



# METROPOLITAN PLANNING COMMISSION MINUTES

**August 23, 2018**  
**4:00 pm 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  
Ron Gobbell  
Brian Tibbs  
Lillian Blackshear  
Dr. Terry Jo Bichell  
Councilmember Fabian  
Bedne

**Commissioners Absent:**

Dr. Pearl Sims  
Daveisha Moore  
Jeff Haynes

**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 4:08 p.m.

## **B: ADOPTION OF AGENDA**

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

## **C: APPROVAL OF AUGUST 1, 2018 MINUTES**

Ms. Farr moved and Mr. Gobbell seconded the motion to approve the August 1, 2018 minutes. (7-0)

## **D: RECOGNITION OF COUNCILMEMBERS**

Councilmember Mendes spoke in favor of Item 16.

Councilmember Davis spoke in favor of Item 34.

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

- 1a. **2018CP-006-001**  
BELLEVUE COMMUNITY PLAN AMENDMENT
- 1b. **2018SP-043-001**  
SECURITY CENTRAL STORAGE SP
- 12. **2018Z-038PR-001**
- 13. **2018Z-039PR-001**
- 15. **2018Z-072PR-001**  
PARKWOOD-UNION HILL COMMUNITY PLAN AMENDMENT
- 17. **2018Z-005TX-001**
- 18a. **2018CP-002-001**  
PARKWOOD-UNION HILL COMMUNITY PLAN AMENDMENT
- 18b. **2018Z-051PR-001**
- 22. **2018SP-050-001**  
6280 NEW HOPE ROAD SP
- 27. **2018S-110-001**  
SNYDER 1-LOT SUBDIVISION
- 30. **2005UD-005-006**  
BEDFORD HOTEL
- 35. **2018Z-073PR-001**
- 36. **2018Z-074PR-001**

Ms. Farr moved and Ms. Blackshear seconded the motion to approve the Deferred Items. (7-0)

Ms. Blackshear recused herself from Item 30

## **F: CONSENT AGENDA ITEMS**

- 2. 2017SP-064-001**  
4927 BUENA VISTA PIKE SP
- 4. 2018SP-021-001**  
CURREY ROAD COTTAGES SP
- 5. 2018SP-024-001**  
1207 PIERCE ROAD SP
- 6. 2018SP-030-001**  
224 BEN ALLEN ROAD SP
- 7. 2018SP-045-001**  
3939 PINHOOK ROAD SP
- 8. 2018S-084-001**  
MCKANNA SUBDIVISION LOT 1 AND SEVEN HILLS SECTION 8 LOT 327
- 9. 2018S-093-001**  
OLD MATTHEWS AND WEBSTER ROAD
- 10. 2018S-102-001**  
DRAKES BRANCH DEVELOPMENT
- 14. 2018Z-061PR-001**
- 16. 2018Z-004TX-001**
- 21. 2018SP-048-001**  
ENSLEY BOULEVARD SP
- 23. 2018SP-051-001**  
6022 ROBERTSON SP
- 24. 2018SP-053-001**  
HAMILTON AVENUE TOWNHOMES SP
- 25. 2018SP-054-001**  
927/929 40TH AVENUE NORTH SP
- 26. 2018SP-055-001**  
806 OLYMPIC SP

29. **2018S-130-001**  
SUNNY ACRES SUBDIVISION AMENDMENT
32. **2013UD-002-015**  
POPEYES RESTAURANT
33. **79-87P-002**  
CALUMET (REVISION)
37. **2018Z-075PR-001**
38. **2018Z-076PR-001**
39. **2018Z-077PR-001**
40. **2018Z-079PR-001**
41. **2018Z-080PR-001**
42. **2018Z-082PR-001**
43. **2018Z-084PR-001**
44. **2018Z-085PR-001**
45. **2018Z-086PR-001**
46. **Contract Renewal for George Rooker**
47. **Contract Amendment for Lisa Milligan**
48. **Certification of Bonus Height Compliance within the DTC: 151 1<sup>st</sup> Avenue Mixed Use Development**
49. **Certification of Bonus Height Compliance within the DTC: LC SoBro Building C Mixed Use Development**
53. **Accept the Director's Report and Approve Administrative Items**  
Mr. Tibbs moved and Mr. Gobbell seconded the motion to approve the Consent Agenda. (7-0)

Chairman Adkins abstained from Item 32.

Ms. Blackshear recused herself from Items 14, 26, and 48.

**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.

## G: ITEMS TO BE CONSIDERED

### 1a. 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 Boult and Cummings, LLP, applicant; BSM Bellevue Land, LLC, owner. (See associated case # 2018SP-043-001)

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018CP-006-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

### 1b. 2018SP-043-001

#### SECURITY CENTRAL STORAGE SP

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)

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018SP-043-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

### 2. 2017SP-064-001

#### 4927 BUENA VISTA PIKE SP

Council District 01 (Jonathan Hall)

Staff Reviewer: Gene Burse

A request to rezone from RS15 to SP-R zoning on properties located at 4927 Buena Vista Pike, north of the terminus of Vistaview Drive (8.93 acres), to permit up to 34 multi-family residential units and 8 single-family residential lots, requested by Dale and Associates, applicant; 4927 Buena Vista, LLC, owner.

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

#### APPLICANT REQUEST

**Rezoned to permit 34 multi-family residential units and 8 single-family residential lots.**

#### Preliminary SP

A request to rezone from Single-Family Residential (RS15) to Specific Plan-Residential (SP-R) zoning on properties located at 4927 Buena Vista Pike, north of the terminus of Vistaview Drive (8.93 acres), to permit up to 34 multi-family residential units and 8 single-family residential lots.

#### **Existing Zoning**

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at an overall density of 2.90 dwelling units per acre. *RS15 would permit a maximum of 25 single-family lots based on acreage only. Application of the Subdivision Regulations may result in fewer lots on this property.*

#### **Proposed Zoning**

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

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

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

### Consistent with Policy?

Yes. The proposed SP is consistent with the T3 Suburban Neighborhood Evolving policy at this location. T3 Suburban Neighborhood Evolving policy encourages more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. This proposal introduces an additional housing choice within the immediate area. The plan also expands the existing public street network within the broader neighborhood providing for improved circulation and pedestrian connections. The plan also provides transitions from the existing single-family homes to the south and west.

### **PLAN DETAILS**

The site consists of two vacant parcels totaling 8.93 acres, located along Buena Vista Pike and at the terminus of Vistaview Drive. The proposal includes 34 detached multi-family residential units and 8 single-family lots. This plan includes associated parking, onsite stormwater mitigation and usable open space.

Existing public streets, Sunnyview Drive and Vistaview Drive, will be extended. These streets stub out at the property line and were intended to extend. A new public road is proposed and will connect Buena Vista Pike and Vistaview Drive. Sidewalk improvements consistent with Major and Collector Street Plan standards along site frontage on Buena Vista Pike are included. The plan provides future public street connections to the adjacent property north of the site. Public street extensions include sidewalk improvements consistent with local standards.

Multi-family residential units have a maximum height of 3 stories within 35 feet as measured to the highest point of the roof. All multi-family residential units and single-family residential lots orient to public streets. Private drives function as alleys for all multi-family residential units. Usable space is provided in the central and western portions of the site. Areas for stormwater mitigation are provided.

### **ANALYSIS**

This plan proposes to provide additional housing choices within an area that consists primarily of single-family residential development and some two-family residential uses. This development proposes single-family residential lots and detached multi-family residential units consistent in character with the existing development pattern. Proposed single-family residential lots allow for appropriate transition between existing houses along both Sunnyview Drive and Vistaview Drive. A landscape buffer along the southern site boundary separates the site from existing houses along Trumpet Circle.

One of the goals of the Neighborhood Evolving policy is to improve pedestrian and vehicular connectivity, through creation and completion of a street and block network. This plan accomplishes that goal by extending existing public streets and setting up future connectivity to properties north of the site. Given the introduction of future connectivity, extending existing connections, providing appropriate transitions, and the introduction of additional housing choices, staff recommends approval with conditions and disapproval without all conditions.

### **STORMWATER RECOMMENDATION**

**Approve**

### **FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions.**

- As long as there is a 2nd Ingress/Egress to Vista View or Trumpet Circle.
- Fire Code issues will be addressed in the permit phase. Provide flow data for subdivision pre-approval.

### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

- The new project access on Buena Vista Pike should be constructed to include one entering lane and one exiting lane.
- The existing Vistaview Drive should be extended north into the project site.
- Provide adequate sight distance at access roads. For a speed of 40mph, the minimum stopping sight distance is 305 feet. The minimum intersection sight distance is 445 feet.
- It is important to note that Buena Vista Pike includes minimal horizontal and vertical curvature, and initial field observations and measurements indicate that these minimum distances are available.
- The analyses conducted for the purposes of this study indicate that dedicated turn lanes are not warranted for construction on Buena Vista Pike at the project access. Specifically, the northbound and southbound through volumes on Buena Vista Pike do not exceed the thresholds that have been established in order to identify when dedicated turn lanes are warranted on two-lane roadways. Install stop signs at minor road legs and at approach to Buena Vista.

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	8.93	2.9	25 U	291	23	27

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)	8.93		34 U	217	18	23

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)			8 U	102	11	9

Traffic changes between maximum: **RS15 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+17 U	+28	+6	+5

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS15 district: 0 Elementary 3 Middle 3 High

Projected student generation proposed SP-R district: 2 Elementary 9 Middle 9 High

The proposed SP zoning district is expected to generate 14 more students than what is typically generated under the existing RS15 zoning district. Students would attend Lillard Elementary School, Joelton Middle School, and Whites Creek High School. Each school has been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

The proposed SP is consistent with T3 Urban Neighborhood Evolving policy at this site; therefore, staff recommends approval with conditions and disapproval without all conditions.



**CONDITIONS**

1. Permitted uses shall be limited to 34 multi-family residential units and 8 single-family residential lots.
2. Sidewalks 6 feet in width and a planting strip 6 feet in width shall be installed along site frontage on Buena Vista Pike. Sidewalk improvements consistent with local standards shall be installed along the new proposed public roads, Sunnyview Drive and Vistaview Drive.
3. Maximum height shall be measured to the highest point of the roof.
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 RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2018-186**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-064-001 is **approved with conditions and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to 34 multi-family residential units and 8 single-family residential lots.
2. Sidewalks 6 feet in width and a planting strip 6 feet in width shall be installed along site frontage on Buena Vista Pike. Sidewalk improvements consistent with local standards shall be installed along the new proposed public roads, Sunnyview Drive and Vistaview Drive.
3. Maximum height shall be measured to the highest point of the roof.
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 RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**3. 2018SP-017-001**

**GLENDALE AND SCENIC SP**

Council District 25 (Russ Pulley)

Staff Reviewer: Levi Hill

A request to rezone from R20 to SP-R zoning on property located at 1120 Glendale Lane, at the northwest corner of Glendale Lane and Scenic Drive, (19.87 acres), to permit 31 single-family lots or a community education use of up to 200 persons, a religious institution, an orphanage, or a day care center (over 75). requested by Councilmember Russ Pulley, applicant; Monroe Harding Children's Homes, owner.

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

## **APPLICANT REQUEST**

### **Zone change from R20 to SP-R.**

#### Preliminary SP

A request to rezone from One and Two-Family Residential (R20) to Specific Plan-Residential (SP-R) zoning on property located at 1120 Glendale Lane, at the northwest corner of Glendale Lane and Scenic Drive, (19.87 acres), to permit 31 single-family lots or a community education use of up to 200 persons, a religious institution, an orphanage, or a day care center (over 75).

#### **Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. R20 would permit a maximum of 43 lots with 10 duplex lots for a total of 53 units, subject to compliance with the requirements of the Metro Subdivision Regulations.

#### **Proposed Zoning**

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

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

#### Consistent with Policy?

The proposed plan would permit 31 single-family lots or one of four possible institutional uses: a community education use of up to 200 persons, a religious institution, an orphanage, or a day care center (over 75). The property is located in a large area of T3 Suburban Neighborhood Maintenance policy. A portion of the property lies in the Conservation policy area. These areas of conservation represent multiple streams present on the site. Standards have been included in the SP to limit disturbance to these areas during development. The T3 NM policy supports development that maintains the existing land use pattern and character of a neighborhood.

The proposed SP is consistent with the goals of the land use policy for this site. The proposal allows for single-family residential development while maintaining the existing development pattern for the area. Additionally, the plan allows opportunities for select institutional uses as an alternative. The request is consistent with the surrounding land uses and the existing use of the subject property would continue to be allowed.

#### **PLAN DETAILS**

The property included in the proposed SP totals approximately 19.87 acres and is currently developed with a nonprofit organization. The Metro Historical Commission has determined the campus to be eligible for listing in the National Register of Historic Places.

The request proposes 31 single-family lots or a community education use of up to 200 persons, a religious institution, an orphanage, or a day care center (over 75). Only one of the institutional uses listed above would be permitted at one time. The site will be accessed by the extension of Duncanwood Court and Granny White Court which are both identified as local streets by the Major and Collector Street Plan. The proposed SP includes standards pertaining to building materials and maximum allowed heights. Additionally, the proposed plan includes five foot sidewalks and four foot planting strips along Duncanwood Court, Granny White Court, and Glendale Lane, consistent with local street standards.

#### **ANALYSIS**

The site is located in the Suburban Neighborhood Maintenance policy which identifies appropriate land uses as those that maintain the existing suburban character and low density development pattern. The policy supports the proposed plan and development of either a residential or institutional use. If an institutional use is developed, it may be feasible to utilize existing buildings located on the campus. For a residential use, it is important to meet the goals of the T3 NM policy in creating interconnected neighborhoods that include pedestrian and vehicular circulation as well as usable open space areas. The residential plan as proposed achieves these goals. While a residential development will likely not allow preservation of the buildings, staff has included a condition that will require the developer to work with Historical Commission staff to document buildings, provide markers if appropriate and, if possible salvage materials from the buildings.

**METRO HISTORIC ZONING COMMISSION STAFF**

The Tennessee Historical Commission, in concurrence with the Metropolitan Historical Commission, has determined the Monroe Harding campus, located at 1120 Glendale Lane, eligible for listing in the National Register of Historic Places. Thus, the Metropolitan Historical Commission encourages current and future owners and/or applicants to retain those main and secondary buildings that contribute to the campus district when planning for future programming or development of the property.

**FIRE MARSHAL RECOMMENDATION**  
N/A

**STORMWATER RECOMMENDATION**  
Approved

**WATER SERVICES RECOMMENDATION**  
Approve with Conditions

- As all our latest issues have been addressed with the latest Preliminary SP revision (stamped-received 7/24/18), approval is recommended as a Preliminary SP only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**  
Approved

**TRAFFIC AND PARKING RECOMMENDATION**  
Approve with Conditions

- Applicant shall continue working with MPW to develop and install traffic calming plan.

Note: Traffic generation is based on the 31 lot residential option.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	19.87	2.17 D	53 U	580	43	56

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)	0.92	-	31 U	354	27	34

Traffic changes between maximum: **R20, SP-R and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		-226	-16	-22

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R20 district: **3 Elementary 1 Middle 1 High**  
 Projected student generation proposed SP-R district: **3 Elementary 1 Middle 1 High**

The proposed SP-R zoning is expected to generate no more students than the existing R20 zoning. Students would attend Percy Priest Elementary School, J.T. Moore Middle School, and Hillsboro High School. Perc Priest Elementary and J.T. Moore Middle has been identified as being over capacity; however, there is capacity for elementary and middle school students within the cluster. 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 to 31 single-family lots or a community education use of up to 200 persons, a religious institution, an orphanage, or a day care center (over 75). Only one institutional use shall be permitted at one time.
2. In the event that any structures are demolished, the developer shall work with the Metro Historical Commission staff and appropriate consultants, if the staff deems necessary, to document the property through plans and photographs, according to guidelines outlined by the Historic American Buildings Survey (HABS) and provide interpretive materials/markers as appropriate. The developer shall also, if appropriate, salvage materials from the buildings.
3. Required parking for all uses shall be provided in accordance with the requirements of the Metro Zoning Code.
4. A five foot sidewalk and four foot planting strip shall be provided along Duncanwood Court, Granny White Court, and Glendale Lane.
5. With the submittal of the final site plan for institutional phase, a traffic impact study (TIS) shall be submitted. Recommendations of the TIS, as approved by Metro Public Works and Metro Planning staff, shall be constructed prior to the issuance of use and occupancy permits.
6. A Tree Survey shall be completed and used to save as many trees as possible prior to Final SP submittal. Tree inventory shall include tree size, species, and tree health. Final SP plans shall comply with the TDU requirement set forth by the Metro Nashville tree ordinance. The developer is to engage with a certified arborist to evaluate tree health prior to Final SP Submittal. A field located tree survey to be provided within proximity of proposed disturbance on healthy trees of 24" DBH or greater. Developer and/or landscape architect to coordinate specimen trees to be maintained with Urban Forester. Healthy perimeter trees within 20' of property line to remain where there are no roadway/utility conflicts. Metro Urban Forester shall review and approve all tree removals where roadway/utility conflicts exists. Grading within existing tree dripline shall receive root pruning by a certified arborist before grading occurs. Urban Forester to inspect tree protection fencing installation prior to grading. Metro Urban Forester to approve any tree removal on site based on a Certified Arborist Evaluation, Requirements set forth by each Metro Department, and the Proposed Plan.
7. All construction traffic ingress/egress shall be required via Glendale Lane. Any deviations of the construction traffic from Glendale shall be approved in advance by Metro Public Works. A construction traffic plan shall be submitted with Final SP construction plans identifying construction sequencing & phasing to meet this requirement.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district.
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.

Mr. Hill presented the staff recommendation of approval with conditions and disapproval without all conditions.

Councilmember Pulley spoke in favor of the application.

Tom White, 315 Deaderick St, spoke in favor of the application.

John Hurst, 908 Montrose Ave, spoke in favor of the application.

Laura Folk, 4005 Sneed Rd, spoke in favor of the application. Need to be more available to the constituents we serve and their families.

Jim Murphy, 1316 Duncanwood Ct, spoke in favor of the application because it is much better than what Monroe Harding can do as a matter of right.

Walt Burton, 1304 Duncanwood Ct, spoke in favor of the application because it is much better than the initial plan.

James Granberry, 1337 Duncanwood Ct, spoke in favor of the application. The density could be much higher than what is proposed.

Lynne King, 102 Braxton Hill Ct, spoke in opposition to the application. The SP does not provide the protections that are needed and this does not fit the character of the neighborhood. Additional conditions are needed to address a traffic impact study, a tree preservation plan, and an independent review of the historic building structure as it is not dilapidated.

Herman Partin, 1114 Brookmeade Dr, spoke in opposition to the application as the density is too high; this proposal shoehorns 31 houses into 12 acres. It does not fit with the character of the neighborhood.

Linda Miller, 1146 Granny White Ct, spoke in opposition to the application due to the high density, the loss of trees and a historical structure, and traffic concerns on Granny White Pike. Glendale needs to remain open.

Deborah Evans, 100 Braxton Hill Ct, spoke in opposition to the application and asked the commission to save the historic building designed by Henry Hibbs.

Michael Evans, 100 Braxton Hill Ct, spoke in opposition to the application.

Michelle Hall, 1312 Duncanwood Ct, spoke in opposition to the application and asked for a traffic study to be completed.

Patsy Partin, 1114 Brookmeade Dr, spoke in opposition to the application due to traffic concerns. The current infrastructure does not support the safe addition of 62 more vehicles.

Margo Owen, 1333 Duncanwood Ct, spoke in opposition to the application and requested a preservation plan to be put in place before this is approved.

Hank Keeling, 1145 Duncanwood Dr, spoke in opposition because the plan does not provide enough connectivity.

Lindsay Fairbanks, 4510 Shys Hill Rd, spoke in opposition to the application.

**Chairman Adkins closed the Public Hearing.**

Ms. Farr expressed concerns with several issues raised during the public hearing.

Mr. Tibbs spoke in opposition to the application. The biggest concern is the historic building and the fact that there was no effort made to try to preserve such a rich history. It isn't even a good planning idea to completely disregard this historical structure. The developer should go back and look at ways to incorporate it.

Councilmember Bedne spoke in agreement with Mr. Tibbs. An effort should have been made to include the historic structure into the plan.

Mr. Gobbell stated that he would feel more comfortable supporting this if there was a way to incorporate the historic structure.

**Mr. Tibbs moved and Councilmember Bedne seconded the motion to disapprove. (7-0)**

**Resolution No. RS2018-187**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-017-001 is **disapproved. (7-0)**

**4. 2018SP-021-001**

**CURREY ROAD COTTAGES SP**

Council District 13 (Holly Huezo)

Staff Reviewer: Gene Burse

A request to rezone from RS10 to SP-R zoning on properties located at 940, 944 Currey Road and Currey Road (unnumbered), approximately 530 feet northwest of Vinson Drive (5.15 acres), to permit 24 multi-family residential units, requested by Dale and Associates, applicant; Steve Griffith, owner.

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

**APPLICANT REQUEST**

**Rezone to SP to permit 24 multi-family residential units.**

Preliminary SP

A request to rezone from Single-Family Residential (RS10) to Specific Plan-Residential (SP-R) zoning on properties located at 940, 944 Currey Road and Currey Road (unnumbered), approximately 530 feet northwest of Vinson Drive (5.15 acres), to permit 24 multi-family residential units.

### **Existing Zoning**

Single-Family Residential (RS10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings at an overall density of 4.35 dwelling units per acre. *RS10 would permit a maximum of 19 single-family residential lots based on acreage only. Application of the Subdivision Regulations may result in fewer lots on this property.*

### **Proposed Zoning**

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

### **ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

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

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

### Consistent with Policy?

Yes. The proposed SP is consistent with T3 Suburban Neighborhood Maintenance (T3 NM) policy at this location. Conservation policy at this site recognizes a stream buffer located along the northern site boundary and the plan as proposed does not encroach into the buffer. T3 Neighborhood Maintenance policy encourages maintaining the existing character of suburban neighborhoods. Some change is expected when buildings are expanded or replaced but the development pattern should remain consistent and may include low to moderate density residential development. This proposal provides units consistent with the existing character of development along Currey Road as it relates to spacing and building footprint. The plan provides an opportunity for a future public street connection to the north, also meeting a goal of the policy to provide additional connectivity.

### **PLAN DETAILS**

The site consist of three vacant parcels totaling 5.15 acres, located along Currey Road approximately 530 northwest of Vinson Drive. The proposal includes 24 detached multi-family residential units in the form of cottages, associated parking, onsite storm water mitigation, sidewalk improvements along Currey Road and a new public street.

Each unit has a maximum height of two-stories within 30 feet as measured to the highest point of the roof. Four units are oriented to Currey Road and remaining units orient to open space in the center of the site. Site access is from Currey Road through a new public street and a private access drive. A private drive loops around 20 units located in the center of the site. Each unit in this proposal has attached parking. There are two areas for surface parking totaling 14 parking spaces.

The four units along Currey Road have an approximate street setback of 60 feet. The plan provides sidewalk improvements on Currey Road along site frontage consistent with standards of the Major and Collector Street Plan. The plan provides a public street that will setup a future road connection to the adjacent property north of the site.

### **ANALYSIS**

This plan provides additional housing choices while maintaining the existing suburban pattern of development within an area that consists predominantly of single and two-family residential development. Detached units along Currey Road are set back and have spacing consistent with existing single-family residential houses on the west side of Currey Road. This reflects the existing suburban character of the immediate neighborhood along Currey Road.

The proposal provides for additional connectivity to the broader neighborhood. One of the goals of Neighborhood Maintenance policy is improving pedestrian and vehicular connectivity. In areas where there are many vacant properties within a larger Neighborhood Maintenance area, connectivity and creating a street and block network is a fundamental priority that must be met. The proposed development is served by a new public street with future connectivity envisioned by this plan.

### **FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions.**

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

### **STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public water 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 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.
- An addendum to our original conditional approval: This project has transitioned from public to private water, so public water construction plans are no longer needed for the upcoming Final SP. Also, please have the applicant submit a revised availability study before Final SP stage or capacity fees are paid, that reflects the reduced unit count.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Indicate on the plans the installation of ground mounted "now entering private property" signage at the driveway connection(s) to the public street.
- Prior to building permit approval by MPW, submit recorded HOA/ Master Deed document setting up private hauler for the development.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate sight distance at access drives

Maximum Uses in Existing Zoning District: **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	5.15	4.35 D	22 U	201	16	22

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)	5.15	-	24 U	280	27	30

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+79	+11	+8

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS10 district: 3 Elementary 2 Middle 3 High

Projected student generation proposed SP-R district: 4 Elementary 3 Middle 3 High

The proposed SP zoning district is expected to generate 2 more students than what is typically generated under the existing RS10 zoning district. Students would attend Glengarry Elementary School, Wright Middle School, and Glenclyff 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**

The proposed SP is consistent with T3 Neighborhood Maintenance policy at this site; therefore, staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to 24 multi-family residential units.
2. Sidewalks 6 feet in width and a planting strip 6 feet in width shall be installed along site frontage on Currey Road. Sidewalk improvements consistent with local standards shall be installed along the new proposed public road.

3. Maximum height shall be measured to the highest point on the roof.
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 RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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. 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.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Blackshear left the meeting at 5:38 p.m.

Mr. Burse presented the staff recommendation of approval with conditions and disapproval without all conditions.

Roy Dale, 516 Heather Place, spoke in favor of the application.

Sarah Brinley, 936 Currey Rd, spoke in opposition to the application. This will negatively impact property and development rights.

Betty Currey, 934 Currey Rd, spoke in opposition to the application as it does not fit the character of the street.

David Liles, 521 Vinson Dr, spoke in opposition to the application. This does not fit the character of the area.

Ronald King, 950 Currey Rd, spoke in opposition to the application and asked to keep RS10 zoning as most houses in the neighborhood have at least a half-acre or more each.

Roy Dale clarified that this is the only access point for future development and most of the discussion has been regarding properties that are north of this and not considered in this proposal.

**Chairman Adkins closed the Public Hearing.**

Mr. Gobbell expressed concerns regarding the very awkward looking 100' long stub road that just stops.

Mr. Tibbs also expressed concerns regarding the stub road. Seems there could be a better way to do this as future connectivity may not ever happen.

Ms. Farr asked if this is in a flood zone.

Ms. Milligan clarified that there is no designated floodway or floodplain on the property under review.

Ms. Farr noted this doesn't look like it fits the context of the surrounding area across the street.

**Mr. Gobbell moved and Councilmember Bedne seconded the motion to approve with conditions and disapprove without all conditions, including a condition to evaluate the location of the stub road to the north with the final SP. (4-2) Ms. Farr and Dr. Bichell voted against.**

**Resolution No. RS2018-188**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2018SP-021-001 is **approved with conditions including a condition to evaluate the location of the stub road to the north with the final SP. (4-2)**  
**CONDITIONS**

1. Permitted uses shall be limited to 24 multi-family residential units.
2. Sidewalks 6 feet in width and a planting strip 6 feet in width shall be installed along site frontage on Currey Road. Sidewalk improvements consistent with local standards shall be installed along the new proposed public road.
3. Maximum height shall be measured to the highest point on the roof.
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 RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.



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

## 5. 2018SP-024-001

### 1207 PIERCE ROAD SP

Council District 09 (Bill Pridemore)

Staff Reviewer: Shawn Shepard

A request to rezone from RS7.5 to SP-R zoning on properties located at Palmer Avenue (unnumbered), 1207 Pierce Road and Pierce Road (unnumbered), at the northeast corner of Lawrence Avenue and Palmer Avenue (3.36 acres), to permit 28 multi-family residential units, requested by Dale and Associates, applicant; Ruby Lee Grant, owner.

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

#### APPLICANT REQUEST

**Zone change to permit 28 multi-family residential units.**

#### Preliminary SP

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan – Residential (SP-R) zoning on properties located at Palmer Avenue (unnumbered), 1207 Pierce Road and Pierce Road (unnumbered), at the northeast corner of Lawrence Avenue and Palmer Avenue (3.36 acres), to permit 28 multi-family residential units.

#### **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 16 units, subject to compliance with all standards of the Metro Subdivision Regulations.*

#### **Proposed Zoning**

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

#### **MADISON COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings.

T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

#### Consistent with Policy?

The site is located near the center of a large area of T4 NE policy between Gallatin Pike and Myatt Drive in Madison. The current development pattern of the area consists of larger lots with moderately connected streets. The T4 NE policy supports infill that includes increased diversity of housing types and improved connectivity. The proposed SP includes 28 multi-family residential units. In order to introduce a diverse housing type in a manner that is sensitive to the context, the multi-family units primarily take the form of detached housing units, and the units along Palmer Avenue and Pierce road mimic the size and spacing of the existing residential units in the neighborhood. The plan enhances connectivity in the area by constructing a public street connection between Palmer Avenue and Pierce Road in roughly the same location as unbuilt Lawrence Avenue at the southern edge of the site. The plan successfully integrates a greater diversity of housing into an evolving neighborhood while remaining sensitive to the existing building form and block structure.

**PLAN DETAILS**

The site is comprised of three parcels totaling 3.36 acres in size and is generally located east of Gallatin Pike and north of Anderson Lane in Madison. The site is bounded by Pierce Road to the east, Palmer Avenue to the west, and unbuilt right-of-way for Lawrence Avenue to the south. A drainage ditch runs north-south along the eastern side of the property, parallel to Pierce Road. The southern-most parcel in the site contains a single-family residence; the other two parcels are vacant. The existing land use pattern in the area is characterized by single-family residential with a few scattered two-family residential units.

Site Plan

The plan proposes to a total of 28 multi-family residential units. Five detached multi-family units are oriented toward Palmer Avenue. Five detached multi-family units are oriented toward Pierce Road, but are separated from the road by a deep setback created by open space associated with the drainage ditch and associated buffers. Eight attached and detached units are oriented toward a new public street, proposed be built along the southern edge of the site in the approximate location of unbuilt Lawrence Avenue. The remaining ten units are detached multi-family units oriented toward a central green space. Vehicular access will be provided via a proposed public street located along the southern boundary of the site, connecting Palmer Avenue and Pierce Road. Twenty-two of the units will have rear or side-loaded garages accessed via the alley. The remaining units will be served by 14 on-street parking spaces provided along the proposed public street and by six surface parking spaces accessed via the alleys. The plan includes architectural standards for raised foundations, entrances, glazing, materials, and porch depth.

**ANALYSIS**

The proposed SP is consistent with the goals of the T4 NE policy in this location. The land use in the area is primarily single-family, but the lot pattern in the neighborhood varies. North and west of the site, the pattern includes lots of approximately 7,500 square feet, consistent with the existing zoning. To the south and west of the site, lots are larger and deeper, ranging in size from one to two acres.

The proposed SP introduces a new multi-family housing type to the area, consistent with the guidance in the policy to increase housing diversity, but is respectful of the existing form and block pattern of the neighborhood. Units along Palmer Avenue are detached with a 35-foot front setback consistent with the existing units on the west side of Palmer Avenue. The units are spaced farther apart to mimic the rhythm and spacing of existing units on Palmer Avenue as well. The units oriented toward Pierce Road are also detached and are separated from the street by a drainage ditch and associated buffers which create a deep setback, consistent with existing single-family units on larger lots east of Pierce Road.

The proposed public street along the southern edge of the site replaces unbuilt right-of-way associated with Lawrence Avenue to complete the block structure and improve overall connectivity in the area. The plan includes architectural standards that ensure all units adequately address public streets and central green spaces to enhance the pedestrian environment and the overall livability of the development. The plan successfully integrates a more diverse housing type and improved connectivity into the fabric of an existing, evolving neighborhood.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Approved FD access and radius for emergency equipment.
- Fire Code issues will be addressed in the permit phase.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- This approval applies to public sewer issues only. Madison Suburban Utility District serves this site with water.
- Before Final SP stage, please update the availability study, to reflect the latest layout changes and unit count (will reduce capacity fees owed at Final SP stage). Upgrading the public alley to a public street still requires a public sewer extension.

**MADISON SUBURBAN UTILITY DISTRICT RECOMMENDATION**

**Approve**

**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.
- The layout submitted would require a dumpster OR prior to building permit submit copy of HOA/ master deed establishing private hauler for solid waste.
- Indicate on the plans the installation of ground mounted "now entering private property" signage at driveway locations.
- Driveway ramps not required at terminus of the new public street.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate sight distance at access drives off alley.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	3.36	5.8 D	19 U	182	15	20

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	3.36		28 U	268	21	29

Traffic changes between maximum: **RS7.5 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+9 U	+86	+6	+9

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS7.55 district: 4 Elementary 3 Middle 3 High

Projected student generation proposed SP-R district: 18 Elementary 9 Middle 7 High

The proposed SP zoning is expected to generate 24 more student than the existing RS7.5 zoning. Students would attend Amqui Elementary School, Neely’s Bend Middle School, and Hunters Lane 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 to a maximum of 28 multi-family residential units.
2. Comply with all conditions of Metro Public Works and Traffic and Parking.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2018-189**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-024-001 is **approved with conditions and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 28 multi-family residential units.

2. Comply with all conditions of Metro Public Works and Traffic and Parking.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## 6. 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 68 single-family lots, 62 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: Approve with conditions and disapprove without all conditions.**

#### APPLICANT REQUEST

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

##### Preliminary SP

A request to rezone from 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 68 single-family lots, 62 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.

#### BACKGROUND

This case was considered at the June 28, 2018, Planning Commission meeting. The public hearing was held and closed. The Planning Commission recommended deferral to the August 9, 2018. Since the June 28, 2018 meeting, the applicant has submitted a revised plan. The new plan includes a reduction in the number of single-family lots and multi-family residential units, widening of proposed roadways to meet Metro Public Works standards, and additional notes intended to address concerns about the amount of disturbance on steep slopes.

As these revisions represent a new plan than the one considered by the Planning Commission at the June 28<sup>th</sup> meeting, staff recommends reopening the public hearing to allow for presentation and discussion of the plan if this item is removed from the consent agenda.

#### 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 multi-family 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 68 single-family lots, 62 multi-family residential units, and 20,000 square feet of non-residential uses. The single-family lots are located along three proposed public 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. 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 52 single-family lots, 14 multi-family residential units, the daycare facility, and the public greenway located along the property frontage. Phase 2 includes 48 multi-family residential units and 10,000 square feet of commercial space. Phase 3 includes 16 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 public roads and private alleys. 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. Both Road A and Road B will be public and will be constructed to the Public Works standard for a local road, with sidewalk and planting strip on one side. Proposed Road C serves the 16 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 585 parking spaces are provided by the plan; 260 parking spaces are located in garages 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 and 4-foot-wide planting strip is provided along Proposed Roads A and B interior to the site. Proposed Road C, which serves the 16 single-family lots located on the hill, does not include a sidewalk in order to minimize the area of disturbance associated with the road. Instead, those lots are served by a private greenway trail system, connecting those lots to the public open space at the top of the hill, and to the public greenways in the open space and along the property frontage. 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. Additional architectural notes specify that single-family residential structures shall be designed to use environmentally sensitive materials, and that houses shall be constructed into the hillside with foundation walls acting as retaining walls. Retaining walls are otherwise prohibited except for those necessary along driveways. The plan requires a grading plan limiting disturbance to a maximum of 18% of the lot, for lots greater than one acre, and to a maximum of 7,500 square feet for lots less than one acre, for all of the estate lots located along Proposed Road C. An additional note requires that the building locations for the estate lots along Proposed Road C be specified on the final site plan, and that estate lot driveways be constructed of pervious pavers.

#### **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 improved connectivity for vehicles and pedestrians. The proposed new public streets and private 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. Proposed Roads A and B will be public, and will be constructed to a Public Works ST-251 standard, which requires 24 feet of pavement with a sidewalk and planting strip on one side. This modified section balances the need for public street connections and improved pedestrian connectivity with minimization of impacts to the steep slopes at the base of the hill. The public and private greenways also provide enhanced connectivity for pedestrians.

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. The plan includes 16 single-family lots served by a proposed public road. The larger lot sizes in this portion of the plan will permit siting of homes on the portion of each lot that is most sensitive to the hillside. Additionally, notes on the plan limit each lot to a maximum amount of disturbance, to be documented with a grading plan, and require that the homes be built into the hillside, with the foundations acting as retaining walls. Proposed Road C, which serves these 16 lots, is proposed to be built to a Public Works ST-251 section, with 24 feet of pavement, but without a sidewalk, even on one side. This modified section is appropriate given the need to minimize disturbance of the steepest part of the site and the small number of lots served by the road. The system of public and private greenways that will serve each of these lots also provides alternative means of pedestrian access to the neighborhood center.

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 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 includes 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.

Since the initial Planning Commission hearing of this case, the plan has been revised to reduce the number of single-family lots located on the steepest part of the hill, and to reduce the number of multi-family residential units proposed in a future phase at the rear of the site. The roads have also been revised to meet Public Works standards for local roads, but with a standard section that minimizes impacts to the steepest parts of the site by incorporating a sidewalk only on one side or making use of proposed greenway trails in lieu of a sidewalk. Additional notes limiting grading on the steepest lots and requiring homes to be built into the hillside will further minimize disturbance to sensitive environmental features. The revised plan balances the goals of the T3 and T4 Neighborhood Evolving and T3 Neighborhood Center policies to provide additional housing diversity, improve connectivity, and incorporate retail and service uses that will serve the surrounding neighborhood with the protection of sensitive environmental features indicated by Conservation policy. The plan also achieves the goals of the trail-oriented development supplemental policy by incorporating public and private greenway trails throughout the development to give cyclists and pedestrians alternative transportation options.

#### **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**

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

- Road C shall be extended to the property line and a dedicated turnaround constructed.
- Roads A, B, and C, shall be public.
- Alleys A, B, and C, shall be private.
- With final development plans, 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	142	191



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	44.28		68 U	730	54	71

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)			62 U	428	31	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
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.	857	43	93

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
-	-	-		+430	+58	+85

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-MU district: 50 Elementary 30 Middle 33 High

The proposed SP zoning is expected to generate 61 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 approval with conditions and disapproval without all conditions.

**CONDITIONS**

- Permitted uses shall be limited to a maximum of 68 single-family residential units, 62 multi-family residential units, 6,500 square feet of day care center (over 75), and 13,500 square feet of all other nonresidential uses permitted by the Mixed Use Neighborhood – Alternative (MUN-A) zoning district.
- All single-family residential units on lots designated as critical lots shall be constructed in a manner that permits the foundation of the home to serve as the retaining wall for that lot. Mass grading of single-family residential lots is prohibited. Each lot shall be required to submit an individual critical lot plan as required by the Metro Zoning Ordinance. No retaining walls shall be permitted on any individual single-family lot other than those necessary along driveways.
- With the final site plan, a building envelope or footprint shall be designated for each single-family estate lot located along Proposed Road C.
- Each estate lot along Proposed Road C over one acre in size shall be limited to a maximum area of disturbance of 18 percent of the lot, indicated by submittal of a compliant critical lot plan prior to building permit application. Each estate lot along Proposed Road C less than one acre in size shall be limited to a maximum disturbance of 7,500 square feet, indicated by submittal of a compliant critical lot plan prior to building permit application.

5. With the final site plan, Roads A, B, and C shall be labeled as public roads and Alleys A, B, and C shall be labeled private driveways. A note shall be added to the final site plan that all private driveways shall be maintained by the Homeowner's Association.
6. Roads B and C shall be extended and constructed to the eastern property line and a dedicated turnaround installed at the terminus of each.
7. Prior to submittal of the final site plan, the final width and design of the proposed public greenway along Ben Allen Road shall be determined in coordination with the Planning Department and Metro Public Works.
8. In lieu of a sidewalk on Proposed Road C, each lot oriented to Proposed Road C shall be provided with a private greenway or trail connection to the public greenway and trail system accessing the commercial development along the property frontage and the open space at the top of the hill. The design, surface and materials, and maintenance plan for these private trail or greenway connections shall be specified with the final site plan submittal.
9. Comply with all conditions of Metro Public Works and Traffic and Parking.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the following zoning districts as of the date of the applicable request or application:
  - Single-family residential lots: RS5
  - Multi-family residential units: RM9-A
  - Nonresidential: MUN-A
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2018-190**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-030-001 is **approved with conditions and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 68 single-family residential units, 62 multi-family residential units, 6,500 square feet of day care center (over 75), and 13,500 square feet of all other nonresidential uses permitted by the Mixed Use Neighborhood – Alternative (MUN-A) zoning district.
2. All single-family residential units on lots designated as critical lots shall be constructed in a manner that permits the foundation of the home to serve as the retaining wall for that lot. Mass grading of single-family residential lots is prohibited. Each lot shall be required to submit an individual critical lot plan as required by the Metro Zoning Ordinance. No retaining walls shall be permitted on any individual single-family lot other than those necessary along driveways.
3. With the final site plan, a building envelope or footprint shall be designated for each single-family estate lot located along Proposed Road C.
4. Each estate lot along Proposed Road C over one acre in size shall be limited to a maximum area of disturbance of 18 percent of the lot, indicated by submittal of a compliant critical lot plan prior to building permit application. Each estate lot along Proposed Road C less than one acre in size shall be limited to a maximum disturbance of 7,500 square feet, indicated by submittal of a compliant critical lot plan prior to building permit application.
5. With the final site plan, Roads A, B, and C shall be labeled as public roads and Alleys A, B, and C shall be labeled private driveways. A note shall be added to the final site plan that all private driveways shall be maintained by the Homeowner's Association.
6. Roads B and C shall be extended and constructed to the eastern property line and a dedicated turnaround installed at the terminus of each.
7. Prior to submittal of the final site plan, the final width and design of the proposed public greenway along Ben Allen Road shall be determined in coordination with the Planning Department and Metro Public Works.
8. In lieu of a sidewalk on Proposed Road C, each lot oriented to Proposed Road C shall be provided with a private greenway or trail connection to the public greenway and trail system accessing the commercial development along the property frontage and the open space at the top of the hill. The design, surface and materials, and maintenance plan for these private trail or greenway connections shall be specified with the final site plan submittal.
9. Comply with all conditions of Metro Public Works and Traffic and Parking.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the following zoning districts as of the date of the applicable request or application:
  - Single-family residential lots: RS5

- Multi-family residential units: RM9-A
  - Nonresidential: MUN-A
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
  12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
  13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
  14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## 7. 2018SP-045-001

### 3939 PINHOOK ROAD SP

Council District 33 (Antoinette Lee)

Staff Reviewer: Abbie Rickoff

A request to rezone from AR2a to SP-R zoning on properties located at 3939 and 3947 Pin Hook Road, approximately 880 feet east of Old Hickory Boulevard (14.5 acres), to permit 43 single-family lots, requested by Dale and Associates, applicant; Wahidi Construction, LLC, owner.

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

#### APPLICANT REQUEST

**Preliminary SP to permit up to 43 single-family lots.**

#### Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan – Residential (SP-R) zoning on properties located at 3939 and 3947 Pin Hook Road, approximately 880 feet east of Old Hickory Boulevard to permit 43 single-family lots (14.5 acres).

#### Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres.

The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 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.

#### ANTIOCH-PRIEST LAKE COMMUNITY PLAN

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

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

#### Consistent with Policy?

The proposed SP is consistent with the T3 NE policy and with the neighborhood's existing developed character, which includes low intensity residential development.

The plan includes residential lots that front Pin Hook Road, framing the existing street, consistent with policy guidance. Conservation policy identifies a stream buffer that is associated with Percy Priest Lake. The development footprint is located outside of the CO policy, consistent with policy guidance to preserve environmentally sensitive areas.

### **PLAN DETAILS**

The site is approximately 14.5 acres and currently contains two residential structures and several accessory structures. One of the existing residential structures is indicated to be retained on one of the lots proposed for subdivision. The remaining structures are not included in the proposed development. The site is located on the south side of Pin Hook Road, east of Lavergne Couchville Pike and west of Percy Priest Lake. The character of the surrounding area includes primarily low intensity residential and vacant properties. Properties immediately east and west of the site include already-developed single-family subdivisions, with the exception of a single-family parcel located in between a portion of the adjacent subdivision (west) and the site.

The plan proposes 43 single-family lots. Lot sizes range from approximately 5,460 square feet to 13,296 square feet. Two of the lots will front Pin Hook Road, including an existing residence that will be retained on proposed Lot 1. The remaining lots will front a proposed north-south street that includes a cul-de-sac near the southern property line. A secondary "loop" road extends to the west, connecting back to the primary road north of the cul-de-sac. Although street connectivity is generally a priority in T3 NE policy areas, the configuration of property boundaries and already-developed sites prevent street connections to the east and west. Additionally, Pin Hook Road terminates east of the site near the western boundary of Percy Priest Lake, further reducing the feasibility of an eastern connection.

The new roads contain a 5 foot sidewalk and 4 foot planting strip, consistent with Metro's local street standard. Pin Hook Road is identified as a collector street on the Major and Collector Street Plan and will include a 6 foot sidewalk and 6 foot planting strip, per the MCSP. Additional right-of-way will be dedicated on the south side of Pin Hook Road. Areas of dedication are included on the preliminary SP and will be recorded with the final plat.

Open space is incorporated throughout the site, including a larger open space near the southwestern corner that includes a walking trail, and several smaller open spaces interspersed throughout the development. Open space is also provided in landscape easements around the periphery of the site, outside of the stream buffer areas. Two potential sinkholes have been identified along the eastern property line within the open spaces, outside of the proposed lots.

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

### **ANALYSIS**

The SP is consistent with the site's land use policies and surrounding neighborhood context. The plan proposes residential development that addresses Pin Hook Road and the development footprint is located outside of sensitive environmental features, consistent with CO policy guidance in Suburban transects.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Per AI Thomas (FM), SP plan approved with condition of a minimum NFPA 13D system to be provided in each individual unit/dwelling.

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

- Approved as a Preliminary SP only. Before Final SP stage, please submit a revised availability study, that matches the layout and unit count from this SP. 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**

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

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

- Developer shall construct two travel lanes with a minimum of 11ft width on Pin Hook Rd frontage.
- Provide a minimum intersection sight distance of 335 feet at sight access Roads
- The new project access on Pin Hook Road should be constructed to include one entering lane and one exiting lane, striped as a shared left and right turn lane.
- The site's internal traffic should be controlled by stop signs as shown in Figure 9. in the 3939 Pinhook Rd TIS.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	14.5	0.5 D	8 U	102	11	9

\*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)	14.5		44 U	489	37	47

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+36 U	+296	+20	+29

**METRO SCHOOL BOARD REPORT**

Projected student generation existing AR2a district: 7 Elementary 6 Middle 5 High

Projected student generation proposed SP-R district: 10 Elementary 8 Middle 7 High

The proposed SP zoning is expected to generate 7 more students than the existing AR2a zoning. Students would attend Mt. View Elementary School, J.F. Kennedy Middle School, and Antioch High School. Antioch High School is identified as being over capacity; however, additional capacity has been identified in an adjacent high school cluster. 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**

- Permitted uses shall be limited to a maximum of 43 single-family lots.
- The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
- If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
- No individual access onto Pin Hook Road shall be permitted except for the existing residence on proposed Lot 1. Access and configuration on Pin Hook Road may change depending on the requirements of the Fire Marshal's Office and Traffic.
- 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.
- 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.
- 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.
- 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.
- 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.
- Comply with all conditions of Stormwater, Water Services, and Public Works.

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.

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

Michael Garrigan, 516 Heather Place, spoke in favor of the application. There are still some questions within the neighborhood, so we've agreed to host at least one more community meeting as we move forward through the council process.

Sam Coleman, 4037 Pepperwood Dr, noted that a lot of questions have not been answered, for example, the entrance and exit to this project is still unknown.

Alice Gentry, 828 Trailside Cir, spoke in opposition to the application as it is not in the best interest of the area.

Michael Garrigan noted that a traffic study was conducted and all conditions of approval are accepted. This is 25% less dense than the surrounding subdivision.

**Chairman Adkins closed the Public Hearing.**

Mr. Tibbs spoke in favor of the application as it meets policy, but wishes there was a better way to deal with the traffic on Pin Hook Road.

Mr. Gobbell spoke in favor of the application.

Ms. Farr stated she had no significant comments other than to make sure we are tracking infrastructure and schools in this part of Nashville.

**Ms. Farr moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions. (6-0)**

**Resolution No. RS2018-191**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-045-001 is **approved with conditions and disapprove without all conditions. (6-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 43 single-family lots.
2. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. No individual access onto Pin Hook Road shall be permitted except for the existing residence on proposed Lot 1. Access and configuration on Pin Hook Road may change depending on the requirements of the Fire Marshal's Office and Traffic.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. 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.
7. 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.
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. 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. Comply with all conditions of Stormwater, Water Services, and Public Works.
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.

## 8. 2018S-084-001

### MCKANNA SUBDIVISION LOT 1 AND SEVEN HILLS SECTION 8 LOT 327 n

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: Approve.**

#### APPLICANT REQUEST

**Final plat approval to shift lot lines.**

##### Final Plat

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 One and Two-Family Residential (R40) (6.49 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. *R40 would permit a maximum of 7 lots with 1 duplex lot for a total of 8 units based on acreage alone. Application of the Subdivision Regulations may result in fewer lots.*

##### **GREEN HILLS- MIDTOWN COMMUNITY PLAN**

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

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

##### **PLAN DETAILS**

This site is located at 1480 Georgetown Court and 4604 Mountainview Drive. The proposal is to shift a rear lot line. The proposed lots have the following area and frontages:

##### Existing Lots:

- Lot 1: 221,530 square feet, (5.16 ac) and 509.68 feet of frontage along Georgetown Court
- Lot 2: 58,334 square feet, (1.33 ac) and 106.85 feet of frontage along Mountainview Drive

##### Proposed Lots:

- Lot 1: 207,052 square feet, (4.75 ac) and 509.68 feet of frontage along Georgetown Court
- Lot 2: 75,672 square feet, (1.74 ac) and 106.85 feet of frontage along Mountainview Drive

##### **ANALYSIS**

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

##### Zoning Code

Both proposed lots meet the minimum standards of the One and Two-Family (R40) zoning district.

##### Street Frontage

Both proposed lots have frontage on a public street.

##### Community Character

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

In this instance, the lots must have the following frontages:

<b>Lot 1 Frontage</b>	
Proposed Frontage	509.68 ft.
Minimum Frontage	25 ft.
<b>70% Average</b>	<b>81 ft.</b>

<b>Lot 2 Frontage</b>	
Proposed Frontage	106.85ft.
Minimum Frontage	120 ft.
<b>70% Average</b>	<b>134 ft.</b>

Lot 1 meets the frontage requirement. Lot 2 does not meet the frontage requirement; however, the frontage of the lot is not changing.

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

In this instance, the lots must have the following areas:

<b>Lot 1 Area</b>	
Proposed Size	207,052 sq. ft.
Minimum Size	89,967 sq. ft.
<b>70% Average</b>	<b>108,728 sq. ft.</b>

<b>Lot 2 Area</b>	
Proposed Size	75,672 sq. ft.
<b>Minimum Size</b>	<b>41,808 sq. ft.</b>
70% Average	31,719 sq. ft.

Lot 1 and Lot 2 meet the area requirement. Future structures must comply with setbacks as established by Metro Zoning Code. Lot 1 orients toward Georgetown Court while Lot 2 orients toward Mountainview Drive, consistent with the lot pattern in the area.

Agency Review

All agencies have recommended approval.

**HARMONY OF DEVELOPMENT**

The Metro Planning Commission may consider whether this proposal can provide for the harmonious development for the immediate area per Section 3-5.2.f of the Subdivision Regulations. In this instance, the lot line shift is located in the rear of both lots. The existing frontage for both lots will remain unchanged. Both lots exceed the square footage requirement. Staff finds that this proposal would provide for harmonious development within the immediate area including along both Mountainview Drive and Georgetown Road because the lot frontage is not changing from what is existing.

**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**

- Lot 1 will be flagged, denoting it is mostly located along an undersized (2-1/4') public water main. No new services may tap this main, until Metro Water has verified it can adequately serve the new development. If it is inadequate, and the existing 6-inch water main in Georgetown Court cannot be used, a new public main must be constructed to serve the new development.

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Tibbs moved and Ms. Farr seconded the motion to approve with a condition that, with submittal of mylar, the 20' setback along the southeastern property line of Lot 2 be labeled as a type B landscape buffer yard. (6-0)

**Resolution No. RS2018-192**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2018S-084-001 is **approved with a condition that with submittal of mylar. The 20’ setback along the southeastern property line of Lot 2 be labeled as a type B landscape buffer yard. (6-0)**



## 9. 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 21 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: Approve with conditions.**

#### APPLICANT REQUEST

**Concept Plan approval to create up to 21 lots.**

##### Concept Plan

A request for concept plan approval to create 21 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 Single-Family Residential (RS7.5) (5.21 acres).

##### **Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum of 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 25 lots based on the cluster lot provisions of the Metro Zoning Code.*

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

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

##### Haynes Trinity Mobility Supplemental Policy

Supplemental policies provide additional guidance beyond the Community Character Policy Map. These supplemental policies reflect the community's needs and expectations identified and collected during the planning process. The mobility supplemental policy contains guidance for increasing connectivity in developed areas and establishing a street network in greenfield areas.

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.

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

#### **PLAN DETAILS**

The property is approximately 5.21 acres and is located at Toney Road (unnumbered), Old Matthews Road (unnumbered) and 2504, 2506, and 2528 Old Matthews Road, approximately 290 feet north of Yokley Road. The site currently contains two single family structures located on individual lots. The remaining parcels included in this concept plan are vacant and contain dense vegetation. The site is surrounded by single-family residential uses to the north and south. A vacant parcel to the west of the site is owned by Metro and is reserved for Metro Parks. This site includes sensitive environmental features identified by the conservation policy. The primary feature identified within the conservation policy is steep slopes in excess of a 20% grade.

##### Site Plan

The site plan proposes 21 single-family clustered lots. Lot sizes range from 3,808 square feet to 23,359 square feet. All of the 21 lots will front on to existing or new public roads.

The concept plan proposes three new roads, each classified as a local street. This network of new streets will have a single connection to Old Matthews Road. The new local streets will provide future connections to the north and south as two of the proposed streets will stub into the northern and southern property lines.

These street connections will provide an opportunity to increase the overall connectivity for the surrounding neighborhood which is consistent with the circulation goals of the approved planning policy for this area.

Each new local street will include a five foot wide sidewalk and a four foot wide grass strip, consistent with local street standards. The existing Old Matthews Road street frontage will be improved to meet the requirements of the Major and Collector Street Plan, which requires a six foot wide grass strip and a six foot wide sidewalk. A standard C landscape buffer is proposed along all property lines that abut existing lots.

#### **ANALYSIS**

The cluster lot option in the Zoning Code allows for flexibility of design, the creation of open space and the preservation of natural features in Single-Family (RS) and One and Two-Family (R) zoning districts. To promote creative designs, single family lots are allowed to contain less land area than what is required by the base zoning district. The minimum lot area within a cluster subdivision can be reduced down two smaller base zone districts. With this plan, the applicant is proposing to cluster the parcels to a minimum lot size of 3,750 square feet. The cluster lot option does not allow more density than what would be allowed under RS7.5 zoning. The cluster lot option allows a reduction in lot sizes to work with existing topography, protect natural features, and create more useable open space.

In cluster lot subdivisions, a minimum of 15% of the development is required to be reserved for open space. Of the total 5.2 acres, 1.4 acres will remain as open space, or 27% of total area.

The proposed concept plan protects the sensitive environmental features on site by placing the development footprints of the most sensitive lots, lot 17 and 18, in areas which require a minimal amount of disturbance when development occurs. The plan provides for street connectivity by constructing a local street network and providing multiple stub streets for future connectivity to the north and south of the property if the adjacent parcels redevelop. The proposed street network is consistent with the intent of the mobility supplemental policy of the Haynes Trinity study area. The plan meets the requirements of the Subdivision Regulations and Zoning Code for a cluster lot subdivision.

#### **FIRE DEPARTMENT 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**

##### **Approve**

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. With the submittal of the Development Plan, all lots which contain slopes of 20% and greater grades must be marked as critical lots.
2. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
3. Add the following note to the plan: The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
4. Comply with all conditions and requirements of Metro agencies.

Mr. Napier presented the staff recommendation of approval with conditions.

The applicant spoke in favor of the application. This is not a subdivision within a subdivision. It is consistent with the existing neighborhood.

Michael Garrigan, 516 Heather Place, spoke in favor of the application as it meets all subdivision regulations.

Michelle Taylor, 2520 Webster Dr, spoke in opposition to the application. Webster is a private drive owned by her sister. This is creating a subdivision within a subdivision.

Dorothy Dobson, 2005 Gooch St, spoke in opposition to the application due to concerns with density, drainage, and traffic.

Michael Garrigan asked for approval and explained that access will be maintained in all directions as it is currently.

**Chairman Adkins closed the Public Hearing.**

Mr. Tibbs noted that this does meet all subdivision regulations, but asked if there is a way to improve the access easement.

Michael Garrigan noted that his client is more than willing to add a condition stating that he will clean up the gravel drive and pave up to the property line.

**Ms. Farr moved and Mr. Gobbell seconded the motion to approve with conditions, including a condition to improve the access easement to the property line. (6-0)**

**Resolution No. RS2018-193**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-093-001 is **approved with a conditions including to improve the access easement to the property line. (6-0)**

**CONDITIONS**

1. With the submittal of the Development Plan, all lots which contain slopes of 20% and greater grades must be marked as critical lots.
2. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
3. Add the following note to the plan: The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
4. Comply with all conditions and requirements of Metro agencies.

**10. 2018S-102-001**

**DRAKES BRANCH DEVELOPMENT**

Council District 01 (Jonathan Hall)

Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create up to 68 clustered lots on property located at 4775 Drakes Branch Road, north of the terminus of Golden Hill Drive, zoned RS15 (31.44 acres), requested by Kimley-Horn and Associates, applicant; Nashland Builders, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Create 68 residential cluster lots.**

Concept Plan

A request for concept plan approval to create up to 68 clustered lots on property located at 4775 Drakes Branch Road, north of the terminus of Golden Hill Drive, zoned Single-Family Residential (RS15) (31.44 acres).

**Existing Zoning**

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 77 units, based on the acreage only. However, application of the Subdivision Regulations may result in fewer lots at this site.*

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

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

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

## **BACKGROUND**

This case was deferred by the applicant from the June 14 and August 1, 2018, Metro Planning Commission meeting to allow sufficient time for an applicant-led neighborhood meeting with additional community discussion. No public hearing was held.

## **PLAN DETAILS**

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application. The proposed subdivision is located on approximately 31.44 acres on the west side of Drakes Branch Road, north of Kings Lane and south of Briley Parkway.

The site is vacant and is primarily located in T3 Neighborhood Evolving policy. Conservation policy is located along the eastern property line and mid-site, identifying areas encumbered by floodway/floodplain and stormwater regulation buffers associated with Drakes Branch Creek, which runs parallel with Drakes Branch Road.

The site is in an area of T3NE that primarily contains vacant and scattered single-family residential uses, transitioning to T3 Neighborhood Maintenance policy south of the site, where the development pattern contains already-developed single family lots. While NashvilleNext policies provide limited guidance for subdivisions, Metro's Subdivision Regulations control how land is divided and the pattern of development to reflect different contexts and character.

### Site Plan

The site plan includes 68 single-family clustered lots. Lots are clustered down to the RS7.5 zoning district size and range from 7,500 square feet to 15,426 square feet. All of the lots front new interior streets.

Golden Hill Drive, an existing street included in the Gold Key and Drake's Run Subdivisions to the south, will extend through the site as the primary access point. Access is not provided from Drakes Branch Road in order to protect the most environmentally sensitive areas from future disturbance. The internal road network includes three new streets with cul-de-sacs, and a stub road to the north for future connectivity. Although cul-de-sacs are generally discouraged, they are permitted in instances where natural features exist that are not desirable to be removed or the configuration of property boundaries prevent street connections. In this instance, surrounding properties include areas with steeper slopes (west) and already-developed single-family lots (south), where cul-de-sacs may be appropriate.

All new streets contain a 50 foot right-of-way with a 5 foot sidewalk and 4 foot planting strip, consistent with the local street standard. Additional right-of-way will be dedicated on the west side of Drakes Branch Road, per the Major and Collector Street Plan. Areas of dedication are included on the concept plan and will be recorded with the final plat.

In cluster lot subdivisions, a minimum of 15 percent of each phase of development shall be open space. This concept plan provides approximately 12.85 acres of open space (41% of the site), including stormwater management areas. Two large open spaces have been identified on site. The first open space is located towards Drakes Branch Road and includes a pervious meandering path that connects to the public sidewalks on Roads "B" and "C", and the second open space is located near the southern property line, adjacent to the Gold Key subdivision, where the existing vegetation is identified to remain. The second open space also includes a pervious pathway that connects to the public sidewalks, allowing multiple opportunities for future residents to access the two primary open spaces. A 25' landscape buffer is included around the periphery of the site, and a 75' public access greenway easement has been provided from the top of the Drakes Branch floodway for a planned future greenway. The public access greenway easement will be recorded with the final plat.

Three lots are designated as critical lots due to portions of the lots having steep slopes in excess of 20 percent on the rear of the sites. No problem soils have been identified on site.

## **ANALYSIS**

This proposal is consistent with the cluster lot standards specified in the Zoning Code. Approximately 41% of the site has been set aside as open space, nearly three times the minimum required by the cluster lot provisions. The development footprint is located outside of the most environmentally sensitive areas, resulting in large areas of useable open space and preserved vegetation nearest the existing subdivisions to the south.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

- Approved with one entrance for fire apparatus access, per Al Thomas.

## **STORMWATER RECOMMENDATION**

### **Approve**

**PARKS RECOMMENDATION**

**Approve with conditions**

- Parks and Greenways requests a 75' public access easement from top of floodway.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

Kings Lane at Shady Dale Road

- Developer shall trim existing vegetation on the northwest quadrant of this intersection to improve intersection sight distance from the southbound approach along Shady Dale Road if feasible.

Access at Golden Hills Drive Northern Terminus

- Developer shall provide vehicle access to the proposed development by extending the northern terminus along Golden Hills Drive. Developer shall contribute a pro rata share of traffic calming costs if neighbors request traffic calming study along Golden Hills Dr. and Shady Dale Rd.

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**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. (As shown, these plans will also require an ARAP to install the public sewer under the creek.) An updated availability study must be submitted (reflecting the latest unit count), and the required capacity fees must also be paid prior to Final Site/Development Plan approval.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. All conditions from Metro Public Works and Metro Water Services must be completed or bonded prior to the recording of the final plat.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply must be met prior to the issuance of building permits.
3. Construction of the Golden Hills Drive road extension shall occur within right-of-way areas only.
4. A public access greenway easement shall be recorded with the final plat, consistent with Parks requirements.
5. A tree protection plan shall be provided with the final site plan application to indicate preservation of trees within common open space.
6. On the final site plan, add the following note to all open spaces except for recreational areas and areas reserved for stormwater management/treatment: "All existing trees in designated open spaces shall be preserved. These areas shall remain undisturbed." Then remove the
7. "Preserved Trees & Vegetation, Typ" note identified within the southern open space.
8. On the final site plan, correct the open space summary to be consistent with the Open Space Data Table on the cover sheet.
9. Stormwater management devices should be treated as community amenities in addition to their other functions.
10. Any lots designated as critical lots shall be developed in compliance with the critical lot requirements pursuant to Section 17.28.030 of the Metro Zoning Code. If critical lots cannot be developed in compliance with the critical lot requirements, the lot layout shall be modified accordingly.
11. On the final site plan, the 25' landscape buffer shall be identified as a standard "C" landscape buffer.
12. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

Ms. Farr moved and Mr. Tibbs seconded the motion to approve with conditions. (6-0)

**Approve with conditions. Consent Agenda. (6-0)**

**Resolution No. RS2018-194**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-102-001is **approved with a conditions. (6-0)**

**CONDITIONS**

1. All conditions from Metro Public Works and Metro Water Services must be completed or bonded prior to the recording of the final plat.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply must be met prior to the issuance of building permits.
3. Construction of the Golden Hills Drive road extension shall occur within right-of-way areas only.

4. A public access greenway easement shall be recorded with the final plat, consistent with Parks requirements.
5. A tree protection plan shall be provided with the final site plan application to indicate preservation of trees within common open space.
6. On the final site plan, add the following note to all open spaces except for recreational areas and areas reserved for stormwater management/treatment: "All existing trees in designated open spaces shall be preserved. These areas shall remain undisturbed." Then remove the
7. "Preserved Trees & Vegetation, Typ" note identified within the southern open space.
8. On the final site plan, correct the open space summary to be consistent with the Open Space Data Table on the cover sheet.
9. Stormwater management devices should be treated as community amenities in addition to their other functions.
10. Any lots designated as critical lots shall be developed in compliance with the critical lot requirements pursuant to Section 17.28.030 of the Metro Zoning Code. If critical lots cannot be developed in compliance with the critical lot requirements, the lot layout shall be modified accordingly.
11. On the final site plan, the 25' landscape buffer shall be identified as a standard "C" landscape buffer.
12. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

## 11. 2018S-117-001

### 3700 WOODLAWN SUBDIVISION

Council District 24 (Kathleen Murphy)

Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create four lots on property located at 3700 Woodlawn Drive, approximately 775 feet west of Bowling Avenue, zoned RS20 (2.88 acres), requested by Smith Gee Studio, applicant; Phyllis Pennington, owner.

**Staff Recommendation: Approve with conditions.**

#### APPLICANT REQUEST

**Request for concept plan approval to create four lots.**

#### Concept Plan

A request for concept plan approval to create four lots on property located at 3700 Woodlawn Drive, approximately 775 feet west of Bowling Avenue, zoned Single-Family Residential (RS20) (2.88 acres).

#### **Existing Zoning**

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

#### **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.

#### **HISTORY**

At the May 10, 2018, Metro Planning Commission meeting, the MPC disapproved case 2018S-046-001, a concept plan with 5 lots which included this site (3700 Woodlawn Drive) and an adjacent (western) parcel, following Staff's recommendation of disapproval as the proposed subdivision did not meet the compatibility criteria for infill subdivisions and not all agencies had recommended approval. The proposed subdivision under review (case 2018S-117-001) is a new concept plan with 4 lots and does not include the adjacent parcel (Map 117-01, Parcel 006).

#### **PLAN DETAILS**

This request is for concept plan approval to create four lots on approximately 2.88 acres located on the north side of Woodlawn Drive, mid-block between Wilson Boulevard (west) and Bowling Avenue (east).

The site contains an existing residence, which is indicated to be retained and included on one of the lots proposed for subdivision. The proposed plat would create 4 lots as follows:

- Lot 1: 23,794 SF (0.54 acres) and 60.00 feet of frontage
- Lot 2: 20,134 SF (0.46 acres) and 67.15 feet of frontage
- Lot 3: 25,961 SF (0.59 acres) and 63.66 feet of frontage
- Lot 4: 37,363 SF (0.85 acres) and 188.98 feet of frontage

All lots would be accessed from a new public street which would generally align with the existing Lynnbrook Road, located south of Woodlawn Drive.

**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 requirements of the RS20 zoning district.

Street Frontage

All 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.

In this instance, proposed Lot 4 is located along an existing street, Woodlawn Drive, and Lots 1, 2, and 3 are located along a new public street. Therefore, only Lot 4 is reviewed against the compatibility criteria for infill subdivisions.

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 Woodlawn Drive, Lot 4 must have frontage at least equal to approximately 123.68 feet. Proposed Lot 4 has 188.98 feet of frontage and meets compatibility requirements for frontage.

<b>Lot 4 Frontage</b>	
Proposed Frontage	188.98 feet
Minimum Frontage	115 feet
<b>70% Average</b>	<b>123.68 feet</b>

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 Woodlawn Drive, Lot 4 must be equal to or greater than approximately 37,363 square feet (0.857 acres). Proposed Lot 4 is approximately 37,363 square feet (0.857 acres) and meets compatibility requirements for area.

<b>Lot 4 Size</b>	
Proposed Size	<b>37,363 SF</b>
Minimum Size	25,526 SF
<b>70% Average</b>	<b>37,363 SF</b>

3. Street setbacks: Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback.

A minimum building setback line is not required to be platted for Lot 4 since the existing structure and existing setback will be retained. However, 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. Lot 4 is consistent with the surrounding parcels.

Analysis

While there is a consistent lot pattern along this section of Woodlawn Drive with no intervening streets, this proposal introduces a new street that changes the configuration of lots and may alter the character along this block. However, the proposal meets the requirements of the Subdivision Regulations for an infill Subdivision. The proposed concept plan differs from the previous plan in that it does not include the adjacent parcel (006). The exclusion of parcel (006) from the proposed development results in one new lot (Lot 4) fronting Woodlawn Drive, rather than two new Woodlawn-fronting lots, as previously proposed. The street layout was also modified on the proposed concept plan, increasing the size of Lot 4. Based on the Subdivision Regulation's definition of surrounding parcels, Lot 4 meets the area and frontage requirements of the surrounding lots. The proposed subdivision complies with Section 3-5.2, the compatibility requirements, of the Subdivision Regulations.

**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**

- Final construction plans and road grades shall comply with the design regulations established by the Department of Public Works.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- As all our previous issues have been addressed with the latest Concept Plan revision (stamped-received 7/12/18), this case is 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. (To be detailed in the forthcoming availability study letter.)

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. All conditions from Metro Public Works and Metro Water Services must be completed or bonded prior to the recording of the final plat.
2. The existing deck on Lot 4 shall be removed prior to plat recordation.
3. On the corrected copy, revise Note 3: Lot 4 shall be oriented towards Woodlawn Drive. Access for Lot 4 shall be limited to the proposed public street. No access shall be permitted from Woodlawn Drive.
4. On the corrected copy, add note: Height shall be a maximum of 2 stories in 35 feet.
5. On the corrected copy, remove the note "Currently platted street setback = 40'MBSL" from proposed Lot 4.
6. On the corrected copy, include the void/vacate note for any lots that have been previously platted.
7. The new public road shall include sidewalks and planting strip consistent with the local street standard, and Woodlawn Drive shall include sidewalks and planting strip consistent with the Major and Collector Street Plan.
8. The building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

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

Scott Morton, 1005 N 14<sup>th</sup> St, spoke in favor of the application. This meets all subdivision regulations, it is consistent with the community plan, and it preserves the existing historical house.

David Kleinfelter, 2904 23<sup>rd</sup> Ave S, spoke in favor of the application.

Inez Pennington, 3700 Woodlawn Dr, spoke in favor of the application. This is not a public park and a view is not guaranteed.

Robert Stein, 3611 Woodlawn Dr, spoke in opposition to the application. This proposal results in double stacking on the eastern section of the property on Woodlawn. The final result will be double stacking to the east and west with five homes on the current property instead of one. The overwhelming majority of the neighborhood opposes this proposal.

Craig Sussman, Woodlawn Dr, spoke in opposition to the application and explained that this proposal is no different than the one turned down in May.

Diane Sussman, Woodlawn Dr, spoke in opposition to the application as it will destroy the charm of the neighborhood.

Glenda Hatfield, 3948 Woodlawn Dr, spoke in opposition to the application because it is not harmonious with the surrounding area.



Bunny (last name unclear), 801 Linbrook Rd, spoke in opposition to the application.

Robert Covington, Estes Rd, spoke in opposition to the application.

L. A. Green, 3701 Woodlawn Dr, spoke in opposition to the application.

Belle Newton, 3950 Woodlawn, spoke in opposition to the application because it will change the character of the area.

John Lane spoke in opposition to the application. The proposed SP is inappropriate and harmful to the character of the neighborhood.

David Kleinfelter asked for approval and noted that this meets regulation requirements for compatibility.

Councilmember Murphy spoke in opposition to the application. This is basically the exact same plan from a few months ago. Some things have shifted around, but this is not compatible to the overall neighborhood. The neighbors do not want this.

**Chairman Adkins closed the Public Hearing.**

Councilmember Bedne spoke in opposition to the application.

Mr. Tibbs explained that while this meets all regulations, the community character still has to be considered. This is not harmonious with the area.

Ms. Farr expressed concerns with the street placements as it is not harmonious with the rest of the street or the rest of the streets in the area. This was one giant plot at one point that has been subdivided. It doesn't feel appropriate to make a decision about ¾ of it recognizing what is going to go on to that last lot.

Mr. Gobbell stated that he has no issues with the street placement. This meets all regulations; there is not a reason to disapprove.

Dr. Bichell stated that the applicant seems to have done the very best they can to stay within the rules. There does not seem to be a reason to disapprove.

Mr. Gobbell moved and Dr. Bichell seconded the motion to approve. (3-3) Ms. Farr, Mr. Tibbs, and Councilmember Bedne voted against.

Councilmember Bedne asked the applicant if they would agree to a deferral.

The applicant requested a decision.

Ms. Farr moved and Mr. Tibbs seconded the motion to disapprove. (3-3) Chairman Adkins, Mr. Gobbell, and Dr. Bichell voted against.

**Mr. Gobbell moved and Dr. Bichell seconded the motion to defer to the September 13, 2018 Planning Commission meeting with the public hearing to remain closed. (6-0)**

**Resolution No. RS2018-195**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-117-001 is deferred to the September 13, 2018 Planning Commission meeting. (6-0)**

**12. 2018Z-038PR-001**

Council District 05 (Scott Davis)

Staff Reviewer: Gene Burse

A request to rezone from RS5 to RM20-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 September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-038PR-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**13. 2018Z-039PR-001**

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

A request to rezone from RS5 to RM20-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 September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-039PR-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**14. 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: Approve.**

**APPLICANT REQUEST**

**Zone change from IR to MUL-A**

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use Limited – Alternative (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).

**Existing Zoning**

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

**Proposed Zoning**

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

**SOUTH NASHVILLE COMMUNITY PLAN**

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

Consistent with Policy?

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

**ANALYSIS**

The requested rezoning to MUL-A is consistent with the policy for the area and is an appropriate zoning given the surrounding land uses and land use policy. The site is located along the south side of Chestnut Street which is designated in the Major and Collector Streets Plan as an urban, mixed-use collector-avenue. The rezoning allows for redevelopment of a site that has existing infrastructure in a way that enhances the street frontages and meets the goals of the policy. The bulk and building placement standards associated with MUL-A zoning ensure mixed-use development that addresses the pedestrian realm and relegates parking to the side or rear of buildings.

**FIRE DEPARTMENT RECOMMENDATION**

**N/A**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.04	0.6 F	53,317 S.F.	190	59	40

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.02	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)	0.51	1.0	22,215 S.F.	419	57	104

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.51	1.0	22,215 S.F.	989	25	75

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		1989	167	261

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed MUL-A district: 15 Elementary 6 Middle 7 High

The proposed MUL-A zoning district will generate 28 additional students than what could be generated under the existing IR zoning. Students would attend Fall-Hamilton Elementary, Cameron Middle School, and Glenclyff High School. All 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 Mixed Use Neighborhood policy.

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

**Resolution No. RS2018-196**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-061PR-001 is **approved. (6-0-1)**

**15. 2018Z-072PR-001**

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

A request to rezone from RS5 to MUL-A zoning on properties located at 2702, 2704, 2706 Clifton Avenue, 701, 703, 705 and 707 27th Avenue North, at the northwest corner of 27th Avenue North and Clifton Avenue (1.0 acre), requested by Catalyst Design Group, applicant; E3 Construction Services, LLC, Max Khazanov, Jeffery D. Tramil, and Zvezda 1, LLC, owners.

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-072PR-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**16. 2018Z-004TX-001**

BL2018-1279/Mendes and Syracuse  
Staff Reviewer: Lisa Milligan

A request for an ordinance to amend Metropolitan Code of Laws sections 17.04.060 and 17.16.050 relative to the definition of alternative financial services and financial institution and location restrictions, requested by Councilmember, At-Large Bob Mendes and Councilmember Jeff Syracuse, applicants.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

Amend the Zoning Code related to alternative financial services and financial institutions.

**PROPOSED AMENDMENTS TO TITLE 17**

The proposed bill would amend Section 17.04.060 – Definitions of general terms by changing the definition of Alternative Financial Services as follows (new text shown as underline):

“Alternative financial services” means any building, room, space or portion thereof where an establishment provides a variety of financial services, including but not limited to cash advance, title loans, check cashing, pawnshops and flex loans, and such establishment is not a state or federally chartered bank, a savings and loan association, industrial loan and thrift company licensed by the state of Tennessee under Title 45, Chapter 5 of the Tennessee Code Annotated and providing only the services authorized under that chapter, or credit union, a mortgage company, a financial institution whose services are insured by an agency of the United States government, or any other entity offering financial services that is not determined to be a financial institution as defined under this section

The proposed bill would also amend the definition of Financial Institution as follows (new text shown as underline):

"Financial institution" means any building, room, space or portion thereof where an establishment provides a variety of financial services and is a state or federally chartered bank, savings and loan association, industrial loan and thrift company licensed by the State of Tennessee under Title 45, Chapter 5 of Tennessee Code Annotated and providing only the services authorized under that chapter, or credit union, a mortgage company, or other financial institution whose services are insured by an agency of the United States government, but excluding alternative financial services.

The proposal would also amend Section 17.16.050.D.1 – Alternative Financial Services as follows (new text shown as underline):

- 1. No alternative financial services establishment shall be located less than one thousand three hundred twenty linear feet from the property line of another property upon which another alternative financial services establishment is located. No more than one (1) such establishment shall be located upon a single parcel.

**ANALYSIS**

Industrial loan and thrift companies are a type of financial institution regulated by the state of Tennessee through Title 45. This portion of the proposed legislation is a clarifying amendment categorizing these uses as financial institutions. Additionally, the definition of Alternative Financial Services is being modified to add broad language clarifying that if a financial service use does not fall under the definition of a Financial Institution then it is categorized as an Alternative Financial Service.

In 2014, the Metro Council adopted regulations requiring a separation between Alternative Financial Service uses, recognizing research that has shown that a concentration of such uses can have a negative impact on the surrounding community. At the time that the amendment was written, the separation requirement was specified as being from property line to property line. There are, however, many instances of shopping centers and strip malls throughout the county that are wholly within the bounds of one property.

The regulations, as written, would not prevent the locating of multiple Alternative Financial Service uses on the same parcel, which was not the intent of the separation requirement. The proposed amendment would further clarify that no more than one Alternative Financial Service use is permitted to be located upon a single parcel.

**ZONING ADMINISTRATOR RECOMMENDATION**

Approve.

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**STAFF RECOMMENDATION**

Staff recommends approval.

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**Bill BL2018-1279**

An ordinance to amend Metropolitan Code of Laws sections 17.04.060 and 17.16.050 relative to the definition of alternative financial services and financial institution and location restrictions. (Proposal No. 2018Z-004TX-001).

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

Section 1. That Section 17.04.060 of the Metropolitan Code of Laws be amended by deleting the definition of "Alternative financial services" and substituting in lieu thereof the following:

"Alternative financial services" means any building, room, space or portion thereof where an establishment provides a variety of financial services, including but not limited to cash advance, title loans, check cashing, pawnshops and flex loans, and such establishment is not a state or federally chartered bank, a savings and loan association, industrial loan and thrift company licensed by the state of Tennessee under Title 45, Chapter 5 of the Tennessee Code Annotated and providing only the services authorized under that chapter, or credit union, a mortgage company, a financial institution whose services are insured by an agency of the United States government, or any other entity offering financial services that is not determined to be a financial institution as defined under this section.

Section 2. That Section 17.04.060 be further amended by deleting the definition of "Financial Services" and substituting in lieu thereof the following:

"Financial institution" means any building, room, space or portion thereof where an establishment provides a variety of financial services and is a state or federally chartered bank, savings and loan association, industrial loan and thrift company licensed by the State of Tennessee under Title 45, Chapter 5 of Tennessee Code Annotated and providing only the services authorized under that chapter, or credit union, a mortgage company, or other financial institution whose services are insured by an agency of the United States government, but excluding alternative financial services.

Section 3. That Section 17.16.050 of the Metropolitan Code of Laws be amended by deleting subsection D.1 in its entirety and substituting in lieu thereof the following:

D. Alternative Financial Services.

1. No alternative financial services establishment shall be located less than one thousand three hundred twenty linear feet from the property line of another property upon which another alternative financial services establishment is located. No more than one (1) such establishment shall be located upon a single parcel.

Section 4. This Ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

**Sponsor(s)** Bob Mendes, Jeff Syracuse

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

**Resolution No. RS2018-197**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-004TX-001 is **approved. (7-0)**

**17. 2018Z-005TX-001**

BL2018-1288/Withers  
Staff Reviewer: Lisa Milligan

A request for an ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, pertaining to parking requirements for certain types of uses, requested by Councilmember Brett Withers, applicant.

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-005TX-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**18a. 2018CP-002-001**

**PARKWOOD-UNION HILL COMMUNITY PLAN AMENDMENT**

Council District 03 (Brenda Haywood)  
Staff Reviewer: Marty Sewell

A request to amend the Parkwood-Union Hill Community Plan by changing from T3 Suburban Neighborhood Evolving to T3 Community Center on properties located at 4216, 4226 Westcap Road, Westcap Road (unnumbered) and 501, 517, 529, 533, 575 Hickory Hills Boulevard and a portion of 4308 Westcap Road, at the northwest corner of Hickory Hills Boulevard and Westcap Road, zoned CS, OR20, R15 and partially within a Planned Unit Development Overlay District (62.99 acres), requested by Cubby Holes Self Storage, applicant; various owners.  
(See associated case 2018Z-051PR-001)

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018CP-002-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**18b. 2018Z-051PR-001**

Council District 03 (Brenda Haywood)  
Staff Reviewer: Gene Burse

A request to rezone from R15 to CS zoning on property located at Westcap Road (unnumbered), approximately 1,075 feet northwest of Hickory Hills Boulevard (4.23 acres), requested by Cubby Holes, GP, applicant and owner. (See associated case 2018CP-002-001).

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-051PR-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**19. 2016SP-071-001**

**1300 N 5TH SP**  
Council District 05 (Scott Davis)  
Staff Reviewer: Shawn Shepard

A request to rezone from RS5 to SP-R zoning for property located at 1300 N 5th Street, at the northwest corner of North 5th Street and Douglas Avenue (0.34 acres), to permit up to 10 multi-family residential units, requested by Allison Patton, applicant and owner.

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

**APPLICANT REQUEST**

**Zone change to permit a multi-family residential development.**

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan – Residential (SP-R) zoning for property located at 1300 N 5th Street, at the northwest corner of North 5th Street and Douglas Avenue (0.34 acres), to permit up to 10 multi-family residential units.

### **Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of two units, subject to compliance with all standards of the Metro Subdivision Regulations.*

### **Proposed Zoning**

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

### **BACKGROUND**

On April 14, 2016, the Metro Planning Commission recommended disapproval of a zone change from RS5 to RM20-A for the subject property. The bill was introduced at Metro Council, and a public hearing on the zone change was held on July 5, 2016. Following Council public hearing, the zone change request was converted to a Specific Plan and re-referred to the Planning Commission for consideration. The applicant prepared the necessary plans, and the case is now moving forward as a Specific Plan proposal. Since the zone change was submitted, and subsequently converted to a Specific Plan, the Metro Planning Commission has approved and adopted the Highland Heights Study, which updated the land use policies and provided additional supplementary guidance for properties in this area. The Specific Plan proposal is being reviewed for consistency with the newly adopted Highland Heights Study now in effect.

### **EAST NASHVILLE COMMUNITY PLAN**

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

#### Highland Heights Study Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy which was recently approved and adopted by the Planning Commission on June 14, 2018. The Highland Heights Study was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The community character policy for this site, T4 NE, did not change with adoption of the Highland Heights plan.

This site is within the R4 Subdistrict of the Building Regulating Plan, which is intended to create and enhance neighborhoods with greater housing choice and improved connectivity, consistent with the goals of the general T4 NE policy. The R4 Subdistrict supports a range of residential uses, including two-family and multi-family residential, at varying intensities depending on the location and context. The R4 Subdistrict also supports a variety of building forms, including house (1 unit), detached accessory dwelling unit, house (2 unit), plex or manor house, house court, and low rise townhouse.

The Mobility Plan component of the Highland Heights Study identifies N 5<sup>th</sup> Street as a local street and does not specify any infrastructure improvements such as new street or alley connections in the vicinity of this site.

#### Consistent with Policy?

The proposed site plan is generally consistent with the guidance of the T4 NE policy and the supplemental policies of the Highland Heights Study. Both the T4 NE policy and the R4 Subdistrict support the enhancement of neighborhoods with more housing choice. This site is located on N 5<sup>th</sup> street, with one parcel to the south separating the site from Douglas Avenue. Douglas is identified on the Mobility Plan as a Primary Avenue and as a collector on the Major and Collector Street Plan. The site is located on a seam between several different community character policy and subdistrict areas. The T4 NE policy and R4 Subdistrict encompass this property as well as the properties immediately north and south of the site. The properties immediately to the west are within an area of higher intensity, mixed use T4 Urban Neighborhood Center policy, within the M1 Subdistrict, which is intended to support neighborhood centers. The properties to the north, within the core of the neighborhood, and on the east side of N 5<sup>th</sup> Street, opposite the site, are within an area of T4 Urban Neighborhood Maintenance policy and within the R1 Subdistrict, intended to maintain the existing low to moderate density, predominantly single-family residential development pattern.

The plan proposes ten multi-family residential units, located within a single plex or manor home style building. In this location, less than 10 feet from Douglas Avenue and adjacent to a neighborhood center, the multi-family residential will serve as a transition from more intense development in the center and along the corridor to the existing residential neighborhood. Staff recommends conditions requiring a manor home style of building, which is a permitted type in the R4 Subdistrict, in order to ensure that the form of the use is consistent with the existing, predominantly single-family character of the neighborhood.

## **PLAN DETAILS**

The 0.34-acre site is located on the west side of N 5<sup>th</sup> Street, less than 10 feet north of Douglas Avenue. A 20-foot-wide strip along the southern property boundary is within easements associated with former Mile End Drive; the road was abandoned but easements through the area were retained. There is an existing alley at the rear of the site, along the western property line. A single triangular parcel, zoned RM20-A, separates this site from the corridor. The triangular parcel to the south is currently redeveloping under the RM20-A zoning. The general land use pattern along Douglas Avenue includes a mix of single-family residential and multi-family residential uses, with mixed use located at intersections, including at the intersection of Douglas Avenue and Lischey Avenue immediate west of this site. To the north, along N 5<sup>th</sup> Street, the existing land use is predominantly low to moderate density single-family residential.

### Site Plan

The plan proposes a multi-family residential development with a maximum of ten units. All of the units are located in a single building. The building has a front setback of 26.2 feet and a maximum height of three stories in 35'. All access will be provided from the alley to the rear. A total of 14 parking spaces are proposed behind the building. A five-foot sidewalk and 4-foot planting strip, consistent with the Public Works requirements for a local road, are provided along the entire property frontage and will tie into an existing sidewalk along Douglas Avenue. Sidewalks are also provided along both sides of the building to connect to the parking area in the rear. The plan includes architectural standards for entrances, minimum glazing, window orientation, materials, porch depth and raised foundations.

## **ANALYSIS**

The plan proposes a maximum of ten multi-family residential units, located in a single building. The building has a front setback consistent with the setbacks of existing homes along N 5<sup>th</sup> Street, which range from 25 to 30 feet. The height of the building is limited to three stories in 35 feet, which is generally consistent with the maximum height permitted in the RS5 zoning district to the north and east. Vehicular access is provided only from the alley, which is only accessible from Douglas Avenue, minimizing the impact of any additional traffic on the residential neighborhood, particularly the residences along N 5<sup>th</sup> Street immediately north of the site. The combination of access, proximity to the corridor, and adjacency to higher intensity mixed use development, make this site an appropriate location to incorporate additional housing choices into the neighborhood, consistent with the goals of the policy and the Highland Heights supplemental policies.

The site is located in an area of T4 Neighborhood Evolving policy, and within the R4 Subdistrict, but it sits directly across N 5<sup>th</sup> Street from an area of T4 Neighborhood Maintenance policy within the R1 subdistrict.

In order to ensure that the proposed residential development is sensitive to the context and character of the existing neighborhood, staff recommends additional architectural standards be incorporated as conditions of approval. The final building elevations should reflect a manor home building form, which includes elements such as a single entrance, consistency in materials and window spacing that give the structure the appearance of a larger single-family home. The manor home style building is more appropriate in this location than a plex building, house court or townhomes, all of which would be permitted by the R4 district, in order to respect the character of the lower intensity Neighborhood Maintenance policy area across N 5<sup>th</sup> Street and to the north. As conditioned by staff, the SP will incorporate additional housing choice into the neighborhood in a manner that provides an appropriate transition from more intense development along the corridor and in the adjacent center, and is sensitive to surrounding residential development, consistent with the goals of the policy.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

## **WATER SERVICES RECOMMENDATION**

### **Approve with conditions**

- The required capacity fees must be paid prior to Final Site Plan/SP approval.
- Remove the dumpster pad and any major landscaping from the existing public water easement crossing the property, to acquire Final 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.
- Build and dedicate one-half of alley per MPW standard ST-263. ~ 10ft ROW dedication needed for one half of alley. The 10 ft ROW dedication should be measured from the center line of the current existing alley ROW extending to the southern property line.
- Install an ST-320 ramp at the corner of Douglas and North 5th street.



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

- Trim vegetation at alley and Douglas intersection for adequate sight distance.

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)	0.34	8.71 D	2 U	29	7	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.34		10 U	126	12	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+8 U	+97	+5	+9

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS5 district: 1 Elementary 0 Middle 0 High**

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

The proposed SP zoning is expected to generate six more student than the existing RS5 zoning. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions as the plan is consistent with the T4 Neighborhood Evolving policy and the supplemental policy guidance of the Highland Heights Study.

**CONDITIONS**

1. Permitted land uses shall be limited to a maximum of 10 multi-family residential units. Short term rental property (STRP) use shall be prohibited.
2. Maximum height shall be three stories in 35 feet measured to the highest point of the roof.
3. The proposed building shall be designed in a manor home style appropriate give the context and the topography of the site. With the Final SP, the applicant shall be required to submit a building elevation for the street-facing façade of the building that depicts a manor home style, with architectural elements that could include, but are not limited to:
  - A pitched roof;
  - Window styles that repeat;
  - Consistency in materials across a floor; and
  - One door on the street-facing façade that reads as a main entrance. Other balconies or doors on the front façade shall be limited to avoid the appearance of a stacked flat or plex building.
4. Comply with all conditions of Metro Public Works and Traffic and Parking.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan.

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

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

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

Gordon Harmon, 1826 Joy Cir, spoke in opposition to the application because the density is too high.

Joe (last name unclear), 1308 N 5<sup>th</sup>, spoke in opposition. Parking is already a problem in this area. This is too dense for a dead end alley.

**Chairman Adkins closed the Public Hearing.**

Ms. Farr noted this is a very narrow street and she understands the concern of adding more cars.

Councilmember Bedne spoke in favor of the application. Staff went through a very lengthy process with the community.

Dr. Bichell asked to defer since the applicant is absent.

Mr. Gobbell agreed with a deferral in order to have the applicant in attendance.

**Ms. Farr moved and Mr. Gobbell seconded the motion to defer to the September 27, 2018 Planning Commission meeting (6-0)**

**Resolution No. RS2018-198**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-071-001-001 is deferred to the September 27, 2018 Metro Planning Commission meeting. (6-0)**

**20. 2018SP-001-001**

**SLOAN AND WESTLAWN SP**

Council District 24 (Kathleen Murphy)

Staff Reviewer: Abbie Rickoff

A request to rezone from R6 to SP-R zoning on properties located at 4603 Sloan Road and 4409 and 4411 Westlawn Drive, at the corner of Sloan Road and Westlawn Drive (1.03 acres), to permit seven multi-family residential units, requested by Dale and Associates, applicant; LL & E Holdings, LLC, owner.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Preliminary SP to permit up to 7 multi-family residential units.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan – Residential (SP-R) zoning on properties located at 4603 Sloan Road and 4409 and 4411 Westlawn Drive, at the corner of Sloan Road and Westlawn Drive to permit seven multi-family residential units (1.03 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 7 lots with 1 duplex lot for a total of 8 units. However, the base zoning is not a full representation of the entitlements of the property, as the Subdivision Regulations would likely limit the number of lots created, especially in a Neighborhood Maintenance area where the site would be reviewed against compatibility criteria.*

*Existing entitlements would allow 6 units at this site, as the Codes Department has determined that each existing parcel is duplex eligible.*

**Proposed Zoning**

Specific Plan-Mixed 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.

## **WEST 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?

Staff does not find the proposed SP to be consistent with the T4 NM policy at this location. Aside from a few small non-residential policy areas located at intersections, the site is located in a larger area of T4 NM policy with a predominant development pattern of low-intensity residential uses, generally extending north towards Charlotte Avenue and south towards Harding Pike. NashvilleNext also identifies the area as a Neighborhood, where preservation of the neighborhood's physical character is more appropriate than infill development with higher density housing. The proposal is more intense than the immediate surrounding residential uses and creates an inconsistent pattern.

## **PLAN DETAILS**

The site consists of 3 parcels on approximately 1.03 acres. The existing parcels contain residential and accessory structures which are not proposed to remain. The site is located south of Murphy Road at the southern corner of Sloan Road and Westlawn Drive, east of the McCabe Golf Course and Richland Creek Greenway. The site is adjacent (east) to Cherokee Station, an existing residential subdivision in T4 NM policy. The area consists of primarily single-family and scattered two-family residential uses in T4 NM policy, with the exception of existing multi-family development that developed several decades ago, located on the west side of Sloan Road and Westlawn Drive. There is a pocket of nonresidential uses to the north along 46<sup>th</sup> Ave. N. and Murphy Road, located in the T4NC (Neighborhood Center) policy.

The site plan proposes 7 detached units. Units 1 through 5 front Sloan Road and Westlawn Drive, and units 6 and 7 are located behind the street-fronting units at the back of the site, adjacent to Cherokee Station. A 5 foot landscape buffer and fence are proposed along the eastern property line nearest the existing residential properties in Cherokee Station. Open space, including bioretention areas, is located near Units 6 and 7 along the southern and eastern property lines.

Vehicular access is provided from Sloan Road to a shared private drive that is located mid-site. The shared drive feeds into a small surface parking lot located between Units 6 and 7, and to the two-car garages which are proposed on all units. Units 6 and 7 are located behind the shared drive and Units 1 through 5. Pedestrian access is provided from the public streets for Units 1 through 5, and from the private drive for Units 6 and 7. A total of 18 parking stalls are provided, including surface parking and two-car garages.

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 two stories in 35 feet.

## **ANALYSIS**

Staff does not find the proposed plan to be in keeping with the T4 NM policy. The SP proposes multi-family development that is inconsistent with the surrounding residential character, which includes primarily single-family and scattered two-family residential properties. Although there is existing multi-family development located on the west side of Sloan Road, it was developed several decades ago and is not representative of the area's predominant character. Additionally, the multi-family development is located in the RM40 zoning district and is not adjacent to any residential land uses, as the development abuts the McCabe Golf Course and Richland Creek Greenway.

The proposed form and spacing of development on Westlawn Drive is dissimilar to the existing conditions east of the site, characterized by lots or units that are more uniformly spaced along Westlawn Drive. The placement of the street-fronting units results in a more compact development pattern that differs from the established rhythm along the street, inconsistent with the intent of T4 NM policy. Additionally, the plan proposes a higher intensity development pattern that does not effectively transition to the immediately-adjacent (east) residential lots in the Cherokee Station subdivision. Units 6 and 7 are located at the back of the site, situated at an angle near the southern and eastern property lines, and are designed without adequate separation to the adjacent subdivision. Although there will be a landscape buffer and fence, the rear corner of Unit 7 is approximately 5 feet from the eastern property line and is angled towards the front side of an existing lot along Cherokee Station Drive, creating a back-to-side/back-to-front relationship between the developments, inconsistent with policy. Guidance from T4 NM policy also explains that parking should be located behind or beside buildings, screened from view. The proposed surface parking spaces are located directly opposite the Sloan Road entry drive, visible from Sloan Road and also from the front entries of Units 6 and 7.

Overall, staff does not find the proposal to be consistent with the T4 NM policy at this location. The site is located in a larger area of T4 NM policy in an established neighborhood, where there is an expressed interest in maintaining the existing character. The proposed plan does not maintain the established development patterns of the neighborhood.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

**STORMWATER RECOMMENDATION**  
**Approve**

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

- Approved as a Preliminary SP only. Public sewer construction plans must be submitted and approved prior to Final SP approval. (Public water construction plans may be required as well, as this site lies along an undersized - 3-inch - water main. A flow analysis will need to be conducted for this main, to determine if it can serve the extra flow sufficiently.) 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, along the entire property frontage.

**TRAFFIC AND PARKING RECOMMENDATION**  
**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	1.03	7.26 D	9 U	87	7	10

\*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
Multi-Family Residential (210)	1.03	-	7 U	67	6	8

Traffic changes between maximum: **R6 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	-20	-1	-2

**METRO SCHOOL BOARD REPORT**

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

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

The proposed SP zoning is expected to generate one more student than the existing R6 zoning. Students would attend Sylvan Park Elementary School, West End Middle School, and Hillsboro High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends disapproval, as the proposal is inconsistent with the T4 NM policy.

Ms. Rickoff presented the staff recommendation of disapproval.

Michael Garrigan, 516 Heather Pl, spoke in favor of the application and explained that the density is transitional.

Yancy Loveless spoke in favor of the application.

Bernard Pickney, 4604 Dakota Ave, spoke in opposition to the application. These three lots are incompatible with the neighborhood already. Adding another unit makes it even more incompatible.

Michael Garrigan asked for approval. This density is appropriate because it is transitional.

Councilmember Murphy asked for deferral or disapproval in order to have another community meeting.

**Chairman Adkins closed the Public Hearing.**

**Councilmember Bedne moved and Mr. Tibbs seconded the motion to defer to the September 27, 2018 Planning Commission meeting. (6-0)**

**Resolution No. RS2018-199**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-001-001 is deferred to the September 27, 2018 Metro Planning Commission meeting. (6-0)**

**21. 2018SP-048-001**

**ENSLEY BOULEVARD SP** Council

District 17 (Colby Sledge) Staff

Reviewer: Levi Hill

A request to rezone from IWD to SP-R zoning on property located at 1700 4th Avenue South, at the northeast corner of Moore Avenue and Ensley Boulevard (12.03 acres), to permit 130 multi-family residential units, requested by Core Development, applicant; Freeman Investment, L.P., owner.

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

**APPLICANT REQUEST**

**Rezone to SP to permit 130 multi-family residential units.**

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan-Residential (SP-R) zoning on property located at 1700 4th Avenue South, at the northeast corner of Moore Avenue and Ensley Boulevard (12.03 acres), to permit 130 multi-family residential units.

**Existing Zoning**

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

**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.

**SOUTH NASHVILLE COMMUNITY PLAN**

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

Consistent with Policy?

The property is located within the Conservation policy area due to the sites location with the Browns Creek floodplain and floodway. The Conservation policy is intended to preserve environmentally sensitive land features through protection and remediation. The plan proposes remediation and restoration of the riparian area of the property including removal of existing pavement, floodplain compacting, and vegetative plantings, consistent with the goals of the policy. The proposed plan would allow 130 multi-family residential units and associated parking, consistent with the surrounding land use policies for the area.

**PLAN DETAILS**

The site is located at 1700 4th Avenue South, at the northeast corner of Moore Avenue and Ensley Boulevard. The site is approximately 12.03 acres and is currently developed with an industrial storage yard.

Site Plan

The plan proposes 130 multi-family residential units in two stacked flat buildings. A private driveway will provide access to all units.

Access to the site is provided by Moore Avenue and Ensley Boulevard, identified as local and collector, respectively, by the Major and Collector Street Plan. The plan proposes 155 parking spaces, consistent with the parking requirements of the Metro Zoning Code. The proposed buildings will front Ensley Boulevard and will have direct access to the proposed 10 foot sidewalk along the property frontage. Heights would be limited to four stories in 45 feet as measured from finish floor elevation to the highest point of the roof. A total of 6.05 acres is set aside as open space while a 1,250 foot greenway is proposed across the site. Additionally, the plan proposes both internal and perimeter landscaping.

### **ANALYSIS**

The plan is consistent with the site's Conservation policy. A primary intent of CO policy is to remediate environmentally sensitive features that have been disturbed when new development or redevelopment takes place. Remedial situations are most commonly found in the more intensely developed Transect categories, such as T4 Urban. Sites that contain an existing use and/or zoning that is inconsistent with the policies and no longer viable should be rezoned to be more compatible with the applicable policies. In this case, the proposed SP, with a fallback zoning of MUN-A, is more consistent with the surrounding T4 MU policy than the existing IWD zoning.

Site-specific vegetation and topography are used to determine where buildings are best located to minimize environmental disturbance, and sensitive environmental features are incorporated as site amenities. In this case, buildings are located furthest from the floodway and restoration of the riparian zone includes removing the existing pavement, planting deep rooted native grasses and perennials using no-till drill methods consistent with the riparian improvements at Fair Park. In order to enhance the site amenities, the applicant will build a greenway connection from the subject property, across the adjacent MWS property.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with Conditions**

- Special Note is attached to this plat.

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- As all our previous comments have been addressed with the latest SP revision (stamped-received 7/17/18), this case is approved as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- If sidewalks are required then they should be shown on the plans per MCSP and MPW standards and specs.
- Indicate curb and gutter installation along property frontage per ST-200.
- Add note to the plans: There are to be no vertical obstructions (poles, signs, guy wires, etc.) within the sidewalks.
- Submit recorded copy of ROW dedication to the back of sidewalk prior to building permit approval by MPW.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

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

- Both site access drive should include one (1) entering lane and one (1) exiting lane. A 'Stop' sign (R1-1) and stop bar should be installed on the egress approach.
- Install one (1) 'One Way' sign (R6-1) directly across from Site Access 2 on the west side of Ensley Boulevard.
- Install two (2) 'Do Not Enter' signs (R5-1) and two (2) 'Wrong Way' signs (R5-1A) on Ensley Boulevard approximately 50 and 100 feet south of Site Access 2, respectively. The proposed signs should be placed north of the existing 'Reverse Turn' sign located on Ensley Boulevard south of Site Access 2.
- Install one (1) 'Reverse Turn' sign (W1-3) with one (1) '10 MPH' plaque (W13-1P) on the east side of Ensley Boulevard approximately 50 feet north Site Access 2.
- Install two (2) 'Do Not Enter' signs (R5-1) on Ensley Boulevard south of the yield controlled left turn approach from 4th Avenue South.
- Install mini-skip pavement markings for the eastbound and westbound left-turn movement of Moore Avenue at Nolensville Pike/4th Avenue South-Ensley Boulevard in order to distinguish vehicular paths for each movement.
- Residents of the proposed 1700 4th Ave. S. development should be provided free introductory passes for transit service.
- Based on Evaluating Intersection Improvements: An Engineering Study Guide (NCHRP 457), a two-lane approach is warranted under projected conditions for the eastbound approach of Moore Avenue at Nolensville Pike/4th Avenue South-Ensley Boulevard. Therefore, the eastbound approach of Moore Avenue should be striped as separate through/left turn and right turn lanes with a minimum of 50 feet of storage.

- Based on Evaluating Intersection Improvements: An Engineering Study Guide (NCHRP 457), a two-lane approach is not warranted under projected conditions for the westbound approach of Moore Avenue at Nolensville Pike/4th Avenue South-Ensley Boulevard. However, the high traffic volumes along Nolensville Pike/4<sup>th</sup> Avenue South are likely to cause increased delays for residents exiting the development along Moore Avenue during peak hours. Therefore, the westbound approach of Moore Avenue should be widened to include separate through/left turn and right turn lanes. The two-lane approach should extend to Site Access 1.
- Before any improvements to pedestrian facilities are implemented in conjunction with the proposed development, it should be verified that the improvement does not conflict with any plans associated with the Major League Soccer Stadium and Fairgrounds development.
- Developer shall work with MTA to provide a transit shelter along Ensley Blvd frontage.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	12.03	0.8 F	419,221 S.F.	708	76	79

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)	12.03		130 U	942	62	75

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+234	-14	-4

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-R district: 80 Elementary 43 Middle 32 High

The proposed SP-R zoning district would generate 155 additional students than what is typically generated under the existing IWD zoning district. Students would attend Whitsitt Elementary, Wright Middle School, and Glenclyff High School. All 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**

- Permitted uses shall be limited 130 multi-family residential units.
- 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.
- Heights are limited to 4 stories in 45 feet, as measured from the finished floor elevation to the highest point on the roof.
- Comply with all conditions and requirements of Metro agencies.
- Exposed foundations along street frontages shall be screened from visibility via evergreen landscaping. Landscape plans shall be included with submittal of final site plan and approved by Planning staff.
- Applicant shall coordinate with Planning Staff for the final design and construction of a greenway across the adjacent Metro owned property, south along Nolensville Pike. Greenway plans shall be submitted with the Final SP.
- 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 MUN-A zoning district.
- 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.
- 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.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions.

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

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

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

**Resolution No. RS2018-200**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-048-001 is **approved with conditions and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited 130 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 4 stories in 45 feet, as measured from the finished floor elevation to the highest point on the roof.
4. Comply with all conditions and requirements of Metro agencies.
5. Exposed foundations along street frontages shall be screened from visibility via evergreen landscaping. Landscape plans shall be included with submittal of final site plan and approved by Planning staff.
6. Applicant shall coordinate with Planning Staff for the final design and construction of a greenway across the adjacent Metro owned property, south along Nolensville Pike. Greenway plans shall be submitted with the Final SP.
7. 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 MUN-A zoning district.
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.

**22. 2018SP-050-001**

**6280 NEW HOPE ROAD SP**

Council District 12 (Steve Glover)

Staff Reviewer: Abbie Rickoff

A request to rezone from AR2a to SP-R zoning on property located at 6280 N. New Hope Road, west of the terminus of Landings Way (10.0 acres), to permit 53 single-family lots, requested by Dale and Associates, applicant; Wise Group, Inc., owner.

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018SP-050-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**23. 2018SP-051-001**

**6022 ROBERTSON SP**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Jason Swaggart

A request to rezone from R8 to SP-R zoning on property located at 6022 Robertson Road, approximately 105 feet east of Vernon Avenue (0.19 acres), to permit one single-family residential unit and one detached accessory dwelling unit, requested by Councilmember Mary Carolyn Roberts, applicant; Juanita Eileen Gamache, owner.

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



**APPLICANT REQUEST**

**Zone change to permit a single-family residential unit and a detached accessory dwelling unit.**

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Specific Plan – Residential (SP-R) zoning on property located at 6022 Robertson Road, approximately 105 feet east of Vernon Avenue (0.19 acres), to permit one single-family residential unit and one detached accessory dwelling unit.

**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 one lot and one unit.*

**Proposed Zoning**

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a single-family residential unit and a Detached Accessory Dwelling Unit (DADU).

**WEST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings.

T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

Consistent with Policy

Yes. The proposed DADU use in addition to the currently permitted single-family residential use is consistent with the T4 NE policy. The policy supports a variety of housing types such as the proposed DADU. Diversity of housing is critical component in creating viable and diverse communities.

**PLAN DETAILS**

The property is approximately 0.19 acres in size and is located on the north side of Robertson Road in the Charlotte Park area. The lot contains a one story single-family home, and the lots on either side of the subject lot also include single-family homes. The surrounding lots are zoned R8, but there are some commercial and industrial zoning districts in the immediate area.

**ANALYSIS**

Staff recommends approval of the proposed SP. While the property is zoned for two units, two units are not permitted because the property is part of a four lot subdivision that did not specify any two-family lots at the time of subdivision. With the exception of the other three lots that are in the same subdivision as the subject lot, a majority of the surrounding lots permit two units. The proposed DADU is consistent with the policy, and it is consistent with permitted uses for the surrounding area. Furthermore, the proposed DADU will provide an alternative living arrangement to the traditional home and provides for a diversity of housing types.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- This project is required to meet LID regulations before final SP and/or permit.

**WATER SERVICES RECOMMENDATION**

**Approved with conditions**

- As all our previous issues have been addressed, this case is approved as a Preliminary SP only. (If applicable) The applicant may need to 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.

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- Access to both units will be by shared drive off Roberson Road

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)	0.19	5.445	1 U	16	6	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.19		2 U	29	7	3

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
-	-	-	+1 U	+13	+1	+1

**METRO SCHOOL BOARD REPORT**

The proposed SP would not generate any additional students.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

- Permitted uses shall be limited to one single-family home and one detached accessory dwelling unit. Short term rental property (STRP) non-owner occupied is prohibited.
- No more than one curb-cut from Robertson Avenue is permitted.
- The living space of a detached accessory dwelling shall not exceed 775 square feet.
- The footprint of a detached accessory dwelling shall not exceed 800 square feet.
- The height of a detached accessory dwelling shall not exceed two stories.
- No accessory structure shall exceed two hundred square feet when there is a detached accessory dwelling on the parcel.
- No more than one detached accessory dwelling shall be permitted.
- The detached accessory dwelling cannot be divided from the property ownership of the principal dwelling.
- The detached accessory dwelling shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.
- The final site plan requirement is waived, and proposals for any development shall proceed to Codes for all proper permits.
- 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 R8 zoning district as of the date of the applicable request or application.
- A development plan is not required for this SP. Any development shall be reviewed with the building permit.
- The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2018-201**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2018SP-051-001 is **approved with conditions and disapprove without all conditions. (7-0)**

## 24. 2018SP-053-001

### HAMILTON AVENUE TOWNHOMES SP

Council District 17 (Colby Sledge)

Staff Reviewer: Latisha Birkeland

A request to rezone from IR to SP-R zoning on properties located at 630, 634, 638 and 640 Hamilton Avenue, at the northwest corner of Hamilton Avenue and Hagan Street (1.92 acres), to permit 37 multi-family residential units, of which a maximum of 4 units are permitted as live/work units, requested by Catalyst Design Group, applicant; Kerr Brothers and Associates, Inc., owner.

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

#### APPLICANT REQUEST

**Zone change to permit a multi-family development.**

##### Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan – Residential (SP-R) zoning on properties located at 630, 634, 638 and 640 Hamilton Avenue, at the northwest corner of Hamilton Avenue and Hagan Street (1.92 acres), to permit 37 multi-family residential units, of which a maximum of 4 units are permitted to be live/work units.

##### **Existing Zoning**

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

##### **Proposed Zoning**

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

##### **SOUTH NASHVILLE COMMUNITY PLAN**

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

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

##### Consistent with Policy?

Yes. The plan is consistent with the policy. The policy supports a variety of housing types along with a mixture of uses. This site is located approximately 1,100 feet south of Chestnut Street, which is classified as an urban collector arterial street. The proposed plan provides for two types of multi-family residential units with live/work as an option in some units. The conservation policy on the site is mainly location along the western side, abutting the CSX railroad line. These slopes are not a part of a ridge line.

##### **PLAN DETAILS**

The properties located at the northwest corner of Hagan Street and Hamilton Avenue are currently zoned IR. The existing zoning district allows for various industrial uses. The existing uses include warehouse uses.

##### Site Plan

The plan includes up to 37 multi-family residential units, within multiple buildings. Proposed buildings along Hamilton Avenue and Hagan Street will orient to the street. The developer has indicated their desire to include workforce housing. The inclusion of workforce housing is not a factor in the review or recommended approval of this Specific Plan.

The plan includes up to four live/work units within buildings E and F, along Hagan Street and Hamilton Avenue. The standards that the applicant proposes are similar to the Metro Zoning Code standards for Home Occupations; however, the proposal differs from the Code in the following ways:

1. This SP proposes that clients can be served on the property between hours of 8:00 AM and 5:00 PM Monday – Friday.
2. The live/work use shall not occupy more than twenty percent of the total floor area of the structure and in no event more than 800 square feet of floor area, per unit.
3. The SP limits home occupation signage to a four square foot building sign without illumination. All proposed signage specifications and locations shall be required with the final site plan.

The Metro Zoning Code and the proposed plan specify that no more than one part-time or full-time employee not living within the dwelling may work at the home occupation or live/work unit.

Vehicular access to the site is proposed from Hagan Street along the northern property line. The proposed private drive provides vehicular access to the residential units. Sidewalks are proposed along both Hamilton Avenue and Hagan Street and through the site. Sidewalks shall be a minimum width of 5 feet with a minimum 4 foot planting strip, consistent with local street standards. Parking is provided throughout the site in the form of surface parking stalls, garages and on-street parking. All parking standards meet the Metro Zoning Code requirements.

**Analysis**

The proposed plan is at the northwest corner of Hagan Street and Hamilton Avenue in South Nashville. The SP provides two types of multi-family residential uses with modified home occupation uses, which will provide another housing type in the area and support the mixture of uses in the neighborhood. Internal vehicular and pedestrian circulation is provided on-site and along Hamilton Avenue and Hagan Street. The proposal is consistent with the policy goals of creating interconnected, mixed-use areas.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public water (and sewer, if all parcels are not consolidated into one lot for perpetuity) 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 proposed sidewalk, is to be dedicated prior to MPW sign off on the building permit.
- Submit a Mandatory Referral for alley abandonment, build private driveway and sign for 'now entering private property' at entrance.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Reserve ROW for bike lane along Hamilton Ave frontage and construct LTL at Hagen St if feasible or reserve ROW for Future LTL prior to final site plan approval. Dedicate additional 2 ft. of Row on Hagen St frontage if feasible prior to Final Sp. Identify opposing taper for LTL to provide appropriate lane alignment.

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.	125	32	34

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.92		37 U	239	19	25

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+114	-13	-9

**METRO SCHOOL BOARD REPORT**

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

**Projected student generation proposed SP-R district: 13 Elementary 5 Middle 6 High**

The proposed SP zoning is expected to generate 24 more students than the existing IR zoning. Students would attend Fall-Hamilton Elementary School, Wright Middle School and Glenclyff High School. All of the 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. Uses shall be limited to a maximum of 37 residential units, of which a maximum of 4 live/work units are permitted as defined in the revised site plan.
2. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
3. A raised foundation of 18" - 36" shall be required for all residential uses except the four live/work units.
4. Building elevations consistent with the architectural standards and approved preliminary shall be submitted with the submission of the final site plan.
5. The unit at the northwest corner of Hamilton Avenue and Hagan Street shall have façade requirements for both street sides.
6. Height is limited to three stories in 45 feet measured to the highest point of the roof.
7. Comply with all conditions of Public Works and Traffic and Parking.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.
9. The 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.
10. 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.
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. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2018-202**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-053-001is **approved with conditions and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Uses shall be limited to a maximum of 37 residential units, of which a maximum of 4 live/work units are permitted as defined in the revised site plan.
2. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
3. A raised foundation of 18" - 36" shall be required for all residential uses except the four live/work units.
4. Building elevations consistent with the architectural standards and approved preliminary shall be submitted with the submission of the final site plan.

5. The unit at the northwest corner of Hamilton Avenue and Hagan Street shall have façade requirements for both street sides.
6. Height is limited to three stories in 45 feet measured to the highest point of the roof.
7. Comply with all conditions of Public Works and Traffic and Parking.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.
9. The 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.
10. 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.
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. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## 25. 2018SP-054-001

### 927/929 40TH AVENUE NORTH SP

Council District 21 (Ed Kindall)

Staff Reviewer: Gene Burse

A request to rezone from CN to SP-MU zoning on property located at 927 and 929 40th Avenue North, at the southwest corner of Albion Street and 40th Avenue North (0.46 acres), 6 multi-family residential units, 5,000 square feet of retail uses and 1,400 square feet of office uses, requested by Dale and Associates, applicant; Music City Land Trust, owner.

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

#### APPLICANT REQUEST

**Rezone to permit a mixed use development.**

#### Preliminary SP

A request to rezone from Commercial Neighborhood (CN) to Specific Plan-Mixed Use (SP-MU) zoning on property located at 927 and 929 40th Avenue North, at the southwest corner of Albion Street and 40th Avenue North (0.46 acres), to permit 6 multi-family residential units, 5,000 square feet of retail uses and 1,400 square feet of office uses.

#### Existing Zoning

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

#### 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.

#### NORTH NASHVILLE COMMUNITY PLAN

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

#### Consistent with Policy?

Yes. The proposed SP is consistent with the T4 Urban Neighborhood Center policy at this location. T4 Urban Neighborhood Center policy encourages the enhancement of urban centers through providing a mix of uses and improvements for pedestrian, bicycle and vehicular connectivity. This proposal provides a variety of uses that include multi-family residential, office and retail. The plan also provides improvements for pedestrian connectivity.

**PLAN DETAILS**

The site consists of two vacant parcels totaling 0.46 acres, located at the southwest corner of the intersection of 40<sup>th</sup> Avenue North and Albion Street. The proposal includes 6 attached multi-family residential units, 5,000 square feet of retail uses and 1,400 square feet of office uses. This plan incorporates the aforementioned uses in two buildings, one for retail and the other for multi-family residential and office uses. This plan includes associated parking and areas for onsite stormwater mitigation. Sidewalk improvements consistent with Major and Collector Street Plan standards along site frontage on 40<sup>th</sup> Avenue North are included. Sidewalk improvements along site frontage on Albion Street consistent with local standards are also included. This development will have a maximum height of 3 stories within 35 feet as measured to the highest point of the roof. All multi-family residential units as well as office uses and retail uses orient to public streets. Parking is located in the rear of the site with vehicular access from Albion Street. This plan provides a Type B landscape buffer along the western site boundary and a Type A landscape buffer along the southern site boundary.

**ANALYSIS**

This plan proposes to provide additional neighborhood scale non-residential uses within an area that consists of a mix of single-family residential, two-family residential, multi-family residential and some commercial uses. This development proposes attached multi-family residential units as part of a mixed use building that will also provide non-residential uses. Landscape buffers along the western and southern site boundaries separate the site from existing two-family residential development west of the site and an existing commercial use south of the site.

Some of the goals of T4 Urban Neighborhood Center policy include enhancement of urban neighborhood centers and improvement in pedestrian connectivity within urban neighborhoods. This plan accomplishes goals of the policy by providing additional non-residential uses within a 5-minute walk of nearby residential uses and through providing improvements to the sidewalk network within the immediate area. The creation of a neighborhood center that provides a mixture of uses that can serve the immediate neighborhood is a fundamental priority that is being met by this plan. By creating a plan that is enhancing the intersection of 40<sup>th</sup> Avenue north and Albion Street with a variety of uses including non-residential uses and upgrading a portion of the existing sidewalk network, the goals of the policy are being met. Given the additional non-residential uses and improvements to the existing sidewalk network, staff recommends approval with conditions and disapproval without all conditions.

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions.**

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

**STORMWATER RECOMMENDATION**

**Approve with conditions.**

- Before Final SP stage, all new trees must be relocated outside of the existing public sewer easement.
- Before Final SP stage, the proposed Stormwater area must be relocated outside of the existing public sewer easement, and away from any proposed private sewer service lines. (The sewer lines may not cross under any Stormwater features.)

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only, on the following four conditions:
- 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 be paid prior to Final Site Plan/SP approval.
- Before Final SP stage, all new trees must be relocated outside of the existing public sewer easement.
- Before Final SP stage, the proposed Stormwater area must be relocated outside of the existing public sewer easement, and away from any proposed private sewer service lines. (These sewer lines may not cross under any Stormwater features.)

**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.
- Widen drive to a minimum of 22 feet.
- Label recycling container.
- Label sidewalk ramp per ST-320.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide guest parking on site. Sign commercial parking on site.

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

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	0.25 F	5,009 S.F.	318	16	35

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.23		6 U	5	4	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.12		1,400 S.F.	17	28	2

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)	0.11		5,000 S.F.	356	18	39

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+60	+34	+11

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-MU district: 2 Elementary 1 Middle 1 High

The proposed SP zoning district is expected to generate 4 more students than what is typically generated under the existing CN zoning district. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. Each school has been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

The proposed SP is consistent with T4 Urban Neighborhood Center policy at this site; therefore, staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to 6 multi-family residential units, 5,000 square feet of retail uses and 1,400 square feet of offices uses.
2. Sidewalks 8 feet in width and a planting strip 4 feet in width shall be installed along site frontage on 40<sup>th</sup> Avenue North. Sidewalk improvements consistent with local standards shall be installed along site frontage on Albion.
3. Work with Public Works to upgrade the sidewalk ramp located at across the street from the site in the southeast corner of 40<sup>th</sup> Avenue North and Albion Street.
4. Maximum permitted height is 3 stories in 35 feet as measured to the highest point of the roof.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.



8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions.
9. 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. (7-0)**

**Resolution No. RS2018-203**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-054-001 is **approved with conditions and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to 6 multi-family residential units, 5,000 square feet of retail uses and 1,400 square feet of offices uses.
2. Sidewalks 8 feet in width and a planting strip 4 feet in width shall be installed along site frontage on 40<sup>th</sup> Avenue North. Sidewalk improvements consistent with local standards shall be installed along site frontage on Albion.
3. Work with Public Works to upgrade the sidewalk ramp located at across the street from the site in the southeast corner of 40<sup>th</sup> Avenue North and Albion Street.
4. Maximum permitted height is 3 stories in 35 feet as measured to the highest point of the roof.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions.
9. 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.

**26. 2018SP-055-001**

**806 OLYMPIC SP**

Council District 17 (Colby Sledge)

Staff Reviewer: Shawn Shepard

A request to rezone from IWD to SP-MU zoning on properties located at 806 Olympic Street and 1019 8th Avenue South, approximately 150 feet west of 8th Avenue South (0.61 acres), to permit all uses of MUL-A with an overall maximum building height of 5 stories in 60 feet, requested by Fulmer Engineering, LLC, applicant; The Dano Family Investment Services Trust, owner.

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

**APPLICANT REQUEST**

**Rezone to SP to permit all uses of MUL-A with an overall maximum building height of five stories in 60 feet.**

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan – Mixed Use (SP-MU) zoning on properties located at 806 Olympic Street and 1019 8th Avenue South, approximately 150 feet west of 8th Avenue South (0.61 acres), to permit all uses of MUL-A with an overall maximum building height of 5 stories in 60 feet.

**Existing Zoning**

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

## **Proposed Zoning**

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

## **GREEN HILLS – MIDTOWN 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 site is located within in area of T4 CM policy applied along 8<sup>th</sup> Avenue South in order to encourage a greater mix of higher density residential and mixed use along the corridor.

The Major and Collector Street Plan identifies 8<sup>th</sup> Avenue South as an arterial-boulevard and an immediate need, high capacity transit corridor. The proposed SP permits all uses of the MUL-A zoning district, which include residential and mixed use which will help to support existing and future transit service. The SP incorporates all of the standards of the MUL-A zoning district, including building placement and design standards intended to achieve an urban character and enhance the pedestrian realm, but with an exception to the maximum height. The SP proposes an increase in the maximum height in stories normally permitted by MUL-A zoning from three stories in the build-to zone and four stories overall to four stories in the build-to zone and five stories overall. The SP restricts height in feet to 45 feet in the build-to zone and 60 feet overall, consistent with the standard limitations of the MUL-A zoning district. T4 CM supports building heights of three to five stories. The overall maximum of five stories proposed in this SP is consistent with the guidance in the T4 CM policy.

## **PLAN DETAILS**

The site is comprised of two parcels totaling 0.61 acres located on the north side Olympic Street between 8<sup>th</sup> Avenue South and 9<sup>th</sup> Avenue South. Neither parcel has frontage directly on 8<sup>th</sup> Avenue South. Alley #404 forms the western boundary of the site and serves as the only access for Parcel 159, which has no street frontage and is currently vacant. Parcel 164 has frontage directly on Olympic Street and is currently developed with a commercial use. The surrounding properties to the north and east, along 8<sup>th</sup> Avenue South, contain a mix of commercial and industrial uses developed under a mix of commercial, industrial and mixed use zoning districts. Rose Park is located opposite the site on the south side of Olympic Street. A residential neighborhood with a one- and two-family residential development pattern is located across Alley #404 to the west.

The plan is a regulatory Specific Plan and does not include a detailed site plan. The plan permits all uses of the MUL-A zoning district. The bulk standards and other requirements of the Zoning Ordinance applicable to MUL-A would also apply, but the plan permits one additional story of height in the build-to zone and overall than would be permitted under MUL-A zoning. The maximum height in feet is consistent with that permitted by MUL-A.

## **ANALYSIS**

The site is located at the western edge of an area of T4 CM policy which extends north and south along 8<sup>th</sup> Avenue South. The T4 CM policy supports a range of zoning districts depending on location and context, including both MUL-A, on which the proposed SP is based, and more intense mixed use districts such as Mixed Use General (MUG) or Mixed Use General – Alternative (MUG-A). Several parcels to the north and east of the site, along 8<sup>th</sup> Avenue, are currently zoned MUG; however, all of those parcels have frontage along and are oriented to the corridor.

Neither of the parcels comprising the zone change site have frontage directly on 8<sup>th</sup> Avenue South, and the site serves as a transition between the corridor and the neighborhood to the west making a lower intensity of mixed use appropriate. The proposed regulatory SP permits all uses of the MUL-A zoning district. The MUL-A district supports uses that are consistent with the goals of the proposed policy to create vibrant mixed use areas with an urban, pedestrian-friendly form, at a scale appropriate to transition to the adjacent neighborhood.

MUL-A zoning regulates height in terms of both maximum feet and maximum stories, with a maximum of three stories in 45 feet permitted in the build-to zone, and an overall maximum of four stories in 60 feet permitted with a minimum 15-foot step-back.

The residential neighborhood to the west, on the opposite side of Alley #404 is zoned One and Two-Family Residential (R6), which limits buildings to a maximum height of three stories in 45 feet, with up to seven feet of exposed basement, for a total height of 52 feet. The SP limits the height in feet on this site to that permitted by MUL-A zoning, but permits one additional story. The flexibility to accommodate one additional story will allow the applicant to accommodate structured parking and the slight change in topography that occurs from west to east across the site; however, by accommodating the additional story within the maximum height in feet otherwise permitted in MUL-A zoning, the SP ensures that the overall bulk and scale of the building continues to provide an appropriate transition to the neighborhood.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Applicant will submit for capacity with their intended use prior to Final SP. This is a zoning change and thus densities and unit counts are unknown.

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- Provide approved commercial grading permit before final SP.

**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**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.61	0.8 F	21,257 S.F.	80	28	31

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.31		14 U	65	8	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.15	1.0	6,534 S.F.	76	33	9

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)	0.15	1.0	6,534 S.F.	415	21	45

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+476	+34	+34

**METRO SCHOOL BOARD REPORT**

Given the mix of uses permitted by the SP, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to all uses permitted by the Mixed Use Limited – Alternative (MUL-A) zoning district.

2. The maximum height of structures shall be limited to four stories in 45 feet in the build-to zone, a minimum step-back of 15 feet, and an overall maximum of five stories in 60 feet.
3. Sidewalks shall be provided per the requirements of the Metro Zoning Ordinance.
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. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2018-204**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-055-001 is **approved with conditions and disapprove without all conditions. (7-0)**

**CONDITIONS**

1. Permitted uses shall be limited to all uses permitted by the Mixed Use Limited – Alternative (MUL-A) zoning district.
2. The maximum height of structures shall be limited to four stories in 45 feet in the build-to zone, a minimum step-back of 15 feet, and an overall maximum of five stories in 60 feet.
3. Sidewalks shall be provided per the requirements of the Metro Zoning Ordinance.
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. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**27. 2018S-110-001**

**SNYDER 1 LOT SUBDIVISION** Council

District 35 (Dave Rosenberg) Staff

Reviewer: Latisha Birkeland

A request for final plat approval to create one lot on property located at 8517 Cub Creek Road, approximately 5,350 feet southwest of River Road Pike, zoned AR2a (2.43 acres), requested by Southern Precision Land Surveying, Inc., applicant; Janie and Hillman Snyder, owners.

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-072PR-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**28. 2018S-128-001**

**1308 LITTON AVE**

Council District 07 (Anthony Davis)

Staff Reviewer: Levi Hill

A request for final plat approval to create two lots on property located at 1308 Litton Avenue, approximately 300 feet west of Scott Avenue, zoned R6 (0.58 acres), requested by Agee Professional Land Surveying, LLC, applicant; Lesa Smith and Marcus Bright, owners.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Final plat approval to create two lots.**

Final Plat

A request for final plat approval to create two lots on property located at 1308 Litton Avenue, approximately 300 feet west of Scott Avenue, zoned One and Two-Family Residential (R6) (0.58 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 duplex lots for a total of 6 units based on acreage alone. Application of the Subdivision Regulations will result in fewer units.*

**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.

**PLAN DETAILS**

This request is for final plat approval to create two lots on property located at 1308 Litton Avenue. The site currently contains one single-family dwelling unit on a 0.58 acres lot. Lot 1 is proposed to contain 12,540 square feet, and lot 2 is proposed to contain 12,511 square feet.

**ANALYSIS**

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

Zoning Code

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

Street Frontage

The proposed lots have frontage on a public street.

**Community Character**

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

In this instance, the lots created must be equal to or greater than 52.03 feet for the frontage along Litton Avenue. Neither of the proposed lots meets the requirement for lot frontage.

<b>Lot 1 Frontage</b>	
Proposed Frontage	49.50 ft.
Minimum Frontage	50.00 ft.
<b>70% Average</b>	<b>52.03 ft.</b>

<b>Lot 2 Frontage</b>	
Proposed Frontage	49.50 ft.
Minimum Frontage	50.00 ft.
<b>70% Average</b>	<b>52.03 ft.</b>

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

In this instance, the lots must be equal to or greater than 11,586 square feet. Both of the proposed lots satisfy the area requirement for lot compatibility.

Lot 1 Area	
Proposed Size	12,540 sq. ft.
Minimum Size	7,405 sq. ft.
<b>70% Average</b>	<b>11,586 sq. ft.</b>

Lot 2 Area	
Proposed Size	12,511 sq. ft.
Minimum Size	7,405 sq. ft.
<b>70% Average</b>	<b>11,586 sq. ft.</b>

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

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

Agency Review

All review agencies have not recommended approval.

**Harmonious Development**

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

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

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES**

**Returned for Corrections**

For the latest re-plat (stamped-received 7/31/18), our original comments still apply:

- Attached is a copy of the above-referenced subdivision (received on July 16, 2018) on which we have noted our comments.
- The required capacity fees must be paid prior to plat approval (see MWS letter to Openworks, dated 6/26/2018, for details).

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

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

Mr. Hill presented the staff recommendation of disapproval.

Will Rosenthal, representing applicant, spoke in favor of the application.

**Chairman Adkins closed the Public Hearing.**

Mr. Gobbell expressed concerns with the rhythm of the street.

Mr. Tibbs spoke in opposition because it is not compatible.

Mss. Farr suggested deferral in order to look at the lots across the street to determine compatibility.

**Ms. Farr moved and Mr. Tibbs seconded the motion to defer to the September 27, 2018 Planning Commission meeting and direct staff to evaluate frontage across Litton for lots oriented to Litton to determine if the proposed subdivision is compatible with that area. (6-0)**

**Resolution No. RS2018-205**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-128-001 is **deferred to the September 27, 2018 Planning Commission Meeting and direct staff to evaluate frontage across Litton oriented to Litton to determine if the proposed subdivision is compatible with that area. (6-0)**

**29. 2018S-130-001**

**SUNNY ACRES SUBDIVISION AMENDMENT**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Jason Swaggart

A request to amend a previously approved plat by removing reserve parcel status on property located at 2756 Windemere Drive, at the northwest corner of Windemere Drive and Renee Drive, zoned RS30 (1.48 acres), requested by Kelly and Lana Bellar, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend subdivision plat to remove the reserve status from a parcel of land.**

Subdivision Amendment

A request to amend a previously approved plat by removing reserve parcel status on property located at 2756 Windemere Drive, at the northwest corner of Windemere Drive and Renee Drive, zoned Single-Family Residential (RS30) (1.48 acres).

**Existing Zoning**

Single-Family Residential (RS30) requires a minimum 30,000 square foot lot and is intended for single-family dwellings at a density of 1.23 dwelling units per acre. *RS30 would permit a maximum of one unit.*

**REQUEST DETAILS**

The property is located at the northwest quadrant of Windemere Drive and Renee Drive. The property backs up to Two Rivers Parkway. The property is part of Section Two, Sunny Acres Subdivision. The subdivision was recorded in 1957. The subdivision includes 35 lots and two reserve parcels. The plat does not specify why the lots were reserved. The subject property is made up of Lot 19 and a reserve parcel. The lot and reserve parcel were previously combined by deed.

This application has been initiated by the property owner so that an addition can be constructed on the back of the existing house. Since the back portion of the property is a reserve parcel, nothing can be constructed on it, including an addition to the existing home. By removing the reserve status an addition to the back of the home would be permitted.

**ANALYSIS**

Staff is recommending approval of the request. The request will simply permit an addition to be constructed at the rear of the existing home. The removal of the reserve status would not permit an additional residential unit, nor could the property be subdivided once the reserve status is removed. The applicant has also furnished letters from the adjacent neighbors to the west and the east indicating that they have no objections to the request.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved, on the condition only one single-family unit is active on this parcel.

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC & PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2018-206**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018S-130-001 is **approved. (7-0)**

**30. 2005UD-005-006**

**BEDFORD HOTEL**

Council District 25 (Russ Pulley)  
Staff Reviewer: Jessica Buechler

A request for final site plan approval for a portion of the Bedford Avenue Urban Design Overlay on property located at 3818 Bedford Avenue, approximately 420 feet northeast of Abbott Martin Road, zoned MUL (0.87 acres), to permit a hotel, requested by Barge Cauthen and Associates, Inc., applicant; Edward Ewing, owner.

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting or disapprove.**

**The Metropolitan Planning Commission deferred 2005UD-005-006 to the September 13, 2018, Planning Commission meeting. (7-0)**

**31. 2005UD-006-037**

**31ST AND BELWOOD**

Council District 21 (Ed Kindall)  
Staff Reviewer: Eric Hammer

A request to modify the 31st Avenue & Long Boulevard Urban Design Overlay on property located at 215 B 31st Avenue North, at the corner of 31st Avenue North and Belwood Street, zoned RM40 (0.33 acres) to permit the reduction of front yard setbacks, requested by rootARCH, PLLC, applicant; Ross Schilling, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

UDO Modification

A requested modification to the standards of the 31st Avenue & Long Boulevard Urban Design Overlay on property located at 215 31st Avenue North, at the corner of 31st Avenue North and Belwood Street, zoned Multi-Family Residential (RM40) (0.33 acres) to permit the reduction of front yard setbacks.

**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 13 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. 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 at the northwest corner of 31<sup>st</sup> Avenue North and Belwood Street. The property has 100 feet of frontage on 31<sup>st</sup> Avenue North, 162.4 feet of frontage on Belwood Street and alley access in the rear.



The property will dedicate 6" of right-of-way on Belwood Street and will dedicate 2.5 feet on 31<sup>st</sup> Avenue North to meet Metro requirements. The project consists of eight townhomes with 14 enclosed parking spaces and five surface parking spaces. The property has frontage on 31<sup>st</sup> Avenue North and Belwood Street and on-street parking is available within both rights-of-way. Vehicular access is taken from a rear alley.

The 31<sup>st</sup> Avenue & Long Boulevard UDO is divided into subdistricts and standards apply to building types within sub-districts. The property is within the G-1 General subdistrict, which is intended to remain predominantly residential with a consistent streetscape without sacrificing variety in housing type and design. Design standards are not the same for every property because the streets have a variety of character.

A 15 foot front yard build-to is required for townhomes within the G-1 subdistrict. The applicant has requested a 13 foot build-to for Unit 4, a 9 foot 6.5 inch build-to for Unit 5, and a 12 foot 6 inch build-to for Unit 8. The UDO also permits balconies, porches, stoops, and other architectural protrusions to additionally encroach up to 10 feet from the front property line. The applicant is requesting that protrusions for Units 4 and 8 be allowed to encroach up to 8 feet from the front property line. All other units comply with the standards of the UDO.

#### **DESIGN REVIEW COMMITTEE RECOMMENDATION**

Previously, the applicant was seeking a series of modifications including modifications to the front setback standard for several units and the side yard setback of Unit 8. The 31<sup>st</sup> Avenue & Long Boulevard Design Review Committee (DRC) met July 2, 2018 to discuss the project. After receiving guidance from the DRC, the applicant requested to defer the application to the next meeting. The applicant revised their plans and came before the DRC a second time on August 6, 2018. After a discussion regarding the revisions, the DRC recommended approval of the request, with the condition that the applicant shift a portion of the site layout 2 feet towards Belwood Street to maintain the 5 foot required side yard setback. The applicant submitted revised plans that conform to that recommendation.

#### **ANALYSIS**

The property is located on the corner of Belwood Street and 31<sup>st</sup> Avenue North. 31<sup>st</sup> Avenue North is a high intensity corridor, especially at its intersection with Long Boulevard. By contrast, most of Belwood Street is located within the G-4 General subdistrict, which requires deep setbacks and less intense building types. This parcel is located between these two areas and development on the site should make an appropriate transition in intensity and form. The applicant is requesting modifications to the front yard setback standard for townhouse Units 4, 5, and 8.

Unit 8 is adjacent to the West End Village apartments to the immediate north, which are positioned less than 5 feet from their front property line. The applicant is requesting the modification to reduce the front yard setback from a build-to of 15 feet to 12 feet 6 inches, which will aid in the transition between the two properties. Unit 5 is positioned at the corner of the property and is challenged by the angle at which Belwood and 31<sup>st</sup> Avenue North intersect.

The applicant has requested a modification to reduce the required build-to at various points from 15 feet to a maximum 9 feet 6.5 inches. As the façade turns the corner onto Belwood, it gradually transitions to the 15 feet required by the UDO. Unit 4 is directly adjacent to Unit 5 and the applicant is requesting the modification to reduce the build-to from 15 feet to 13 feet. The purpose of this is to break up the building facades and transition from Unit 5 to Units 1-3, which are located at the 15 foot build-to required by the UDO.

As the application provides an adequate transition from 31<sup>st</sup> Avenue North to Belwood Street and has been revised to fully meet the concerns of the 31<sup>st</sup> Avenue & Long Boulevard Design Review Committee, staff is supportive of the proposed modifications.

#### **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 UDO/Site Plan only, contingent on these new building locations not interfering with any water or sewer infrastructure. The required capacity fees must also be paid prior to Final Site Plan/UDO approval.

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve with Conditions**

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

## TRAFFIC AND PARKING RECOMMENDATION

Approve

## STAFF RECOMMENDATION

Staff recommends approval of the modification. The request is consistent with the intent of the UDO and allows the project to make an appropriate transition from the highest intensity area to a lower intensity area.

Mr. Tibbs moved and Mr. Gobbell seconded the motion to approve. (6-0)

Approve. Consent Agenda. (6-0)

### Resolution No. RS2018-207

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-006-037 is **approved. (6-0)**

## 32. 2013UD-002-015

### POPEYES RESTAURANT

Council District 33 (Antoinette Lee)

Staff Reviewer: Justin Wallace

A request to modify the Murfreesboro Pike Urban Design Overlay on property located at 3550 Murfreesboro Pike, approximately 465 feet northwest of Pin Hook Road, zoned CS (0.99 acres), to permit a modification of the frontage width standard, requested by Cambridge Franchise Holdings, applicant; Mt. View Marketplace, LLC, owner.

**Staff Recommendation: Approve with conditions.**

### APPLICANT REQUEST

**Modification of the frontage width standard of the Murfreesboro Pike Urban Design Overlay.**

#### UDO Major Modification

A request for a major modification to the Murfreesboro Pike Urban Design Overlay District standards on property located at 3550 Murfreesboro Pike, approximately 400 feet northwest of Pin Hook Road, zoned Commercial Services (CS) (0.99 acres), to permit a modification of the frontage width standard.

#### **Existing Zoning**

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

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

#### **ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

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

#### Consistent with Policy?

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

#### **PLAN DETAILS**

The property is approximately 0.99 acres located at 3550 Murfreesboro Pike, approximately 400 feet northwest of Pin Hook Road. The proposed project is an approximately 2,500 square foot quick service restaurant with drive through, which is consistent with allowable uses permitted under Commercial Services District.

#### **ANALYSIS**

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

Façade Width

The property’s frontage along Murfreesboro Pike is approximately 213 feet long, and a 45% façade width would equate to a building façade that is approximately 96 feet wide. The applicant is proposing a building façade width of 39 feet.

The proposed orientation of the building results in a design that prioritizes the pedestrian experience over vehicular movements, which is consistent with the intent of the UDO. The orientation results in a pedestrian-friendly frontage condition along Murfreesboro Pike that includes a pedestrian entrance both visible and accessible from the sidewalk, an appropriate amount of windows along the front of the building, and an active dining area that relates well to the street. Meanwhile, back-of-house functions such as kitchen, bathrooms, and drive-thru areas are situated to the rear and away from the street. Because back-of-house functions often result in exterior walls with restricted amounts of glazing and a blank wall effect, the proposed orientation mitigates the overall visual impact these functions might otherwise have along Murfreesboro Pike.

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

**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 as a Preliminary Site Plan/UDO Modification only.
- For the latest Preliminary UDO/Site Plan revision (stamped-received 7/31/18), our previous conditional approval still applies.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval of the request to modify the frontage width standard with conditions.

**CONDITIONS**

1. A UDO final site plan approval is required before building permits, consistent with any approved modifications granted, and all unmodified UDO standards.

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

**Resolution No. RS2018-208**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-015 is **approved with conditions. (6-0-1)**”

**CONDITIONS**

1. A UDO final site plan approval is required before building permits, consistent with any approved modifications granted, and all unmodified UDO standards.

**33. 79-87P-002**

**CALUMET (REVISION)**

Council District 33 (Antoinette Lee)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan for a Planned Unit Development Overlay District on property located at Hamilton Church Road (unnumbered), north of the terminus of Buckpasser Avenue, zoned RS10 (2.57 acres), to permit six single-family lots, requested by Dale and Associates, applicant; Daniel Michael and Fahem Eryan, owners.

**Staff Recommendation: Approve with conditions.**

## APPLICANT REQUEST

### Revise a portion of a Planned Unit Development to permit six single-family lots.

#### Revise PUD

A request to revise the preliminary plan for a Planned Unit Development Overlay District on property located at Hamilton Church Road (unnumbered), north of the terminus of Buckpasser Avenue, zoned RS10 (2.57 acres), to permit six single-family lots.

#### **Existing Zoning**

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 11 units. The PUD controls the number of units. This phase of the PUD allows up to 12 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. 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 provisions 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 provisions of essential utilities and streets.

#### **PLAN DETAILS**

The site is located north of the intersection of Hamilton Church Road and Buckpasser Avenue on an approximately 2.57 acre parcel. Council approved the original PUD in 1987, and it has received numerous revisions. The PUD permits single-family residential uses and 8 out of the 9 phases are built. On March 23, 2017, the Planning Commission approved a revision to Phase 9 to permit 12 single-family lots. This request is to make a revision to that plan.

#### Site Plan

The plan proposes six single-family lots. Lots range in size from 11,588 square feet to 12,384 square feet. All lots will front towards Hamilton Church Road. While each lot is oriented to Hamilton Church Road, individual driveways are not proposed. Access for all six lots will be from a shared access easement. The driveway easement connects to Hamilton Church Road along the western and rear property boundary, and runs along the rear of each lot.

A six foot sidewalk and six foot planting strip is proposed along Hamilton Church Road, consistent with the Major and Collector Street Plan. A one foot ROW dedication along Hamilton Church Road is also proposed consistent with the Major and Collector Street Plan.

#### **ANALYSIS**

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with and meets all of the criteria of Section 17.40.120. These standards are provided below for review.

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.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

##### **Returned for corrections**

- Show Water Quality Concept, Label and Show all Storm Water features (Include Water Quality units, Swales, Bio-Retention and Detention Ponds Etc.)

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve**

#### **TRAFFIC & PARKING RECOMMENDATION**

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

- Lot access drives shall be via shared access easement.

#### **WATER SERVICES RECOMMENDATION**

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

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

#### **STAFF RECOMMENDATION**

Staff recommends deferral to the September 13, 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**

1. A six foot wide sidewalk and six foot wide planting strip shall be installed along Hamilton Church Road.
2. Access shall be from the shared access easement only. No individual driveways shall be permitted to Hamilton Church Road.
3. 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.
4. This approval does not include any signs. Signs in planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
5. 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.
6. 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. (7-0)**

**Resolution No. RS2018-209**

"BE IT RESOLVED by The Metropolitan Planning Commission that 79-87P-002 is **approved with conditions. (7-0)**

**CONDITIONS**

1. A six foot wide sidewalk and six foot wide planting strip shall be installed along Hamilton Church Road.
2. Access shall be from the shared access easement only. No individual driveways shall be permitted to Hamilton Church Road.
3. 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.
4. This approval does not include any signs. Signs in planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
5. 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.
6. 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.

**34. 2018Z-064PR-001**

Council District 05 (Scott Davis)  
Staff Reviewer: Shawn Shepard

A request to rezone from RS5 to R6-A zoning on property located at 114 Lucile Street, approximately 380 feet east of Dickerson Pike (0.17 acres), requested by Lanning Shane Whitehead, applicant and owner.

**Staff Recommendation: Disapprove.**

**The Metropolitan Planning Commission deferred 2018Z-064PR-0011 to the September 13, 2018, Planning Commission meeting. (7-0)**

**35. 2018Z-073PR-001**

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

A request to rezone from RS5 and IR to MUL-A zoning on properties located at 707, 709, 711, 715, 717 26th Avenue North, 2600, 2604 and 2606 Clifton Avenue, at the northwest corner of 26th Avenue North and Clifton Avenue (1.39 acres), requested by Catalyst Design Group, applicant; Nick Dorrol, E3 Construction Services, LLC and Jeffery Hampton, owners.

**Staff Recommendation: Defer to the September 13, 2018, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-073PR-001 to the September 13, 2018, Planning Commission meeting. (7-0)**

**36. 2018Z-074PR-001**

Council District 15 (Jeff Syracuse)  
Staff Reviewer: Latisha Birkeland

A request to rezone from R10 to RM20-A zoning on property located at Spence Court (unnumbered), east of the terminus of Spence Court (3.56 acres), requested by Torque Development, LLC, applicant; Hopp, Stanley and Torque Development Group, LLC, owners.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred 2018Z-074PR-001 indefinitely. (7-0)**

### 37. 2018Z-075PR-001

Council District 15 (Jeff Syracuse)

Staff Reviewer: Latisha Birkeland

A request to rezone from RS10 to RM40 zoning on properties located at 2303 Lebanon Pike, Lebanon Pike (unnumbered) and 100 Blue Hills Drive, north of the terminus of Blue Hills Drive, within the Downtown Donelson Urban Design Overlay (3.58 acres), requested by Dale and Associates, applicant; BNA Investments, LLC, James Deatrick, Daryl Spicer, Marilee and Gary Dye, owners.

**Staff Recommendation: Approve.**

#### APPLICANT REQUEST

**Rezone from RS10 to RM40.**

#### Zone Change

A request to rezone from Single-Family Residential (RS10) to Multi-family Residential (RM40) zoning on properties located at 2303 Lebanon Pike, Lebanon Pike (unnumbered) and 100 Blue Hills Drive, north of the terminus of Blue Hills Drive, within the Downtown Donelson Urban Design Overlay (3.58 acres).

#### **Existing Zoning**

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 15 units.*

Downtown Donelson Urban Design Overlay (UDO) is intended to foster pedestrian friendly mixed-use development along the Lebanon Pike corridor through design standards for buildings, lots, access, parking, landscaping and signage. The UDO is organized into seven subdistricts that are each envisioned to have unique character and development standards. The proposed project is located within Subdistrict 4 of the UDO. The intent of this Subdistrict is to create development along the Lebanon Pike corridor that preserves the residential and civic character of these areas, while providing additional housing choice that accommodates various lifestyle options of residents in the area.

#### **Proposed 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 143 units.*

#### **DONELSON-HERMITAGE-OLD HICKORY 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.

#### Consistent with Policy?

This rezoning request is consistent with the proposed policy. The RM40 zoning district is an appropriate zoning under the T4 Urban Residential Corridor policy given the prominent location along Lebanon Pike.

#### **ANALYSIS**

This property is located at the southeast corner of Lebanon Pike and Briley Parkway in Donelson. An existing single-family residence is located on the property. The property is located on an active corridor with an MTA stop at the northeast corner of the property. The current RS10 zoning district permits single-family residential uses only. The requested RM40 zoning would allow for additional housing choice, bringing the property closer to goals of the T4 Urban Residential Corridor policy and the intent of the Downtown Donelson Urban Design Overlay District.

The Downtown Donelson Urban Design Overlay District will provide design guidance, including building placement and architectural treatment, parking and access standards, and landscape and buffering standards. Projects within an UDO will be required to go through a final site plan process to ensure compliance with the intent of the UDO. If a project is determined to not meet the standards of the UDO, the application may be required to go through a public process for a modification.

#### **FIRE MARSHAL 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: **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)	3.58	4.35	15 U	182	16	17

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	3.58		143 U	1041	68	82

Traffic changes between maximum: **RS10 and RM40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+128 U	+859	+52	+65

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS10 district: **1 Elementary 1 Middle 1 High**

Projected student generation proposed RM40 district: **52 Elementary 39 Middle 36 High**

The proposed RM40 zoning district would generate 124 more students than what is typically generated under the existing RS10 zoning district. Students would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. McGavock High School has been identified as over capacity. There is capacity within the cluster for high school students. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2018-210**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-075PR-001 is **approved. (7-0)**

**38. 2018Z-076PR-001**

Council District 08 (Nancy VanReece) Staff Reviewer:  
Gene Burse

A request to rezone from RS10 to RM9-A zoning on property located at 206 Ben Allen Road, approximately 285 feet east of Morning Side Drive (0.78 acres), requested by Rhythm Homes and Development, LLC, applicant; Vernon W. Hayes, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS10 to RM9-A.**

Zone Change

A request to rezone from Single-Family Residential (RS10) to Multi-Family Residential (RM9-A) zoning on property located at 206 Ben Allen Road, approximately 285 feet east of Morning Side Drive (0.78 acres).

**Existing Zoning**

Single-Family Residential (RS10) zoning requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 4.35 dwelling units per acre. *RS10 would permit a maximum of 3 single-family residential lots based on acreage alone. Application of the Subdivision Regulations may result in fewer lots.*



**Proposed Zoning**

Multi-Family Residential-Alternative (RM9-A) is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM9-A would permit a maximum of 7 units.*

**EAST NASHVILLE COMMUNITY PLAN**

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

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

Consistent with Policy?

Yes. The proposed rezoning is consistent with the T4 Urban Neighborhood Evolving policy at this location as it allows for appropriate design standards that relate to vehicular site access. The redevelopment of the site will provide opportunities for additional housing choices in the immediate area. This request creates an opportunity for additional development in areas served by existing infrastructure.

**ANALYSIS**

The property is located on 0.78 acres, approximately 285 feet east of Morning Side Drive. Existing site conditions include a single-family house. The site is located 1,000 feet from an existing MTA bus stop located at the intersection of Dickerson Pike and Ben Allen Road. Surrounding land uses consist primarily of single-family residential with some two-family residential, multi-family residential and commercial uses as well as vacant properties. Adjacent zoning districts include Specific Plan-Residential, Commercial Service (CS), and Single-Family Residential (RS10) zoning.

The RM9-A zoning district provides design standards that will enhance the character of the neighborhood when redevelopment occurs. Some of the design standards include raised foundations and vehicular site access. The intent of the T4 Urban Neighborhood Evolving policy is 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. Rezoning this parcel to RM9-A will provide an opportunity for this site to provide additional housing choices within the immediate area.

**FIRE DEPARTMENT 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 time of development

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)	0.78	4.35	3 U	42	7	4

Maximum Uses in Proposed Zoning District: **RM9-A**

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)	0.78		7 U	91	10	8

Traffic changes between maximum: **RS10 and RM9-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+4 U	+49	+3	+4

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RM9-A district: 5 Elementary 2 Middle 3 High

The proposed RM9-A zoning is expected to generate 10 more students than the existing RS10 zoning district. Students would attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood 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**

Staff recommends approval as the request is consistent with the T4 Neighborhood Evolving policy of the East Nashville Community Plan.

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

**Resolution No. RS2018-211**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-076PR-001is **approved . (7-0)**

**39. 2018Z-077PR-001**

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Patrick Napier

A request to rezone from R20 to IWD zoning on property located at 2775 Couchville Pike, approximately 625 feet West of the intersection of Bell Road and Couchville Pike (1.00 acre), requested by Hamilton Creek Development Company, LLC, applicant; Kenneth Burd Jr., owner

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R20 to IWD.**

Zone Change

A request to rezone from One and Two-Family Residential (R20) to Industrial Warehousing/Distribution (IWD) zoning on property located at 2775 Couchville Pike, approximately 625 feet west of the intersection of Bell Road and Couchville Pike (1.00 acre).

**Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. R20 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.

**Proposed Zoning**

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

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

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

Consistent with Policy?

Yes. The policy supports light industrial uses in appropriate locations. District Employment Center policy is intended for non-retail uses that create economic activity. The proposed zone change would allow various uses pertaining to wholesaling, warehousing and bulk distribution uses, which are appropriate in the District Employment Center policy. The current zoning of the property is inconsistent with the policy and rezoning moves the property closer to the goals of the policy.

**ANALYSIS**

The request is to rezone property located 625 feet west of the intersection of Bell Road and Couchville Pike. The property contains a single family residential structure.

The requested rezoning to IWD is consistent with the policy for the area and is appropriate given the adjacent IWD zoning and the surrounding policy which will enable surrounding parcels to rezone to industrially oriented uses in the future.

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. Currently there are no sidewalks fronting the subject parcels. Sidewalks, which meet the criteria of the Major and Collector Street Plan, may be required with the redevelopment of this parcel.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic study may be required at time of development

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	1.0	2.17 D	4 U	54	8	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.0	0.8 F	34,848 S.F.	101	30	33

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+47	+22	+28

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2018-212**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-077PR-001 is **approved . (7-0)**”

**40. 2018Z-079PR-001**

Council District 17 (Colby Sledge)

Staff Reviewer: Abbie Rickoff

A request to rezone from IWD to MUL-A zoning on property located at 924 Vine Street, at the northeast corner of Bass Street and Oak Street (0.6 acres), requested by Gamble Design Collaborative, applicant; Construction Enterprises, Inc., owner.

**Staff Recommendation: Approve.**

## **APPLICANT REQUEST**

### **Zone change from IWD to MUL-A**

#### Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed-Use Limited- Alternative (MUL-A) zoning on property located at 924 Vine Street, at the northeast corner of Bass Street and Oak Street (0.6 acres).

#### **Existing Zoning**

Industrial Warehousing/Distribution (IWD) is intended to provide opportunities for wholesaling, warehousing and bulk distribution uses.

#### **Proposed Zoning**

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

## **SOUTH NASHVILLE COMMUNITY PLAN**

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

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

#### Consistent with Policy?

The rezoning is consistent with the T4 MU policy, which is intended to provide moderate density residential development and non-residential development in areas that are envisioned to become primarily mixed-use. The site is located in a larger area of T4 MU policy (south and east), adjacent to Open Space policy associated with Fort Negley (west). The site is also located in an area identified by NashvilleNext as transition or infill, midway from two Tier 1 Centers.

The first Center (north) encompasses the downtown area north of I-40, and the second Center (south) is located south of Chestnut Street, east of I-65. Areas identified as transition or infill are appropriate for higher density residential and non-residential development, particularly when located in close proximity to Centers. The Conservation policy present on the site indicates the presence of potential steep slopes. Conservation policy provides guidance for development of sites with environmental features when the site is surrounded by or adjacent to Tiered Centers and Priority Corridors, stating whenever possible, a balance should be struck between protecting sensitive environmental features and development. The policy goes on to state that the balance in this Transect tips more toward the function and development pattern of the surrounding or adjacent Tiered Center than toward the preservation or remediation of the sensitive environmental features.

Additionally, the existing IWD zoning is inconsistent with the policy and allows for uses that are not in keeping with the goals of mixed-use policy areas. The proposed zoning allows for a mixture of uses, including commercial and residential, at a scale that enhances the pedestrian realm, which is in keeping with the T4 MU policy.

## **ANALYSIS**

The 0.6-acre site currently contains a warehouse and is located south of I-40 and east of I-65, at the corner of Bass and Oak Streets. The site is located opposite (north) of Fort Negley and the Adventure Science Center, just south of downtown. The property is adjacent to an existing rail line (east) and unimproved right-of-way, Vine Street (west), which runs parallel with the western property line and feeds into a surface parking lot behind the site.

The adjacent rail line is generally the dividing line between more intense industrial and non-residential uses (north and east) and less intense community/park uses, including Fort Negley, the Adventure Science Center, and the former Greer Stadium (south).

The requested rezoning to MUL-A is consistent with the policy for the area and is appropriate given the surrounding land uses and land use policies. Permitted uses under the MUL-A zoning district include residential, mixed-use, office, institutional, and light industrial. These uses are consistent with the intent of the policy, and the bulk and design standards associated with MUL-A zoning will ensure mixed-use development is amenable to pedestrians by creating a vibrant public realm. The existing IWD zoning district is not consistent with the policy, as it does not provide these opportunities.

## **FIRE MARSHAL 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: **IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.6	0.8 F	20,908 S.F.	79	28	31

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.3		13 U	58	7	10

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)	0.15	1.0	6,534 S.F.	76	33	9

Maximum Uses in Proposed Zoning District:

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.15	1.0	6,534 S.F.	415	21	45

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+470	+33	+33

**SCHOOL BOARD REPORT**

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

Projected student generation proposed MUL-A district: 5 Elementary 2 Middle 2 High

The proposed MUL-A zoning district will generate 9 additional students than what would be generated under the existing IWD zoning, assuming 50% of the floor area is utilized for non-residential uses. Students would attend Falls-Hamilton Enhanced Option Elementary School, Wright Middle School, and Glenclyff High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval, as the requested zone change is consistent with the T4 Mixed Use Neighborhood land use policy.

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

**Resolution No. RS2018-213**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-079PR-001is **approved . (7-0)**

## 41. 2018Z-080PR-001

Council District 05 (Scott Davis)  
Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to R6 zoning on properties located at 1408 and 1430 Rosedale Avenue, approximately 130 feet north of Crockett Street (0.3 acres), requested by Councilmember Scott Davis, applicant; Frances L. Woods, owner.

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Zone change from RS5 to R6.**

#### Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential (R6) zoning on properties located at 1408 and 1430 Rosedale Avenue, approximately 130 feet north of Crockett Street (0.3 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 two units.*

#### **Proposed 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 two duplex lots for a total of four units.*

### 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.

#### Highland Heights Study

The subject properties are within the Highland Heights Study which was adopted by the Planning Commission on June 14, 2018. The study is a supplement to the East Nashville Community plan, and it provides more detailed guidance for the study area. It more specifically addresses land use, transportation, and community design at the neighborhood scale. The study area is divided into several subdistricts, and includes a building regulating plan for appropriate building types for each subdistrict. The subject properties are within Subdistrict R3. The building regulating plan supports single-family, two-family and Detached Accessory Dwellings in the R3 Subdistrict.

#### Consistent with Policy

The proposed zone change from a single-family zoning to a two-family zoning for the two properties is consistent with the T3 NM policy. The immediate area includes a variety of single and two-family residential units. Adding two additional two-family lots is not inconsistent with the existing character. Also, two-family homes are supported by the recently adopted Highland Heights Study.

### ANALYSIS

Staff is recommending approval of the proposed R6 zoning district for both properties. The proposed R6 zoning district is consistent with the T3 NM policy and the Highland Heights Study.

### FIRE MARSHAL RECOMMENDATION

**Approved with conditions**

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

### TRAFFIC & PARKING RECOMMENDATION

**Approved with conditions**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.3	8.71 D	2 U	29	7	3

Maximum Uses in Proposed Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.3	7.26 D	4 U	54	8	5

Traffic changes between maximum: RS5 and R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+25	+1	+2

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed R6 district: 1 Elementary 1 Middle 1 High

The proposed R6 zoning district would generate three more students than what is typically generated under the existing RS5 zoning district. Students would attend Shwab Elementary, Jere Baxter Middle School and Maplewood High School. None of the schools have been identified as being over capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval.

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

**Resolution No. RS2018-214**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-080PR-001is **approved . (7-0)**

**42. 2018Z-082PR-001**

Council District 05 (Scott Davis)

Staff Reviewer: Shawn Shepard

A request to rezone from RS10 to RM20-A zoning on properties located at 433 and 435 East Trinity Lane, at the northwest corner of Jones Avenue and East Trinity Lane (0.61 acres), requested by Land Development Solutions, applicant; Doug, Laura, Irene Shirley and Jesse Betty, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS10 to RM20-A.**

Zone Change

A request to rezone from Single-Family Residential (RS10) to Multi-Family Residential – Alternative (RM20-A) zoning on properties located at 433 and 435 East Trinity Lane, at the northwest corner of Jones Avenue and East Trinity Lane (0.61 acres).

**Existing Zoning**

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

**Proposed Zoning**

Multi-Family Residential – Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of 12 units.*

**EAST NASHVILLE 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.

Consistent with Policy?

The rezoning is consistent with the T4 RC policy, which is intended to enhance residential corridors that develop over time with higher intensity residential housing types that frame the corridor. The proposed zoning allows for a multi-family residential uses at a scale appropriate to frame the corridor and transition into nearby, lower intensity residential areas. The building placement and design standards included in the Alternative district requested will help create a walkable neighborhood and a pedestrian-friendly, urban streetscape, consistent with the goals of the policy.

**ANALYSIS**

The site is located at the northwest corner of the intersection of East Trinity Lane and Jones Avenue, approximately 0.35 miles west of Ellington Parkway. The site is comprised of two parcels, one vacant, and one developed with a single-family residential unit. Both parcels are oriented to East Trinity Lane. East Trinity is designated in the Major and Collector Street Plan as an urban arterial-boulevard. An existing MTA route runs along Jones Avenue, with a stop on the corner of the site. Surrounding properties along East Trinity Lane are primarily developed with single-family residential and institutional uses, with scattered office and commercial uses, including at the southeast corner of East Trinity and Jones Avenue.

In evaluating the requested rezoning, staff examined the site location and context. The neighborhood to the north of the site is within an area of T4 Neighborhood Maintenance policy, but the existing land use pattern includes a mix of single-family and two-family residential uses, including an existing duplex adjacent to this site. This site has frontage on a major arterial-boulevard and is located on a corner at an intersection with existing transit service, making it an appropriate place to incorporate additional residential intensity consistent with the goals of the T4 RC policy.

The land use policies for properties on the south side of East Trinity were recently updated with the Planning Commission’s adoption of the Highland Heights Study in June of 2018. The properties on the south side of East Trinity, opposite the site, are also within an area of T4 Residential Corridor policy, and within the R6 subdistrict of the Building Regulating Plan. The R6 subdistrict supports a variety of residential housing types, including townhouse and low-rise or mid-rise flats, and is intended to encourage redevelopment of the East Trinity Lane frontage in order for the corridor to evolve into a higher density residential development pattern. Although this site is outside of the Highland Heights area, the requested RM20-A zoning permits uses and a development pattern consistent with that encouraged by the land use policy on the south side of the street.

The bulk and building placement standards associated with the RM20-A district ensure that development addresses the pedestrian realm and limits the amount of parking between the building and the street, consistent with the goals of the T4 RC policy. The multi-family residential uses permitted by RM20-A will encourage a development pattern appropriate along an arterial-boulevard and consistent with the development envisioned on the opposite side of the street.

**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 time of development.

Maximum Uses in Existing Zoning District: **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.61	4.35 D	2 U	29	7	3

Maximum Uses in Proposed Zoning District: **RM20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.61		12 U	88	6	7



Traffic changes between maximum: **RS10 and RM20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+10 U	+59	-1	+4

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS10 district: 1 Elementary 0 Middle 0 High**

**Projected student generation proposed RM20-A district: 3 Elementary 4 Middle 5 High**

The proposed RM20-A zoning district will generate 11 additional students beyond what would be generated under the existing RS10 zoning. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the T4 Residential Corridor policy.

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

**Resolution No. RS2018-215**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-082PR-001 is **approved . (7-0)**

**43. 2018Z-084PR-001**

Council District 21 (Ed Kindall) Staff

Reviewer: Latisha Birkeland

A request to rezone from SP-R to RM20-A zoning on properties located at 2805, 2807, 2809 and 2811 Delaware Avenue (0.68 acres), requested by Catalyst Design Group, applicant; E3 Construction Services, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from SP-R to RM20-A**

Zone Change

A request to rezone from Specific Plan – Residential (SP-R) to Multi-Family Residential-Alternative (RM20-A) zoning on properties located at 2805, 2807, 2809 and 2811 Delaware Avenue (0.68 acres).

**Existing Zoning**

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type. The existing SP permits a maximum of 14 units.

**Proposed Zoning**

Multi-Family Residential- Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. RM20-A would permit a maximum of 14 units.

**NORTH NASHVILLE COMMUNITY PLAN**

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

Consistent with Policy?

Yes. The rezoning is consistent with the T4 Urban Neighborhood Evolving policy at this location. The policy supports more housing choices and an improved pedestrian realm. This site is located approximately 120 feet from 28<sup>th</sup> Avenue North which is a residential arterial boulevard.

The proposed zoning district would allow up to 14 multi-family residential units close to the corridor, which is just north of Charlotte Pike.

**ANALYSIS**

The site is located at 2805, 2809 and 2811 Delaware Avenue and is approximately 0.68 acres in size. The properties are located along the south side of Delaware Avenue and are currently zoned for up to 16 multi-family residential units. The requested rezoning to RM20-A zoning is consistent with the policy for the area. Additional housing choices are appropriate at this site because it is adjacent to 28<sup>th</sup> Avenue North, a busy corridor, and is north from Charlotte Pike. The bulk and building placement standards associated with RM20-A zoning ensure development that addresses the pedestrian realm and relegates access from the existing alley. Both the existing SP and the proposed zoning are consistent with the policy.

**FIRE DEPARTMENT 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: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.68		16 U	81	9	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.68		14 U	65	8	11

Traffic changes between maximum: **SP-R and RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-2 U	-16	-1	-1

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing SP-R district: 12 Elementary 9 Middle 7 High**

**Projected student generation proposed RM20-A district: 10 Elementary 7 Middle 6 High**

The proposed RM20-A zoning district will generate five less students than what could be generated under the existing SP-R zoning. Students would attend Park Avenue Elementary School, McKissack Middle School and Pearl-Cohn High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated December 2017.

**STAFF RECOMMENDATION**

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

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

**Resolution No. RS2018-216**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-084PR-001is **approved . (7-0)**

#### 44. 2018Z-085PR-001

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

A request to rezone from RS5 to R6-A zoning on property located at 716 27th Avenue North, approximately 350 feet south of Booker Street (0.21 acres), requested by Catalyst Design Group, applicant; E3 Construction Services, LLC, 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 716 27th Avenue North, approximately 350 feet south of Booker Street (0.21 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 unit based on acreage alone.

##### **Proposed 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 and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. R6-A would permit a maximum of one duplex lot for a total of two residential units, as confirmed by the Codes Department.

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

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

Supplemental Policy (SPA 08-T4-NE-01 – Fisk/Meharry/McKissack Park) is intended to encourage gradual redevelopment over this planning period rather than wholesale change. To facilitate redevelopment while managing growth and the preservation of housing affordability, the intensity of development should occur on the lower range of the T4 NE policy, utilizing design-based zoning or an Alternative zoning district.

##### Consistent with Policy?

The proposed zone change is consistent with the site’s Urban Neighborhood Evolving policy. The requested R6-A zoning would allow up to two units on this lot. The neighborhood is made up of predominantly one and two family residential uses. The site is approximately 315 feet from Clifton Avenue which is identified as a collector by the Major and Collector Street Plan. Bus service runs along 28<sup>th</sup> Avenue North and an MTA bus stop is located to the west, approximately 1,500 feet from the site. The requested change would add diversity in housing stock for the immediate neighborhood while the alternative zoning district will require enhanced design and access standards consistent with the goals of the T4 NE policy. Additionally, the requested rezoning will allow development on the lower range of the T4 NE policy encouraging gradual change of the area, consistent with the supplemental policy in place.

##### **ANALYSIS**

The property contains 0.21 acres located at 716 27<sup>th</sup> Avenue North, approximately 350 feet south of Booker Street. The R6-A zoning district includes enhanced standards for the location of access, driveways, and parking designed to enhance the pedestrian environment, consistent with the goals of the land use policy. The proposed rezoning will allow for increased diversity in housing stock for the area while allowing more density in proximity to the corridor.

##### **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)	0.21	8.71 D	1 U	16	6	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)	0.21	7.26 D	2 U	29	7	3

\*Based on two-family lots

Traffic changes between maximum: **RS5 and R6-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+13	+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: 0 Elementary 0 Middle 0 High

The proposed zoning is expected to generate no additional students beyond the existing zoning. Students would attend Park Avenue Enhanced Elementary School, McKissack Middle School, and Pearl Cohn High School. None of the schools has been identified as being over 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 Evolving policy in this location.

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

**Resolution No. RS2018-217**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-085PR-001 is **approved . (7-0)**

**45. 2018Z-086PR-001**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Shawn Shepard

A request to rezone from IR to MUN-A zoning on property located at 1328 3rd Avenue North, at the southeast corner of Taylor Street and 3rd Avenue North, within the Phillips-Jackson Street Redevelopment District and Germantown Historic Preservation District (0.15 acres), requested by Barge Cauthen & Associates, applicant; Church Of God In Christ Congregational, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from IR to MUN-A.**

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use Neighborhood – Alternative (MUN-A) zoning on property located at 1328 3rd Avenue North, at the southeast corner of Taylor Street and 3rd Avenue North, within the Phillips-Jackson Street Redevelopment District and Germantown Historic Preservation District (0.15 acres).

**Existing Zoning**

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

Germantown Historic Preservation District Historic Preservation 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**

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

Consistent with Policy?

The rezoning is consistent with the T4 MU policy, which is intended to enhance urban neighborhoods with a variety of housing and nonresidential development. The proposed zoning allows for a mixture of uses, including commercial and residential, at a scale consistent with surrounding development. The building placement and design standards included in the Alternative district requested will help create a walkable neighborhood and a pedestrian-friendly, urban streetscape, consistent with the goals of the policy.

**ANALYSIS**

The site is located at the southeast corner of the intersection of 3<sup>rd</sup> Avenue North and Taylor Street and is currently developed with a small church. Alley #505 runs along the rear of the site. Although industrial zoning and some industrial uses exist north and east of the site, adjacent to the Cumberland River, the majority of properties in the surrounding area zoned for mixed use and developed with multi-family residential, commercial or mixed use with some scattered single-family residential units. The site is located at the eastern edge of the Germantown Historic Preservation District, but the existing building is not identified as a contributing structure for the district.

The requested rezoning to MUN-A is more consistent with the policy for the area than the existing industrial zoning, and is appropriate given the site’s location and the existing development pattern and zoning along 3<sup>rd</sup> Avenue North. The bulk and building placement standards associated with MUN-A zoning ensure mixed-use development that addresses the pedestrian realm and limits the amount of parking between the building and the street, consistent with the goals of the T4 MU policy. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**HISTORIC ZONING COMMISSION STAFF RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic study may be required at time of development.

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)	0.15	0.6 F	3,920 S.F.	52	26	29

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.07		3 U	42	7	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.04	0.6 F	1,045 S.F.	13	28	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.04	0.6 F	1,045 S.F.	67	4	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+70	+13	-15

**METRO SCHOOL BOARD REPORT**

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

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

No additional students are anticipated to be generated by this rezoning. Students would attend Buena Vista Enhanced Option 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 Neighborhood policy.

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

**Resolution No. RS2018-218**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-086PR-001 is **approved. (7-0)**

**H: OTHER BUSINESS**

46. Contract Renewal for George Rooker

**Resolution No. RS2018-219**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract renewal for George Rooker- **Is approved (7-0)**

47. Contract Amendment for Lisa Milligan

**Resolution No. RS2018-220**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract amendment for Lisa Milligan **Is approved (7-0)**

48. Certification of Bonus Height Compliance within the DTC: 151 1<sup>st</sup> Avenue Mixed Use Development

**Resolution No. RS2018-221**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Certification of Bonus height Compliance within the DTC 151 1<sup>st</sup> Avenue Mixed Use Development- **Is approved (6-0-1)**

49. Certification of Bonus Height Compliance within the DTC: LC SoBro Building C Mixed Use Development

**Resolution No. RS2018-222**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Certification of Bonus height Compliance within the DTC LC SoBro Building Mixed Use Development- **Is approved (7-0)**

50. Historic Zoning Commission Report
51. Board of Parks and Recreation Report
52. Executive Committee Report
53. Accept the Director's Report and Approve Administrative Items

**Resolution No. RS2018-223**

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

54. Legislative Update

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

**September 13, 2018**

MPC Meeting

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

**September 27, 2018**

MPC Meeting

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

**October 11, 2018**

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Board of Education Administration Building

**October 25, 2018**

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Board of Education Administration Building

**November 8, 2018**

MPC Meeting

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

**December 13, 2018**

MPC Meeting

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

**January 10, 2019**

MPC Meeting

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

**J: ADJOURNMENT**

The meeting adjourned at 9:40p.m

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Chairman

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Secretary