dwelling units are located. If the majority of a Block Group's dwelling units were located within the study area, the Block Group was included in this analysis. If the majority of units were outside the study area, the Block Group was excluded. See **Study Area Map** for a map of the study area and associated Census geographies.

In order to measure housing values in the study area as accurately as possible, we primarily used property values provided by the Metro Assessor's Office. Using assessor's office data contributes to data consistency as most values were recently updated as a result of the 2017 Assessment. Also worth noting is that in instances where a parcel is home to more than one dwelling unit, the values provided are per unit. Housing values from the U.S. Census Bureau are also provided.

The AMI income limit value used is \$67,500. This assumes a 3 person household (Average Household Size for the FMR area is 2.6 persons). This corresponds with an affordable monthly housing cost of \$1,688. For moderate income (80% of AMI) households, this translates to \$1,349 a month. For low income (80% of AMI) households, the value is \$1,039.

In addition to evaluating housing affordability, this memo includes a summary of businesses located in the baseline survey study area.

### Findings:

Using data from the Metro Assessor's Office we were able to determine that the baseline survey study area is home to 1,031 dwelling units with an average value of \$209,199. Among these, 795 are single



## Baseline Survey Memo

family (average value \$216,830), 74 are duplex (average value \$85,758), 21 are low-rise apartments (average value \$71,186) and 83 are residential condominiums (average value \$229,221).

Of these 1,031 units, 928 (90%) are affordable at 100% of AMI. 778 (75.4%) are affordable to moderate income (80% of AMI) households and nearly 62% (636) are affordable to low income (60% of AMI) households. As one might expect, Duplex and Apartment units are generally more affordable than Single Family or Residential Condominium units. Please note that for the purpose of this work we assumed all dwelling units are available individually for sale. A map of affordability by neighborhood for 60% of AMI in the study area is included as **Affordability Map**.

Using U.S. Census Bureau 2012-2016 American Community Survey 5-Year Estimates for the 4 study area Block Groups we were able to determine that the study area is home to 1,127 dwelling units, 344 of which are renter occupied with the remaining 783 units being owner occupied. Of the 344 rental units, 309, or 89.8%, are affordable at 100% of AMI. 287 (83.4%) are affordable to moderate income (80% of AMI) households and 236 (68.6%) are affordable to low income (60% of AMI) households. Of the 783 owner occupied units, 763 (97.4%) are affordable at 100% of AMI, 718 (91.7%) are affordable to moderate income households and 693 (76.6%) are affordable to low income households. Note that affordability is generally better in the Census data, as those estimates cover the time period of 2012-2016 and as such include measurements covering the earlier stages of Nashville's recent increases in housing values.

Affordability data from both the Assessor's Office and U.S. Census Bureau are included with this memo under the **Housing Affordability Tables**.

The study area is currently home to 170 businesses of various types. Most are business or consumer service providers, retail stores or restaurants. A list of the types of businesses found in the area is included under the **Study Area Businesses by Type Table**. The most commonly found types are General Retail (Shipley's Donuts, Ace Hardware), Hair, Nail + Skin Care Service, Office Administrative Services (Titlemax) and Small Restaurants-Independents (Phat Bites, Mcnamara's Irish Pub + Restaurant). Also of note is a full-service grocery store (Kroger) the 3 Offices of Physicians, 3 Dentists and 1 Child Day Care Services. The Nashville Public Library Donelson Branch and a second full-service grocery store (Publix) are located just west of the study area.

### **Additional Data:**

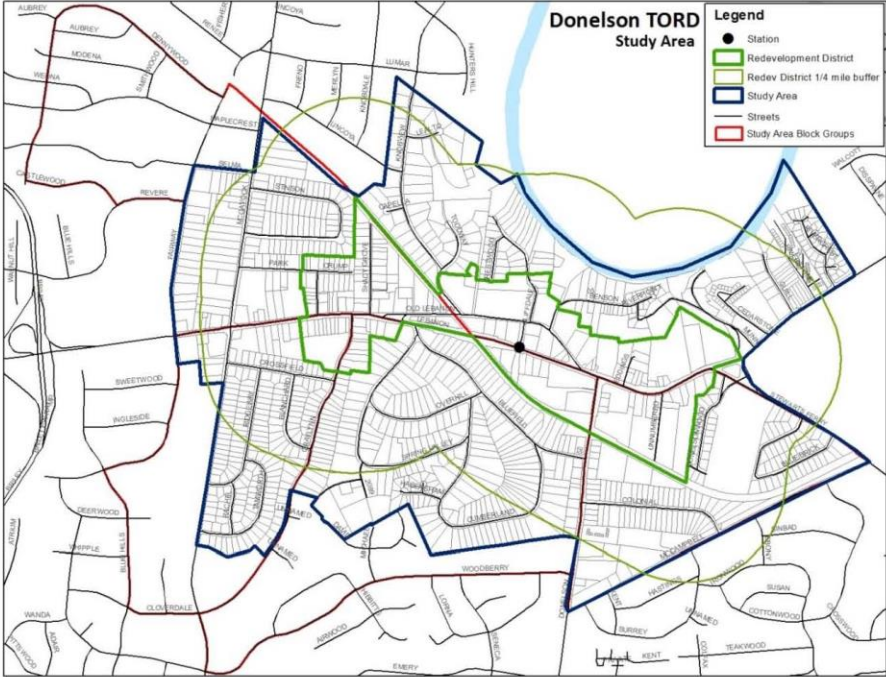
In addition to the data presented in this memo, we have gathered a wide range of demographic and property value data from the U.S. Census Bureau, the Metro Assessor's Office and HUD, among others. These data support the establishment of a baseline of affordability and will allow future affordability reports for the study area a wide array of data items to include and evaluate. This data also includes a complete list of businesses in the study area.

While we are fully prepared to update this scorecard annually, we recommend that updates done every four years, corresponding with the Assessor's Office reassessment years. While new Census data will be available annually, waiting until the next assessment will ensure accuracy and consistency with the 2017 Assessment – a primary data source for this work.

Finally, since this memo uses income values for the 10-County Nashville-Davidson--Murfreesboro--Franklin, TN HUD Metro FMR Area it is worth noting that Davidson County income values are approximately 7% lower than that of the region (Regional Median Family Income: \$67,500, Davidson County: \$62,723). As such, the study area would appear less affordable if we used a county based income value rather than AMI.

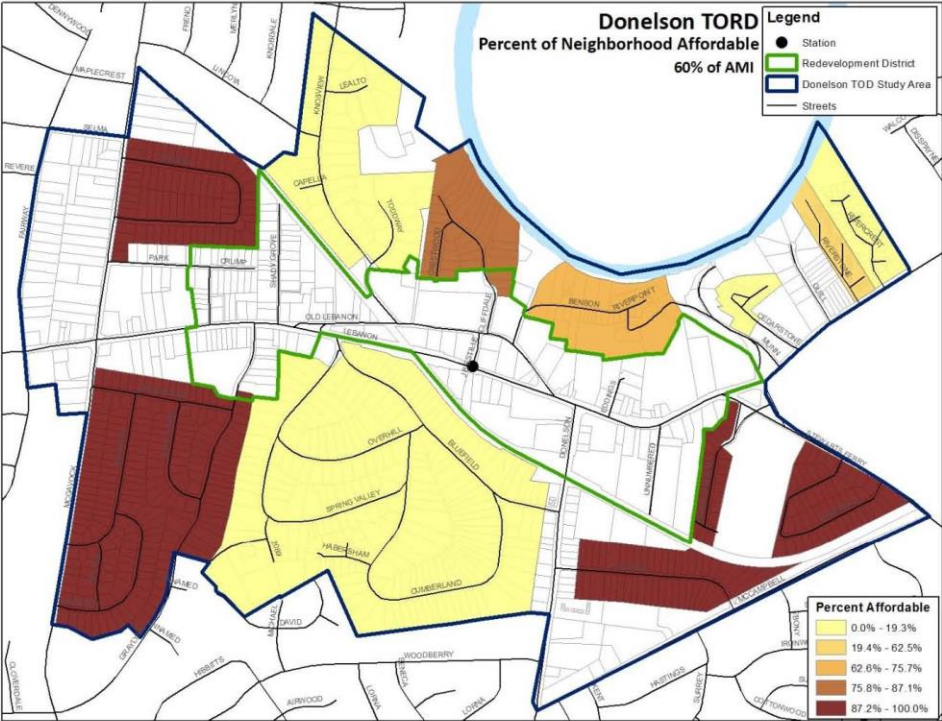
Baseline Survey Memo

Study Area Map



Baseline Survey Memo

Affordability Map



## Baseline Survey Memo

### Housing Affordability

#### Tables

##### Property Summary

Study Area Properties	Dwelling Units	Property Value	
		Total	Average
Residential:	1,031	\$215,684,200	\$209,199
Single Family:	795	\$172,379,900	\$216,830
Duplex:	74	\$6,346,100	\$85,758
Apartment (Low Rise):	21	\$1,494,900	\$71,186
Residential Condo	83	\$19,024,500	\$229,211
Other:	58	\$16,438,800	\$283,428

Source: Metro Assessor's Office

##### Income

Nashville-Davidson-- Murfreesboro--Franklin, TN HUD Metro FMR Area	60%	80%	100%	120%
Area Median Income (AMI)	\$41,560	\$53,950	\$67,500	\$80,925
30% on Housing (Annual)	\$12,468	\$16,188	\$20,256	\$24,276
30% on Housing (Monthly)	\$1,039	\$1,349	\$1,688	\$2,023

Source: HUD and the Mayor's Office of Housing. Assumes 3 person Household.

##### Affordable Units

Study Area Properties	Dwelling Units	60%	80%	100%	120%
<b>Affordable Property Values</b>		\$211,875	\$274,875	\$344,25	\$412,50
Residential:	1,031	636	778	928	990
SF:	795	469	584	707	761
Duplex:	74	74	74	74	74
Apt (Low Rise):	21	21	21	21	21
Residential Condo	83	35	55	77	83
Other:	58	37	44	49	51

Source: Metro Assessor's Office

Note: Assumes all units are available individually for sale.

U.S. Census Bureau		Affordable Units			
Study Area Block Groups	Dwelling Units	60%	80%	100%	120%
Rental*:	344	236	287	309	325
Owner:	783	600	718	763	783

Source: 2012-2016 American Community Survey 5-Year Estimates for Davidson County TN

\*Gross Rent

Note: Affordability calculations assume 20% Down Payment, 30-year fixed rate mortgage at 4.64% and no greater than 30% of MHI.

## Baseline Survey Memo

### Study Area Businesses by Type

Business Type	Number	Example	Address
All Other Personal Services	6	Donelson Alteration	2540 Lebanon Pike
Apts WO/Clubhouse	1		
Automotive Body & Paint	1		
Automotive Oil Chg & Lube Shop	2	Two Rivers Quick Lane	2738 Old Lebanon Pike
Automotive Parts, Accessories	2	O'Reilly Automotive Stores Inc	2615 A Lebanon Pike
Caterers, Food Wagon, Mobile	1		
Child Day Care Services	1		
Commercial Banking	4	Bank Of America N A	2720 Lebanon Pike
Conv Store with Gas	1		
Courier Service	1		
Couriers	2	Dependable Image Delivery	2547 Lebanon Pike
Drinking Places (Alcoholic Bev	1		
Electrical Contractors	1		
Employment Placement Agencies	1		
Engineering Services	2	J R Wauford + Co	2835 Lebanon Pike
Equipment Only	1		
Exterminating + Pest Control S	1		
Floor Layng + Othr Floor Contr	1		
Gen Freight Trucking Local	1		
General Automotive Repair	5	Cooper's Automotive Service	2843 A Lebanon Pike
General Retail	30	Shiplely Donuts	2540 Lebanon Pike
		Dollar Tree Stores #3326	2710 Old Lebanon Pike
		Ace Hardware	2730 Lebanon Pike
Gift, Novelty, Souvenir Store	1		
Glass + Glazing Contractors	1		
Hair, Nail + Skin Care Service	15	Ladies + Gents Salon	108 Donelson Pike
Insurance Agencies + Brokerage	6	State Farm Ins	2600 Lebanon Pike
Janitorial Services	1		
Landscaping Services	1		
Lessors of Miniwarehouse + Sel	1		
Limited Service-Fast Food	3	Papa Johns International Inc	2731 Lebanon Pike
Masonry + Stone Contractors	1		

### Baseline Survey Memo

Misc Goods Wholesale +Dist	2	Buddy Allen Floor Warehouse	217 Shady Grove Rd
Misc Small Mfg	3	Print Shop, The	2812 Lebanon Pike
Motor Vehicle Towing	1		
Musical Groups + Artists	2		
Ofcs of CPA	2	Mintax LLC	2707 Lebanon Pike
Office Administrative Services	14	Titlemax Of Tennessee, Inc.	2604 Lebanon Pike
		US Community Credit Union - Admin Office	2622 Old Lebanon Pike 100
Offices of Chiropractors	2	United Chiropractic	2600 Lebanon Pike
Offices of Dentists	3	Clodfelter, Janet DDS	226 Shady Grove Rd
Offices of Lawyers	1		
Offices of Optometrists	1		
Offices of Physicians	3	Radiological Physics Assoc Inc	239 Cliffdale Rd
Offices of Real Estate Agents	1		
Plumbing Heating + AC Contract	2	Service Experts Heating + Air	2710 Old Lebanon Pike
Private Households	2		
Securities Brokerage	2		
Single-Family Housing Constr	1		
Small Resturants-Independents	10	Phat Bites Deli + Restaurant	2730 Lebanon Pike
		Mcnamara's Irish Pub + Restaurant	2740 Old Lebanon Pike
Studio Fitness	4	Donelson Tae Kwon Do	2742 A Old Lebanon Pike
Taxi Cabs	3		
Tire Dealers	1		
Truck, Utility Trailer + RV Re	2	Uhaul Company Of Tennessee #42552	2843 A Lebanon Pike
Used Car Dealers	3	Auto Masters	2610 Lebanon Pike
Used Merchandise Stores	6	Southern Thrift Store	2710 Old Lebanon Pike
Vending Machine Operators	1		
Veterinary Services	1		
Wood Mfg	1		

Source: Metro Assessor's Office. All data for April 2018.

Note: a complete list of businesses in the study area is available in the appendix.

Ms. Buechler presented the staff recommendation of approval as recommended in this staff report including the amended Substitute Ordinance and including any additional amendments at Council to increase open space requirements or provide clarifying language in the ordinance or plan. Planning staff has also addressed the following items as directed by the Planning Commission: The Transit and Affordability Taskforce Recommendation of creating a baseline survey, prohibiting short-term rentals, and the DRC Process and Make-Up.

Councilmember Syracuse spoke in favor of approval with conditions.

Will Choppin, counsel for MDHA, stated that the steps taken on the June 5 amended plan are in conflict with state law. The amended plan should go before the MDHA Board and then be presented to Council for approval after the statutory public hearing on the plan.

Mr. Marsh, Legal, clarified that the commission can hear and vote on this item at this time, then MDHA and Council can take action after.

Councilmember Mendes spoke in opposition due to lack of agreement on the design review committee, budget issues, and increasing operating costs with no revenue to support it.

Terry Crotzer, 3212 Knobview, spoke in opposition. There are too many questions left unanswered.

**Chairman Adkins closed the Public Hearing.**

Ms. Farr explained that while she recognizes the budgetary and affordability concerns, this is a neighborhood ripe for gentrification. Getting some measures in place that will ensure continued affordability is a benefit of this plan. There is no better place in the county to test this out.

Dr. Bichell and Ms. Blackshear spoke in agreement with Ms. Farr and in favor of the application.

Councilmember Bedne spoke in opposition. The design review committee is extremely important. Giving someone the key to something and walking away is not the right thing to do.

Ms. Moore spoke in favor of the application. Budgetary concerns can be hashed out at council.

Mr. Gobbell spoke in favor of the application.

Dr. Sims spoke in opposition because the design review commission is not being addressed in a way that offers more accountability, more transparency, and more openness to community feedback.

Mr. Haynes spoke in favor of the application. This is the right place for the first transit oriented redevelopment district. The financial discussion is the purview of the council.

**Mr. Haynes moved and Mr. Gobbell seconded the motion to approve as recommended in this staff report including the amended Substitute Ordinance and including any additional amendments at Council to increase open space requirements or provide clarifying language in the ordinance or plan. Planning staff has also addressed the following items as directed by the Planning Commission: The Transit and Affordability Taskforce Recommendation of creating a baseline survey, prohibiting short-term rentals, and the DRC Process and Make-Up. (7-2) Councilmember Bedne and Dr. Sims voted against.**

**Resolution No. RS2018-145**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2018M-001OT-001 is Approve as recommended in this staff report including the amended Substitute Ordinance and including any additional amendments at Council to increase open space requirements or provide clarifying language in the ordinance or plan. Planning staff has also addressed the following items as directed by the Planning Commission: The Transit and Affordability Taskforce Recommendation of creating a baseline survey, prohibiting short-term rentals, and the DRC Process and Make-Up. (7-2)**

## 2. 2018SP-007-001

### PRINCE AND DUKE SP

Council District 05 (Scott Davis)

Staff Reviewer: Levi Hill

A request to rezone from R6-A to SP-R zoning on properties located at 315, 317 A, 317 C, and 317 E Prince Avenue, and 318 B, 320, 322 and 324 Duke Street, west of Overby Road (1.17 acres), to permit up to 12 single-family residential units, requested by Dale and Associates, applicant; Invent Communities, Inc., owner.

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

### APPLICANT REQUEST

**Rezoned to SP to permit 12 single-family residential units.**

#### Preliminary SP

A request to rezone from One and Two-Family Residential-Alternative (R6-A) to Specific Plan-Residential (SP-R) zoning on properties located at 315, 317 A, 317 C, and 317 E Prince Avenue, and 318 B, 320, 322 and 324 Duke Street, west of Overby Road, to permit up to 12 single-family residential units (1.17 acres).

#### **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 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 8 lots with 2 duplex lots for a total of 10 units based on acreage alone of the current parcels, 3 are duplex eligible and 5 would permit single-family units only resulting in a total of 11 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.

### **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?

The property is located within an Urban Neighborhood Maintenance policy area which is intended to maintain the general character of existing urban residential neighborhoods. T4 NM policy areas typically include clearly distinguishable boundaries identified by a consistent block structure and building placement. The proposed plan would allow 12 single-family residential units with regular spacing between buildings and consistent setbacks along both street frontages. All units are accessed by a proposed alley and only one access point is taken from Prince Avenue and Duke Street, consistent with the goals of the T4 NM policy.

### **PLAN DETAILS**

The site is located on Prince Avenue and Duke Street, mid-block between Sultana Avenue and Overby Road. The site is approximately 1.17 acres and is currently developed with a single-family residence.

#### Site Plan

The plan proposes 12 detached single-family residential units and individual lots ranging from 2,450 square feet to 4,245 square feet. A series of public alleys are proposed to provide access to all units. Individual units will be accessed via a proposed 20 foot public alley that runs east and west at the interior of the site. Parking is provided consistent with the parking requirement of the Metro Zoning Code. Units 1-6 would front Duke Street and are setback 20 feet from the right of way while units 7-12 would have frontage along Prince Avenue and are setback 35 feet from the right of way to remain consistent with the existing development pattern along both street frontages. Heights would be limited to 3 stories in 35 feet, as measured to the highest point of the roof. A five foot sidewalk and four foot planting strip is proposed along both Prince Avenue and Duke Street, consistent with the local street standards. Additionally, the plan proposes perimeter landscaping.



**ANALYSIS**

The plan is consistent with the site’s T4 Neighborhood Maintenance Policy. The plan proposes a single-family use in a neighborhood consisting primarily of one and two-family uses. The proposed density and building placement is consistent with the existing character and density of the greater neighborhood as well the likely future development pattern for the block. Additionally, the proposed use is consistent with the surrounding land use policies in the area.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- For the latest Preliminary SP revision (stamped-received 5/10/18), our previous conditional approval still applies, with the following changes: this latest proposed layout does not include a shared private sewer system. If so, than no variance or Letter of Responsibility are required in the future. Also, MWS recommends the applicant submit a revised availability study, before Final SP stage, to reflect the reduced unit count (impacts 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.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate sight distance at drive. Provide adequate guest parking on site.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	1.17	7.26 D	10 U	96	8	11

\*Based on two-family lots

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
Single-Family Residential (210)	1.17	-	12 U	144	12	16

Traffic changes between maximum: **R6-A 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	+48	+4	+5

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing R6-A district: 2 Elementary 2 Middle 1 High**

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

The proposed SP-R zoning district would generate 3 additional students than what is typically generated under the existing R6-A zoning district. Students would attend Tom Joy 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 December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited 12 single-family residential units.
2. 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.
3. Heights are limited to 3 stories in 35 feet, as measured to the highest point on the roof.
4. Comply with all conditions and requirements of Metro agencies.
5. Sidewalks and grass strips consistent with local street standards shall be provided along both property frontages.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district.
7. On the corrected copy of the SP, provide the correct fall back zoning of R6-A.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approve with conditions and disapprove without all conditions. Consent agenda (9-0)**

**Resolution No. RS2018-146**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-007-001 is: **Approve with conditions and disapprove without all conditions. (9-0)**

**CONDITIONS**

1. Permitted uses shall be limited 12 single-family residential units.
2. 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.
3. Heights are limited to 3 stories in 35 feet, as measured to the highest point on the roof.
4. Comply with all conditions and requirements of Metro agencies.
5. Sidewalks and grass strips consistent with local street standards shall be provided along both property frontages.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district.
7. On the corrected copy of the SP, provide the correct fall back zoning of R6-A.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**3. 2018SP-016-001**

**CITY VIEW ESTATES SP**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Abbie Rickoff

A request to rezone from R8 to SP-R zoning on property located at 926 West Trinity Lane, approximately 440 feet east of the intersection of West Trinity Lane and Old Buena Vista Road/Youngs Lane (1.30 acres), to permit up to 16 multi-family residential dwelling units, requested by Civil Design Consultants, LLC, applicant; Progressive Development, LLC, owner.

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

## **APPLICANT REQUEST**

### **Preliminary SP to permit up to 16 multi-family residential units.**

#### Preliminary SP

A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Residential (SP-R) zoning on property located at 926 West Trinity Lane, approximately 440 feet east of the intersection of West Trinity Lane and Old Buena Vista Road/Youngs Lane (1.30 acres), to permit up to 16 multi-family residential dwelling units.

#### **Existing Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 7 lots with 1 duplex lot for a total of 8 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.

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

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

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

#### Mobility Supplemental Policy

The mobility supplemental policy contains guidance for increasing connectivity in developed areas and establishing a street network in greenfield areas, particularly in areas within the T4 Urban Transect. This supplemental policy is accompanied by an exhibit showing a conceptual network of proposed street connectivity throughout Haynes Trinity that would provide a strong and cohesive block structure in support of the Community Character Policies. As a conceptual network, alignments may vary as the result of property consolidation patterns, topography, and other environmental constraints that may be identified during detailed analysis.

#### Consistent with Policy?

The SP site is within the T4 Transect and is guided by the Mobility Supplemental Policy, identifying the need for enhancements to an incomplete street network. The plan proposes 2 new streets, setting up opportunities for future connectivity and a cohesive block structure, consistent with the guidance of the Supplemental Policy. Additionally, the plan proposes residential development along W. Trinity Lane, an urban arterial-boulevard, where infill development is appropriate.

The land use policies for the SP area were recently established with the adoption of the Haynes Trinity Small Area Plan. The plan, which was the result of an extensive community charrette process, was adopted by the Planning Commission on January 11, 2018. The small area plan updated the land use policy categories for properties within the study area and established supplemental policies to address mobility, parks, and open space.

## **PLAN DETAILS**

The 1.3-acre site is located on the south side of W. Trinity Lane, east of Old Buena Vista Road/Youngs Lane and west of Roy Street. The site currently contains a residential structure which is not indicated to be retained with this SP. Surrounding land uses include primarily single-family, institutional, and vacant properties.

The site plan proposes 16 detached multi-family units. Two units front W. Trinity Lane and the remaining units front new internal streets or open space. Vehicular access is provided from two new public streets. Gail Lane, a north-south street, will extend from W. Trinity Lane to the southern property line. Gail Lane bisects a new east-west street that stubs to the eastern and western property lines for future connectivity. All units contain two car garages, which are accessed from the new roads through a combination of individual and shared drives to minimize curb cuts along the streets.

Open space is located along the western property line, and buffers have been identified around the perimeter of the site. An opaque fence is provided around the western, southern, and eastern property lines, outside of the future road connections. The new roads include a five foot sidewalk and four-foot planting strip consistent with a modified street cross-section approved by Public Works.

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 49 feet to the roofline.

**ANALYSIS**

Overall, the SP works to implement the community’s vision to enhance the area with an integrated mixture of housing and a connected street system. The plan responds to the community’s needs and expectations for a planned street network that connects the neighborhood, providing access opportunities that allow for T4 development patterns.

The original plan did not include any public streets. At staff’s request and after ongoing discussions with the applicant, the layout was modified to accommodate public streets, setting up a block structure that would serve adjacent properties once development occurs on those properties, consistent with the Mobility Supplemental Policy. Additionally, some of the units were reoriented with parking located to the side or rear, minimizing curb cuts along the new public streets. 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**

- The required turnaround shall be marked as a fire lane. Fire Code issues will be addressed in the permit phase.

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Public sewer construction plans must be submitted and approved, prior to Final SP approval (due to new roads now being public.) The required capacity fees must also be paid prior to Final Site Plan/SP approval. If needed, the applicant must submit for, and receive approval of, a variance for the proposed shared private sewer system (possibly only outside of public roadways), prior to Final SP approval. This variance package must contain a Letter Of Responsibility, and must match the Final Site Plan/SP plans.

**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.
- Prior to bldg. permit submit recorded ROW dedications to MPW
- A bond will be required for the public infrastructure within the ROW with the plat recording.
- All construction within the existing and proposed ROW is to be in compliance with MPW standard drawing and details for curb and gutter, sidewalks, pavement, etc.
- The proposed Gail Lane and the new East-West Road is to be constructed per a modified ST-251 cross section (removal of sidewalk on the west side and south side, respectively.) The road name for the proposed public road must be approved by MPW Records Section.
- MPW standard driveway ramps are required for all private vehicular connections to the public road.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate sight distance at access drive.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	1.30	5.44 D	8 U	77	6	9

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)	1.30	-	16 U	131	12	14

Traffic changes between maximum: **R8 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+8 U	+54	+6	+5

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing R8 district: 0 Elementary 1 Middle 1 High**

**Projected student generation proposed SP-R district: 1 Elementary 4 Middle 4 High**

The proposed SP zoning is expected to generate 7 more student than the existing R8 zoning. Students would attend Lillard Elementary School, Joelton Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 16 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. 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. 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.
6. The maximum height shall not exceed 49 feet measured to the roofline.
7. A standard "B" buffer shall be installed along the western and southern property lines. A standard "A" buffer shall be installed along the eastern property line and shall include additional evergreen vegetation in any areas where the setback is less than 5 feet.
8. All perimeter wood fencing shall consist of treated wood only.
9. Sidewalks and planting strip shall be constructed on all new public streets consistent with the requirements of Public Works. Sidewalks and planting strip shall be constructed along W. Trinity Lane consistent with the Major and Collector Street Plan.
10. All new internal public streets shall extend to the property lines.
11. 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.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. 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.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
15. Comply with all conditions of Stormwater, Water Services, and Public Works.
16. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approve with conditions and disapprove without all conditions. Consent agenda (9-0)**  
**Resolution No. RS2018-147**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-016-001 is: **Approve with conditions and disapprove without all conditions. (9-0)**

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 16 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. 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. 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.
6. The maximum height shall not exceed 49 feet measured to the roofline.
7. A standard “B” buffer shall be installed along the western and southern property lines. A standard “A” buffer shall be installed along the eastern property line and shall include additional evergreen vegetation in any areas where the setback is less than 5 feet.
8. All perimeter wood fencing shall consist of treated wood only.
9. Sidewalks and planting strip shall be constructed on all new public streets consistent with the requirements of Public Works. Sidewalks and planting strip shall be constructed along W. Trinity Lane consistent with the Major and Collector Street Plan.
10. All new internal public streets shall extend to the property lines.
11. 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.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. 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.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
15. Comply with all conditions of Stormwater, Water Services, and Public Works.
16. 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.

**4. 2018SP-033-001**

**2423 BUENA VISTA SP**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Levi Hill

A request to rezone from RM4 to SP-R zoning for properties located at 2423 Buena Vista Pike and Buena Vista Pike (unnumbered), approximately 1,095 feet west of Tucker Road, (10.33 acres), to permit 69 multi-family units, requested by Dale & Associates, applicant; Judith & Salem Forsythe, owners.

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

**APPLICANT REQUEST**

**Rezoned to SP to permit a 69 multi-family residential units.**

Preliminary SP

A request to rezone from Multi-Family Residential (RM4) to Specific Plan-Residential (SP-R) zoning for properties located at 2423 Buena Vista Pike and Buena Vista Pike (unnumbered), approximately 1,095 feet west of Tucker Road, (10.33 acres), to permit 69 multi-family units.

**Existing Zoning**

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre. *RM4 would permit a maximum of 41 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.

### **BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN**

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

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

T4 Urban 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 property is located within the T3 Suburban Neighborhood Evolving and T4 Urban Neighborhood Evolving policy areas. The NE policy areas are intended to create and enhance suburban and urban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns depending on the transect. The plan proposes higher density residential development along Buena Vista Pike in the form of stacked flats and then transitions to townhome style residential units as the plan moves further to the interior of the site consistent with the goals of the land use policies. A large portion of the site lies in the Conservation policy area in response to steep slopes that exists on the property. The plan avoids the majority of these sloped areas and proposes minimal disturbance to the conservation features of the site.

### **PLAN DETAILS**

The site is located at 2423 Buena Vista Pike, approximately 1,095 feet west of Tucker Road. The site is approximately 10.33 acres and is currently vacant.

#### Site Plan

The plan proposes 69 multi-family residential units. 32 units will be located in a stacked flat building fronting Buena Vista Pike. The remaining 37 units are located in four rows of townhomes located at the interior of the site. A single point of access is provided from Buena Vista Pike while a series of private drives will provide access to the individual units. 40 parking spaces are to be provided via private garages while 89 surface parking spaces are provided, totaling 129 spaces, which exceeds the parking requirements of the Metro Zoning Code. Heights would be limited to 3 stories in 35 feet, as measured to the highest point of the roof. Bicycle and pedestrian facilities consistent with the requirements of the Major and Collector Street plan are required along Buena Vista Pike which is identified as an arterial. Both perimeter and internal landscaping is proposed.

### **ANALYSIS**

The plan is consistent with the site’s land use policies. The plan proposes higher density residential development within the urban transect and along Buena Vista Pike while providing an adequate transition to a less intense form of residential development at the interior of the site. The plan makes efforts to avoid disturbance to the environmentally sensitive features of the site while providing a variety of housing types, consistent with the goals of the land use policy. Additionally, the proposed plan is consistent with the surrounding land use policies in the area.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- If sidewalks are required then they should be shown on the plans per MCSP and MPW standards and specs.
- Indicate on the plans the installation of ground mounted "now entering private property" signage at driveway location.
- Comply with MPW Traffic Engineer conditions of approval

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- An access study shall be conducted prior to final SP approval to determine if adequate LTL storage is provided between project access and Overlook Ridge development. Provide adequate sight distance at access point.

Maximum Uses in Existing Zoning District: **RM4**

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)	10.33		41 U	373	24	41

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)	10.33		69 U	542	38	56

Traffic changes between maximum: **RM4 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+28 U	+169	+14	+15

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RM4 district: **23 Elementary 13 Middle 11 High**

Projected student generation proposed SP-R district: **38 Elementary 22 Middle 18 High**

The proposed SP-R zoning district would generate 31 additional students than what is typically generated under the existing RM4 zoning district. Students would attend Cumberland Elementary, Joelton Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.



## CONDITIONS

1. Permitted uses shall be limited 69 multi-family residential units.
2. 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.
3. Heights are limited to 3 stories in 35 feet, as measured to the highest point on the roof.
4. Comply with all conditions and requirements of Metro agencies.
5. Sidewalks and improvements consistent with the Major and Collector Street plan shall be provided along the property frontage on Buena Vista Pike.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

### **Approve with conditions and disapprove without all conditions. Consent agenda (9-0)**

#### **Resolution No. RS2018-148**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-033-001 is: **Approve with conditions and disapprove without all conditions. (9-0)**

## **CONDITIONS**

1. Permitted uses shall be limited 69 multi-family residential units.
2. 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.
3. Heights are limited to 3 stories in 35 feet, as measured to the highest point on the roof.
4. Comply with all conditions and requirements of Metro agencies.
5. Sidewalks and improvements consistent with the Major and Collector Street plan shall be provided along the property frontage on Buena Vista Pike.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**5. 2018Z-038PR-001**

Council District 05 (Scott Davis)  
Staff Reviewer: Gene Burse

A request to rezone from RS5 to R6-A zoning on property located at 1519 Meridian Street, approximately 75 feet south of Marshall Street (0.32 acres), requested by Land Development Solutions, applicant; Magness Devco 2017, GP, owners.

**Staff Recommendation: Defer to the August 9, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-038PR-001 to the August 9, 28, 2018, Planning Commission meeting. (9-0)**

**6. 2018Z-039PR-001**

Council District 05 (Scott Davis)  
Staff Reviewer: Patrick Napier

A request to rezone from RS5 to R6-A zoning on properties located at 1702 Meridian Street, approximately 30 feet northwest of Edith Avenue (0.34 acres), requested by Land Development Solutions, applicant; 1702 Meridian, GP, owner.

**Staff Recommendation: Defer to the August 9, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-039PR-001 to the August 9, 28, 2018, Planning Commission meeting. (9-0)**

**7a. 2018HL-002-001**

**IVY HALL HISTORIC LANDMARK OVERLAY**

Council District 07 (Anthony Davis)  
Staff Reviewer: Shawn Shepard

A request to apply a Historic Landmark Overlay on property located at 1431 Shelton Avenue, approximately 290 feet southwest of Stratford Avenue, zoned RS7.5 and within the Inglewood Place Neighborhood Conservation Overlay District (1.37 acres), requested by Smith Gee Studio, applicant; Rachel McCann and Joshua Gray, owners. (See associated cases # 2018NHL-002-001 and 2018NHL-002-002).

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

Apply a Historic Landmark Overlay District.

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay on property located at 1431 Shelton Avenue, approximately 290 feet southwest of Stratford Avenue, zoned Single-Family Residential (RS7.5) and within the Inglewood Place Neighborhood Conservation Overlay District (1.37 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 seven units, subject to compliance with all standards of the Metro Subdivision Regulations.*

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

- Preserve Historic Resources

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

**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?

Yes. The T4 Neighborhood Maintenance policy encourages the protection and preservation of historic features.

**REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 20, 2018, meeting. Historic Zoning Commission staff recommends approval of this application. Metro Historic Commission staff provided the following background information:

**Ivy Hall**

The Dr. Cleo Miller House, also known as Ivy Hall, located at 1431 Shelton Avenue, Nashville, Davidson County, Tennessee, is listed in the National Register of Historic Places under Criterion C for its association with Nashville architect Edwin Keeble and as an excellent example of the Tudor Revival style in Nashville. The property is located in the Inglewood Place Neighborhood Conservation Zoning Overlay. A Historic Landmark will allow for a greater level of protection than the existing overlay.

Constructed during 1934-1936 at an approximate cost of \$30,000, the Miller house was originally set on seven acres of land (presently on 1.9 acres) that was once part of the Inglewood Golf Course and Country Club in East Nashville.

By the mid-1930s Edwin Keeble was quickly becoming one of the more established architects in Nashville, Tennessee. After working briefly as an independent architect in 1928 in Nashville, Keeble became associated with Francis Warfield. The firm did a variety of project types: residential, commercial, and toward the end of their career together, war-related.

After Keeble's Navy commission ended in 1946, he returned to Nashville to begin his own firm. During the postwar years, Keeble established himself as a major Tennesseean, and national, architect. In Nashville he designed the Life and Casualty Tower (L & C) in 1956; Woodmont Christian Church in 1948 and its sister Vine Street Christian Church in 1958; Hillsboro High School in circa 1954, the Veterans Administration Hospital, the Vanderbilt Memorial Gymnasium, and several other residences. Keeble also practiced outside of Nashville and Tennessee. He designed several buildings at the University of the South in Sewanee, Tennessee, as well as the town's airport. Other commissions included several buildings for Athens College in Athens, Alabama; numerous rocket and ammunitions plants and facilities for the United States Navy Hospital in Washington, D.C. In 1970, Keeble retired from his architecture firm, culminating nearly half a century of work.

Keeble gratefully accepted a commission to design a residence for Dr. Cleo Miller and his family in East Nashville. Miller was a prominent physician, establishing Edgefield Hospital and several clinics in East Nashville. Keeble's skill in the revival style of domestic architecture and emerging reputation attracted the attention of Miller. For Dr. Miller's house, Keeble chose to use the Tudor style, designing it with the most modern conveniences of the time. The Miller house was designed with an internal servant bell system, radio electric outlets wired to an antenna, a first floor phone alcove, built-in ironing board, stainless steel kitchen counters and sink basin/ breakfast room, and recreation room.

*Additional information is available in the National Register of Historic Places nomination.*

**Analysis & Findings:**

The property is listed in the National Register of Historic Places, and therefore meets part B.5 of section 17.36.120 of the ordinance.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 20, 2018, the MHZC unanimously voted to recommend approval to Council of the proposed overlay finding that the project meets the section 5 of ordinance 17.36.120.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Ms. Shepard presented the staff recommendation of approval.

Items 7a and 7b were heard and discussed together.

Josh Gray, 1431 Shelton Ave, spoke in favor of the application.

Rachel McCann, 1431 Shelton Ave, spoke in favor of the application.

Scott Morton, 1005 N 14<sup>th</sup> St, spoke in favor of the application. This will not set a precedent for commercial use in residential areas.

Leslie Thomas, 1423 Shelton Ave, spoke in favor of the application because it will preserve this beautiful home.

Julie Howard, 3608 Golf St, spoke in favor of the application and clarified that she has never heard any noise coming from that house.

Cheryl Bretz, 109 Merrimac Dr, spoke in favor of the application.

Bruce Howard, 3608 Golf St, spoke in favor of the application as it will be a change for the better.

Janice Elizondo, 1429 Shelton Ave, spoke in favor of the application and noted that Mr. Gray and Ms. McCann are perfect neighbors.

Matthew Bond, 3519 Golf St, spoke in opposition to the application.

Rebecca Freeman, 1304 McChesney Ave, spoke in opposition to the application. There is no exterior exit from the basement, there is no business license for this operation, and the development plan is lacking. This overlay will run with the land, so restrictions needs to be made clear.

Mary Johnston, 1310 Howard Ave, spoke in opposition to the application because it feels like spot zoning.

Scott Morton clarified that the applicant really wants to make this appropriate to the neighborhood. He also noted that there are two points of egress on the site.

**Chairman Adkins closed the Public Hearing.**

Mr. Haynes recused himself since he was out of the room for most of the public hearing.

Dr. Sims asked if there is any record of the non-compliance issues addressed by Codes being fixed.

Scott Morton noted that the applicant will not be able to get a use and occupancy permit without verifying that all issues have been addressed and Codes has approved.

Mr. Gobbell spoke in favor of the application. This is a significant structure that is worth saving.

Ms. Moore spoke in favor of the application. It is a unique piece of property and has Historic's approval.

Dr. Bichell spoke in favor of the application; it is a perfect use of a landmark overlay.

Ms. Blackshear expressed concerns with a commercial use in a residential area.

Ms. Farr expressed concerns; is this the best way to preserve this property.

**Dr. Bichell moved and Mr. Gobbell seconded the motion to approve. (7-1-1) Ms. Blackshear voted against. Mr. Haynes abstained.**

Mr. Haynes left the meeting at 5:55 p.m.

**Resolution No. RS2018-149**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018HL-002-001 is: **Approve. (7-1-1)**

## 7b. 2018NHL-002-001 & 2018NHL-002-002

### IVY HALL NEIGHBORHOOD LANDMARK & DEVELOPMENT PLAN

Council District 07 (Anthony Davis)

Staff Reviewer: Shawn Shepard

A request to establish a Neighborhood Landmark Overlay District and for approval of a Neighborhood Landmark Development Plan on property located at 1431 Shelton Avenue, approximately 300 feet west of Stratford Avenue and located within the Inglewood Place Neighborhood Conservation District, zoned Single-Family (RS7.5) (1.37 acres), to permit a multimedia production use within the existing structure, one detached accessory dwelling unit, and all uses permitted by the RS7.5 zoning district, requested by Smith Gee Studio, applicant; Rachel McCann and Joshua Gray, owners. (See associated case # 2018HL-002-001).

**Staff Recommendation: Approve establishment of a Neighborhood Landmark Overlay District and approve with conditions the Neighborhood Landmark Development Plan.**

#### APPLICANT REQUEST

To apply a Neighborhood Landmark Overlay District and approve a development plan.

#### Neighborhood Landmark Overlay and Neighborhood Landmark Development Plan

A request to establish a Neighborhood Landmark Overlay District and for approval of a Neighborhood Landmark Development Plan on property located at 1431 Shelton Avenue, approximately 300 feet west of Stratford Avenue and located within the Inglewood Place Neighborhood Conservation District, zoned Single-Family (RS7.5) (1.37 acres), to permit a multimedia production use within the existing structure, one detached accessory dwelling unit, and all uses permitted by the RS7.5 zoning district.

#### 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 7 units. Application of the Subdivision Regulations may result in fewer lots.*

Inglewood Place Neighborhood Conservation District (NHC) Neighborhood Conservation Districts are geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development.

#### Proposed Zoning

Neighborhood Landmark Overlay District (NHL) is intended to preserve and protect neighborhood features that are important to maintain and enhance the neighborhood character. Neighborhood features are defined as buildings, structures, objects, sites, and areas of historic, cultural, civic, neighborhood, or architectural value and/or importance to Metropolitan Nashville and Davidson County.

#### HISTORY

This property is located at 1431 Shelton Avenue in the Inglewood neighborhood of East Nashville. The house on the property was originally known as the Miller House and is now known as Ivy Hall, and was constructed between 1934 and 1936. The house was designed by renowned Nashville architect Edwin Keeble, who was also responsible for design of the L&C Tower in downtown Nashville, and was originally owned and occupied by Cleo Miller, a prominent doctor and community member. The home and outbuilding are listed in the National Register of Historic Places as the property embodies the distinctive characteristics of the Tudor Revival architectural style and the work of Edwin Keeble and it influenced the architectural character of many future homes built on the eastern end of Shelton Avenue.

#### PLAN DETAILS

The Neighborhood Landmark development plan proposes a maximum of 1,400 square feet of Multimedia Production use and one Detached Accessory Dwelling Unit (DADU) with a maximum size of 1,000 square feet. All uses permitted by the base zoning, RS7.5, are also permitted by the plan. The plan includes a condition requiring the home to be owner-occupied in order for the multimedia production use to be permitted. The plan also limits lighting and requires compliance with the noise ordinance of the Metro Zoning Ordinance, with all amplified sound limited to the basement of the primary dwelling.

The proposed uses will be located within existing buildings on the site. The multimedia production use accommodates a recording studio located in the basement of the existing home, and the DADU will be within an existing accessory structure located in the rear corner of the property. The plan proposes the addition of a deck and pergola to the main home and a small future addition to the accessory structure. No other exterior modifications are proposed. Vehicular access will be provided via the existing driveway from Shelton Avenue. Required parking spaces for the main residence and DADU are provided adjacent to the home and accessory structure at the rear of the site.

The plan proposes the addition of four gravel parking spaces to accommodate the multimedia production use. These spaces are located in the center of the property, over 100 feet from Shelton Avenue and approximately 50 feet from the nearest property line.

### **ANALYSIS**

Section 17.36.420 of the Zoning Code defines a neighborhood landmark as a feature that has historic, cultural, architectural, civic, neighborhood or archeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.

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

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community;
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community; and
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

The historic structure on this property is important for the Inglewood neighborhood, Davidson County, and the State of Tennessee due to its significance in the region's cultural and architectural history. Retaining this feature would reinforce the neighborhood's traditional and unique character.

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

- a) The feature is a critical component of the neighborhood context and structure;
- b) Retention of the feature is necessary to preserve and enhance the character of the neighborhood;
- c) The only reason to consider the application of the neighborhood landmark district is to protect and preserve the identified feature;
- d) It is in the community's and neighborhood's best interest to allow the consideration of an appropriate neighborhood landmark development plan as a means of preserving the designated feature; and
- e) All other provisions of this section have been followed.

The purpose of the Neighborhood Landmark Overlay District is to facilitate preservation and protection of neighborhood features by permitting adaptive reuse in a way that is compatible with the existing neighborhood. In NL districts, the Zoning Code allows land uses not permitted under the underlying zoning district provided that the Planning Commission determines that they are "compatible and sensitive to abutting properties and the overall neighborhood fabric and appropriate to preserve and maintain the district." At 1.37 acres, the site is significantly larger than the average lot along this portion of Shelton Avenue. The site contains three complete underlying lots and portions of four other underlying lots. All three of the complete underlying lots are located between the existing residence and Shelton Avenue. The complete underlying lots could be reestablished, permitting development of an additional three single-family homes on this property in front of the existing home. The development plan proposes limited multimedia production and DADU uses, which will generate revenue to support the stewardship and preservation of the property, as an alternative to subdivision and redevelopment. The condition requiring the site to be owner-occupied for the multimedia production use to be permitted will maintain a residential component to the development and prevent the site from evolving into a solely commercial use.

Staff finds that the application meets the criteria for establishment of a Neighborhood Landmark district. The site is a critical to this neighborhood, as the design of this home influenced many of the surrounding residences. The site is also critical to the region and state because of its connection to a renowned architect and prominent community member. As the site meets the criteria for establishment of a Neighborhood Landmark, staff recommends approval of the Neighborhood Landmark Overlay District. The district must be approved by Metro Council in order for a Neighborhood Landmark development plan to take effect. The development plan permitting limited multimedia production and DADU uses will provide for economically viable use of this historic home in order to support its preservation, and the conditions incorporated by the applicant will ensure that the use is compatible with the surrounding neighborhood and appropriate given the location; therefore, staff recommends approval of the development plan conditioned upon Council approval of the district.

### **FIRE DEPARTMENT RECOMMENDATION**

#### **Approve with conditions**

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

**HISTORIC ZONING STAFF RECOMMENDATION**

**Approve with conditions**

- Recommend approval with the condition that the applicant obtains a Preservation Permit for alterations to the outbuilding, construction of the patio/pergola and parking area as well as any other exterior alterations to the site.

**STORMWATER RECOMMENDATION**

**Approve**

**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.

**STAFF RECOMMENDATION**

Staff recommends approval of the Neighborhood Landmark Overlay District and approval with conditions of the Neighborhood Landmark Development Plan.

**CONDITIONS**

1. Planning Commission approval of the development plan is conditioned upon Council approval of the Neighborhood Landmark Overlay District. No permits related to the Neighborhood Landmark Overlay uses shall be issued until Metro Council adopts the overlay.

Ms. Shepard presented the staff recommendation of approval of establishment of a Neighborhood Landmark Overlay District and approval with conditions of the Neighborhood Landmark Development Plan.

Items 7a and 7b were heard and discussed together.

Josh Gray, 1431 Shelton Ave, spoke in favor of the application.

Rachel McCann, 1431 Shelton Ave, spoke in favor of the application.

Scott Morton, 1005 N 14<sup>th</sup> St, spoke in favor of the application. This will not set a precedent for commercial use in residential areas.

Leslie Thomas, 1423 Shelton Ave, spoke in favor of the application because it will preserve this beautiful home.

Julie Howard, 3608 Golf St, spoke in favor of the application and clarified that she has never heard any noise coming from that house.

Cheryl Bretz, 109 Merrimac Dr, spoke in favor of the application.

Bruce Howard, 3608 Golf St, spoke in favor of the application as it will be a change for the better.

Janice Elizondo, 1429 Shelton Ave, spoke in favor of the application and noted that Mr. Gray and Ms. McCann are perfect neighbors.

Matthew Bond, 3519 Golf St, spoke in opposition to the application.

Rebecca Freeman, 1304 McChesney Ave, spoke in opposition to the application. There is no exterior exit from the basement, there is no business license for this operation, and the development plan is lacking. This overlay will run with the land, so restrictions needs to be made clear.

Mary Johnston, 1310 Howard Ave, spoke in opposition to the application because it feels like spot zoning.

Scott Morton clarified that the applicant really wants to make this appropriate to the neighborhood. He also noted that there are two points of egress on the site.

**Chairman Adkins closed the Public Hearing.**

Mr. Haynes recused himself since he was out of the room for most of the public hearing.

Dr. Sims asked if there is any record of the non-compliance issues addressed by Codes being fixed.

Scott Morton noted that the applicant will not be able to get a use and occupancy permit without verifying that all issues have been addressed and Codes has approved.

Mr. Gobbell spoke in favor of the application. This is a significant structure that is worth saving.

Ms. Moore spoke in favor of the application. It is a unique piece of property and has Historic's approval.

Dr. Bichell spoke in favor of the application; it is a perfect use of a landmark overlay.

Ms. Blackshear expressed concerns with a commercial use in a residential area.

Ms. Farr expressed concerns; is this the best way to preserve this property.

**Mr. Gobbell moved and Dr. Bichell seconded the motion to approve establishment of a Neighborhood Landmark Overlay District and approve with conditions the Neighborhood Landmark Development Plan. (5-3-1) Dr. Sims, Ms. Blackshear, and Ms. Farr voted against. Mr. Haynes abstained.**

Mr. Haynes left the meeting at 5:55 p.m.

The commission took a break at 5:55 p.m.

**Resolution No. RS2018-150**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018NHL-002-001 & 2018NHL-002-002 is: : **Approve establishment of a Neighborhood Landmark Overlay District and approve with conditions the Neighborhood Landmark Development Plan. (5-3-1)**

**CONDITIONS**

1. Planning Commission approval of the development plan is conditioned upon Council approval of the Neighborhood Landmark Overlay District. No permits related to the Neighborhood Landmark Overlay uses shall be issued until Metro Council adopts the overlay.

**8a. 2018CP-006-001**

**BELLEVUE COMMUNITY PLAN AMENDMENT**

Council District 34 (Angie Henderson)

Staff Reviewer: Dara Sanders

A request to amend the Bellevue Community Plan by changing from T3 Suburban Neighborhood Maintenance to T3 Suburban Community Center on a portion of property located at 7037 Highway 70 South, approximately 1,040 feet northeast of Old Hickory Boulevard, zoned R15 (3.16 acres), requested by Bradley Arant Boulton and Cummings, LLP, applicant; BSM Bellevue Land, LLC, owner. (See associated case # 2018SP-043-001) owner.

**Staff Recommendation: Defer to the July 26,, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018CP-006-001 to the July 26, 2018, Planning Commission meeting. (9-0)**

**8b. 2018SP-043-001**

**SECURITY CENTRAL STORAGE**

Council District 34 (Angie Henderson)

Staff Reviewer: Latisha Birkeland

A request to rezone from R15 to SP-C zoning on property located at 7037 Highway 70 South, approximately 1,030 feet northeast of Old Hickory Boulevard (12.2 acres), to permit self-service storage, requested by Civil Design Consultants, LLC, applicant; BSM Bellevue Land, LLC, owner. (See associated case # 2018CP-006-001) owner.

**Staff Recommendation: Defer to the July 26, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018SP-043-001 to the July 26, 28, 2018, Planning Commission meeting. (9-0)**



**9. 2018CP-014-003**

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

Council District 15 (Jeff Syracuse)

Staff Reviewer: Dara Sanders

A request to amend the Donelson-Hermitage-Old Hickory Community Plan by amending the Community Character Policy and adopting supplemental policy guidance for various properties bounded by Spence Lane, the Cumberland River, Briley Parkway, and Mill Creek (approximately 922.86 acres and amending the adopted Major and Collector Street Plan designations for Lebanon Pike. Requested by the Metro Planning Department, applicant; various owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend Donelson-Hermitage-Old Hickory Community Plan and Major and Collector Street Plan.**

Major Plan Amendment and Major and Collector Street Plan Amendment

A request to amend the Donelson-Hermitage-Old Hickory Community Plan by amending the Community Character Policy, adopting supplemental policy guidance for various properties bounded by Spence Lane, the Cumberland River, Briley Parkway, and Mill Creek (approximately 922.86 acres), and amending the adopted Major and Collector Street Plan designations for Lebanon Pike.

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

**Background**

With planned improvements to the Music City Star's Donelson Station, the Planning Department has received an increase in zoning applications within the Downtown Donelson area. In the summer of 2017, the Councilmember for District 15 met with Planning Staff to discuss the land use policies for Lebanon Pike, in the western portion of the council district, to determine if the appropriate policies are in place for property located between Downtown Nashville and Downtown Donelson.

Finding that the majority of the area in this location is guided by the T3 Suburban Transect, the Planning Department initiated a community plan amendment to identify common goals in the community, to determine if the T3 Suburban Transect is appropriate given changes in the community, and to guide change and growth accordingly. The boundary of the study area was established by planning staff, which captures Lebanon Pike between Spence Lane (west) to Briley Parkway (east).

**ANALYSIS**

Prior to beginning the community outreach efforts for this study, 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 an analysis of the study area prior to the community participation process.

Natural Environment

The study area has steep slopes north and south of Lebanon Pike, resulting in a landscape of rolling hills and connectivity challenges. A substantial percentage of the study area is impacted floodway and floodplain associated with the Cumberland River and Mill Creek.

Zoning and Existing Land Use

The majority of the area is zoned for residential uses with a large area of industrial and commercial zoning along Spence Lane and the southwestern portion of the study area. While the residential zoning applied to the neighborhoods north of and south of Lebanon Pike permits only single-family dwellings, there are several two-family dwellings located throughout these neighborhoods

Policy

Properties in the study area are guided by a narrow range of Community Character Policies. While T3 Suburban Neighborhood Maintenance policy is currently applied to the majority of the land area in the community, the western portion of the study area is guided by District Industrial, T3 Suburban Mixed-Use Corridor, and T3 Suburban Neighborhood Evolving policies. In the eastern portion of the study area, an existing office complex adjacent to Briley Parkway is guided by District Office Concentration.

Conservation policy is applied to a variety of natural environmental features in and adjacent to the study area, which include steep slopes and the floodplain and floodway associated with the Cumberland River and Mill Creek.

Historic properties

There are three residential historic properties within the study area boundary: one National Register property located at the center of the study area and two National Register eligible properties between Mill Creek and Briley Parkway.

### Streets/connectivity

Transportation connectivity is limited outside of the study area due to geographic barriers - Briley Parkway and the Cumberland River. Lebanon Pike, designated as a Suburban Arterial Boulevard in the Major and Collector Street Plan, is the only east-west transportation route through the study area. Briley Parkway (Expressway) and Spence Lane (Arterial Boulevard south of Lebanon Pike) provide north-south transportation routes.

### Transit

The study area is served by frequent transit service with two bus routes along Lebanon Pike. While the Music City Star route traverses the northern portion of the study area, a Music City Star station in the study area is not provided or planned.

## **COMMUNITY PARTICIPATION**

Staff employed an extensive public outreach and participation program, 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 Lebanon Pike Study charrette was held April 16<sup>th</sup> through 19<sup>th</sup> at the Donelson View Baptist Church in the center of the study area.

### Public Notice and Outreach

As part of the standard policy amendment process, public notice of the charrette schedule, including community meetings, was mailed to approximately 2,000 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 – [LebanonPikeStudy.nashville.gov](http://LebanonPikeStudy.nashville.gov) – and project flyers were sent to the Steering Committee members and other stakeholders to share with their contacts and email lists.

### Steering Committee

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 owners, neighborhood leaders, property owners, and design professionals. Within the Steering Committee, experiences range from long-time residents and business owners to newcomers.

Staff met with the Steering Committee on March 22, 2018, to explain the land use policy, the charrette process, and the Steering Committee's role. A second meeting with the Steering Committee was held during charrette week, and staff held a final meeting to discuss the draft policies and supplemental policies prior to a week-long public review period of this proposal.

### Charrette Week

Two evening community meetings were held – Monday, April 16<sup>th</sup>, and Thursday, November 19<sup>th</sup> – 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 100 community members, stakeholders, and representatives attended the community visioning meeting on April 16<sup>th</sup> 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 four 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 Donelson View Baptist 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.

Staff held ongoing discussions with business and neighborhood stakeholder groups 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. Sixty-five 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 community was generally in support of the concepts presented, and staff did not receive requests for major revisions.

### Key Issues and Common Goals

Stakeholders expressed clearly that they want to maintain the single- and two-family suburban residential character of the existing neighborhoods, direct growth to the southwestern portion of the study area, improve access to community assets, and improve Lebanon Pike to be a safe, multi-modal corridor. These common goals have informed staff's proposal.

## **PROPOSAL**

### **Amend the Community Character Policy.**

Staff recommends that the T4 Urban Transect be applied to the southwestern portion of the study area along Lebanon Pike and Spence Lane while the remainder of the corridor remains T3 Suburban. Based on the community's feedback, staff has identified specific areas along Lebanon Pike that are appropriate for T3 Neighborhood Center and T3 Neighborhood Evolving policies.

Staff recommends policy amendments to apply Transition policy to two areas along Lebanon Pike developed for residential use but have been improved or are planned to be improved for low-intensity nonresidential (office or institutional) use.

**Adopt supplemental policies related to mobility, connectivity, redevelopment, and adaptive reuse.** Staff learned through the planning process that the stakeholders of the community have a common vision and common goals for the future of this area. The proposed supplemental policies, which provide additional guidance beyond the proposed amendments to the Community Character Policies, address issues identified by the community related to mobility, connectivity, redevelopment, and adaptive reuse. This guidance will be considered for all applicable zoning, subdivision, and development applications.

Mobility – Issues identified by the community were related to mobility within the study area for pedestrians, cyclists, drivers, and transit users. The mobility guidance is intended to improve connectivity and promote safe and efficient modes of transportation across neighborhoods, along Lebanon Pike, and outside of the study area through new development and redevelopment. The following guidance is

Connectivity within the Community – As properties develop or redevelop within the area, proposals will be compared to a set of core principles outlined in the supplemental policy intended to create a system of streets with multiple routes and connections that promote best practices and meet the needs of the community.

Primary Greenway – The goal of the Mill Creek Greenway is to promote safe and accessible connectivity throughout the community and to enhance this environmental asset identified by the community. This policy guidance addresses public access, greenway siting, and design of adjacent development. Dedication of land for and construction of the Mill Creek Greenway through a zoning or development plan could qualify as consideration for additional height, density, or intensity under the corresponding policy area, as currently written.

Secondary Multi-use Path – Throughout the charrette process, community stakeholders repeatedly vocalized their desire for increased access to the Cumberland River. Despite being in direct proximity to the River, existing development and the railroad act a barrier between neighborhoods and the river. As such, an off-street facility located parallel to Spence Lane is planned along the frontages of existing industrial properties as redevelopment occurs along the eastern portion of the Local Street.

Neighborhood Pedestrian Connections – The suburban neighborhoods north of Lebanon Pike are disconnected due to significant changes in topography, the absence of street connectivity, and the presence of a utility transmission line spanning northwest to southeast. This supplemental policy is intended to promote pedestrian and bicycle connectivity where opportunities exist through capital improvements or through private development.

Pedestrian Accessibility along Lebanon Pike – Pedestrian safety and accessibility was a high priority goal identified during charrette week. The majority of Lebanon Pike within the study area does not provide sidewalk. As a result of the proposed policy amendments for planned mixed-use and residential development along portions of the Lebanon Pike corridor, this policy identifies appropriate enhanced pedestrian accommodations expected to be built in partnership with future redevelopment along and across the corridor.

Bus Stop Improvement – Building on the limitations to pedestrian accessibility along Lebanon Pike, a prominent concern during charrette week was the condition of the bus stop facilities currently provided on Lebanon Pike. Participants expressed concern regarding the safety, accessibility, and comfort of the existing bus stops. Bus stops in the area consist of signs located on the grass verge adjacent to the road with inadequate space and an uneven surface. This policy requires that applicable developments with an existing or proposed MTA bus stop along or adjacent to a property's street frontage provide improvements to upgrade the waiting area and shelter facilities.

Lebanon Pike Improvements – The Lebanon Pike arterial-boulevard corridor serves as the multimodal backbone of the study area, providing access to residential local streets, industrial uses, and civic spaces. While the corridor serves local needs of the surrounding neighborhoods and commercial/industrial entities, Lebanon Pike also serves as a major cross town connection between Downtown Nashville and the Donelson-Hermitage-Old Hickory community areas. Feedback from the community during charrette week indicated an interest in balancing the regional transportation needs with the needs of the surrounding neighborhoods through careful design of future improvements to Lebanon Pike. This supplemental policy identifies three separate subsections characterized by the policy areas immediately surrounding each respective segment and responds to the mobility priorities identified during the visioning session.

Transitioning from commercial to residential – The primary goal of this guidance is to ensure that new development and redevelopment along Lebanon Pike appropriately transitions to the established single family Suburban Neighborhood Maintenance area to the north. Where higher-intensity policy categories are adjacent to lower-intensity policies this supplemental policy addresses the way in which scale, intensity, and uses should sensitively transition to minimize land use conflicts.

Mixed Use Neighborhood and Corridor Land Use and Design – The common goal of growing the gateway to this community at Spence Lane and Lebanon Pike was envisioned to include opportunities for a range of housing choices and the establishment of necessary daily goods and services. T4 Urban Mixed Use Neighborhood and T4 Urban Mixed Use Corridor policies are recommended to guide this gateway; however, these policies support predominantly residential or mixed use development with ancillary commercial and industrial uses. This guidance recommends an equivalent balance of residential, commercial, office, and industrial uses, or an emphasis on industrial development as the primary land use where appropriate, to meet the community's expectations and establishes a framework of public infrastructure, increased connectivity, an integrated network of open space, and a more specific and predictable built environment to improve the quality of life.

Adaptive Reuse – Due to their proximity to Briley Parkway, lot size, and adaptive reuse potential, Transition Policy has been applied to multiple contiguous properties along Lebanon Pike in order to promote neighborhood-scaled services for the surrounding area. This supplemental policy provides additional guidance beyond Transition Policy to ensure compatibility with the surrounding residential properties.

**Amend the Major and Collector Street Plan.**

The Major and Collector Street Plan (MCSP) is a comprehensive plan and implementation tool for guiding public and private investment on the major streets (Arterial-Boulevards and Arterial-Parkways) and collectors (Collector-Avenues) that make up the backbone of the city's transportation system. It is a part of, and implements, Access Nashville 2040, which is the functional plan component of NashvilleNext, the General Plan for Nashville and Davidson County.

The MCSP was comprehensively updated and re-adopted with the adoption of NashvilleNext on June 22, 2015. It was amended on August 24, 2017 with related NashvilleNext amendments. As an element of NashvilleNext, the MCSP is amended as updates occur to each Community Plan and further engineering studies are completed to reflect the changes that have occurred in the community since the MCSP was adopted and/or to respond to future planned, growth, development, and preservation.

The mobility concept shown in the MCSP needs to be amended to show Metro's current vision integrating land use and transportation connectivity in the study area. The Lebanon Pike Study proposes changes to the MCSP to facilitate wider sidewalks, bicycle connectivity, and access to transit. These elements will be better aligned to the proposed policy update with the following amendments to the MCSP:

- Amend the designation of Lebanon Pike from Spence Lane to Clovernook Drive from T3-M-AB5-IM and T4-M-AB5-IM to reflect T4 Urban Mixed Use policy.

*This change involves only the land use context of the MCSP designation. Currently, the corridor functions as a suburban arterial in support of adjacent land use policy from Mixed Use Corridor to Residential Corridor. A multi-use path is planned along the northside of Lebanon Pike throughout the Study Area rather than six-foot on-street bicycle lanes previously proposed within the 2015 Strategic Plan for Sidewalks and Bikeways. The change to incorporate an Urban Mixed Use context will ensure a wider, consistent four-foot-wide grass strip and twelve-foot-wide multi-use path are constructed along Lebanon Pike as properties redevelop.*

- Add the following connections to the MCSP as Local Streets: Gann Drive, Ivywood Drive, and new streets to the south of Lebanon Pike to support T3 Suburban Neighborhood Maintenance and T3 Suburban Neighborhood Evolving uses.

*This change includes Local Streets that remain disconnected through the community to the north and south of Lebanon Pike. Since there are fewer connections through the existing street system, short local trips between neighborhoods diverts onto Lebanon Pike. Currently, these existing streets have a Local Street sidewalk standard which consists of a four-foot-wide grass strip and five-foot sidewalk. Adding these streets to the MCSP as Planned Local Streets will ensure that new connections are constructed with redevelopment to promote walkability and ensure safety. It also highlights the need to implement traffic calming on these streets to promote slower vehicular speeds, improved bicycling conditions, and greater bicycle connectivity between existing and future neighborhoods.*

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda (9-0)**

**Resolution No. RS2018-151**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-033-001 is: **approved. (9-0)**”

**10a. 2018CP-014-004**

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

Council District 11 (Larry Hagar)

Staff Reviewer: Marty Sewell

A request to amend the Donelson-Hermitage-Old Hickory Community Plan by changing from D-IN District Industrial and Conservation to T3 NE Suburban Neighborhood Evolving on properties located at 915 and 921 Robinson Road, at the corner of Robinson Road and Industrial Drive, zoned SP (27.81 acres), requested by Rayon City Investors, applicant and owner. (See associated case #2012SP-016-002)

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend Donelson-Hermitage-Old Hickory Community Plan to change the policy.**

Minor Plan Amendment

A request to amend the Donelson-Hermitage-Old Hickory Community Plan by amending the Community Character Policy to change from D-IN District Industrial and Conservation to T3 Suburban Neighborhood Evolving on properties located at 915 and 921 Robinson Road, at the intersection of Robinson Road and Industrial Drive, zoned Specific Plan (SP) (27.81 acres).

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

**Current Policy**

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

**Proposed Policy**

Proposed policy is T3 Suburban Neighborhood Evolving (T3 NE), which is intended to create and enhance residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. It 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.

**BACKGROUND**

The amendment area is surrounded by three policy areas:

- T3 Neighborhood Evolving (T3 NE) to the southeast, which is applied to areas that are expected to change over time in order to provide a broader range of housing types that meet housing needs and to increase options for mobility.

- T3 Mixed Use Corridor (T3 CM) to the southwest and west, which is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.
- District Industrial (D IN) to the north and east, which is intended to maintain, enhance, and create Industrial Districts in appropriate locations.

The *Growth & Preservation Concept Map of NashvilleNext*, identifies the plan amendment area as within both a Transition & Infill area along Robinson Road and within a Special Impact area that extends to the northeast and includes a heavy industrial district. Transition & Infill areas are generally applied to developed areas where there is a desire for redevelopment and infill that produces a different character inclusive of increased housing diversity and connectivity. Special Impact areas include intense industrial areas, airports, landfills, and other uses that should be kept separate from homes.

The Major and Collector Street Plan (MCSP) identifies Robinson Road as a five-lane Arterial Boulevard (T4-M-AB5-LM) and Industrial Drive as a four-lane Collector Avenue (T4-M-CA4) that has immediate need for reconfiguration to multimodal use.

### COMMUNITY PARTICIPATION

As part of the application process, the Executive Director determined the plan amendment is minor and the applicant is required to hold a community meeting. Staff hosted a community meeting at the Old Hickory Community Center on Wednesday, June 13, 2018, attended by 16 people from the community, including the District 11 Councilmember. Attendees were generally open to consideration of the applicant's proposed change from policy supporting industrial to policy that supports residential uses and expressed concerns and interests as follows:

- **Compatibility of industrial uses with residential uses:** future residents would complain about sounds, odors, and time of business operation of adjacent industrial uses; including the potential for impacts to the residences by a nearby quarry (blasting impacts on residential structures and occupants).
- **New rooftops to increase demand for desired businesses.** Attendees expressed general support for new rooftops as a strategy to increase demand for and attract desired new business and services to the currently underserved Old Hickory area.

### ANALYSIS

The application of T3 NE policy is consistent with adjacent policy currently applied to properties on the southeast side of Industrial Drive. T3 NE is applied to areas where there is an expressed interest in the area's development pattern evolving to promote a mixture of housing types and greater connectivity, or there exists characteristics that an area is likely to evolve such as: high vacancy rates, high potential for consolidation or subdivision of lots, incongruity between the existing land use and the zoning, proximity to evolving centers or corridors, and/or age and condition of the existing development. Several of the above characteristics apply to the amendment area.

#### Expressed Interest

The Old Hickory/Rayon City community has expressed an interest in allowing for more residential within the area. They have advocated for new rooftops in an effort to attract new commercial and services that residents desire, such as a larger grocery and more dining options.

#### Recent Investment

The prevailing housing type in the surrounding community is one and two family, with the exception of MDHA's Old Hickory Tower. An additional multifamily residential development is under construction at 1205 Robinson Road (under MUN zoning), most recent residential investment in the general vicinity, including the nearby Old Hickory Village, has been that of detached housing. While T3 NE policy can support both attached and detached housing types, the applicant's associated zoning case seeks a Specific Plan rezoning that would accommodate townhouses.

#### Provides a Range of Housing Choices

The plan amendment area includes two properties situated in the northeast corner of the intersection of Robinson Road and Industrial Drive. The general area to the north and east of the plan amendment area is characterized by existing light industrial uses within D-IN policy, in addition to the institutional use of Family Christian Academy. Properties immediately south (across Industrial Drive) of the plan amendment area contain a mixture of multifamily residential uses (Old Hickory Tower) and vacant property that has been proposed for residential and mixed use development. The policy anticipates a mixture of residential and commercial uses over time for the portion closest to Robinson Road and a mixture of residential housing types for the remainder.

The policy change to T3 NE appears to be suitable given the adjacent land uses and established zoning. The proposed plan amendment could offer increased housing choice by introducing a broader range of building types that is balanced and integrated with the established neighborhood character. Additionally, the proposed policy could offer increased density to support demand of existing and future services along Robinson Road and the general Old Hickory area.

### Supports a Variety of Transportation Choices

The existing street character along Robinson Road (SR 45) consists of an improved limited access corridor without sidewalks or bicycle supportive infrastructure. Industrial Drive consists of a four-lane collector with existing mobility options.

Robinson Road and Industrial Drive currently accommodate weekday express transit service to Downtown Nashville via *Route 27 Old Hickory*, which includes a bus stop within walking distance of the site at Old Hickory Towers (located on the opposite side of Industrial Drive from the site). In addition, the seven-stop Route 27 stops at the Music City Star commuter rail line's Hermitage Station. While limited in frequency, this route provides an opportunity to link residents to jobs and services throughout the region. The proposed policy could offer increased density that, over time, could improve overall connectivity and support demand of existing and future transit.

T3 NE policy outlines guidance for improving connectivity within transition areas. These include:

- Locate building types within proximity to major transportation networks and provide access to mass transit in convenient locations that allows for coordination with sidewalks and bikeways.
- Provide pedestrian and bicycle mobility options in the form of sidewalks and bikeways throughout the neighborhood. Pedestrian and bicycle connectivity to existing or planned transit is included.
- Provide a complete street network where vehicular connectivity is moderate.

The proposed plan amendment is consistent with the goals of T3 NE policy by offering to:

- Increase housing choice and diversity of building type,
- Supporting existing and planned transit networks.
- The plan amendment is compatible with adjacent policy areas and encourages redevelopment to occur in a form that is compatible with both the existing and evolving neighborhood character.

Given its proximity to an arterial boulevard (Robinson Road), one express bus routes with a stop serving the area, the adjacent T3 CM policy to the west, and the evolving neighborhoods to the southeast and southwest, the proposed amendment would be a suitable location for T3 Suburban Neighborhood Evolving to encourage a range of housing options in a walkable environment and to support mass transit, future businesses, and daily goods and services.

### **STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Sewell presented the staff recommendation of approval.

Items 10a and 10b were heard and discussed together.

Bill Hostettler, 3504 Abbott Martin Rd, spoke in favor of the application.

Councilmember Hagar spoke in favor of the application. People in Old Hickory want more density to attract more businesses.

Ron Wise, 1305 Riverside Rd, spoke in opposition to the application because people won't like living next to industrial.

Robert Stewart, 813 Bettie Dr, spoke in opposition to the application because it doesn't fit with the character of Old Hickory.

Faith Shire, 813 Bettie Dr, spoke in opposition to the application due to traffic and safety concerns.

Ricky Wallace, 935 Industrial Dr, spoke in opposition to the application. This development would be great somewhere else, just not here.

Brett Harvey, 514 Knoxville Ave, expressed concerns with traffic and safety.

Bill Hostettler asked for approval and noted that a traffic impact study has been conducted and reviewed, and that this complies with all Metro agency requirements.

Councilmember Hagar noted that anyone that moves to the area will be moving there with eyes wide open.

**Chairman Adkins closed the Public Hearing.**

Dr. Bichell spoke in favor of the application.

Ms. Moore spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

Dr. Sims spoke in favor of the application and noted that it's a great example of infill.

Ms. Farr spoke in favor of the application.

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

Ms. Blackshear stepped back in the room at 6:51 p.m.

**Resolution No. RS2018-152**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018CP-014-004 is: **approved. (7-0)**

**10b. 2012SP-016-002**

**RAYON CITY TOWNHOMES SP**

Council District 11 (Larry Hagar)

Staff Reviewer: Gene Burse

A request to amend a Specific Plan on properties located at 915 and 921 Robinson Road, at the northeast corner of Industrial Drive and Robinson Road, zoned SP-MU (27.81 acres), to permit 300 multi-family residential units, requested by Gresham Smith and Partners, applicant; Rayon City Investors, owner. (See associated case # 2018CP-014-004)

**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**

To amend the existing SP to permit three-hundred multi-family residential units.

Amendment to SP

A request to amend a Specific Plan on properties located at 915 and 921 Robinson Road, at the northeast corner of Industrial Drive and Robinson Road, zoned Specific Plan-Mixed Use (SP-MU) (27.81 acres), to permit 300 multi-family residential units.

**Existing Zoning**

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

**Requested 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.

**HISTORY**

Metro Council approved the Rayon City Investors Specific Plan in 2012. The property, located at the northeast corner of Industrial Drive and Robinson Road, 27.81 acres, was rezoned from Commercial Service (CS) to Specific Plan-Mixed Use. The site was approved to permit a mixed use development that consisted of commercial and industrial uses. The purpose of this application is to change the layout, remove the non-residential uses, and permit 300 multi-family residential units.

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

**Existing Policy**

T3 Suburban Community Center (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.

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

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

**Proposed Policy** (Note: the CO and T3 CC policies are proposed to remain)

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.

#### Consistent with Policy?

The proposed SP amendment is consistent with the existing T3 Suburban Community Center and proposed T3 Suburban Neighborhood Evolving policy areas at this location. T3 Suburban Neighborhood Evolving policy encourages development that enhances suburban neighborhoods with more housing choices and improved pedestrian connectivity. T3 Suburban Community Center policy encourages development that contains land uses that can serve as appropriate areas of transition to nearby land uses.

#### **PLAN DETAILS**

The 27.81 acre site is located at the northeast corner of Industrial Drive and Robinson Road in the Old Hickory community. Existing conditions include vacant industrial land and a commercial parking lot. This proposal includes 300 multi-family residential units in the form of 226 attached townhomes and 74 attached villas.

A network of private sidewalks is included on the site plan, which will provide a pedestrian connection from each unit to proposed public sidewalks along Industrial Drive and Robinson Road. Villas orient to existing public roads or proposed opens space along the perimeter of the site and are attached in pairs. Townhome units are located in the interior of the site and are attached in groups of 5, 6 and 7 units. Each villa unit will have attached parking and each townhome unit will have surface parking.

The site is accessed from private drives located at Robinson Road and Industrial Drive. The site plan incorporates sidewalk improvements along Robinson Road and Industrial Drive, consistent with the Major and Collector Street Plan, which requires sidewalks 8 feet in width and planting strips with a minimum width of 4 feet. Open space areas include an amenity center with a pool and areas for stormwater mitigation. A standard D landscape buffer is proposed on the east side of the site to serve as an adequate buffer area between the proposed multi-family residential units and an adjacent industrial use. The site plan also incorporates off-site sidewalk and pedestrian improvements within grass medians located at the intersection of Robinson Road and Industrial Drive near the southwest corner of the site.

#### **ANALYSIS**

The plan proposes infill development along Robinson Road in the form of a multi-family residential use. Existing uses near the site include multi-family in the form of a retirement community south of the site; industrial uses east and north of the site, and single-family residential uses west of the site. The proposed plan will provide an adequate transition between existing industrial uses and single-family residential uses. The villa units have attached parking and the townhome units have surface parking. The plan transitions from attached villas grouped in pairs that orient to a public road or open space along the perimeter of the site to attached townhomes grouped at 5, 6 and 7 units in the center of the site. Proposed private sidewalks from each unit provide adequate pedestrian connectivity throughout the site. New public sidewalks along site frontage on Robinson Road and Industrial Drive as well as the proposed off-site sidewalks will enhance the sidewalk network within the immediate area.

The proposed SP amendment is consistent with the T3 Suburban Community Center and proposed T3 Suburban Neighborhood Evolving policy areas. This plan provides an additional housing choice, in the form multi-family residential development, in the area. The plan also enhances the pedestrian realm through sidewalk improvements along site frontage and off-site sidewalk improvements at the intersection of Robinson Road and Industrial Drive. This proposed development will also serve as an appropriate transition between intense nearby industrial land uses east and north of the site and single-family residential land uses west of the site.

**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.
- 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. All proposed structures with permanent foundations must be located no closer than 10 feet away from any public water or sewer line.

**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 installation of sidewalks along ROW frontage per the MCSP, or submit verification from MPC that this sidewalk layout is acceptable. ~MPW standard sidewalk installation necessitates curb and gutter along existing edge of pavement.
- With the Final SP, submit grading plans that indicate sidewalks are to be installed at the centerline road grade

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

- Include one entering and one exiting lane at both site accesses. Driveways shall align with opposing drives and driveway design shall accommodate school bus turns.
- Coordinate with MTA on the possibility of relocating a nearby stop of MTA bus route #27 to a pull-off bus stop with a bus shelter on Robinson Road on the project site near the existing signal at Industrial Drive and Robinson Rd.
- Install sidewalk along project site frontage on Industrial Drive and Robinson Road.
- Install pedestrian crossing on the east leg of Industrial Drive at Robinson Road and install a pedestrian crossing on the north leg of Robinson Rd to provide a pedestrian route to the relocated bus stop including crosswalk, ramps with warning mats, pushbuttons, and pedestrian signal heads.
- Install an additional pedestrian signal phase to cross the east leg and north leg of the intersection of Robinson Road and Claudia Drive/Industrial Drive.
- Install pedestrian crossings with crosswalk, pedestrian crossing warning signs, and ramps with warning mats across channelization on Industrial Drive at Robinson Road.
- Install sidewalk to connect proposed sidewalk along the project site with the proposed pedestrian crossings.
- Developer shall widen the east leg of Hickory Industrial Drive to provide 3 lane x-section aligned with the west leg of Hickory Industrial Dr. with appropriate storage.
- Developer shall modify the TWLTL striping on Robinson Rd by installing a dedicated SB left turn lane on Robinson Rd at Hickory Industrial Drive private road.
- Developer shall submit signal plans and pavement marking and signage plans prior to final SP approval.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	27.81		88,750 S.F	6285	144	588

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)			229,320 S.F.	817	131	102

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)	27.81		300 U	1942	151	183

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		-5,160	-124	-507

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-R district: 133 Elementary 68 Middle 52 High

The proposed SP-R zoning is expected to generate 253 more students than the existing SP-MU zoning. Students would attend Dupont Elementary School, Dupont Hadley Middle School, and McGavock High School. All three schools have been identified as having additional capacity by the Metro School Board. This information is based upon data from the school board last updated December 2017.

**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.

**CONDITIONS**

1. Permitted uses shall be limited to 300 multi-family residential units. Short term rental properties are prohibited.
2. Sidewalks with a minimum width of 8 feet and a grass strip with a minimum width of 4 feet shall be installed along site frontage on Industrial Drive and Robinson Road.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. 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 RM15-A zoning district as of the date of the applicable request or application.
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.

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

Items 10a and 10b were heard and discussed together.

Bill Hostettler, 3504 Abbott Martin Rd, spoke in favor of the application.

Councilmember Hagar spoke in favor of the application. People in Old Hickory want more density to attract more businesses.

Ron Wise, 1305 Riverside Rd, spoke in opposition to the application because people won't like living next to industrial.

Robert Stewart, 813 Bettie Dr, spoke in opposition to the application because it doesn't fit with the character of Old Hickory.

Faith Shire, 813 Bettie Dr, spoke in opposition to the application due to traffic and safety concerns.

Ricky Wallace, 935 Industrial Dr, spoke in opposition to the application. This development would be great somewhere else, just not here.

Brett Harvey, 514 Knoxville Ave, expressed concerns with traffic and safety.

Bill Hostettler asked for approval and noted that a traffic impact study has been conducted and reviewed, and that this complies with all Metro agency requirements.

Councilmember Hagar noted that anyone that moves to the area will be moving there with eyes wide open.

**Chairman Adkins closed the Public Hearing.**

Dr. Bichell spoke in favor of the application.

Ms. Moore spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

Dr. Sims spoke in favor of the application and noted that it's a great example of infill.

Ms. Farr spoke in favor of the application.

**Ms. Farr moved and Dr. Sims seconded the motion to approve with conditions and disapprove without all conditions. (7-0)**

**Ms. Blackshear stepped back in the room at 6:51 p.m.**

**Resolution No. RS2018-153**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-016-002is: **approved with condition and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to 300 multi-family residential units. Short term rental properties are prohibited.
2. Sidewalks with a minimum width of 8 feet and a grass strip with a minimum width of 4 feet shall be installed along site frontage on Industrial Drive and Robinson Road.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. 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 RM15-A zoning district as of the date of the applicable request or application.
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.

## 11. 2017SP-034-002

### **BROADMOOR AND BEN ALLEN SP (AMENDMENT)**

Council District 08 (Nancy VanReece)

Staff Reviewer: Latisha Birkeland

A request to amend a Specific Plan on properties located at 272, 288, 296 Broadmoor Drive, 329, 341 and 349 Ben Allen Road, at the northwest corner of Ben Allen Road and Ellington Parkway, zoned SP-MU (51.64 acres), to permit a mixed use development with a maximum of 321 multi-family residential units and a maximum of 101,000 square feet on non-residential square footage, requested by Ben Allen Land Partners, LLC, applicant; Ben Allen Land Partners, LLC, 288 Broadmoor, LLC and Paro South, LLC, owners.

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

#### **APPLICANT REQUEST**

##### **Amend a Specific Plan.**

##### Preliminary SP Amendment

A request to amend a Specific Plan on properties located at 272, 288, 296 Broadmoor Drive, 329, 341 and 349 Ben Allen Road, at the northwest corner of Ben Allen Road and Ellington Parkway, zoned Specific Plan – Mixed Use (SP-MU) (51.64 acres), to permit a mixed use development with a maximum of 321 multi-family residential units and a maximum of 101,000 square feet of non-residential uses.

##### **Existing Zoning**

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

##### **EAST NASHVILLE COMMUNITY PLAN**

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

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.

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.

Special Policy (05-T3-NE-01) is intended to encourage active transportation in an area that is underserved with connections and circulation options, such as trails, bike paths, and sidewalks. Trail Oriented Development is a design concept that takes advantage of and leverages infrastructure that supports active ways of getting around.

##### Consistent with Policy?

Yes. The SP amendment is consistent with the Conservation policy, T4 Urban Neighborhood Evolving policy and the Trail Oriented Development special policy. The Conservation area consists of a stream buffer along the northern and southern portion of this site. The proposed development is located away from the stream buffer. The proposal is surrounded by Ellington Parkway to the east and by large acreage tracks of single-family residential uses, institutional uses and vacant land along the western property line. The proposed amendment provides a mixed use development, served by several trails. The proposed plan includes a 12 foot wide trail extending from the northern property line to southern property line. The plan includes 6 foot wide secondary trails throughout the site.

The proposed amendment compliments the original SP by continuing to include a variety of commercial uses, housing types and incorporates trails, sidewalks and design standards intended to enhance the pedestrian realm and increase connectivity. There are sensitive environmental features present on the site, including areas of steep slopes and streams, as indicated by the presence of Conservation policy along the northern property boundary and in the southern property boundary. The SP amendment is consistent with the original SP by incorporating large areas of open space around those sensitive environmental features to ensure they remain undisturbed. The design of the SP serves to integrate different types of development into an underdeveloped area and provides an alternative mode of transportation through utilization of trails.

**PLAN DETAILS**

The Broadmoor and Ben Allen SP was approved in 2017 to permit a mixed-use development on various properties located along Broadmoor Drive and Ben Allen Road at the southwest corner of Ellington Parkway and Broadmoor Drive, on approximately 51 acres. The approved preliminary SP permits a maximum of 321 residential units and a maximum of 63,000 square feet for non-residential uses. This proposal will result in an increase of non-residential square feet. The amendment proposes a maximum of 321 residential units and a maximum of 101,000 square feet for non-residential uses.

Site Plan

The proposed amendment includes a total of 101,000 square feet of mixed use and a maximum of 321 multi-family residential units. The plan proposes flexibility in the layout and location of buildings by proposing five phases and a set of Building Typologies which contain architectural and design standards that would regulate the form, setbacks, and other aspects of the buildings and parking. The 5 phases are mapped on the following page. Although the SP permits many uses allowed by the Mixed Use Limited (MUL) zoning district and Mixed Use Neighborhood (MUN) within the neighborhood center areas, each phase includes a specific range of proposed uses, as outlined in the table below.

<b>Neighborhood District</b>	<b>Uses</b>	<b>Building Forms</b>
Phase 1A	<ul style="list-style-type: none"> <li>• Reuse of existing commercial structures</li> <li>• Artisan Manufacturing</li> <li>• Live/Work</li> <li>• Multi-family residential</li> <li>• Mixed use (determined by MUN-A and MUL-A uses)</li> </ul>	<ul style="list-style-type: none"> <li>• Existing commercial buildings</li> <li>• Multi-family</li> <li>• Attached townhomes</li> </ul>
Phase 1B	<ul style="list-style-type: none"> <li>• Community education</li> <li>• Camping</li> </ul>	<ul style="list-style-type: none"> <li>• New community education building</li> <li>• Camping platforms</li> </ul>
Phase 2	<ul style="list-style-type: none"> <li>• Multi-family residential</li> </ul>	<ul style="list-style-type: none"> <li>• Attached cottages</li> </ul>
Phase 3	<ul style="list-style-type: none"> <li>• Residential hillside duplex</li> </ul>	<ul style="list-style-type: none"> <li>• Duplexes</li> </ul>
Phase 4	<ul style="list-style-type: none"> <li>• Multi-family residential</li> </ul>	<ul style="list-style-type: none"> <li>• Attached residential and accessory units</li> <li>• Detached cottages</li> </ul>
Phase 5	<ul style="list-style-type: none"> <li>• Multi-family residential</li> <li>• Live-work</li> <li>• (determined by MUN-A and MUL-A uses)</li> </ul>	<ul style="list-style-type: none"> <li>• Mixed use buildings</li> <li>• Multi-family</li> <li>• Detached cottages</li> </ul>

Vehicular access is provided from two points on Ben Allen Road and two points on Broadmoor Drive. The SP proposes private streets with an emergency access road connecting the northern portion of the development with the southern portion of the development. The proposed private streets incorporate sidewalks and planting strips. A six-foot wide sidewalk and six-foot wide planting strip, consistent with the MCSP, shall be provided along Broadmoor Drive. The applicant proposes to install 650 feet of off-site sidewalks along the southern side of Broadmoor Drive from the existing sidewalk.

**Phasing plan**

The proposed trail oriented development includes a 12 foot wide primary trail connecting Broadmoor Drive and Ben Allen Road. The proposed trail will provide for an additional mode of transportation in the area. Secondary trails 6 feet in width are dispersed throughout the site.

The plan provides character design guidelines for each area of the proposed plan. Phase 1A includes the Broadmoor Neighborhood Center. Phase 1B and Phase five includes the Ben Allen Neighborhood Center. Bulk standards are established for each building typology, including setbacks, build-to zones, and height. Standards also require that the primary entrance of the residential units front the primary or secondary trail. Raised foundations for residential uses are not proposed in this development due to the topography and unit types that may contain units on piers to work with the slopes.

#### **ANALYSIS**

The proposed zone change and SP amendment are in keeping with the previously approved SP, and also are consistent with the existing land use policies. All conditions and regulations of the previously approved SP remain unchanged. The proposal only adds additional non-residential square feet to the SP.

The proposed amendment is organized into five phases, each of which is intended for a different range of uses and intensities. The phasing plan is described as preliminary and subject to revisions based on the Final SP. Detailed design conditions regarding the layout and orientation of buildings, access and circulation, and other issues, should be expected at the Final SP for each phase of the project. The SP includes maximums for number of residential units and non-residential square footage in each district, which allows staff to equate each district to a similar base zoning district in the Metro Zoning Ordinance. The intensities proposed range from an intensity roughly equivalent to RM15 zoning for residential areas to an intensity equivalent to MUL and MUN along Broadmoor Drive and Ben Allen Road.

The proposed unit maximums are based on conceptual evaluations of the development that can be accommodated in any particular district subject to the proposed building form standards.

#### **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 Amendment only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

#### **PUBLIC WORKS RECOMMENDATION**

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

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- ROW dedication to the back of the sidewalk, if required, is to be recorded prior to MPW sign off on the building permit.

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

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

- A signal is warranted at this location. Developer shall submit signal plan and install signal when approved by MPW traffic engineer and T&P.
- In addition to TIS recommendations, Developer's traffic engineer shall determine if additional laneage is warranted for site access 4 to allow queue space for the school (600 students) arrival and dismissal traffic queues in order to prevent blocking thru travel pass the school site. Although applicant's engineer's response dated 6/4/18 indicated that a 3 lane cross section was not needed, it does not appear that the school arrival and dismissal queue was considered. A 3 lane cross section for site access 4 will allow improved traffic flow during the school arrival and dismissal times.

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

##### Intersection of Broadmoor Drive and Walton Lane/Site Access 1 (West Access)

- The northbound approach of Site Access 1 (West Access) to Broadmoor Drive should be designed to include sufficient width for one entering travel lane and a minimum of two exiting travel lanes.
- The Project access shall be aligned with Walton Lane. Prior to Final SP approval, additional signal analysis may be required to determine appropriate laneage and signal timing. Developer shall submit signal plans to modify the existing signal at Broadmoor Drive and Walton Lane prior to final SP approval. Developer shall submit signal plans and timing plans to MPW traffic engineer for approval and install improvements when directed by MPW traffic engineer.

- The first drive off site access 1 shall be designed and located an appropriate distance from traffic queued at signal to ensure that entering traffic is not blocked by exiting traffic queued past access and entering traffic dose not queue into Broadmoor Dr.
- Additional analysis of roads on site may be required prior to final SP approval. Developer shall identify traffic control and signage per MUTCD standards prior to final SP approval and submit any signal plans and pavement marking and signage plans with construction documents. Driveways for commercial projects shall be aligned if feasible. The exiting travel lanes should consist of one shared through/left turn lane and one right turn lane, if approved by metro traffic engineer.
- The southbound approach of Walton Lane to Broadmoor Drive should be restriped to include one shared through/left turn lane and one right turn lane, if approved by metro traffic engineer.
- A crosswalk with ADA-compliant pedestrian curb ramps with detectable warning mats should be provided for crossing the south leg of the intersection of Broadmoor Drive and Walton Lane/Site Access 1.
- A stop line should be provided for the northbound approach of Site Access 1 to Broadmoor Drive approximately 4 feet in advance of the recommended crosswalk.
- A left turn lane should be provided for the westbound approach of Broadmoor Drive to Walton Lane/Site Access 1 within the median. The left turn lane should include a minimum of 125 feet of storage. If the intersection of Broadmoor Drive and Walton Lane/Site Access 1 is signalized, as is expected under background and projected conditions, the traffic signal should be modified to include a leading left-turn signal phase for the westbound approach of Broadmoor Drive. This improvement would require modification to the signal head for the westbound approach of Broadmoor Drive and modification to the signal phasing and timing. Developer shall submit construction drawings for WB left turn lane on Broadmoor Dr at Access 1 prior to final SP approval
- Developer shall work with MTA to locate a transit shelter along Broadmoor Dr near Site access 1

#### Intersection of Broadmoor Drive and Site Access 2 (East Access)

- Site Access 2 (East Access) on Broadmoor Drive should be designed to include sufficient width for one entering travel lane and one exiting travel lane. The exiting travel lane should include one right turn lane. Access 2 shall operate as right in /right out only. Modification of existing median may be required.
- A crosswalk with ADA-compliant pedestrian curb ramps with detectable warning mats should be provided for crossing the south leg of the intersection of Broadmoor Drive and Site Access 2.
- A Right Turn Only (R3-5) sign should be provided for the northbound approach of Site Access 2 to Broadmoor Drive.

#### Intersection of Ben Allen Road and Dickerson Pk

- If feasible, developer shall widen Ben Allen Rd at Dickerson Pk and install separate left turn lane and right turn lane.

#### Intersection of Ben Allen Road and Site Access 3 (West Access)

- Site Access 3 (West Access) on Ben Allen Road should be designed to include sufficient width for one entering travel lane and a minimum of one exiting travel lane.
- A crosswalk with ADA-compliant pedestrian curb ramps with detectable warning mats should be provided for crossing the north leg of the intersection of Ben Allen Road and Site Access 3.
- A left turn lane should be provided for the eastbound approach of Ben Allen Road to Site Access 3. The left turn lane should include a minimum of 75 feet of storage.
- The final design of Site Access 3 on Ben Allen Road as well as approaches to Site Access 3 should be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions, including vertical and horizontal curvature, landscaping, existing trees and vegetation, decorative monument signs/walls, fences, building faces, etc.
- Ben Allen Rd along site frontage shall be designed with adequate lane widths and shoulders as necessary.
- Access 3 road shall also be constructed to accommodate any school bus or truck turning movements.
- All commercial use buildings shall provide adequate loading facilities per metro code.
- Driveways accessing Live /work and mixed use building shall align and located an appropriate distance from nearby roads.
- Drives to Multifamily parking shall be located an appropriate distance from road intersections and aligned if feasible.

#### Intersection of Ben Allen Road and Site Access 4 (East Access)

- Site Access 4 (east access) on Ben Allen Road should be designed to include sufficient width for one entering travel lane and two exiting travel lanes.
- Additional traffic analysis shall be required, to determine if access 4 shall be widened to a 3 lane cross section between Ben Allen Rd and mixed use parking access drive to determine if left turn traffic queues at Mixed use building parking access conflicts with exiting traffic queue at Ben Allen Rd intersection.
- Access road shall also be constructed to accommodate school bus and truck turning movements.
- A crosswalk with ADA-compliant pedestrian curb ramps with detectable warning mats should be provided for crossing the north leg of the intersection of Ben Allen Road and Site Access 4.
- A left turn lane should be provided for the eastbound approach of Ben Allen Road to Site Access 4. The left turn lane should include a minimum of 75 feet of storage.



- In order to provide sufficient intersection sight distance and visibility for vehicles turning left from Site Access 4 onto Ben Allen Road, the vegetation and embankment on the south side of Ben Allen Road west of the site access should be excavated in order to provide a minimum available sight distance of 335 feet looking to the west of Site Access 4 onto Ben Allen Road.
- The final design of Site Access 4 on Ben Allen Road as well as approaches to Site Access 4 should be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions, including vertical and horizontal curvature, landscaping, existing trees and vegetation, decorative monument signs/walls, fences, building faces, etc.
- A traffic control officer should be utilized during the morning arrival and afternoon dismissal periods of the proposed charter school to facilitate traffic flow at the intersection.

Intersection of Hart Lane and Ben Allen Road/R.S. Gass Boulevard

- Based on the results of a preliminary signal warrant analysis, a traffic signal will likely be warranted at the intersection of Hart Lane and Ben Allen Road/R.S. Gass Boulevard. It is recommended that a full signal warrant analysis be conducted prior to completion of the final phase of development of project and with any multifamily, mixed use or school building development as noted as phase 5 on preliminary SP plan. When signal is warranted, Developer shall prepare signal plan and submit to metro traffic engineer for approval and install signal when directed by metro traffic engineer.

Broadmoor Drive

- Sidewalk with a grass strip is recommended along the project site frontage of Broadmoor Drive. A minimum grass strip width of 6 feet and a minimum sidewalk width of 6 feet is recommended.

Ben Allen Road

- Sidewalk with a grass strip is recommended along the project site frontage of Ben Allen Road. A minimum grass strip width of 5 feet and a minimum sidewalk width of 5 feet is recommended.
- A two-way left turn lane should be provided beginning east of the intersection with Site Access 3 (West Access) and ending at the eastbound left turn lane at the intersection with Site Access 4 (East Access).

School Zone: Ben Allen Road

A school zone should be established on Ben Allen Road. The following should be provided:

- A School Speed Limit assembly on the north side of Ben Allen Road approximately 300 feet east of Site Access 4 facing westbound traffic. The assembly should include a fluorescent yellow-green "School" plaque (S4-3P), a 15 mph Speed Limit sign (R2-1), and a fluorescent yellowgreen "When Children Are Present" plaque (S4-2P).
- An "End School Zone" sign (S5-2) on the north side of Ben Allen Road approximately 300 feet west of Site Access 4 facing westbound traffic.
- A School Speed Limit assembly on the south side of Ben Allen Road approximately 300 feet west of Site Access 4 facing eastbound traffic. The assembly should include a fluorescent yellow-green "School" plaque (S4-3P), a 15 mph Speed Limit sign (R2-1), and a fluorescent yellowgreen "When Children Are Present" plaque (S4-2P).
- A fluorescent yellow-green School Advance Crossing sign (S1-1) with a fluorescent yellow-green "Ahead" plaque (W16-9P) on the south side of Ben Allen Road approximately 300 feet west of Site Access 4 facing eastbound traffic.
- As previously stated, a traffic control officer should be utilized during the morning arrival and afternoon dismissal periods of the proposed charter school to facilitate traffic flow at the intersection of Ben Allen Road and Site Access 4.

Charter School: Site Plan and school zone signage for internal road network

- Once the site plan for the proposed charter school has been finalized, it is recommended that a traffic engineer provide a review of the internal circulation, proposed pick-up and drop-off locations, and recommendations for establishing a school zone for the project site's internal road network. Bus pick up and drop off shall be separated from other vehicles.

Parking

- Developer shall provide adequate parking per land use per metro code. Adequate school parking shall be provided for special events and guests. A parking analysis may be required prior to final SP approval.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	51.64		321 U	2069	162	195

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)			63,000 S.F.	5030	118	467

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	51.64		321 U	2069	162	195

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 (820)			101,000 S.F.	6479	148	606

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+1,449	+30	+139

**METRO SCHOOL BOARD REPORT**

Projected student generation existing SP-MU district: 107 Elementary 75 Middle 54 High  
 Projected student generation proposed SP-MU district: 107 Elementary 75 Middle 54 High

The proposed SP zoning will generate no additional students beyond what would be generated under the existing SP-MU zoning district. Students would attend Caldwell Elementary School, Gra-Mar Middle School and Maplewood High School. None of the schools have been identified as over-capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited a maximum of 321 multi-family residential units and a maximum of 101,000 square feet of non-residential uses. Non-residential uses shall be as specified on the plan.
2. Comply with all conditions of BL2017-885 as applicable.
3. Comply with all conditions of Public Works and Traffic and Parking.
4. The primary trail in the first phase shall be constructed prior to approval of Use and Occupancy permits for any use in first phase.
5. The developer shall work with staff at Final SP for each phase to minimize the visibility of surface parking lots.
6. The developer shall work with staff at Final SP to ensure that buildings orient toward streets as open space to the greatest extent possible.
7. The entire primary trail shall be located within a dedicated public access easement.
8. With the submittal of the final site plan for the first phase, an overall trail plan shall be submitted for review. The plan should include timing of installation of the complete primary trail.
9. Submit a detailed grading plan with the submittal of the final site plan for review and approval by staff. Grading plan shall minimize disturbance of existing slopes and shall minimize the use of retaining walls.
10. A six-foot wide sidewalk and six-foot wide planting strip, consistent with the requirements of the Major and Collector Street Plan shall be provided along Broadmoor Drive for the full property frontage.
11. A five-foot sidewalk and a four-foot grass strip shall be installed along Ben Allen Road for the property frontage.

12. An off-site sidewalk six feet in width with a six foot wide planting strip, to Metro sidewalk standards, shall be installed for 650 feet to the west along the southern side of Broadmoor Drive, or as an alternative work with Planning, Stormwater and Public Works to develop a paved walking path that would utilize the existing pavement width along Broadmoor Drive, with some grading and paving improvements, the would connect Dickerson Pike to Walton Lane.
13. At Final SP for each phase the applicant shall be required to provide an exact breakdown of the number of units and number of bedrooms so that parking and other requirements can be accurately reviewed.
14. Elevations for all building types consistent with the bulk and architectural standards in the Preliminary SP shall be provided with the submittal of the Final Site plan for each phase for review and approval by staff. Individual building types shall be designed in a manner to work with existing topography and minimize grading.
15. 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.
16. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the following zoning districts as of the date of the applicable request or application:
  - Phase 1: MUL-A
  - Phase 2, 3, 4: RM15-A
  - Phase 5: MUL-A
 Uses are limited as described in the Council approved plan.
17. 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.
18. 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.
19. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approve with conditions disapprove without all conditions. Consent Agenda (9-0)**

**Resolution No. RS2018-154**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-034-002 is: **Approve with condition and disapprove without all conditions. (9-0)**

**CONDITIONS**

1. Permitted uses shall be limited a maximum of 321 multi-family residential units and a maximum of 101,000 square feet of non-residential uses. Non-residential uses shall be as specified on the plan.
2. Comply with all conditions of BL2017-885 as applicable.
3. Comply with all conditions of Public Works and Traffic and Parking.
4. The primary trail in the first phase shall be constructed prior to approval of Use and Occupancy permits for any use in first phase.
5. The developer shall work with staff at Final SP for each phase to minimize the visibility of surface parking lots.
6. The developer shall work with staff at Final SP to ensure that buildings orient toward streets as open space to the greatest extent possible.
7. The entire primary trail shall be located within a dedicated public access easement.
8. With the submittal of the final site plan for the first phase, an overall trail plan shall be submitted for review. The plan should include timing of installation of the complete primary trail.
9. Submit a detailed grading plan with the submittal of the final site plan for review and approval by staff. Grading plan shall minimize disturbance of existing slopes and shall minimize the use of retaining walls.
10. A six-foot wide sidewalk and six-foot wide planting strip, consistent with the requirements of the Major and Collector Street Plan shall be provided along Broadmoor Drive for the full property frontage.
11. A five-foot sidewalk and a four-foot grass strip shall be installed along Ben Allen Road for the property frontage.
12. An off-site sidewalk six feet in width with a six foot wide planting strip, to Metro sidewalk standards, shall be installed for 650 feet to the west along the southern side of Broadmoor Drive, or as an alternative work with Planning, Stormwater and Public Works to develop a paved walking path that would utilize the existing pavement width along Broadmoor Drive, with some grading and paving improvements, the would connect Dickerson Pike to Walton Lane.
13. At Final SP for each phase the applicant shall be required to provide an exact breakdown of the number of units and number of bedrooms so that parking and other requirements can be accurately reviewed.
14. Elevations for all building types consistent with the bulk and architectural standards in the Preliminary SP shall be provided with the submittal of the Final Site plan for each phase for review and approval by staff. Individual building types shall be designed in a manner to work with existing topography and minimize grading.
15. 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.

16. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the following zoning districts as of the date of the applicable request or application:

- Phase 1: MUL-A
- Phase 2, 3, 4: RM15-A
- Phase 5: MUL-A

Uses are limited as described in the Council approved plan.

17. 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.

18. 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.

19. 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. 2018SP-029-001

### 405 40TH AVENUE NORTH SP

Council District 24 (Kathleen Murphy)

Staff Reviewer: Shawn Shepard

A request to rezone from IR to SP-C zoning on property located at 405 40th Avenue North, approximately 190 feet north of Charlotte Avenue (1.92 acres), to permit a non-residential development, requested by Dewey Engineering, applicant; 405 Charlotte Development Partners, owner.

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

#### APPLICANT REQUEST

**Zone change to permit a commercial development.**

#### Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan – Commercial (SP-C) zoning on property located at 405 40th Avenue North, approximately 190 feet north of Charlotte Avenue (1.92 acres), to permit a non-residential development.

#### **Existing Zoning**

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

#### **Proposed Zoning**

Specific Plan-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.

#### **WEST NASHVILLE COMMUNITY PLAN**

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

The site is also within a supplemental policy area, 07-T4-CM-01, which includes properties along both sides of Charlotte Avenue between I-440 and Richland Creek. The specific guidance in the supplemental policy primarily addresses properties adjacent to Richland Creek and the Richland Creek Shopping Center, but the supplemental policy does address height for the area. The policy guidance calls for a maximum building height of two to four stories on this property.

#### Consistent with Policy?

The proposed site plan is generally consistent with the guidance of the T4 CM policy. The policy calls for higher intensity mixed use, particularly at intersections. The site is less than 200 feet north of the intersection of 40<sup>th</sup> Avenue North and Charlotte Avenue. The plan includes approximately 125,000 square feet of nonresidential uses, including educational, office, medical, retail and restaurant.

The plan also includes a requirement to locate an active use, such as restaurant, in the portion of the building immediately adjacent to 40<sup>th</sup> Avenue North, consistent with the policy goals for an urban form, with buildings addressing the street, and active ground-floor uses that enhance the pedestrian environment. The site plan incorporates a single access drive, with a future cross-connection to property to the south. The access is designed to align with existing roads, minimize curb cuts on Charlotte, and facilitate the efficient movement of vehicles and transit through the intersection of 40<sup>th</sup> and Charlotte, consistent with the goals of the policy. The plan also incorporates sidewalks along 40<sup>th</sup> Avenue North, consistent with the requirements of the Major and Collector Street Plan, to improve connectivity from the site to Charlotte Avenue.

## **PLAN DETAILS**

The 1.92-acre site is located on the west side of 40<sup>th</sup> Avenue North, approximately 200 feet north of the intersection of 40<sup>th</sup> Avenue North and Charlotte Avenue. The site is bounded to the north by Interstate 40 and by a railroad line to the west. The property is currently developed with several industrial buildings. The property immediately to the south contains a used automobile sales lot. A recently constructed mixed use development is located on the south side of Charlotte, opposite 40<sup>th</sup> Avenue north. The larger area contains a mix of commercial and industrial uses along the Charlotte corridor, with residential development south of the corridor.

### Site Plan

The plan proposes a maximum of 125,185 square feet of non-residential floor area in a single building located along the northern side of the site. Permitted uses are as listed on the plan, and include educational, office, medical, and commercial uses, including retail and restaurant, and industrial uses limited to artisan distillery, microbrewery and tasting room. Approximately 4,245 square feet of the building with frontage directly on 40<sup>th</sup> Avenue North is specified for a restaurant or other active use. An 8-foot sidewalk and 4-foot planting strip are provided for the full length of the property frontage along 40<sup>th</sup> Avenue North.

Vehicular access is provided from a single driveway along 40<sup>th</sup> Avenue North. A driveway stubs to the southern property line and a cross-access easement is noted on the plan. The adjacent property to the south, located at the intersection of Charlotte Avenue and 40<sup>th</sup> Avenue North currently takes access directly from Charlotte. The cross-access easement would permit that property to redevelop with access via the subject property, reducing curb-cuts along Charlotte and minimizing driveways in proximity to the intersection. The plan includes 77 surface parking spaces and 200 garage parking spaces beneath the building. Perimeter and interior landscaping is provided for all of the surface parking.

The plan limits building height to a maximum of four stories in 70 feet, with a note permitting rooftop decks to be excluded from the calculation of stories. The plan also includes architectural standards for minimum glazing, awnings, and materials, and to avoid continuous uninterrupted wall planes for street facing facades. In addition to the architectural standards, preliminary elevations are included with the SP.

## **ANALYSIS**

The proposed SP is consistent with the goals of the proposed T3 Mixed Use Corridor policy in this location. The site is located approximately 200 feet north of Charlotte Avenue, which is designated as arterial-boulevard and an immediate need high capacity transit corridor in the Major and Collector Street Plan, and has frontage on 40<sup>th</sup> Avenue North, which is a collector. The SP includes approximately 125,000 of mixed non-residential uses appropriate for the context that will help support transit service along the corridor.

The site is constrained to the north by the interstate and to the west by a railroad line. Those factors coupled with the location of existing Alabama Avenue on the east side of 40<sup>th</sup> Avenue North, greatly limit the access and site layout options for this property. The required access point splits the frontage of the site along 40<sup>th</sup> Avenue North, limiting the opportunities for a building to address and activate the street. In order to address the policy goals for activation and enhancement of the pedestrian realm, the plan includes approximately 55 feet of building frontage along 40<sup>th</sup> and includes a note specifying that the use in that portion of the building must be a restaurant or other active use. A 20-foot-wide sidewalk, located interior to the site immediately south of the building frontage on 40<sup>th</sup>, provides opportunities for outdoor seating or dining or other uses that will further activate and enhance the street.

The plan proposes a maximum height of four stories in 70 feet, and the preliminary elevations depict four above-grade stories in 62 feet. The supplemental policy supports heights between two to four stories, depending on context and location. Given the site's location adjacent to the interstate and a railroad line, this site is an appropriate location for height at the upper end of the range supported by the policy. The plan includes a note that rooftop decks shall not be considered a story. The elevations currently provided depict a rooftop deck on top of a two-story portion of the building, which does not increase the overall number of stories and is consistent with the policy guidance for height; however, in order to ensure that the guidance of the supplemental policy regarding height is met, staff recommends a condition requiring removal of the note exempting rooftop decks from the maximum height limitation.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

- There is a noted future connection. A second ingress/egress will be added.

**WATER SERVICES RECOMMENDATION****Approve with conditions**

- Approval is granted as a Preliminary SP only. Before Final SP stage, please update the availability study, to match the final usage and square footage of the proposed buildings.
- Once this is done, 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.
- Submit copy of ROW dedications prior to bldg. permit sign off.
- Indicate driveway ramp is to be per MPW standard ST-324

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

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

- The project access shall be constructed to include a minimum of one entering lane and one exiting lane. The exiting lane should include a minimum 75 feet of storage, and no parking spaces or loading zone should be located along driveway access.
- Provide adequate sight distance at garage access points with drive aisles. Garage access points shall be signed internally with appropriate traffic control to prevent traffic queueing into 40th Ave.
- 40th Avenue, N. should be restriped as a three-lane roadway with TWLTL striping from Charlotte Avenue to the project access. A dedicated southbound left turn lane with at least 200 feet of storage should be provided for motorists turning left onto Charlotte Avenue, and a dedicated northbound left turn lane with at least 50 feet of storage should be provided for motorists turning into the project site. Apply to T&P to restrict on street parking on 40th Ave. as necessary. Submit pavement marking and signage plan and signal plan for any signal modifications at 40th Ave and Charlotte Ave if necessary due to restriping with final SP.
- Provide adequate sight distance at access drive intersection with 40th Ave. For a speed of 30 mph, the minimum stopping sight distance is 200 feet. The minimum intersection sight distance is 335 feet.
- Currently, Metro bus stops are provided on Charlotte Avenue at 37th Avenue and 42<sup>nd</sup> Avenue. Also, a bicycle lane is provided for the eastbound lanes of Charlotte Avenue. Sidewalks are provided on both sides of 40th Avenue, N., and pedestrian crosswalks and pedestrian signals are provided at the intersection of Charlotte Avenue and 40th Avenue, N. These facilities should be maintained in conjunction with the proposed project.
  - Parking shall be provided per metro code.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.92	0.6 F	50,181 S.F.	179	57	39

**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 (931)	0.46		4,245 S.F.	382	4	32

**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)	0.46		30,235 S.F.	1332	32	95

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)	1.0		90,705 S.F.	1238	174	181

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+75,004 S.F.	+2773	+153	+269

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 125,888 square feet non-residential uses. Uses shall be as specified on the site plan.
2. With the corrected copy, remove the note exempting rooftop decks from determination of the number of stories.
3. Comply with all conditions of Metro Public Works and Traffic and Parking.
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 MUL-A zoning district as of the date of the applicable request or application.
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.

**Approve with conditions disapprove without all conditions. Consent Agenda (9-0)**

**Resolution No. RS2018-155**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-029-001 is: **Approve with condition and disapprove without all conditions. (9-0)**

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 125,888 square feet non-residential uses. Uses shall be as specified on the site plan.
2. With the corrected copy, remove the note exempting rooftop decks from determination of the number of stories.
3. Comply with all conditions of Metro Public Works and Traffic and Parking.
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 MUL-A zoning district as of the date of the applicable request or application.
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.

### 13. 2018SP-030-001

#### 224 BEN ALLEN ROAD SP

Council District 08 (Nancy VanReece)

Staff Reviewer: Shawn Shepard

A request to rezone from RS10 to SP-MU zoning on properties located at 224, 236, 242, 252, 300 and 310 Ben Allen Road and a portion of property located at 214 Ben Allen Road, approximately 290 feet east of Morningside Drive (38.66 acres), to permit 73 single-family lots, 70 multi-family residential units and a maximum of 20,000 square feet of nonresidential uses, requested by Fulmer Engineering, applicant; Giancarlo Agnoletti and East End Developers, LLC, owners.

**Staff Recommendation: Disapprove.**

#### APPLICANT REQUEST

**Zone change to permit a mixed use development.**

#### Preliminary SP

A request to rezone from Single-Family Residential (RS10) to Specific Plan – Mixed Use (SP-MU) zoning on properties located at 224, 236, 242, 252, 300 and 310 Ben Allen Road and a portion of property located at 214 Ben Allen Road, approximately 290 feet east of Morningside Drive (38.66 acres), to permit 73 single-family lots, 70 multi-family residential units and a maximum of 20,000 square feet of nonresidential uses.

#### Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 143 units, subject to compliance with all standards of the Metro Subdivision Regulations.*

#### Proposed Zoning

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

#### PLAN DETAILS

The 38.66-acre site is located on the south side of Ben Allen Road, approximately 0.25 miles east of Dickerson Pike and 0.30 miles west of Ellington Parkway. The eastern portion of the site is dominated by a steep hill, with less topographically challenging land in the southern and western portions of the site. The land use pattern of the larger area is characterized primarily by single-family residential, with some areas of two-family residential to the south, and vacant properties. The vacant property immediately to the east is within a Planned Unit Development (PUD) which permits multifamily residential. The property immediately to the west is zoned Specific Plan (SP); multi-family residential allowed by that SP is currently under construction. A large mixed use SP, also within the Trail Oriented Development supplemental policy, was approved by Metro Council in August of 2017 for property between Ben Allen Road and Broadmoor Drive, to the northeast of this site.

#### Site Plan

The plan proposes a mixed use development with a maximum of 70 single-family lots, 73 multi-family residential units, and 20,000 square feet of non-residential uses. The single-family lots are located along three proposed private roads, one extending south from Ben Allen through the center of the site connecting to an east-west road through the southern portion of the property, and a third curving up to the top of the hillside in the eastern portion of the site. The multi-family residential units, which take the form of attached townhomes, are primarily located in the western portion of the site, organized around common open space areas. Fourteen additional townhome units are located at the front of the site along Ben Allen Road, with eight future units indicated in the southeast corner of the site. All of the non-residential development is located along the Ben Allen Road frontage, primarily in areas of T3 NC policy. The plan includes a 6,500-square-foot daycare and a maximum of 13,500 square feet of additional non-specified commercial uses.

The plan incorporates areas of open space adjacent to the daycare site, along the western edge of the site, and in the southeast corner. A significant open space area is also provided on the hill along the eastern edge of the site.

The proposed development is broken into phases. Phase 1 includes 53 single-family lots, 14 multi-family residential units, the daycare facility, and the public greenway located along the property frontage. Phase 2 includes 46 multi-family residential units and 7,900 square feet of commercial space. Phase 3 includes 23 single-family residential lots and completion of the greenways and open space improvements located on the hill.



Vehicular access is provided via a system of proposed private roads. Proposed Road A, which extends south from Ben Allen Road through the center of the site, along with Proposed Road B, which runs east-west through the southern portion of the site, will serve the majority of the single-family lots. Proposed Road C serves the 20 single-family lots located on the hill. The townhomes in the northwest corner of the plan will be rear-loaded and served by a system of private alleys. The adjacent property to the west is within an approved SP that includes a cross-access easement that stubs out at the western property line of this site. The private alley in the northwest corner of this plan will connect, through that cross-access easement, to a drive currently under construction in the SP to the west, providing an additional means of access to Ben Allen Road. A total of 530 parking spaces are provided by the plan; 148 parking spaces are located in garages or driveways associated with the single-family and townhome units. The remaining parking spaces are surface parking, located in lots adjacent to the commercial areas and in driveways associated with the single-family residential units.

Pedestrian access is provided through a system of sidewalks, greenways and trails. A five-foot-wide sidewalk is provided along each proposed road interior to the site. A 20-foot public greenway dedication is indicated along the entire length of the site's Ben Allen Road frontage. The plan does not specify a particular greenway width or design within that dedication area. An additional public greenway is shown through the large open space area to provide for public access to the community open space located at the top of the hill. Additional private greenways are included behind and between lots to connect the residential portions of the development to the greenway trail system on the hill. The plan includes a note indicating that all private greenways and publicly accessible open space areas will be placed in a pedestrian access easement.

The plan includes architectural standards for entrances, minimum glazing and a requirement that 50% of exterior facing multi-family residential units have stoops connecting to the sidewalk. An additional architectural note specifies that single-family residential units shall be designed to minimize slope disturbance and make use of environmentally sensitive materials.

#### **EAST 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 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.

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 (05-T3-NE-01) is intended to encourage active transportation in an area that is underserved with connections and circulation options, such as trails, bike paths, and sidewalks. Trail Oriented Development is a design concept that takes advantage of and leverages infrastructure that supports active ways of getting around.

## ANALYSIS

The site includes multiple parcels located south of Ben Allen Road. The western half of the project site lies within the T4 Urban transect, primarily in an area of T4 Neighborhood Evolving policy with some Conservation policy in the northwest corner, which recognizes a stream and associated buffers. The T4 Neighborhood Evolving policy supports primarily residential uses with high levels of connectivity.

The eastern portion of the plan, which lies primarily in the T4 NE policy, includes single-family residential lots and multi-family residential townhome units, which is consistent with the goals of the policy to provide a diversity of housing types. This portion of the plan provides moderate connectivity for vehicles and pedestrians. The proposed new streets and alleys serving this portion of the development provide for a future connection to the adjacent SP to the west and for a future connection to the south and east, should those properties redevelop. The public and private greenways also provide moderate connectivity for pedestrians. However, in order to fully meet the goals of the T4 NE policy in this transect, streets should generally be public and built to the appropriate Metro Public Works standard. The primary proposed road serving this portion of the development is located at the base of the hill, within areas of 20 percent slopes, and is only 24 feet wide with a sidewalk on one side. Per the Public Works standard for a local road, 27 feet of pavement with sidewalks and planting strips on both sides within 50 feet of right-of-way would be required. The narrower road section is intended to minimize disturbance to slopes, but as the narrower road does not meet Public Works standards, it must remain a private road, minimizing connectivity for the larger T4 NE area.

The eastern portion of the property frontage along Ben Allen Road and a small area at the top of the hill are within an area of T3 Suburban Neighborhood Center policy. The portion of T3 NC policy at the top of the hill is designated as a community park and open space area. The plan proposes a daycare and an additional 13,500 square feet of commercial uses for the area along Ben Allen. T3 NC policy generally supports a mix of commercial and service uses to serve the surrounding neighborhood, with one bay of parking permitted between buildings and the street. The proposed uses and layout of the commercial areas of the plan are generally consistent with the guidance of the T3 NC policy. The daycare and other commercial uses will serve residents of the development and of the surrounding area.

The eastern half of the site is comprised of a steep hill with large areas of slopes greater than 20 percent, which is recognized by the presence of a significant area of Conservation policy. The remaining small portions of the eastern half of the site outside of steep slopes and Conservation policy fall within an area of T3 Suburban Neighborhood Evolving policy. T3 NE is sometimes applied near contiguous areas of sensitive environmental features indicated by Conservation policy. In these instances, the T3 NE policy is not intended to indicate that a higher density or intensity of development is appropriate; instead, the T3 NE policy is intended to provide for more creative development patterns that cluster development outside of sensitive environmental features. The plan for this portion of the site places a large area of the hill in open space, accessed by greenway trails; however, the plan also proposes a new private road and 20 single-family residential lots on some of the steepest portions of the property. Even though a narrow, 20-foot road section is proposed, this development would disturb a significant area of slopes greater than 25 percent.

The majority of the site, except for the northwest corner, is also within a supplemental policy for Trail Oriented Development intended to encourage active transportation. The plan incorporates a public greenway along the Ben Allen Road frontage, in lieu of a sidewalk and planting strip. The plan also proposes a network of public and private greenways throughout the development. The public greenway includes a trail connection to the community open space at the top of the hill. The private greenways intended to serve the residents of the development are primarily located behind the single-family lots, rather than serving as an organizing feature of the plan to which development is oriented. The plan does not include specifics on how the greenways would be constructed or maintained, nor does the plan indicate the slope or accessibility of these greenways.

The site, as a whole, is a challenging one, due to the limited options for connections to surrounding properties and to the significant slope of the hill. The proposed SP does include a mix of housing types and commercial and service uses that are supported by the land use policies and would serve the surrounding area. The community open space at the top of the hill, if managed for public access, could also become a significant amenity for residents of this development and for the surrounding neighborhoods.

Although the plan incorporates some of the principles outlined in the applicable policies, the amount of disturbance on steep slopes within Conservation policy is significant. Any lot created on a natural slope of 20 percent or greater is designated as a critical lot, requiring additional grading review to minimize disturbance of slopes and ensure the safety of residents of the development. Of the 73 lots proposed in this plan, 65 lots (90 percent) are designated as critical lots. The Planning Department has consistently worked to minimize the creation of critical lots, even in subdivision concept plans where the development entitlements already exist. Additionally, staff is concerned that while the plan illustrates trail connections to the top of the hill, those trails may be difficult to construct in a manner that makes the community open space at the top accessible. Since the road to the top of the hill will be private, because it does not meet the Public Works standards for a local road, access to the open space for the general community may be very limited. This plan proposes a significant amount of conventional, suburban residential development on a very steep site within an area of Conservation policy. Given the amount of disturbance that would occur within the slopes, staff recommends disapproval of the plan.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

- Fire Code issues will be addressed in the permit phase.
- Fire Department access roads are to be 24 feet wide.

## **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. The approved construction plans must match the Final Site Plan/SP plans. Before Final SP stage, please submit a revised availability study that matches this revised site layout. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

## **STORMWATER RECOMMENDATION**

### **Approve**

## **PUBLIC WORKS RECOMMENDATION**

### **Returned for corrections**

- Add note to Cover Sheet: Final construction plans and road grades shall comply with the design regulations established by the Department of Public Works. Slopes along roadways shall not exceed 3:1.
- Revise and specify Roads A, B, and C to Public Works ST-252 Local Road drawing.
- Revise and specify Road D to Public Works ST-251 Minor Local Road drawing.
- Add note that lots with less than 50' of road frontage will have a shared access driveway.
- Provide a geotechnical study that addresses this site plan specifically, the cutting of roads into the hillside, and slope stabilization/ mitigations.

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Approve with conditions**

The analyses presented in this study indicate that the impacts of the proposed Ben Allen mixed-use development on the existing street network will be manageable by providing the recommendations below. These specific recommendations will provide safe and efficient traffic operations within the study area following the completion of the proposed project. At a minimum, the recommendations are as follows:

#### **Intersection of Ben Allen Road and Site Access 1 (West Access)**

- Site Access 1 (West Access) on Ben Allen Road should be designed to include sufficient width for one entering travel lane and two exiting travel lanes.
- An ADA-compliant pedestrian crosswalk should be provided for crossing the south leg of the intersection of Ben Allen Road and Site Access 1.
- A left turn lane within a center TWLTL should be provided for the westbound approach of Ben Allen Road to Site Access 1. The left turn lane should include a minimum of 50 feet of storage.
- Adequate spacing between 1st internal driveway and Ben Allen road shall be provided to accommodate exiting subdivision traffic and entering Day care traffic.
- A traffic management plan shall be prepared and implemented by the daycare operator.
- The final design of Site Access 1 on Ben Allen Road should be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions, including vertical and horizontal curvature, landscaping, existing trees and vegetation, decorative monument signs/walls, fences, building faces, etc.

#### **Intersection of Ben Allen Road and Site Access 2 (East Access)**

- Site Access 2 (East Access) on Ben Allen Road should be designed to include sufficient width for one entering travel lane and two exiting travel lanes.
- An ADA-compliant pedestrian crosswalk should be provided for crossing the south leg of the intersection of Ben Allen Road and Site Access 2
- Additional analysis shall be provided to determine appropriate design and location of access driveways to the future commercial area along Ben Allen Rd.
- A left turn lane within a center TWLTL should be provided for the westbound approach of Ben Allen Road to Site Access 2. The left turn lane should include a minimum of 50 feet of storage.
- The final design of Site Access 2 on Ben Allen Road should be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions, including vertical and horizontal curvature, landscaping, existing trees and vegetation, decorative monument signs/walls, fences, building faces, etc.

#### **Intersection of Hart Lane and Site Access 3**

- Site Access 3 on Hart Lane should be designed to include sufficient width for one entering travel lane and one exiting travel lane.
- An ADA-compliant pedestrian crosswalk should be provided for crossing the north leg of the intersection of Hart Lane and Site Access 3.

- The final design of Site Access 3 on Ben Allen Road should be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions, including vertical and horizontal curvature, landscaping, existing trees and vegetation, decorative monument signs/walls, fences, building faces, etc.

**Intersection of Dickerson Pike and Ben Allen Road**

- Providing a left-turn lane on the westbound approach of Ben Allen Road can alleviate the queue length for that approach. However, due to the existing and expected high traffic volumes on Dickerson Pike, an additional left-turn lane would not decrease the expected delay significantly. Moreover, providing an additional lane on Ben Allen Road might not be feasible due to the limited right-of-way. Therefore, the feasibility and effectiveness of this potential improvement should be coordinated and discussed between MPW and the developer team.
- Developer shall submit signal warrant analysis for Dickerson Pk and Ben Allen Rd and if warranted submit signal plans to MPW traffic engineer for approval and install signal when directed by MPW traffic engineer.

**Intersection of Hart Lane and Ben Allen Road/ R.S. Gass Boulevard**

- Providing a left-turn lane on the southbound approach of Ben Allen Road can alleviate the queue length for that approach. However due to the existing and expected high traffic volumes on Hart Lane, an additional left-turn lane would not decrease the expected delay significantly. Adequate pavement width currently exists on the southbound approach of Ben Allen Road to include an additional left-turn lane and this improvement can be implemented by new striping only. However, the feasibility and effectiveness of this potential improvement should be coordinated and discussed between MPW and the developer team..
- Developer shall submit signal warrant analysis at Ben Allen and Hart Lane and if warranted submit signal plans to MPW traffic engineer for approval and install signal when directed by MPW traffic engineer.

**Ben Allen Road**

- In accordance with the *Major and Collector Street Plan*, the final design of Ben Allen Road should include a center two-way left turn lane (TWLTL) along the frontage of the project site.
- Sidewalk with a grass strip is recommended along the project site frontage of Ben Allen Road. A minimum grass strip width of 4 feet and a minimum sidewalk width of 5 feet is recommended.

**Parking**

- Based on Metro Nashville's current *Code of Ordinances*, the current development program for the Ben Allen mixed-use development will require a minimum of 384 parking spaces. According to the current site plan total of 575 parking spaces are planned to be provided for the project site, which satisfies the required parking demand. However, parking spaces for each land use should be provided based on the minimum required parking demand for that land use, as listed below:
  - 29 parking spaces for day care center
  - 100 parking spaces for retail space
  - 222 parking spaces for single-family homes
  - 33 parking spaces for multi-family units
- The parking lot for the day care center should be designed to provide enough space for the circulation and drop-off of children. A traffic management plan shall be prepared and implemented by the daycare operator.

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)	44.28	4.35 D	192 U	1895	145	193

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	44.28		73 U	779	55	74

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)			70 U	548	39	57

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
Day Care Center (565)			6,500 S.F.	310	72	73

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)			13,500 S.F.	616	18	54

Traffic changes between maximum: **RS10 and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+358	+39	+65

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS10 district: **18 Elementary 17 Middle 17 High**

Projected student generation proposed SP-MU district: **56 Elementary 33 Middle 37 High**

The proposed SP zoning is expected to generate 74 more student than the existing RS10 zoning. Students would attend Chadwell Elementary School, Gra-Mar 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 December 2017.

**STAFF RECOMMENDATION**

Staff recommends disapproval, as the plan is not consistent with the goals and guidance of the Conservation policy present on the site, and because the plan lacks recommendations of approval from all reviewing agencies.

Ms. Shepard presented the staff recommendation of disapproval.

Jay Fulmer, 2002 Richard Jones Rd, spoke in favor of the application.

Ron Brice, property owner, spoke in favor of the application.

Christian Paro, 272 Broadmoor Dr, spoke in favor of the application.

John Bell, 222 Polk Ave, spoke in favor of the application.

**Chairman Adkins closed the Public Hearing.**

Dr. Sims spoke in opposition as it is not in compliance with policy.

Ms. Moore spoke in opposition as it is not in compliance with policy.

Dr. Bichell suggested a deferral with the suggestion of coming back with fewer units.

The applicant agreed to a two meeting deferral.

**Ms. Blackshear moved and Dr. Bichell seconded the motion to defer to the August 9, 2018 Planning Commission meeting and not reopen the Public Hearing. (8-0)**

**Dr. Sims left the meeting.**

**The Metropolitan Planning Commission deferred 2018SP-030-001 to the August 9, 28, 2018, Planning Commission meeting. (8-0)**

**14. 2018SP-035-001**

**ELM HILL PLACE SP**

Council District 13 (Holly Huezo)

Staff Reviewer: Gene Burse

A request to rezone from RS10 to SP-R zoning on properties located at 3112, 3128 Elm Hill Pike and Elm Hill Pike (unnumbered), approximately 415 feet east of Timber Valley Drive (13.56 acres), to permit 166 multi-family residential units, requested by Southeastern Development Enterprise, LLC, applicant; Gregg and Susan Eatherly and Gerre Goss White, owners.

**Staff Recommendation: Defer to the July 26, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018SP-035-001 to the July 26, 28, 2018, Planning Commission meeting. (8-0-1)**

**15. 2018S-084-001**

**MCKANNA SUBDIVISION LOT 1 AND SEVEN HILLS SECTION 8 LOT 327**

Council District 34 (Angie Henderson)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to shift lot lines on properties located at 1480 Georgetown Court and 4604 Mountainview Drive, approximately 335 feet southwest of Hildreth Drive, zoned R40 (6.49 acres), requested by Dale and Associates, applicant; James McKanna, owner.

**Staff Recommendation: Defer to the July 26, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018S-084-001 to the July 26, 28, 2018, Planning Commission meeting. (9-0)**

**16. 2018S-086-001**

**BRYANT PLACE**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Gene Burse

A request for concept plan approval to create seven lots and dedicate right of way on property located at 2231 Whites Creek Pike, approximately 225 feet west of Toney Road, zoned RS7.5 (2.88 acres), requested by Wamble & Associates, applicant; Successful Survivors, Inc., owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

Concept plan approval to create up to 7 lots.

Concept Plan

A request for concept plan approval to create seven lots and dedicate right of way on property located at 2231 Whites Creek Pike, approximately 225 feet west of Toney Road, zoned Single-Family Residential (RS7.5) (2.88 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 5.8 dwelling units per acre. *RS7.5 would permit a maximum of 16 lots.*

**BORDEAUX-WHITES CREEK-HAYNES TRINITY 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.

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.

This site is located on Whites Creek pike, approximately 225 feet west of Toney Road and consists of 2.88 acres of vacant land. The proposal is a concept plan to permit up to 7 single-family residential lots, proposed open space and right-of-way dedications. A temporary turnaround area is located on lots 6 and 7. Each proposed lot is oriented to a new public street. The proposed public street will have sidewalk improvements consistent with local standards. Sidewalk improvements will also be installed along the site frontage on Whites Creek Pike. These sidewalk improvements include sidewalks 8 feet in width and a planting strip with a minimum width of 6 feet consistent with the Major and Collector Street Plan.

Proposed lots have a minimum area of 7,500 square feet. The plan provides for one internal road and two future road connections, with a stub street to the north and to the west. The plan provides 0.39 acres, or 13% of the site area, for open space that consist primarily of stormwater treatment areas.

#### **ANALYSIS**

The plan meets the requirements of the subdivision regulations and includes connectivity throughout the site. It also provides for a future connection to Illolo Street to the west and a connection to an area of evolving policy to the north. A small portion of the northwestern corner of the site has slopes but the plan orients development off of this area.

#### **FIRE DEPARTMENT RECOMMENDATION**

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

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

#### **WATER SERVICES RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

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

- Provide TVA Easement Approval before final SP for Storm Water Pond beside Ilo St.

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve**

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

##### **Approve**

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. Comply with all conditions of Metro Agencies.

#### **Approve with conditions Consent Agenda. (9-0)**

##### **Resolution No. RS2018-156**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-086-001 is: **approved with condition.**  
(9-0)

#### **CONDITIONS**

1. Comply with all conditions of Metro Agencies.

**17. 2018S-093-001**

**OLD MATTHEWS AND WEBSTER ROAD**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Patrick Napier

A request for concept plan approval to create 22 lots on properties located at Toney Road (unnumbered), Old Matthews Road (unnumbered) and 2504, 2506, and 2528 Old Matthews Road, approximately 290 feet north of Yokley Road, zoned RS7.5 (5.21 acres), requested by Dale & Associates, applicant; REI615, LLC, owner.

**Staff Recommendation: Defer to the July 26, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018S-093-001 to the July 26, 28, 2018, Planning Commission meeting. (9-0)**

**18. 2018S-101-001**

**THE OTIS AND JANE MAXWELL PROPERTY**

Council District 07 (Anthony Davis)

Staff Reviewer: Levi Hill

A request for final plat approval to create three lots on properties located at 1429 and 1431 Litton Avenue, at the northwest corner of Lee Davis Road and Litton Avenue, zoned R6 (0.89 acres), requested by Stephen McClannahan, applicant; Josh Hellmer, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Request for final plat approval to create three lots.**

Final Plat

A request for final plat approval to create three lots on properties located at 1429 and 1431 Litton Avenue, at the northwest corner of Lee Davis Road and Litton Avenue, zoned One and Two-Family Residential (R6) (0.89 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 3 lots with 3 duplex lots for a total of 6 units.

**BORDEAUX-WHITES CREEK 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 three lots on the north side of Litton Avenue, west of Lee Davis Road. The site contains two residential structures, one of which is proposed to be demolished if this plat is approved.

The three proposed lots range in size from 11,348 square feet to 13,042 square feet. The proposed lots have frontage ranging from 62 feet to 70 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.

Zoning Code

The proposed lots meet the minimum standards of the R6 zoning district.

Street Frontage

The three 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 Litton Avenue, lots created must have frontage at least equal to 55 feet. The proposed lots have frontage exceeding the compatibility requirements for frontage.

Frontage	Lot 1	Lot 2	Lot 3
Proposed Frontage	70.00	62.00	68.96
<b>Minimum Frontage</b>	<b>55 ft.</b>	<b>55 ft.</b>	<b>55 ft.</b>
70% Average	46.86	46.86	46.86

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 Litton Avenue, the proposed lots must be equal to or greater than approximately 11,342 square feet. The proposed lots exceed compatibility requirements for area.

Size	Lot 1	Lot 2	Lot 3
Proposed Size	12,603 SF	11,348 SF	13,042
<b>Minimum Size</b>	<b>10,018 SF</b>	<b>10,018 SF</b>	<b>10,018 SF</b>
70% Average	11,342 SF	11,342 SF	11,342 SF

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

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

5.

Agency Review

All review agencies have not recommended approval.

Analysis

The proposed subdivision complies with Section 3-5.2 of the Subdivision Regulations, demonstrating consistency with the community character of surrounding parcels.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Returned for corrections**

- The required capacity fees must be paid prior to plat approval (see MWS letter to Josh Hellmer, dated 4/17/2018, for details).

**STAFF RECOMMENDATION**

Staff recommends deferral to the July 26, 2018, Planning Commission meeting unless a recommendation of approval is received from all reviewing agencies. If a recommendation of approval is received from all agencies, staff recommends approval with conditions.

**CONDITIONS (if approved)**

1. 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.
2. All structures labeled to be demolished shall be demolished prior to recording the plat.

**Approve with conditions Consent Agenda. (9-0)**

**Resolution No. RS2018-157**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-101-001 is: **approved with condition. (9-0)**”

**19. 38-79P-003**

**RIVERGATE MALL PUD (CHICK-FIL-A REVISION AND FINAL)**

Council District 10 (Doug Pardue)

Staff Reviewer: Patrick Napier

A request to revise the preliminary plan and for final site plan approval for a Planned Unit Development Overlay District on a portion of properties located at 1000 Rivergate Parkway and 2000 Gallatin Pike, approximately 380 feet southwest of Twin Hills Drive, zoned SCR (0.81 acres), to permit a 386 square foot addition and dual approach to drive-thru, requested by Interplan, LLC, applicant; KDI Rivergate Mall, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise a PUD and approve final site plan to permit an expansion to an existing restaurant store.**

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District (PUD) on a portion of properties located at 1000 Rivergate Parkway and 2000 Gallatin Pike, approximately 380 feet southwest of Twin Hills Drive, zoned Shopping Center Regional (SCR), (0.81 acres), to permit a 386 square foot addition and dual approach drive-thru.

**Existing Zoning**

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

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

History

Metro Council approved this PUD in 1979. When originally approved the PUD permitted a total floor area within the PUD in excess of 700,000 square feet and parking in excess of 4,000 spaces. This PUD has since been revised and amended numerous times with Metro Council approving the most recent amendment in 1986, this amendment only pertained to a portion of the PUD. The 1986 amendment added 293,692 of commercial retail space to the PUD. The revision proposed by this plan represents a 1.1 percent increase in floor area for the existing structure which does not exceed the 10 percent threshold for additional square footage within the PUD.

**PLAN DETAILS**

The site is located at 1000 Rivergate Parkway and 2000 Gallatin Pike, approximately 380 feet southwest of Twin Hills Drive. The plan calls for a portion of the PUD to be revised to permit a 386 square foot addition and dual approach drive-thru. The site contains an existing restaurant and is currently zoned Shopping Center Regional (SCR).

Site Plan

The existing structure contains 3,842 square feet. The proposed revision indicates a 386 square foot expansion to the existing structure resulting in a total of 4,210 square feet. The proposed structure will have a maximum height of 25 feet, consistent with the existing structure. The site plan indicates all points of access will remain unaltered.

The site plan indicates 45 parking spaces will be provided, exceeding the minimum requirement of the Metro Zoning Code.

**ANALYSIS**

Section 17.40.12.F permits the Planning Commission to establish the types of changes that require Metro Council concurrence.

Staff finds that the request does not meet the threshold for Metro Council concurrence and may be approved by the Planning Commission as a revision to the PUD. Section 17.40.120.F is provided below for review.

F. Changes to a Planned Unit Development District.

1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:

- a. Land area being added or removed from the planned unit development district shall be approved by council according to the provisions of Article III of this chapter (Amendments);
- b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinances shall be authorized by council ordinance;
- c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
- d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or
- e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.
- f. Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of section 17.40.120.H.4.a.

Since the proposed plan is consistent with the overall concept of the Council approved plan, and is consistent with zoning requirements, staff is recommending that the revision be approved with conditions.

**FIRE MARSHAL 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**

**WATER SERVICES RECOMMENDATION (SEWER SERVICE)**

**Approve with conditions**

- Approval does not apply to grease trap design. Plans for these must be submitted and approved through a separate review process with Metro Water's Grease Control Division, before their construction may begin.
- Approval only applies to public sewer issues only. Madison Suburban Utility District serves this site with water.

**MADISON SUBURBAN UTILITY DISTRICT RECOMMENDATION (WATER SERVICE)**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

- 1. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
- 2. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
5. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require re-approval by the Planning Commission and/or Metro Council.

**Approve with conditions Consent Agenda. (9-0)**

**Resolution No. RS2018-158**

“BE IT RESOLVED by The Metropolitan Planning Commission that 38-79P-003 is: **approved with condition. (9-0)**

**CONDITIONS**

1. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
2. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
5. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require re-approval by the Planning Commission and/or Metro Council.

**20. 4-85P-002**

**ARROWHEAD PUD (REVISION)**

Council District 08 (Nancy VanReece)

Staff Reviewer: Patrick Napier

A request to revise the preliminary plan for a Planned Unit Development Overlay District on property located at Arrowhead Drive (unnumbered), south of the intersection of Arrowhead Drive and Walton Lane, zoned RS10 (10.1 acres), to revise the site layout, requested by Fulmer Engineering, applicant; Woodland Street Partners, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise the preliminary site plan for Planned Unit Development Overlay.**

Revise Preliminary PUD

A request to revise the preliminary plan for a portion of a Planned Unit Development Overlay District on property located at Arrowhead Drive (unnumbered), south of the intersection of Arrowhead Drive and Walton Lane, zoned RS10 (10.8 acres), to revise the site layout.

**Existing Zoning**

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *The density for this development is controlled by the Planned Unit Development Overlay. The PUD was originally approved in 1985 for a total of 102 residential units.*

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

## REQUEST DETAILS

This is a request to revise the preliminary PUD plan for a portion of the Arrowhead PUD. This request pertains to the unbuilt portion of the Arrowhead PUD. The PUD was originally approved in 1985 for a total of 102 residential units (38 townhomes and 64 flats). A final site plan for Phase one was approved in 1995 for seven residential units. These units are constructed, and are located along Walton Lane at the southeast intersection of Walton Lane and Slate Drive.

### Site Plan

The plan includes 75 residential units distributed between 14 separate buildings. Access to the site is proposed from two drives off of Walton Lane. There is currently one existing access to the site which serves the 7 units approved in 1995 by the phase one final site plan. The second is located along the properties western frontage with Walton Lane.

The site plan indicates 3 separate townhome type units will be provided within the site. All units are proposed to contain a maximum height of 48 feet, measured to the highest point of the roof. All corner units will contain porches which wrap the corner. A total of 191 spaces are proposed, exceeding the minimum number of required parking spaces according to the Metro Code. Parking is provided in various forms, such as rear loaded garages, carports, and surface parking.

Sidewalks consistent with the local street standard, a 4 foot wide grass strip and a 5 foot wide sidewalk, are required along the western frontage of Walton Lane. A condition of approval will require all internal sidewalks to be a minimum of 5 feet wide. The site contains an extensive internal sidewalk network providing multiple connections to the amenities within the site.

Open space is provided in the form of a dog park as well as a multiple common open space areas distributed throughout the site. Multiple smaller open space areas have been strategically placed within the site to provide recreational opportunities for future residents.

## ANALYSIS

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.

m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

Staff finds that the proposed revision is consistent with the original plan approved by Council. The proposed unit count would result in an overall density lower than what was originally approved, and the layout is consistent with the overall layout of the Council approved plan. Since the plan does not propose any significant changes to the Council approved PUD plan, staff finds the request can be approved as a minor modification.

#### **FIRE MARSHAL'S OFFICE**

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

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

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES**

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

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

#### **PUBLIC WORKS RECOMMENDATION**

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

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- If sidewalks are required then they should be shown on the plans per MCSP and MPW standards and specs.
- Submit field run vertical and horizontal sight distance analysis per AASHTO~ Prior to final approval, provide recorded easement for the clearing and grubbing of adjacent property.

#### **TRAFFIC AND PARKING**

##### **Approve**

- Provide adequate sight distance at access drives.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS (if approved)**

1. All internal sidewalks shall be dimensioned to a minimum of 5 feet in width shown on a corrected copy of the preliminary PUD site plan.
2. A B-3 landscape buffer is required along the north property line adjacent to the single family lots fronting Walton Lane.
3. No part of any structure shall be located within the 20 foot setback. Trash and mailbox facilities shall be relocated outside of the the required 20 foot setback.
4. Remove any notes referring to future development.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
8. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

**Approve with conditions Consent Agenda. (8-0-1)**

**Resolution No. RS2018-159**

“BE IT RESOLVED by The Metropolitan Planning Commission that 4-85P-002 is: **approved with condition.**  
**(8-0-1)**

**CONDITIONS**

1. All internal sidewalks shall be dimensioned to a minimum of 5 feet in width shown on a corrected copy of the preliminary PUD site plan.
2. A B-3 landscape buffer is required along the north property line adjacent to the single family lots fronting Walton Lane.
3. No part of any structure shall be located within the 20 foot setback. Trash and mailbox facilities shall be relocated outside of the the required 20 foot setback.
4. Remove any notes referring to future development.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
6. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
8. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

**21. 53-81P-001**

**HIGHLAND RIDGE PUD (REVISION)**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Levi Hill

A request to revise the preliminary plan for a portion of a Planned Unit Development on a portion of property located at 535 Marriott Drive, approximately 330 feet southwest of Elm Hill Pike, zoned ORI (4.58 acres), to permit additional parking and landscaping, requested by Barge Design Solutions, applicant; Gaedeke Holdings, LTD., owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise the preliminary plan for a Planned Unit Development.**

Revise Preliminary PUD

A request to revise the preliminary plan for a portion of a Planned Unit Development located on property at 535 Marriott Drive, approximately 330 feet southwest of Elm Hill Pike, zoned Office/Residential Intensive (ORI) (4.58 acres), to permit additional parking and landscaping.

**Existing Zoning**

Office/Residential Intensive (ORI) is intended for high intensity office and/or multi-family uses with limited retail opportunities.

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

**REQUEST DETAILS**

This is a request to revise the preliminary PUD plan for a portion of the Highland Ridge PUD. Metro Council approved the Highland Ridge PUD in 1981. The PUD is currently approved for a 294,414 square feet office building and an associated parking structure.

## PLAN DETAILS

The plan proposes the reconfiguration of the site's parking layout to accommodate the construction of 100 new parking spaces. Additionally, the plan proposes the installation of new landscaping throughout the site. No additional building square footage is proposed and no changes to the current use are proposed.

The site currently consists of a 294,414 square foot office building which requires 981 parking spaces per the Metro Zoning Code. The existing parking structure provides 926 parking spaces while the existing surface parking lot provides 66 parking spaces. The parking lot will be expanded by 100 spaces for a total of 1,092 parking spaces, which exceeds the requirement of the Zoning Code for office uses. No additional square footage or access points are proposed. A new five foot sidewalk will be provided from the existing office building to a proposed MTA bus stop on Marriott Drive. Perimeter landscaping is proposed along Marriot drive while new internal landscaping is proposed within the parking area.

## ANALYSIS

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
  - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

This request can be considered a minor modification because no building additions are proposed and the plan is consistent with the concept of the last Council approved plan.

## FIRE DEPARTMENT RECOMMENDATION

### Approve with conditions

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



**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES**

**Approve with conditions**

- Approved, on the condition that this construction will not adversely impact any water or sewer infrastructure.

**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 installation of MPW standard ST-324 driveway ramp. Tie driveway ramp to proposed sidewalk within ROW.
- Label all installations in the ROW per MPW standard details.
- Clearly define the ROW line. Sidewalks are to be within ROW.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. This approval does not include any signs. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
4. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

**Approve with conditions. Consent Agenda. (8-0-1)**

**Resolution No. RS2018-160**

"BE IT RESOLVED by The Metropolitan Planning Commission that 53-81P-001 is: **approved with condition. (8-0-1)**

**CONDITIONS**

1. This approval does not include any signs. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
4. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

## **22. 2005UD-006-036**

### **2909 PARTHENON AVENUE**

Council District 21 (Ed Kindall)

Staff Reviewer: Eric Hammer

A request to modify the 31st and Long Urban Design Overlay on property located at 2909 Parthenon Avenue, approximately 150 feet northeast of Avoca Street, zoned RM40 (0.26 acres), to permit the reduction of the southwest side yard setback from 10 feet to 6 feet, requested by Dewey Engineering, applicant; Steven and Catherine Marano, owners.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**Modifications to the side yard setback standard of the 31st Avenue & Long Boulevard Urban Design Overlay.**

##### UDO Modification

A request to modify the 31st Avenue & Long Boulevard Urban Design Overlay on property located at 2909 Parthenon Avenue, approximately 150 feet northeast of Avoca Street, zoned RM40 (0.26 acres), to permit the reduction of the southwest side yard setback from 10 feet to 6 feet.

##### **Existing Zoning**

Multi-Family Residential (RM40) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *RM40 would permit a maximum of 10 units.*

##### **Existing Overlay Zoning**

31st Avenue & Long Boulevard Urban Design Overlay is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the urban setting, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not ensured by the application of the conventional bulk, landscaping and parking standards of the Metro Zoning Code.

##### **GREEN HILLS – MIDTOWN 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 project proposes a moderate density development with shallow setbacks and minimal spacing between buildings. The project allows vehicular access from the alleyway, utilizing the existing block structure.

##### **PROPOSAL DETAILS**

This request is for a major modification only; a UDO final site plan must be submitted and considered at a later time. The property is located midblock on the south side of Parthenon Avenue. The property has 75.11 feet of frontage on Parthenon Avenue and alley access in the rear. The property will dedicate 2.5 feet to widen the alley and meet Metro’s required alley width of 20 feet.

The proposal consists of a stacked flat building type with 16 stalls of structured parking and 1 uncovered parking space, all of which are accessed from the alley. The property has a significant change in topography, sloping down approximately 14 feet from the street to the alley, allowing for parking to be tucked under the building. The building footprint is a total of 59 feet in width, which accommodates 9 standard stalls and 7 compact stalls. The UDO requires a 10-foot side yard setback for stacked flats within the G-3 subdistrict, which is greater than the 5 foot side setbacks required by the RM40 base zoning district. The proposed building is proposing a 6 foot side yard setback along the southwest property, while maintaining all other setbacks of the UDO.

**DESIGN REVIEW COMMITTEE RECOMMENDATION**

Previously, the applicant was seeking a modification to reduce both side yard setbacks from 10 feet to 8 feet. The 31<sup>st</sup> Avenue & Long Boulevard Design Review Committee met June 4, 2018 and voted 4-0 to recommend the proposed building be shifted two feet to the southwest to allow a 10 foot side yard setback from the northeast property line and a 6 foot side yard setback from the southwest property line. The applicants have submitted revised plans that conform to that recommendation.

**ANALYSIS**

The applicant is requesting a major modification to the side yard setback standard from the southwestern property line. The modification would reduce the side yard setback from 10 feet to 6 feet, a reduction of 4 feet. The modification has been requested to allow parking to be tucked under the building, accessible from the rear alley. One of the stated objectives of the 31<sup>st</sup> Avenue & Long Boulevard UDO is to screen surface parking lots and to minimize the visual impact of parked vehicles. By utilizing the change in grade to tuck parking under the building, the proposal minimizes the visual impact of parked vehicles. Overall, the proposed project is consistent with the intent of Subdistrict G-3 of the UDO. Granting this modification request may create future challenges for property to the southwest in the event redevelopment occurs. Currently, there is a wide drive aisle that serves side-loaded garages of the adjacent apartment building. This aisle is neither an alley nor a public access easement and may not remain in the event the property is redeveloped.

Staff has generally not been supportive of side yard setback modifications without severe site constraints. The side yard setback is meant to ensure adequate access to light and air for adjacent ground floor spaces. The applicant has worked with staff to reduce the magnitude of the deviation to the minimal necessary in order to provide the required parking which entails a 24-foot drive aisle with 15-foot compact stall lengths and 18-foot standard stall lengths.

The overall design of the proposed building’s facades is consistent with the intent of the UDO for wall articulation and glazed facades.

**WATER SERVICES 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.
- Submit copy of ROW dedications prior to bldg. permit sign off.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions of the modification. The request is consistent with the intent of the UDO, as it minimizes the visual impact of parked vehicles.

**CONDITIONS**

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

**Approve with conditions Consent Agenda. (9-0)**

**Resolution No. RS2018-161**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-006-036 is: **approved with condition. (9-0)**

**CONDITIONS**

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

**23. 2018NHC-001-001**

**BL2018-1245/Sledge, O'Connell**

**EDGEHILL NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT**

Council District 17 (Colby Sledge); 19 (Freddie O'Connell)

Staff Reviewer: Abbie Rickoff

A request to apply a Neighborhood Conservation Overlay District to various properties along South Street, Villa Place, Wedgewood Avenue, 15th Avenue South, Tremont Street, and Edgehill Avenue, north of Wedgewood Avenue, zoned R6-A and RS5 and partially within a Planned Unit Development Overlay District (approximately 42.96 acres), requested by Councilmembers Colby Sledge and Freddie O'Connell, applicants; various owners.

**Staff Recommendation: Approve.**

Councilman Sledge requested deferral to the July 26, 2018 Planning Commission meeting.

**Ms. Farr moved and Mr. Gobbell seconded the motion to defer to the July 26, 2018 Planning Commission meeting. (7-0)**

**The Metropolitan Planning Commission deferred 2018NHC-001-001 to the July 26, 28, 2018, Planning Commission meeting. (7-0)**

**24. 2018NHC-002-001**

**2018-1228/Withers**

**EASTWOOD NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT**

Council District 06 (Brett Withers)

Staff Reviewer: Levi Hill

A request to apply a Neighborhood Conservation Overlay District to various properties along Rosebank Avenue, McCarn Street, Tillman Lane, Washington Avenue, Powers Avenue, and Waters Avenue, east of Porter Road, zoned R6 and partially within a Contextual Overlay (14.5 acres), requested by Councilmember Brett Withers, applicant; various owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply Neighborhood Conservation Zoning Overlay.**

Neighborhood Conservation Zoning Overlay

A request to apply a Neighborhood Conservation Overlay District to various properties along Rosebank Avenue, McCarn Street, Tillman Lane, Washington Avenue, Powers Avenue, and Waters Avenue, east of Porter Road, zoned One and Two-family Residential (R6) and partially within a Contextual Overlay (14.5 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.

**Proposed Overlay**

Neighborhood Conservation Zoning Overlay Districts (NCZO) are geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The Neighborhood Conservation Zoning Overlay District is intended to preserve historic structures within the Eastwood Neighborhood through the implementation of development and design guidelines by the Metro Historic Zoning Commission and staff.

## **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.

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. All policies encourage the preservation and protection of historic features. The proposed Eastwood Neighborhood Conservation Zoning Overlay District will aid implementation of the design principles provided for the land use policy.

## **REQUEST DETAILS**

The properties to be included in the proposed Eastwood Neighborhood Conservation Zoning Overlay are generally located along both sides of Rosebank Avenue and along McCarn Street, Waters Avenue, and Powers Avenue. The area consists of primarily one and two-family residential uses located in the T4NM policy.

The following background information from the Metro Historical Commission staff was available in the staff report to the MHZC. This information refers to the application for the Eastwood Neighborhood Conservation Overlay.

### ***Metro Historic Zoning Commission staff recommendation***

Applicable Ordinance: Article III. Historic Overlay Districts, 17.36.120 Historic districts defined.

A. Historic Preservation and Neighborhood Conservation Districts. These districts are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

### **Background:**

The first community meeting was held on March 7, 2018 at 807 McCarn Street. A second meeting was held on March 28, 2018 at the South Inglewood Community Center, 1624 Rebecca Street.

The architectural resource study was conducted by staff of the MHZC.

The historic house at 808 McCarn Avenue, a large, c. 1908 Neo-Classical stone house, anchors the blocks of the proposed expansion to the Eastwood Neighborhood Conservation Zoning Overlay (Figure 1). George C. and Bettie Stokes Waters constructed the house c. 1908 as their home. Most of the proposed Eastwood expansion, except for the north side of Rosebank Avenue, was part of George C. and Bettie Stokes Waters' estate in the late nineteenth and early twentieth centuries. The majority of the folk Victorian, craftsman bungalow, Tudor Revival, and Minimal Traditional single family homes found in the proposed expansion to the overlay were built on what once was the Waters' country estate.

The Waters were prominent citizens of the Nashville area. George headed the Water-Allen Foundry Company, which later became the Allen Manufacturing Company. He later worked in real estate. Bettie was involved in the Daughters of the American Revolution, the Centennial Club, and other Nashville society organizations.

**Analysis and Findings:**

The expansion area meets criteria 2 and 3 of section 17.36.120 of the ordinance for its association with important figures in Nashville’s history and its 1900 to 1965 architecture showing the evolution of architectural design from classical styles, to bungalows, to post-war minimal traditional forms.

**Recommendation:**

Staff suggests that the Commission recommend approval of the Eastwood Neighborhood Conservation Zoning Overlay expansion, finding the area to meet criteria 2 and 3 of section 17.36.120.

Staff recommends that adoption of the existing design guidelines for the Eastwood NCZO to guide future changes in this expanded area, finding that they are consistent with the Secretary of Interior’s Standards.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 20, 2018, the MHZC unanimously voted to recommend approval to Council of the proposed overlay expansion finding that the project meets the criteria 2 and 3 of ordinance section 17.36.120.

**STAFF RECOMMENDATION**

Staff recommends approval of the proposed Eastwood Neighborhood Conservation Overlay.

**Approve Consent Agenda. (9-0)**

**Resolution No. RS2018-162**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018NHC-002-001 is: **approved (9-0)**”

**25. 2018Z-052PR-001**

Council District 21 (Ed Kindall)

Staff Reviewer: Abbie Rickoff

A request to rezone from CS to MUG-A and MUL-A zoning, and from RS5 to MUL-A zoning on properties located at 2501, 2521 Clarksville Pike and 2122 26th Avenue North, at the southeast corner of Clarksville Pike and 26th Avenue North (6.53 acres), requested by Lukens Engineering Consultants, applicant; HOLO 37208, LLC and United Holdings, LLC, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from CS to MUG-A and MUL-A, and from RS5 to MUL-A**

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use General-Alternative (MUG-A) and Mixed Use Limited-Alternative (MUL-A) zoning, and from Single-Family Residential (RS5) to Mixed Use Limited (MUL-A) zoning on properties located at 2501, 2521 Clarksville Pike and 2122 26th Avenue North, at the southeast corner of Clarksville Pike and 26th Avenue North (approximately 6.53 acres).

**Existing Zoning**

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

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 17 units, based on the acreage only (2.03 acres). However, application of the Subdivision Regulations may result in fewer lots on this property.*

**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.

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

**NORTH NASHVILLE COMMUNITY PLAN**

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

Consistent with Policy?

The proposed zone change is consistent with the T4CM policy, which is intended to enhance urban corridors with mixed-use development. The T4CM policy is located on both sides of Clarksville Pike, extending west towards Rosa Parks Boulevard, and southeast towards Buchanan Street. The surrounding development pattern along Clarksville Pike includes primarily commercial, multi-family, and institutional uses, transitioning to lower-intensity residential development south of the site where the policy shifts from T4CM to T3 Suburban Neighborhood Maintenance. The proposed rezoning brings the property closer to the goals of the policy by encouraging mixed use development with higher intensity development located along the Clarksville Pike corridor that also transitions back into the neighborhood.

NashvilleNext also identifies this area as Tier 1 Center along a high capacity transit corridor (Clarksville Pike), identifying this area as appropriate for additional growth and infill development. The site is served by existing transit, including multiple MTA bus routes and MTA/RTA bus stops along Clarksville Pike and 26<sup>th</sup> Avenue North. Proximity of future development to existing transit networks offers options beyond single vehicle occupancy trips.

**ANALYSIS**

The approximately 6.53-acre site includes three parcels located on the south side of Clarksville Pike, between 25<sup>th</sup> Ave. N. and 26<sup>th</sup> Ave. N. The two smaller parcels, each approximately 0.3 acres, are located at the front of the site near the intersection of Clarksville Pike and 26<sup>th</sup> Avenue North and are currently zoned CS, Commercial Service. The third parcel, approximately 5.9 acres, extends east towards 25<sup>th</sup> Ave. N. and south to the southern property line and is primarily zoned CS but also includes an area of RS5, Single-Family Residential, zoning towards the rear of the property. The two smaller parcels currently contain an auto repair shop and small service shop, and the larger parcel contains an older strip shopping center and large parking lot. The majority of the shopping center is located in the RS5 zoning district at the back of the site.

The requested MUG-A and MUL-A zoning designations are consistent with surrounding land uses and land use policies of the area. The proposed MUG-A zoning boundary extends from Clarksville Pike to the south, aligning with the existing CS zoning boundary on the eastern half of the site, and generally aligning with the southern boundary of a Mixed Use SP located across 26<sup>th</sup> Ave. N. on the western portion of the site. The MUL-A designation is identified south of the proposed MUG-A zoning, appropriately transitioning to the residential properties located in lower-intensity policy areas to the west and south, consistent with guidance from T4CM policy.

The proposed rezoning allows for redevelopment of parcels that have existing infrastructure in a way that enhances the street frontages and meets the goals of the policy. The current CS and RS5 zoning districts are not supported by the T4CM policy. This rezoning brings the site closer to the goals of the policy by encouraging higher intensity mixed-use development along the corridor that transitions back into the neighborhood. Additionally, rezoning from RS5 to a mixed-use zoning district also allows the shopping center, currently a non-conforming use, to become a legally conforming use.

The bulk and building placement standards associated with MUL-A and MUG-A zoning ensure mixed-use development that addresses the pedestrian realm and limits the parking to the sides and rear of buildings. 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**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic study may be required at the 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)	4.5	0.6	117,612 S.F.	7547	170	710

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)	2.03	8.71 D	17 U	163	13	18

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.07	3.0	90 U	669	48	68

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	1.0	3.0	130,680 S.F.	1640	233	226

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.0	3.0	130,680 S.F.	8082	181	762

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)	1.0	1.0	44 U	391	26	42

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)	0.73		31,798 S.F.	553	76	115

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 (820)	0.73	1.0	31,798 S.F.	2759	168	233

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+6384	+549	+718



## METRO SCHOOL BOARD REPORT

Under the existing CS zoning, this site would qualify for use of the adaptive residential provisions of the Metro Zoning Ordinance, which specify that no density or floor area ratio applies to the residential component of the development; Therefore, staff finds that there would be no significant increase in the number of students generated by the proposed MUG-A zoning beyond the number generated by the existing zoning with adaptive residential. Students would attend Churchwell 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 December 2017.

## STAFF RECOMMENDATION

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

## Approve. Consent Agenda. (9-0)

### Resolution No. RS2018-163

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-052PR-001 is: **approved (9-0)**”

## 26. 2018Z-055PR-001

Council District 21 (Ed Kindall)  
Staff Reviewer: Patrick Napier

A request to rezone from RS5 to R6-A zoning on property located at 1724 Dr. DB Todd Jr. Boulevard, approximately 570 feet northwest of Wheless Street (0.19 acres), requested by Tamera Gordon, applicant and owner.

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Zone change from RS5 to R6-A.**

#### Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential - Alternative (R6-A) zoning on property located at 1724 Dr. DB Todd Jr. Boulevard, approximately 570 feet northwest of Wheless Street (0.19 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 1 single-family residential units based on acreage alone. Application of the Subdivision Regulations may result in fewer units.*

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 7.71 dwelling units per acre including 25 percent duplex lots and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit a maximum of 1 duplex lot for a total of 2 residential units.*

### **NORTH 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?

The proposed zone change is consistent with policy, at this location. The access and design requirements within the R6-A zone district are consistent with the design principles established in the T4 NM policy. The lot is located along Dr. DB Todd Jr. Boulevard which is identified as a arterial within the Major and Collector Street Plan. The surrounding neighborhood contains a diverse mixture of residential uses. These uses include single-family, two-family, and multi-family. If the lot is determined to be duplex eligible, the proposed zone change would permit a two-family residential use. Determinations of duplex eligibility are made by the Metro Codes Department. Alternatively, a detached accessory dwelling unit may be allowed.

**ANALYSIS**

The property contains 0.19 acres located on the eastern side of 1724 Dr. DB Todd Jr. Boulevard, approximately 570 feet northwest of Wheless Street. The standards required by the alternative zoning district will foster a built character that meaningfully addresses the street by implementing build-to zones and functional entries to buildings. The proposed rezoning is consistent with the goals and objectives of the T4 NM policy and the context of the surrounding neighborhood in this location.

**FIRE MARSHALL RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

Maximum Uses in Existing Zoning District: **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)	0.19	8.71 D	1 U	10	1	2

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

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)	0.19	7.26 D	2 U	20	2	3

Traffic changes between maximum: **RS7.5 and R6**

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

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed R6-A district: 1 Elementary 0 Middle 0 High

The proposed zoning is expected to generate 1 additional student beyond the existing zoning. Students would attend Robert Chruchwell 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 December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the T4 Urban Neighborhood Maintenance policy in this location.

**Approve Consent Agenda. (9-0)**

**Resolution No. RS2018-164**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-055PR-001 is: **approved (9-0)**”

**27. 2018Z-058PR-001**

Council District 21 (Ed Kindall)

Staff Reviewer: Levi Hill

A request to rezone from SP-R to RM20-A zoning for various properties located on Delaware Avenue and 31st Avenue North, at the corner of Delaware Avenue and 31st Avenue North (0.69 acres), requested by The Del Partners, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R40 to RS40.**

Zone Change

A request to rezone from One and Two-Family Residential (R40) to Single-Family Residential (RS40) zoning for various properties located on Granny White Pike, Camelot Court, Camelot Road, and Lancelot Road, east of Granny White Pike (approximately 47.3 acres).

**Existing Zoning**

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots.

**Proposed Zoning**

Single-Family Residential (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.

**GREEN HILLS-MIDTOWN COMMUNITY PLAN**

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

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

Consistent with Policy?

Both the existing R40 zoning district and the proposed RS40 zoning district are consistent with the T3 NM policy depending on locational characteristics. The policy does not support one single-residential type, but can support single-family, two-family as well as multi-family, depending on the context. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern. Conservation policy, located on the east side of Camelot Road and Camelot Court and along Lancelot Road, identifies potential problem soils, steeper slopes, and stormwater regulation buffers associated with Radnor Lake.

**ANALYSIS**

The proposed RS40 zoning district would limit development in the area to only single-family uses. The area proposed for rezoning includes existing single-family homes, consistent with the prevailing single-family character of the surrounding area. Existing two-family units have not been identified in the area proposed for rezoning.

Guidance from T3NM policy explains that efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. When reviewing applications to downzone from One and Two-family Residential to Single-Family Residential, staff considers factors such as the existing neighborhood character, proximity to centers and corridors, size and frontage, sensitive environmental features on and near the site, the character of adjacent Transects and policy areas, and other locational characteristics and planning objectives unique to the site. In some R-zoned neighborhoods, the existing character contains a mixture of housing types including single-family and two-family units, where it may be appropriate to retain or reserve some of the parcels for two-family development to promote housing diversity. In other neighborhoods, the neighborhood character includes predominantly single-family homes, where the development of two-family units would be inconsistent with the character of the area.

In this case, the site includes 43 single-family parcels that are located interior to the neighborhood, adjacent to Radnor Lake State Park. The surrounding area is largely defined by already-developed single-family lots, with scattered two-family uses limited to the along Granny White Pike corridor, an arterial-boulevard identified in the Major and Collector Street Plan. There is very little, if any, presence of two-family uses interior to the neighborhood. Additionally, many of the properties on the eastern half of the site are largely encumbered by steep slopes and problem soils, where the redevelopment implications of a two-family unit may result in disturbance of environmentally sensitive features.

Staff considers this request to be appropriate based on the land use policies and existing neighborhood character.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (9-0)**

**Resolution No. RS2018-165**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-058PR-001 is: **approved (9-0)**”

**28. 2018Z-059PR-001**

**BL2018-1226/Henderson**

Council District 34 (Angie Henderson)

Staff Reviewer: Abbie Rickoff

A request to rezone from R40 to RS40 zoning for various properties located on Granny White Pike, Camelot Court, Camelot Road, and Lancelot Road, east of Granny White Pike (approximately 47.3 acres), requested by Councilmember Angie Henderson, applicant; various property owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R40 to RS40.**

Zone Change

A request to rezone from One and Two-Family Residential (R40) to Single-Family Residential (RS40) zoning for various properties located on Granny White Pike, Camelot Court, Camelot Road, and Lancelot Road, east of Granny White Pike (approximately 47.3 acres).

**Existing Zoning**

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots.

**Proposed Zoning**

Single-Family Residential (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.

**GREEN HILLS-MIDTOWN COMMUNITY PLAN**

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

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

Consistent with Policy?

Both the existing R40 zoning district and the proposed RS40 zoning district are consistent with the T3 NM policy depending on locational characteristics. The policy does not support one single-residential type, but can support single-family, two-family as well as multi-family, depending on the context.

The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern. Conservation policy, located on the east side of Camelot Road and Camelot Court and along Lancelot Road, identifies potential problem soils, steeper slopes, and stormwater regulation buffers associated with Radnor Lake.

#### **ANALYSIS**

The proposed RS40 zoning district would limit development in the area to only single-family uses. The area proposed for rezoning includes existing single-family homes, consistent with the prevailing single-family character of the surrounding area. Existing two-family units have not been identified in the area proposed for rezoning.

Guidance from T3NM policy explains that efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. When reviewing applications to downzone from One and Two-family Residential to Single-Family Residential, staff considers factors such as the existing neighborhood character, proximity to centers and corridors, size and frontage, sensitive environmental features on and near the site, the character of adjacent Transects and policy areas, and other locational characteristics and planning objectives unique to the site. In some R-zoned neighborhoods, the existing character contains a mixture of housing types including single-family and two-family units, where it may be appropriate to retain or reserve some of the parcels for two-family development to promote housing diversity. In other neighborhoods, the neighborhood character includes predominantly single-family homes, where the development of two-family units would be inconsistent with the character of the area.

In this case, the site includes 43 single-family parcels that are located interior to the neighborhood, adjacent to Radnor Lake State Park. The surrounding area is largely defined by already-developed single-family lots, with scattered two-family uses limited to the along Granny White Pike corridor, an arterial-boulevard identified in the Major and Collector Street Plan. There is very little, if any, presence of two-family uses interior to the neighborhood. Additionally, many of the properties on the eastern half of the site are largely encumbered by steep slopes and problem soils, where the redevelopment implications of a two-family unit may result in disturbance of environmentally sensitive features.

Staff considers this request to be appropriate based on the land use policies and existing neighborhood character.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

#### **Approve. Consent Agenda. (9-0)**

#### **Resolution No. RS2018-166**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-059PR-001 is: **approved (9-0)**

### **29. 2018Z-060PR-001**

#### **BL2018-1244/Pulley**

Council District 25 (Russ Pulley)

Staff Reviewer: Shawn Shepard

A request to rezone from R10 to RS10 zoning for various properties located on General Bate Drive, north of Caldwell Lane (4.06 acres), requested by Councilmember Russ Pulley, applicant; various property owners.

**Staff Recommendation: Disapprove as submitted. Approve with a substitute ordinance.**

#### **APPLICANT REQUEST**

#### **Zone change from R10 to RS10**

##### Zone Change

A request to rezone from One and Two-Family Residential (R10) to Single-Family Residential (RS10) zoning for various properties located on General Bate Drive, north of Caldwell Lane (4.06 acres).

##### **Existing Zoning**

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

##### **Proposed Zoning**

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

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

Consistent with Policy?

A small portion of the zone change area is within an area of Conservation policy that recognizes wetlands and floodplains associated with the West Fork of Browns Creek, which is located just north of the zone change area. The majority of the zone change area is within T3 NM policy. Both the existing R10 zoning district and the proposed RS10 zoning district are consistent with the T3 NM policy depending on locational characteristics. The policy does not support one single-residential type, but can support single-family, two-family as well as multi-family, depending on the context. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern.

**ANALYSIS**

The zone change area includes properties along General Bate Drive and currently contains primarily single-family homes with scattered two-family residential units that have been recently permitted under the existing R10 zoning. The permitted two-family units make up approximately 15 percent of the zone change area. The zone change area is part of a larger area of R10 zoning that extends to south to Caldwell Lane, east to Caldwell Court, and west to Lealand Lane and contains a mix of single-family and two-family residential uses. There is an existing area of RS10 zoning located at the northern edge of the zone change area along General Bate Drive, Graybar Lane and Draughon Avenue.

The proposed RS10 zoning district would limit development in the area to be rezoned to only single-family uses. NashvilleNext calls for the integration of more diverse housing types into neighborhoods to allow for aging in place, to address the overall affordability of housing, and to respond to demographic changes that are driving changes in housing preferences. In order to ensure adequate opportunities for housing diversity and avoid creating nonconformities, staff recommends approval of a substitute ordinance to remove parcels from the zone change area. The permitted duplexes in the area promote a diversity of housing options today, and retaining the R10 zoning on those parcels allows the two-family units to continue to provide opportunities for housing diversity in the future while minimizing creation of nonconformities.

Staff's recommendation is intended to provide a balance between maintaining the existing residential character and the General Plan goals for housing diversity.

**Substitute Ordinance No. 2018-1244**

Staff recommends disapproval as submitted and approval with a substitute to remove the following parcels from the downzoning.

Map 118-13-2-A, Parcel(s) 001-002, 900

Map 118-13-4-D, Parcel(s) 001-002, 900

\*Hatched parcels indicate those staff recommends be removed from the zone change.

**STAFF RECOMMENDATION**

Staff recommends disapproval as submitted and approval of the substitute ordinance.

Ms. Shepard presented the staff recommendation of disapproval as submitted but approved with substitute ordinance.

Emmett Russell, 3612 General Bate Dr, spoke in favor of staff recommendation.

Maggie Duncan spoke in favor of the application.

Gina Russell, 3612 General Bate Dr, spoke in favor of the application because it will preserve the character of the neighborhood.

Lynette Kraft, 950 Graybar Lane, spoke in favor of the application.

Joseph (last name unclear), 3614 General Bate Dr, spoke in favor of the application.

Audrey Tomisson, 3609 General Bate Dr, asked to be removed from the downzoning. She does not currently have a garage and would like to be able to building a garage with a small apartment.

**Chairman Adkins closed the Public Hearing.**

Mr. Gobbell spoke in favor of removing parcel 088.

Ms. Farr spoke in favor of removing parcel 088.

Ms. Blackshear spoke in favor of removing parcel 088.

**Councilmember Bedne moved and Ms. Farr seconded the motion to disapprove as submitted but approve with a substitute ordinance that includes the removal of parcel 088. (7-0)**

**Resolution No. RS2018-167**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-060PR-001 is: **Disapproved as submitted. Approved with a substitute ordinance that includes the removal of parcel 088. (7-0)**”

**30. 2018Z-061PR-001**

Council District 17 (Colby Sledge)

Staff Reviewer: Latisha Birkeland

A request to rezone from IR to MUL-A zoning for properties located at 425 Chestnut Street and 1201 Brown Street, at the corner of Chestnut Street and Martin Street (2.04 acres), requested by Tune, Entrekin & White, PC, applicant; May Hosiery Partnership, LLC, owner.

**Staff Recommendation: Defer to the July 26, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-061PR-001 to the July 26, 28, 2018, Planning Commission meeting. (9-0)**

**H: OTHER BUSINESS**

**31. Employee contract renewal for Greg Claxton and Patrick Napier**

**Resolution No. RS2018-168**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract renewal for Greg Claxton and Patrick Napier **Is approved (9-0)**”

**32. New Employee contract for Jason Swaggart**

**Resolution No. RS2018-168**

“BE IT RESOLVED by The Metropolitan Planning Commission that the New Employee contract for Jason Swaggart **Is approved (9-0)**”

33. Confirmation of the Urban Resident's Association's nominee to the Downtown Code Design Review Committee.

**Resolution No. RS2018-170**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Confirmation of the Resident's Association's nominee to the Downtown Code Design Review Committee- **Is approved (9-0)**

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

**Resolution No. RS2018-171**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are- **Is approved (9-0)**

38. Legislative Update

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

**July 26, 2018**

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Board of Education Administration Building

**August 9, 2018**

MPC Meeting

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

**August 23, 2018**

MPC Meeting

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

**September 13, 2018**

MPC Meeting

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

## **J: ADJOURNMENT**

The meeting adjourned at 7:50 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary