



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

October 25, 2018
4:00 pm Regular Meeting

2601 Bransford Avenue

Metropolitan Public Schools
Administration Building

MISSION STATEMENT

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

Commissioners Present:

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

Staff Present:

Bob Leeman, Deputy Director
George Rooker, Special Projects Manager
Kelly Adams, Administrative Services Officer IV
Lisa Milligan, Planning Manager II
Michael Briggs, Planning Manager I
Greg Claxton, Planning Manager I
Anita McCaig, Planner III
Shawn Shepard, Senior Planner
Latisha Birkeland, Planner II
Abbie Rickoff, Planner II
Levi Hill, Planner II
Jason Swaggart, Planner II
Patrick Napier, Planner I
Gene Burse, Planner I
Emily Lamb, 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

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

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

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

Legal Notice

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



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

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:01 p.m.

B: ADOPTION OF AGENDA

Mr. Gobbell moved and Mr. Haynes seconded the motion to adopt the agenda. (10-0)

C: APPROVAL OF OCTOBER 11, 2018 MINUTES

Dr. Bichell moved and Mr. Tibbs seconded the motion to approve the October 11, 2018 minutes. (10-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Pulley asked for disapproval of Item 6 and approval of Items 18 and 19.

Councilmember Hurt requested a one meeting deferral of Item 12 to allow time for additional review.

E: ITEMS FOR DEFERRAL / WITHDRAWAL

- 1a. **2017CP-005-003**
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
- 1b. **2017SP-013-001**
RIVERSIDE VILLAGE
- 2a. **2018CP-006-002**
BELLEVUE COMMUNITY PLAN AMENDMENT
- 2b. **2018SP-043-001**
SECURITY CENTRAL STORAGE SP
- 4. **2018SP-050-001**
6280 NEW HOPE ROAD SP
- 5. **2018SP-062-001**
222 - 228 DONELSON PKSP
- 7. **2018Z-095PR-001**
- 10. **2018CP-012-002**
SOUTHEAST COMMUNITY PLAN AMENDMENT
- 13. **2018SP-060-001**
MT. PISGAH AND EDMONDSON SP
- 14. **2018SP-069-001**
RIDGECREST AT VISTA
- 15. **2018S-155-001**
2410 UNA ANTIOCH PIKE

Mr. Tibbs moved and Ms. Farr seconded the motion to approve the Deferred and Withdrawn Items. (10-0)

F: CONSENT AGENDA ITEMS

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

- 3. 2018SP-001-001
SLOAN AND WESTLAWN SP**
- 8. 2018Z-100PR-001**
- 9a. 2018CP-011-001
SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT**
- 9b. 2018Z-099PR-001**
- 11a. 2018CP-012-003
SOUTHEAST COMMUNITY PLAN AMENDMENT**
- 11b. 2018Z-102PR-001**
- 16. 2018Z-106PR-001**
- 17. 2018Z-107PR-001**
- 18. 2018Z-108PR-001**
- 19. 2018Z-109PR-001**
- 20. New Employment Contract for Stephanie McCullough**
- 21. Contract Amendment for Dara Sanders**
- 24. Accept the Director's Report and Approve Administrative Items**

Dr. Sims moved and Mr. Gobbell seconded the motion to approve the Consent Agenda. (10-0)

Ms. Blackshear recused herself from Item 16.

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. 2017CP-005-003
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
Council District 07 (Anthony Davis)
Staff Reviewer: Anna Grider

A request to amend the East Nashville Community Plan by amending the Community Character Policy to change from T4 Urban Neighborhood Maintenance to T4 Urban Neighborhood Evolving on properties located at 2304, 2306 and 2310 Riverside Drive, approximately 100 feet northwest of McGavock Pike (1.49 acres), requested by Dale and Associates, applicant; Lance Bloom, Mark Bloom, 2304 Riverside Partners, LLC and Inglewood Partners, LLC, owners. (See associated case # 2017SP-013-001)

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

The Metropolitan Planning Commission deferred 2017CP-005-003 to the December 13, 2018, Planning Commission meeting. (10-0)

1b. 2017SP-013-001
RIVERSIDE VILLAGE
Council District 07 (Anthony Davis)
Staff Reviewer: Shawn Shepard

A request to rezone from RS7.5 and MUL-A to SP-MU zoning on properties located at 2300, 2302, 2304, 2306 and 2310 Riverside Drive and 1307 McGavock Pike, located at the northwest corner of the intersection of Riverside Drive and McGavock Pike, (2.37 acres), to permit a mixed use development, requested by Dale and Associates, applicant; Lance Bloom, Mark Bloom, 2304 Riverside Partners, LLC and Inglewood Partners, LLC, owners. (See associated case # 2017CP-005-003)

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

The Metropolitan Planning Commission deferred 2017SP-013-001 to the December 13, 2018, Planning Commission meeting. (10-0)

2a. 2018CP-006-002
BELLEVUE COMMUNITY PLAN AMENDMENT
Council District 34 (Angie Henderson)
Staff Reviewer: Dara Sanders

A request to amend the Southeast Community Plan by changing from T3 Suburban Neighborhood Maintenance policy to T3 Community Center policy and Supplemental policy on a portion of the property located at 7037 Highway 70 South, zoned R15 (approximately 3.17 acres), requested by Bradley Arant Boult Cummings, LLP, applicant; BSM Bellevue Land, LLC, owner. Associated case (2018SP-043-001).

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

The Metropolitan Planning Commission deferred 2018CP-006-002 to the November 8, 2018, Planning Commission meeting. (10-0)

2b. 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-storage, requested by Civil Design Consultants, LLC, applicant; BSM Bellevue Land, LLC, owner. (See associated case # 2018CP-006-002)

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

The Metropolitan Planning Commission deferred 2018SP-043-001 to the November 8, 2018, Planning Commission meeting. (10-0)

3. 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 six multi-family residential units, requested by Dale and Associates, applicant; LL & E Holdings, LLC, owner.

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

APPLICANT REQUEST

Preliminary SP to permit up to 6 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 six 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 based on the acreage only. However, application of the Subdivision Regulations may result in fewer units at this site.*

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.

BACKGROUND

This case was deferred by the applicant from the August 23, September 27, and October 11, 2018, Metro Planning Commission meetings to allow sufficient time for an applicant-led neighborhood meeting with additional community discussion. A public hearing was held on August 23 and remains open. No public hearing was held on September 27 or October 11, 2018. After the August 23, 2018 public hearing, the applicant submitted plan revisions. The plan details and analysis have been updated to reflect the plan revisions.

PLAN DETAILS

The site consists of three 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 46th Ave. N. and Murphy Road, located in the T4 NC (Neighborhood Center) policy.

The site plan proposes 6 detached units. Units 1 through 4 front Sloan Road and Westlawn Drive, and units 5 and 6 are located behind the street-fronting units at the back of the site, adjacent to Cherokee Station. A landscape "B" buffer and opaque fence are proposed along the eastern and southern property lines, adjacent to Cherokee Station. Open space, including bioretention areas, is located near Units 5 and 6 towards the rear of the site.

Vehicular access is provided from Sloan Road to a shared private drive that is located mid-site. The shared drive feeds into two surface parking areas containing 4 total parking spaces, located along the eastern property line and between Units 5 and 6, and to the two-car garages which are proposed on all units.

Pedestrian access is provided from the public streets for Units 1 through 4, and from the private drive for Units 5 and 6. A total of 16 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. The applicant has also provided conceptual architectural elevations based on a prior version of the plans that included more units. Although there are fewer units included on the plan revisions, the conceptual elevations demonstrate the intended proportions, scale, and character of the units. The final SP will include architectural elevations that demonstrate compliance with the intended character of the conceptual elevations and the approved architectural standards.

ANALYSIS

The original plans proposed 7 total units, including 3 units along Westlawn Drive, 2 units along Sloan Road, and 2 units at the back of the site. On the original plans, each unit along Westlawn Drive (Units 3, 4, and 5) was previously proposed to be approximately 30 feet wide, narrowly spaced and more compact than the existing development pattern along the street. Staff expressed concerns over the proposed form and spacing along the street, as well as the ability to effectively transition to the neighboring lots within Cherokee Station, and recommended disapproval at the August 23, 2018, MPC meeting, finding the plan to be inconsistent with the policy.

The plans have since been revised to remove the 7th unit, resulting in 6 total units, including 2 units (Units 3 and 4) along Westlawn Drive. The removal of one unit on Westlawn Drive allows Units 3 and 4 to be more uniformly spaced, similar to the existing lot pattern east of the site. Previously, Unit 4 included a building depth of approximately 100 feet, limiting the amount of light and open space between Unit 4 and the neighboring Cherokee Station lot to the east. On the revisions, the depth of the eastern side of Unit 4 has been reduced to approximately 45 feet, opening up the space between the developments. This area now includes open space and two surface parking spaces which have been relocated away from the Sloan Road entry drive to the eastern property line generally aligning with an existing alley in Cherokee Station. This relocation reduces the visibility of surface parking areas from the public street.

The revised plans have also addressed staff's concerns about the rear units effectively transitioning to the immediately-adjacent lots in Cherokee Station. On the original plans, the rear corner of Unit 6 (formerly Unit 7) was located approximately 5 feet from the eastern property line, 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. Unit 6 has since shifted towards the center of the site and is now located approximately 15 feet from the eastern property line, allowing sufficient room for landscaping and an opaque fence, which now wraps the entire eastern and southern property lines.

The plan revisions have addressed staff's concerns about the overall intensity, including appropriate form, spacing, and transitions to the surrounding neighborhood. The revised plan is consistent with T4 NM policy guidance to provide moderate density residential development that respects the building rhythm along the street. Staff finds the SP revisions, with staff's recommended conditions, to be consistent with the T4 NM policy at this location.

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	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
Multi-Family Residential (210)	1.03	-	6 U	79	10	7

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	-23	-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: 0 Elementary 0 Middle 0 High

The proposed SP zoning is not expected to generate any more students 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 approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses shall be limited to a maximum of 6 multi-family residential units.
2. On the corrected copy, revise Standard Note #12: If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. On the corrected copy, a landscape "C" buffer shall be identified along the southern property line, south of Unit 6. A landscape "B" buffer shall be included along the eastern property line.
4. On the corrected copy, the 6 foot opaque fence shall be identified along the eastern and southern property lines.
5. With the submittal of the final site plan, provide architectural elevations generally consistent with the conceptual elevations and all architectural standards outlined on the Preliminary SP for review and approval.
6. 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.
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. 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 permit.

Resolution No. RS2018-269

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-001-001 is approved with conditions and disapproved without all conditions. (10-0)

CONDITIONS

1. Uses shall be limited to a maximum of 6 multi-family residential units.
2. On the corrected copy, revise Standard Note #12: If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. On the corrected copy, a landscape "C" buffer shall be identified along the southern property line, south of Unit 6. A landscape "B" buffer shall be included along the eastern property line.
4. On the corrected copy, the 6 foot opaque fence shall be identified along the eastern and southern property lines.
5. With the submittal of the final site plan, provide architectural elevations generally consistent with the conceptual elevations and all architectural standards outlined on the Preliminary SP for review and approval.
6. 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.
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. 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 permit.

4. 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 54 single-family lots, requested by Dale and Associates, applicant; Wise Group, Inc., owner.

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

The Metropolitan Planning Commission deferred 2018SP-050-001 to the November 8, 2018, Planning Commission meeting. (10-0)

5. 2018SP-062-001

222 - 228 DONELSON PK SP

Council District 15 (Jeff Syracuse)
Staff Reviewer: Patrick Napier

A request to rezone from R10 to SP-MU zoning on property located at 222, 224, 226, and 228 Donelson Pike, at the southwest corner of Woodberry Drive and Donelson Pike (1.55 acres), to permit 13 multi-family residential units and 5,800 square feet of office space, requested by Dale and Associates, applicant; SWA Dream Home LLC, owner

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

The Metropolitan Planning Commission deferred 2018SP-062-001 to the November 8, 2018, Planning Commission meeting. (10-0)

6. 2016S-136-001
2811 WIMBLEDON ROAD
Council District 25 (Russ Pulley)
Staff Reviewer: Shawn Shepard

A request for concept plan approval to create two lots on property located at 2811 Wimbledon Road, at the southeast corner of Wimbledon Road and Hilldale Drive, zoned R10 and R20 (1.78 acres), requested by Dale & Associates, applicant; Halloran Investment Properties, LLC and O.I.C. 2811 Wimbledon Drive Estates, LLL, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Concept plan approval to create two lots.

Concept Plan

A request for concept plan approval to create two lots on property located at 2811 Wimbledon Road, at the southeast corner of Wimbledon Road and Hilldale Drive, zoned One and Two-Family Residential (R10) and One and Two-Family Residential (R20) (1.78 acres).

BACKGROUND

A concept plan to create two lots on property at 2811 Wimbledon Road was originally considered by the Planning Commission on February 9, 2017. The plan under consideration at that time proposed the following:

- Lot 1: 42,422 sq. ft. and 187.84 feet of frontage on Wimbledon Road
- Lot 2: 32,849 sq. ft. and 175 feet of frontage on Hilldale Drive

The proposal was analyzed against the criteria for reviewing infill subdivisions located within a Neighborhood Maintenance policy area. Proposed Lot 1, oriented to Wimbledon Road, was determined to meet the compatibility criteria. Proposed Lot 2 did not have surrounding parcels to be compared as it fronts Hilldale Drive and the block face ends both to the north and the south directly on either side of the existing lot.

The Planning Commission voted to disapprove the proposed concept plan, based on staff's finding that the proposed subdivision was not generally in character with the surrounding development pattern east of Hilldale Drive and on the south side of Wimbledon Road. The Planning Commission's decision to disapprove the concept plan was appealed, and the court found that the Planning Commission and its staff failed to clearly articulate a reason or reasons for the disapproval, including clearly defining what standards controlled the review once it was determined that no surrounding parcels existed to evaluate compatibility of Proposed Lot 2. The case was remanded back to the Planning Commission for a re-hearing.

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 7 lots with 1 duplex lot for a total of 8 units.*

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. *The R20 zoning covers only a small area of the southernmost lot.*

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.

PLAN DETAILS

Since the previous consideration, the applicant has revised the concept plan. The lot line separating Proposed Lots 1 and 2 has been shifted to the north approximately 12.69 feet, increasing the size of Proposed Lot 2 from 32,489 square feet to 34,550 square feet.

This request is for concept plan approval to create two lots on property located at 2811 Wimbledon Road, at the southeast corner of Wimbledon Road and Hilldale Drive. One single-family residential dwelling is permitted and currently under construction on the site. The existing lot is 77,986 square feet (1.78 acres).

The two proposed lots in the revised concept plan are as follows:

- Lot 1: 40,701 square feet and 187.84 feet of frontage on Wimbledon Road
- Lot 2: 34,550 square feet and 175.26 feet of frontage on Hilldale Drive

Although both lots are identified on the plan as two-family lots, that determination is made by the Metro Codes Department.

The home under construction on the property would be retained on Proposed Lot 1. Approximately 2,580 square feet are proposed to be dedicated as right-of-way along Hilldale Drive. Both lots would take access from Hilldale Drive, which is to be improved to meet Metro Public Works standards, via a shared access drive to be located along the southern boundary of Proposed Lot 1.

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 revised proposal must meet the following requirements:

Zoning Code

Both lots meet the minimum standards of the R10 zoning district. Lot 2, which is partially in the R20 zoning district, meets the minimum standards of the R20 zoning district.

Street Frontage

The proposed lots would 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. For corner lots, such as 2811 Wimbledon Road, only the blockface to which the proposed lots are to be oriented shall be used.

In this instance, Proposed Lot 1 must be equal to or greater than 164 feet for the frontage along Wimbledon Road. Proposed Lot 1 satisfies the frontage requirement for compatibility. Proposed Lot 2 does not have surrounding parcels to be compared with as it fronts Hilldale Drive and the block face ends both to the north and the south directly on either side of the existing lot.

Lot 1 Frontage	
Proposed Frontage	187.84 ft.
Minimum Frontage	164.20 ft.
70% Average	151.83 ft.

Lot 2 Frontage	
Proposed Frontage	175.26 ft.
Minimum Frontage	Not available
70% Average	Not available

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. For corner lots, such as 2811 Wimbledon Road, only the blockface to which the proposed lots are to be oriented shall be used.

In this instance, Proposed Lot 1 must be equal to or greater than 34,549 square feet. Proposed Lot 1 satisfies the area requirement for lot compatibility. Proposed Lot 2 does not have surrounding parcels to be compared with as it fronts Hilldale Drive and the block face ends both to the north and the south directly on either side of the existing lot.

Lot 1 Area	
Proposed Size	40,701 sq. ft.
Minimum Size	21,926 sq. ft.
70% Average	34,549 sq. ft.

Lot 2 Area	
Proposed Size	34,550 sq. ft.
Minimum Size	Not available
70% Average	Not available

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. For a corner lot, both block faces shall be used. It is important to note that while the compatibility of lot frontage and lot size is determined based on one block face (the block face to which the lots are oriented), both block faces are evaluated in regards to street setbacks. A minimum setback line is not required to be platted for Lot 1 since the structure under construction and the existing setback will be retained; however, the concept plan includes a minimum 75' building setback, consistent with the required setback as determined by the Codes Department for the residence under construction. For Lot 2, there are no other lots abutting this property along Hilldale Drive that can be evaluated. Any future structures on both lots will be required to comply with the setbacks as established by the Metro Zoning Code.

Lot orientation: Orientation of the proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces are evaluated. It is important to note that while the compatibility of lot frontage and lot size is determined based on one block face (the block face to which the lots are oriented), both block faces are evaluated in regards to lot orientation. Lot 1 is oriented toward Wimbledon Road and is consistent with the surrounding parcels. Lot 2 does not have surrounding parcels to be compared with.

Agency Review

All review agencies have recommended approval.

ANALYSIS

Proposed Lot 1 on the revised concept plan meets all of the compatibility requirements established in Section 3-5.2 of the Subdivision Regulations. Based on the definition of surrounding parcels provided in the Subdivision Regulations, Proposed Lot 2 does not have surrounding parcels with which to be compared.

Section 3-5.2 of the Subdivision Regulations states, "Where surrounding parcels do not exist, the Planning Commission may grant an exception to the compatibility criteria by considering a larger area to evaluate general compatibility." To facilitate the Planning Commission's consideration of whether such an exception is appropriate, staff completed additional analysis.

Hilldale Drive runs north-south from Woodmont Boulevard to just south of Wimbledon Road, and marks a shift in development pattern within the neighborhood. West of Hilldale Drive, smaller lots ranging from 10,000 to 20,000 square feet, consistent with the predominant Single-Family Residential (RS10) and Single-Family Residential (RS20) zoning districts are common. East of Hilldale Drive, the development pattern consists predominantly of larger lots that are more consistent with the Single-Family Residential (RS40) zoning to the west of the subject property. Given the marked shift in development pattern, staff focused its analysis on properties east of Hilldale Drive, where the property to be subdivided is located, and defined a larger area including properties oriented to Wimbledon Road, east of Hilldale Drive.

For purposes of compatibility analysis, Proposed Lot 1 was compared to three parcels along the south side of Wimbledon Road, east of Hilldale Drive. To be compatible with those lots, a proposed lot would need to have a minimum area of 34,549 square feet and a minimum frontage of 164 feet. In the previous version of the concept plan, Proposed Lot 2 was only 32,849 square feet in size, and failed to meet the compatibility criterion for lot area. If the revised Proposed Lot 2 is compared to those same parcels, it meets the compatibility criterion for minimum lot area, as Proposed Lot 2 now contains 34,550 square feet of area where 34,549 square feet is required. If the compatibility analysis were expanded to incorporate parcels on the north side of Wimbledon Road, Proposed Lot 2 would exceed the minimum lot area required, as that minimum area would decrease to 30,779 square feet.

Proposed Lot 2 also exceeds the compatibility criteria for frontage if compared to the three parcels along the south side of Wimbledon. Proposed Lot 2 has a frontage of 175 feet, where 164 feet would be required if it were oriented to Wimbledon Road. Expansion of the compatibility area to include parcels north of Wimbledon Road would not change the minimum frontage.

In addition to the larger area as narrowly defined above, incorporating properties oriented to Wimbledon Road, east of Hilldale Drive, staff completed compatibility analysis based on several different potential "larger areas" that the Planning Commission might wish to consider. Those scenarios included comparison of the revised concept plan against several combinations of lots surrounding the intersection of Wimbledon Road and Hilldale Drive. Staff also analyzed a much larger general area comprised of parcels along Wimbledon Road, from Ruland Place on the west to Woodmont Boulevard to the north and east, and parcels south of the site along Valley Brook Place and Hilldale Drive from Sycamore Lane on the west to Valley Brook Road on the east. The revised concept plan meets compatibility criteria for each of the alternative scenarios, including the larger general area.

As Proposed Lot 1 complies with all of the compatibility criteria identified in Section 3-5.2 of the Subdivision Regulations, and as Proposed Lot 2 is generally compatible with the lot sizes and frontages of properties located along Wimbledon Road east of Hilldale Drive, and as the concept plan meets all other requirements of the Subdivision Regulations, staff recommends approval.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

- Approved as a Concept Plan only. Stormwater construction plans in accordance with the Stormwater Management Manual must be submitted and approved prior to Final Site/Development Plan approval. These approved construction plans must match the Final Site/Development Plans.

WATER SERVICES

Approve with conditions

- Approved as a Concept Plan only. Public 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.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Add pavement and dedicate right-of-way as necessary to construct 1/2 of standard minor local road ST-251 from the existing centerline of pavement. A minimum of 20' of pavement must be provided.
- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
- This development will require Public Works approval of detailed construction plans prior to grading the site. Plans must 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 and improvements may vary based on actual field conditions.

TRAFFIC AND PARKING RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Blackshear left the meeting at 4:22 p.m.

Ms. Shepard presented the staff recommendation of approval.

Jason Holleman, applicant, spoke in favor of the application as it meets all subdivision regulations.

Mike Diogutedi, 2808 Valley Brook Place, spoke in favor of the application.

Steven Grisham, 2816 Valley Brook Place, spoke in favor of the application.

Hugh Tannor, 3301 Wimbledon Rd, spoke in opposition to the application and submitted a petition with 78 signatures of neighbors in opposition.

Louie Burtin, 3303 Wimbledon Rd, spoke in opposition to the application and requested to keep the current zoning as is.

James Manning, 2806 Wimbledon Rd, spoke in opposition to the application due to safety concerns.

Dudley Warner, 2804 Wimbledon Rd, spoke in opposition to the application; the neighborhood does not want this much density.

Marietta Shipley, 2809 Wimbledon Rd, spoke in opposition to the application.

Bob Tuke, 3708 Wimbledon Rd, spoke in opposition to the application.

Ben Shields, 3713 Wimbledon Rd, spoke in opposition to the application.

Charlie Howorth, 3300 Wimbledon Rd, spoke in opposition to the application.

Jason Holleman asked for approval and reminded the commission that they have an obligation to apply the subdivision regulations.

Chairman Adkins closed the Public Hearing.

Ms. Farr spoke in favor of staff recommendation as this meets the subdivision regulations, although she does understand the concerns of the neighborhood.

Mr. Tibbs spoke in favor of staff recommendation because it meets the subdivision regulations.

Ms. Moore stated that since it meets the subdivision regulations, it's hard to find a reason to disapprove.

Mr. Gobbell stated that while he is sympathetic to all concerns, he is in favor because it meets the subdivision regulations.

Dr. Sims and Mr. Haynes spoke in favor as it meets subdivision regulations.

Ms. Farr moved and Dr. Sims seconded the motion to approve. (8-1) Councilmember Bedne voted against.

Resolution No. RS2018-270

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-136-001 is approved. (8-1)

7. 2018Z-095PR-001

Council District 21 (Ed Kindall)
Staff Reviewer: Levi Hill

A request to rezone from R6 to MUL zoning for properties located on 2302 Merry Street and Merry Street (unnumbered), (0.21 acres), requested by Civil Site Design Group, PLLC, applicant; RM Dixon Real Estate, LLC, owners.

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

The Metropolitan Planning Commission deferred 2018Z-095PR-001 to the December 13, 2018, Planning Commission meeting. (10-0)

8. 2018Z-100PR-001

Council District 29 (Bob Mendes)
Staff Reviewer: Jason Swaggart

A request to rezone from R20 to IWD zoning on properties located at 2793 Couchville Pike and a portion of property located on Ned Shelton Road (unnumbered), approximately 900 feet south of Couchville Pike, (45.13 acres), requested by Hamilton Creek Development Company, LLC., applicant; Gregg Garner, George Hicks, Theodore Vaughan, Cheril Mansolino, and Isaac Garner, owners.

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 properties located at 2793 Couchville Pike and a portion of property located on Ned Shelton Road (unnumbered), approximately 900 feet south of Couchville Pike, (45.13 acres).

Deferral

This request was deferred from the October 11, 2018, Planning Commission meeting to the October 25, 2018, meeting. Since the deferral, the application has been amended to remove approximately 2.5 acres from the request. This reduces the overall area requested to be rezoned to approximately 45.13 acres. The portion to be removed is from Map 121, Parcel 157. It is the area that fronts onto Ned Shelton Road. The amendment to the application is intended to address neighbor concerns regarding access to Ned Shelton Road.

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 98 lots with 25 duplex lots for a total of 123 residential 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.

ANALYSIS

The proposed IWD zoning district is consistent with the D EC policy. The policy supports light industrial uses in appropriate locations. District Employment Center policy is intended for non-retail uses that create economic activity and jobs. 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 the proposed IWD zoning district moves the property closer to the goals of the policy.

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: **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)	45.13	2.17 D	123 U	1305	96	129

*Based on two-family lots

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)	45.13	0.8 F	1,572,690 S.F.	2673	225	228

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
-	-	-		+1368	+129	+99

STAFF RECOMMENDATION

Staff recommends approval.

Approve. Consent Agenda. (10-0)

Resolution No. RS2018-271

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-100PR-001 is approved. (10-0)

**9a. 2018CP-011-001
SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT
Council District 17 (Colby Sledge)
Staff Reviewer: Anna Grider**

A request to amend the South Nashville Community Plan by changing from T4 Urban Neighborhood Evolving policy to T4 Urban Mixed Use Corridor policy on property located at 26, 28, and 30 Clairborne Street and 49 Wharf Avenue, zoned R6 (0.4 acres), requested by Josh Hellmer, applicant; various property owners. (See associated case #2018Z-099PR-001)

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend South Nashville Community Plan to change the policy.

Major Plan Amendment

A request to amend the South Nashville Community Plan by changing from T4 Urban Neighborhood Evolving (T4 NE) to T4 Urban Mixed Use Corridor (T4 CM) on property located at 26, 28, and 30 Claiborne Street and 49 Wharf Avenue, south of Lafayette Street, zoned One and Two-Family Residential (R6) (approximately 0.4 acres).

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Current Policy

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 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.

Proposed Policy

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.

BACKGROUND

The community plan amendment was requested in conjunction with zone change application 2018Z-099PR-001, a request to change the zoning from One and Two-Family Residential (R6) to Office/Residential (OR20) zoning for property located at 49 Wharf Avenue, to permit office and residential uses. As part of the application process, the Executive Director determined the plan amendment is major with a required community meeting.

T4 NE policy is currently applied to the property, and encompasses most of the surrounding area to the south and north of Lafayette Street. To the west Civic (CI) policy is applied to Cameron College Prep school. Office uses are not supported with the existing T4 NE policy. As a result, the applicant has proposed a policy change to Urban Mixed Use Corridor (T4 CM), which is intended to enhance urban mixed use corridors by encouraging a greater mix of higher-density residential and mixed use development. T4 CM policy is applied immediately adjacent to the north on Lafayette Street and continues north and south along this corridor.

COMMUNITY PARTICIPATION

On October 9th, 2018, a community meeting was held at Safe Haven, located at 1234 3rd Avenue S., to discuss the applicant's plan amendment and zoning requests. The Councilmember, Colby Sledge, the applicant and development team and staff from the Planning Department were the only attendees.

ANALYSIS

The proposed amendment area is a suitable location for T4 CM policy for the following reasons:

Policy Application

T4 CM policy areas are pedestrian-friendly, prominent arterial-boulevard and collector-avenue corridors that accommodate residential, commercial, and mixed use development, and are served by multiple modes of transportation. These corridors often provide the boundaries to urban neighborhoods and form connections between centers of commercial development. T4 CM policy is applied where there is an expressed interest in progressing to a balanced mixture of residential and commercial land uses along the corridor and providing opportunity for a varied development pattern in regard to size, scale, and density. The proposed application of the T4 CM policy is consistent with the intent of the application of this policy category because of the area's location in close proximity to the intersection of Wharf Avenue, a collector street, and Lafayette Street, a major arterial street, which connects to downtown a mile away.

Growth and Preservation Concept Map

The Growth and Preservation Concept Map reflects Nashvillians' desires for growth in the future. It identifies tiered centers expected to accommodate a range of future growth, improved public spaces, transit, and sustainable economic activity, and it encourages infill development along transit and multimodal corridors. Downtown, approximately a mile from the plan amendment area, is identified as a Tier One Center, and the plan amendment area is identified as a "Transition and Infill" area. Transition and Infill areas encourage infill development along and around transit and multimodal corridors in between and immediately around tiered centers.

NashvilleNext also designates a system of High Capacity Transit corridors, a framework of more intense housing and commercial areas along major roadways with more frequent transit service. Lafayette Street is identified as an immediate need priority route meaning that the street is slated for near-term improvements to transit service. The plan amendment area's proximity to this center adjacent to a high capacity transit corridor makes it an appropriate location for T4 CM policy.

Streets/Connectivity

The Major and Collector Street Plan (MCSP) identifies Lafayette Street as a five lane Arterial Boulevard, and Wharf Avenue as a two lane Collector Avenue. Both streets carry a significant amount of traffic into and out of downtown. The interchange with I-40 on the edge of downtown is approximately a mile from the plan amendment area. The Wharf, Lafayette and Charles E Davis intersection is a significant intersection, with high visibility and accessibility, in a heavily trafficked and populated area approximately a mile from downtown.

Transit

Lafayette Street and Wharf Ave are both on MTA routes with regular bus service and multiple bus stops. BRT Lite stops are located at the intersection of Wharf Ave and Lafayette which is currently undergoing traffic signal upgrades. Lafayette Street is also designated as an immediate need high capacity transit corridor in NashvilleNext. nMotion shows a high capacity transit stop planned for the Wharf Ave and Lafayette Street intersection. Increasing density in appropriate locations along these routes will, in the long run, provide riders that make transit feasible in these places. Both streets have existing transit lines, and are planned for more frequent transit service in the near future, making this a significant and accessible multimodal intersection.

Zoning and Existing Land Use

T4 CM policy is applicable to areas that are zoned residential, commercial and mixed use, with higher-intensity commercial areas concentrated at major intersections. The property directly to the north of 49 Wharf Ave is zoned OR20 (Office/Residential). CS (Commercial Services) zoning is applied to Lafayette Street in this area. T4 CM policy is applied to these properties. The land uses on Lafayette Street include a small grocery store, car repair, restaurants and retail uses. R6 (One and Two-Family Residential) is applied to the majority of the surrounding residential neighborhood to the south under the T4 NE policy. Aligning the application of T4 CM policy south of Lafayette Street to a similar depth as surrounding parcels, achieves a consistent policy application and provides a consistent transition and connection to the adjacent residential neighborhood.

Envision Napier Sudekum

The plan amendment area is across Lafayette Street from MDHA's Napier and Sudekum properties which are undergoing the Envision master planning process. The Envision Napier and Sudekum master plan is a comprehensive neighborhood revitalization plan for Napier Place, Sudekum Apartments and the surrounding area. The Transformation Plan calls for the development of a mixed-use, mixed-income community of up to 2100 apartments, including a one-for-one replacement of all 821 subsidized units. When completed, the revitalization will include a mix of housing types at a variety of price ranges, community-serving retail uses, community institutional and office uses, and public open space. Commercial, mixed use, residential development is proposed in the master plan for the Lafayette Street frontage. The extensive Envision public engagement process has highlighted the desire for a greater mix of uses along Lafayette Street in this area. This plan amendment request is in line with this desire.

Amending the Community Character Policy from T4 NE to T4 CM is appropriate because of the opportunities described above for providing additional consumer goods, services and housing options to a densely populated area, in close proximity to downtown, served by transit, and accessed by a heavily trafficked major arterial and collector avenue.

STAFF RECOMMENDATION

Staff recommends approval of the amendment request.

Approve. Consent Agenda. (10-0)

Resolution No. RS2018-272

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018CP-011-001 **is approved. (10-0)**

9b. 2018Z-099PR-001

Council District 17 (Colby Sledge)
Staff Reviewer: Jason Swaggart

A request to rezone from R6 to OR20 zoning for property located at 49 Wharf Avenue, approximately 300 feet south of Lafayette Street, (0.13 acres), requested by Josh Hellmer, applicant; Josh Hellmer and Greg Farricelli, owners. (See associated case #2018CP-011-001).

Staff Recommendation: Approve subject to the approval of the associated plan amendment. If the associated plan amendment is not approved, staff recommends disapproval.

APPLICANT REQUEST

Zone change from R6 to OR20.

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Office/Residential (OR20) zoning for property located at 49 Wharf Avenue, approximately 300 feet south of Lafayette Street, (0.13 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 one residential duplex lot for a total of one residential unit.*

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

Existing Policy

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.

Proposed Policy

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.

ANALYSIS

The property proposed for OR20 is a vacant lot. It is located on the east side of Wharf Avenue approximately 300 feet south of Lafayette Street. The abutting property to the north is zoned OR20, and the remaining surrounding properties are zoned R6. While the abutting property to the north east is zoned R6 it contains a grocery store which fronts onto Lafayette Street where the property is zoned CS. A built alley is located behind the property. The alley connects to Claiborne Street which is the immediate street to the east, and to Perkins Street which is the immediate street to the south.

The existing T4 NE policy is a residential policy, and it does not support office uses and other ancillary nonresidential uses that are permitted by the proposed OR20 zoning district. OR20 is consistent with the proposed T4 CM policy. It is also consistent with the adjacent OR20 zoning. If the proposed policy amendment is approved, then the OR20 zoning district would be appropriate given the new policy and adjacent zoning. The Growth and Preservation Map identifies the area which includes this property and other properties off of the Lafayette Street corridor as a Transition/Infill area. The proposed OR20 zoning district meets this policy by providing infill development, slightly increasing density opportunities adjacent to a major corridor, and permits a transitional use which may include residential or office uses between the commercial area along Lafayette Street, and the residential area adjacent to the subject site.

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: **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)	0.13	7.26 D	1 U	16	6	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.065		2,831 S.F.	34	30	4

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

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)	0.065		3 U	42	7	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+60	+31	+6

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed OR20 district: 2 Elementary 1 Middle 1 High

The proposed OR20 zoning district would generate four more students than what is typically generated under the existing RS15 zoning district. Students would attend Whitsitt Elementary, Wright Middle School, and Glenciff High School. All schools have been identified as having additional capacity. This information is based upon data from the school board last updated December 2017.

STAFF RECOMMENDATION

Approve subject to the approval of the associated plan amendment. If the associated plan amendment is not approved, staff recommends disapproval.

Approve. Consent Agenda. (10-0)

Resolution No. RS2018-273

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-099PR-001 is approved. (10-0)

**10. 2018CP-012-002
 SOUTHEAST COMMUNITY PLAN AMENDMENT
 Council District 30 (Jason Potts)
 Staff Reviewer: Anna Grider**

A request to amend the Southeast Community Plan by changing from T3 Suburban Neighborhood Maintenance Policy to T3 Suburban Neighborhood Evolving Policy and to add a Supplemental Policy on various properties on Flora Maxwell Rd, Taylor Rd, Goins Rd, Old Goins Rd and Alice Ave, east of Nolensville Pike, zoned R6 and OR20 (20.01 acres), requested by S and H Group, LLC., applicant; Pillars Development LLC, owner.
Staff Recommendation: Defer to the December 13, 2018, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2018CP-012-002 to the December 13, 2018, Planning Commission meeting. (10-0)

11a. 2018CP-012-003
SOUTHEAST COMMUNITY PLAN AMENDMENT
Council District 26 (Jeremy Elrod)
Staff Reviewer: Marty Sewell

A request to amend the Southeast Community Plan by changing from T3 Suburban Neighborhood Maintenance to T3 Suburban Neighborhood Evolving on various properties along Paragon Mills Road, zoned R8 (12.06 acres), requested by Dewey Engineering, applicant; Samir Investments, owner. (See associated case #2018Z-102PR-001).
Staff Recommendation: Approve.

APPLICANT REQUEST
Amend Southeast Community Plan to change the policy.

Minor Plan Amendment

A request to amend the Southeast Community Plan by changing from T3 Neighborhood Maintenance to T3 Neighborhood Evolving on various properties along Paragon Mills Road (12.06 acres).

SOUTHEAST COMMUNITY PLAN

Current Policy

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.

Proposed Policy

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

BACKGROUND

The amendment area is surrounded by three policy areas:

- T3 NE
- T3 NM
- Conservation (CO) to west, which is the Seven Mile Creek floodplain area
- T4 Community Center (T4 CC) to southwest, which is focused primarily on Nolensville Pike frontage.

The *Growth & Preservation Concept Map of NashvilleNext*, identifies the plan amendment area within the Transition or Infill area, with the southeastern portion within the Green Network. In addition, the study area is directly to the east and north of a Tier One Center that extends north from the intersection of Nolensville Pike and Harding Place. In addition, Nolensville Pike is identified as an Immediate Need High Capacity transit corridor.

The Major and Collector Street Plan (MCSP) classifies Paragon Mills Road as a two-lane Collector Avenue (T3-R-CA2). Nolensville Pike is classified as a five-lane Arterial Boulevard (T4-M-AB5-IM). WeGo Public Transit’s Route 72 serves the area, which links to Route 52. Both routes connect this portion of the community to downtown.

COMMUNITY PARTICIPATION

As part of the application process, the Executive Director determined the plan amendment is minor and the applicant was required to hold a community meeting. Staff hosted a community meeting at the Paragon Mills Church of Christ on Monday, October 8, 2018, attended by six people from the community. One attendee expressed opposition, while the others either expressed no opinion or offered support.

ANALYSIS OF T3 NEIGHBORHOOD EVOLVING POLICY

The proposed amendment area is a suitable location for T3 NE policy for the following reasons:

Policy Application

The proposed application of T3 NE policy is consistent with the intent of the application of this policy category. T3 NE policy should be applied to areas that are undeveloped, underdeveloped, or suitable for substantial redevelopment and infill and are anticipated to be developed in suburban residential patterns, but at higher densities and with greater housing variety than classic suburban neighborhoods.

The study area is currently underdeveloped with an inconsistent pattern of development and is suitable for significant redevelopment. T3 NE policy would allow development that would form a transition from a Tier One Center to adjacent single and two family neighborhoods to the east.

Growth & Preservation Concept Map

The proposed amendment area is predominantly designated as Transition and Infill on the NashvilleNext Growth & Preservation Concept Map. It is also directly east of a Tier One Center, which is intended to be a pedestrian-friendly area with frequent transit service that contains a dense mix of homes, shops, jobs and parks. Residential infill development is encouraged immediately around Tier One Centers in order to grow the market and demand for consumer services and the demand for transit in these centers.

Transition and Infill areas are intended to provide opportunities for greater housing choice while maintaining a suburban residential pattern that provides appropriate transitions from intense corridors or centers to adjacent neighborhoods. The study area's designation as Transition and Infill and its proximity to a Tier One Center makes it an appropriate location for T3 NE policy.

Transportation and Connectivity

The study area is located just off Nolensville Pike, classified as a major arterial in the Major and Collector Street Plan. There is existing bus and BRT Lite bus service on Nolensville Pike with inbound and outbound bus stops located at the Paragon Mills Road/Travis Drive (Route 72) intersection as well as stops along Nolensville Pike at Elysian Fields Road (Routes 52 and 72) and Welshwood Drive (Route 72). Nolensville Pike is also designated in NashvilleNext as an immediate need high capacity transit corridor slated for near term improvements to transit service. nMotion, the region's plan for transit, identifies Nolensville Pike as a future light-rail corridor. Convenient access to major transportation and transit networks (existing and planned) on a primary corridor to downtown Nashville makes this an appropriate location for T3 NE policy.

Relationship to Surrounding Policies

The existing T3 NM policy applied to the study area matches policy applied to property along Elysian Fields Road immediately north of the study area that consists of smaller lots with single- and two-family uses. Meanwhile, to the east and southeast of the study area T3 NE policy is applied to existing multifamily condominium developments. Conservation (CO) policy, consisting of floodplain adjacent to Seven Mile Creek, constrains future development on the south side of Paragon Mills Road to the front of the properties. T3 NE policy adjacent to CO policy would encourage new housing types that could take advantage of frontage along Paragon Mills Road and avoid disruption of the floodplain. Currently applied T3 NM policy on Paragon Mills Drive between existing T4 Urban Community Center (T4 CC) and T3 NE policy does not support adding housing types that could support the adjacent center or transit along Nolensville Pike. Rooftops, such as those yielded by T3 NE policy, are needed to support the viability of consumer businesses and population in the center policy area. An appropriate transition of density and intensity can be made from the commercial development on Nolensville Pike into the established suburban neighborhood with application of T3 NE policy to the study area.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. Consent Agenda. (10-0)

Resolution No. RS2018-274

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018CP-012-003 is approved . (10-0)

11b. 2018Z-102PR-001

Council District 26 (Jeremy Elrod)
Staff Reviewer: Latisha Birkeland

A request to rezone from R8 to RM20-A zoning for property located at 522 Paragon Mills Road, approximately 530 feet southwest of Valley Ridge Drive, (2.05 acres) requested by Dewey Engineering, applicant; Samir Investments, owner. (See associated case #2018CP-012-003).

Staff Recommendation: Approve subject to approval of the associated plan amendment. If the associated plan amendment is not approved, staff recommends disapproval.

APPLICANT REQUEST

Zone change from R8 to RM20-A zoning.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-Family Residential-Alternative (RM20-A) zoning for property located at 522 Paragon Mills Road, approximately 530 feet southwest of Valley Ridge Drive, (2.05 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 11 lots with 2 duplex lots for a total of 13 units.*

Proposed Zoning

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 41 units.*

SOUTHEAST COMMUNITY PLAN

Existing Policy

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.

Proposed Policy

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

ANALYSIS

The property consists of one parcel totaling 2.05 acres located along Paragon Hills Road in Southeast Nashville. This neighborhood along Paragon Hills Road consists of single-family residential uses, some two-family residential uses, multi-family residential uses and commercial uses. Paragon Mills Road is identified as a collector-avenue street on the Major and Collector Street Plan. This parcel is located approximately 755 feet east of Nolensville Pike. A MTA transit stop is located approximately 450 feet to the west of the parcel.

The existing T3 Neighborhood Maintenance policy is intended to maintain the character of the existing neighborhood. This neighborhood includes various types of lot sizes and uses along Paragon Hills Road. The parcel to the east is zoned Multi-Family Residential (RM20) and includes existing multi-family residential units. The parcels to the west include two-family residential units and commercial uses. The existing zoning in the area ranges from One and Two-Family Residential (R8) to Office/Residential (OR20) and Commercial Service (CS) zoning.

The proposed Multi-Family Residential – Alternative zoning (RM20-A) is supported by the proposed T4 Neighborhood Evolving policy at this location. Applying RM20-A zoning on this large parcel, will provide the opportunity for infill development that is consistent with the surrounding land uses. The alternative zoning district includes enhanced development standards pertaining to building placement and access that encourage development to frame the corridor, which is consistent with the goals of the proposed land use policy. RM20-A zoning will provide a transition from higher intensity along the corridor to the lower intensity policy to the north. The proposed rezoning brings the property closer to the goals of the proposed policy by allowing for housing diversity.

STAFF RECOMMENDATION

Approve subject to the approval of the associated plan amendment. If the associated plan amendment is not approved, staff recommends disapproval.

Approve. Consent Agenda. (10-0)

Resolution No. RS2018-275

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-102PR-001 is approved. (10-0)

12. 2008SP-025-005
PARK AT EWING CREEK SP (PERIODIC REVIEW)

Council District 02 (DeCosta Hastings)
Staff Reviewer: Shawn Shepard

A request for a periodic review of the Park at Ewing Creek Specific Plan District located at 3120 and 2832 Whites Creek Pike and Whites Creek Pike (unnumbered) and Rowan Drive (unnumbered), approximately 1,510 feet south of Briley Parkway (60.74 acres), requested by Councilmember Sharon Hurt, applicant; various property owners.

Staff Recommendation: Find the SP to be active.

APPLICANT REQUEST

Periodic review of a Specific Plan.

Periodic SP Review

A request for a periodic review of the undeveloped portion of the Park at Ewing Creek Specific Plan District located at 2832 and 3120 Whites Creek Pike, a portion of property located at 2842 Whites Creek Pike, Whites Creek Pike (unnumbered) and Rowan Drive (unnumbered), approximately 1,510 feet south of Briley Parkway (63.42 acres).

Existing Zoning

Specific Plan-Mixed Industrial (SP-MI) 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 industrial uses and a mix of office, commercial, and/or residential uses.

SP DETAILS

The Park at Ewing Creek SP was approved in 2009 to permit retail, office, warehouse, industrial, and open spaces uses in three subdistricts. Subdistrict A, which encompasses approximately 12 acres located along Whites Creek Pike, permits commercial, retail, office, and warehouse uses. Subdistrict B, which encompasses approximately 40 acres in the center of the site, permits industrial, office and warehouse uses. Subdistrict C, which encompasses the area along Ewing Creek to the north and a 300-foot-wide buffer along the southern and western property lines with a total area of about 40 acres, is limited to open space and vegetated landscape buffers. A portion of the SP, within Subdistricts A and B, is currently under development as a parking facility used by UPS. This SP review is limited to the undeveloped portions of the SP.

PERIODIC SP REVIEW

Section 17.40.105.I of the Metro Zoning Ordinance authorizes the Planning Commission, a councilmember, or the property owner of the area to be reviewed to request the Metropolitan Planning Commission to review any Specific Plan (SP), or portion thereof, to determine whether the SP is "inactive," and if so, to recommend to the Council what action should be taken with respect to the SP. The Commission determines whether the SP is "inactive" by examining whether development activity has occurred within four years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council. If the Planning Commission determines the SP to be inactive, the Commission is required to recommend legislation to the Council to re-approve or amend the SP or rezone the property.

Timeline for Planning Commission Action

The Zoning Code requires that, within 90 days from the initiation of its review, the Planning Commission must hold a public hearing to make a determination of activity, and if necessary, make a recommendation to the Council. The review was requested by Councilmember Sharon Hurt on August 31, 2018. The 90 day period extends to November 29, 2018. If the Planning Commission does not make a determination within 90 days from the initiation of a review, it is considered to be a recommendation to re-approve by ordinance the existing SP without alteration.

Classification of the SP (Active or Inactive)

Under 17.40.105 I, the Commission is first required to determine whether the portion of the Park at Ewing Creek SP requested for periodic review is active or inactive by examining whether development activity has occurred within four years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council.

Section 17.40.105.I.3.a. of the Metro Code requires the Planning Commission to make three findings in order to determine whether a SP has been active or inactive:

- i. Four or more years have elapsed since the latter of*
 - (1) The effective date of the initial enacting ordinance of the SP,*
 - (2) The effective date of any ordinance approving an amendment to the SP,*
 - (3) The effective date of any ordinance re-approving or amending a SP after it has been reviewed and decided in accordance with subsection 5.a. or b. of this section, or*
 - (4) The deadline for action by the metropolitan council in accordance with subsection 5.d. of this section, and*

The initial enacting ordinance for the SP became effective in 2009. No amendments have been approved for the SP.

ii. Construction has not begun on the portion of the SP under review; construction shall mean physical improvements such as, but not limited to, water and sewer lines, footings, and/or foundations developed on the portion of the SP under review; clearing, grading, the storage of building materials, or the placement of temporary structures shall not constitute beginning construction, and

The portion of the SP under review includes areas along Ewing Creek that were designated for enhancement and restoration of the floodplain, including construction of wetlands and planting of trees. Approvals were required from the Army Corps of Engineers, the Tennessee Department of Environment and Conservation and the Metro Stormwater Committee. A grading permit for the wetland construction and floodplain enhancement and restoration work was issued in April 2011. Metro has continuously completed periodic inspections since that time, and construction was completed in August 2017. The owners of this portion of the SP submitted information stating that approximately \$639,900 were spent on engineering, grading and tree planting expenses for this portion of the SP.

iii. Neither right-of-way acquisition from a third party nor construction has begun on off-site improvement(s) required to be constructed by the metropolitan council as a condition of the SP approval.

No right-of-way acquisition has taken place and no off-site improvements have been constructed.

Section 17.40.105 I.3.a. states that the Commission “*may also take into consideration the aggregate of actions, if any, taken within the prior 12 months to develop the portion of the SP under review.*”

The owners of the portion of the SP under review have provided information regarding the aggregate of actions that have occurred to develop the overall SP. The information includes both text and photos and was submitted to the Planning Department on October 9, 2018. The text included in the packet is replicated below:

Initial Acquisition and Entitlement

The 92 acres currently zoned SP located on Whites Creek Pike was purchased by Mike Nacarato in 2007 at a time that the property was zoned R8. The property was purchased from Fred Hahn who intended to place a mobile home park there similar to other facilities that he owned on Dickerson Pike.

After the purchase by Nacarato, a plan was created to develop the property as a R8 subdivision with 25% duplex lots. The plan was to create up to 388 lots with up to 485 homes. Although allowed by right, this plan was shown to the Community and created much opposition. The community did not want the traffic, but they also felt that the use was inappropriate across the street from an active rock quarry.

As a result, and after a long process, it was agreed and supported by the Community and the Councilmember that the property be rezoned SP allowing 12 acres of Commercial/Office and Warehouse along Whites Creek Pike; allow 40 acres of Industrial/Office and Warehouse behind the Commercial; and then provide a 300 foot wide Buffer of existing dense trees to stay (40 acres in size) adjacent to the existing residential subdivision (Haynes Manor).

The approximate cost of this extensive land use and zoning process was as follows:

- Cost of property - \$3,062,321
- Engineering/surveying/zoning expenses - \$142,700

Phase One Development

The first phase of the SP was the creation of a park as indicated on the SP plan. This park was to create a resources within the floodway and floodway buffer to create water quality storage areas, storage for floodwater, and to plant over 600 trees. This process required approval by Corps of Engineers, TDEC, Planning Commission, and the Metro Stormwater Committee. The work was approved in 2010 and was not completed and signed off by Metro until November 2017.

- Engineering expenses - \$86,300
- Grading expenses - \$402,600
- Tree planting expenses - \$151,000

Phase 2 Development

The second Phase consisted of the creation of a level pad for a future user. The project required removal of unsuitable soils and import of granular fill. The work was completed in December 2017.

- Removal of bad soils expenses - \$629,200
- 170,000 cubic yards of compacted fill expenses - \$1,700,000
- Engineering expenses - \$93,100

Phase 3 Development

The Third Phase is the development of an overflow parking and staging area for UPS. This was created within an industrial zoned section of the SP. This began in November 2017 and the project is nearing completion.

Infrastructure improvements to overall SP—

- Water and sanitary sewer expenses - \$980,000
- Site development expenses - \$4,800,000
- Engineering expenses - \$240,000

Phase 4 Official Dedication of Open Space

In November of 2017, 40 acres of open space was formally dedicated as required by the overall SP.

- Cost of dedicated land 40 acres at \$30,623/acre = \$1,224,920

Phase 5 (In Progress) Remaining Portion of SP

Pending contracted sale of the remaining SP commercial/industrial site (\$6,500,000) which includes 30 acres of developable property outside of dedicated buffers (\$216,667 per acre). A portion of the property is to be an enclosed recycling facility that is currently allowed but however required an extensive public process to meet the requirements of the Tennessee Jackson Law.

- Surveying Expenses - \$34,000
- Engineering expenses - \$128,000
- Extension of sanitary sewer to site expenses - \$180,000
- Jackson Law Process
 - Legal representation - \$42,000
 - Metro Council procedures, community meetings, land use consultants - \$93,800

Aggregate of expenses on overall SP within the last 12 months

- Engineering expenses - \$419,400
- Grading expenses - \$402,600
- Tree planting expenses - \$151,000
- Removal of bad soils expenses - \$629,200
- 170,000 cubic yards of compacted fill expenses - \$1,700,000
- Water and sanitary sewer expenses - \$980,000
- UPS site development expenses - \$4,800,000
- Total:** \$9,082,200

Expenses on the remainder of the SP within the last 12 months

- Dedication of buffers to open space - \$1,224,990
- Surveying expenses - \$34,000
- Engineering expenses - \$128,000
- Extension of sanitary sewer to site expenses - \$180,000
- Jackson Law Process
 - Legal representation - \$42,000
 - Metro Council procedures, community meetings, land use consultants - \$93,800
- Total:** \$1,702,720

ANALYSIS

The activities described in Phase One of the owner's information are associated with a final site plan, Case 2008SP-025-001, for development of an "eco-park" on approximately four acres of the site, including floodplain and wetland restoration and enhancement. The final site plan was approved in April of 2011. The associated grading permit, Permit #201100038, was approved by Metro in April of 2011, and Metro Stormwater completed the final inspection on the project in August of 2017.

The portion of the SP under review excludes the developed portion containing the UPS facility described in Phases 2 and 3 of the information provided by the owners. A final site plan was reviewed and approved and grading permits for these phases of the development were issued in late 2017 and early 2018, but those activities are not under consideration as part of the aggregate of actions as they are not applicable to the portion of the SP under review.

Phase Four, as described in the information provided by the owner, involved fulfillment of Condition #1 of Section 6 of Council Ordinance BL2008-324, which required that "prior to final site plan approval of the first phase of development an association to manage and maintain the landscape buffer yards shall be established and a management plan shall be prepared and approved by the Urban Forester. The owners of the property recorded a Landscaping and Maintenance Agreement with the Davidson County Register of Deeds, Instrument #20171005-0102329, on October 5, 2017 to address this condition.

Phase 5, as identified in the information provided by the owner, encompasses the remaining undeveloped portion of the SP within Subdistricts A and B, which permit office, industrial and warehouse uses, and outside of floodplain, open space, and landscape buffer areas. A portion of the activities described as occurring in Phase 5 pertain to approvals obtained under the Jackson Law process. The Jackson Law refers to the provisions of Tennessee Code Annotated, Title 68, Chapter 211, Part 7 which allows Council to make determinations concerning the location of certain uses. In preparation for development of the remaining portion of the SP, and as required by the Jackson Law provisions, the owners sought Metro Council approval of the location of a non-hazardous liquid waste processing facility to be located on a portion of this site. Metro Council approved Ordinance BL2018-1280 to approve those plans on September 5, 2018.

Excluding the activities identified in Phases 2 and 3, which pertain to the already developed portion of the SP which is not under review, the owner has taken action to initiate development within the remainder of the SP in the 12 months prior to this periodic review. The approved Preliminary SP limited the uses within Subdistrict C of the plan to open space and greenways and noted that the open space was important to provide a permanent buffer between the commercial and industrial uses and the adjacent community.

Since August of 2017, the owners have completed ongoing floodplain and wetland restoration work at the north end of the SP and have invested in planting additional trees and vegetation within the 300-foot landscape buffer at the south end of the SP. The owners have also fulfilled a requirement of the Council ordinance to establish an association to manage and maintain the open space through an instrument recorded in November of 2017; this condition was required to be addressed before a final site plan for development could be approved. Additionally, in anticipation of development, the owners have initiated a public hearing process required by Metro Council for a non-hazardous liquid waste processing facility and received Council approval in September of 2018. Under the Jackson Law provisions, this Council approval is required before permits for development of that use can be issued.

Collectively, the above activities demonstrate an aggregate of actions occurring within the prior 12 months to prepare the site for development and to initiate development of the remaining undeveloped portion of the SP.

Planning Commission Recommendation to Metro Council

If the Planning Commission determines the SP to be active, then no further action is required. If the Commission determines the SP to be inactive, then the Commission is required to recommend legislation to the Council to re-approve or amend the SP, or rezone the property.

With respect to the legislation to be recommended to the Metro Council, the Planning Commission is directed by the Code to take two distinct steps.

First, the Commission is to determine whether the *“existing SP is consistent with the goals, policies, and objectives of the General Plan and any applicable specific redevelopment, historic, neighborhood, or community plans.”*

Second, the Commission is to recommend the legislation, and include, as required:

- (a) The appropriateness of the continued implementation of the development plan or phases(s) as adopted, based on current conditions and circumstances; and
- (b) Any recommendation to amend the development plan or individual phases(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

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

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

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

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

Consistent with Policy?

The currently approved SP plan is partially consistent with the current land use policies applicable to the area. A portion of the site, encompassing the floodplains along Ewing Creek, is within Conservation and Open Space policies. The SP limits uses in that area to open space and greenways, which are consistent with the goals of the Conservation and Open Space policies to minimize disturbance of sensitive environmental features and provide opportunities for protected open space and greenways. A portion of the site along Whites Creek Pike is within an area of T3 NC policy, which encourages a mix of uses to serve surrounding neighborhoods. The uses permitted within Subdistrict A of the SP, including retail, office and warehouse, are generally consistent with the T3 NC policy.

The remainder of the site is within T3 NE policy, which is a primarily residential policy intended to enhance suburban residential neighborhoods with additional housing choices and improved connectivity. A portion of the T3 NE policy area overlaps with Subdistrict C of the SP, which currently restricts that area to a 300-foot landscape buffer. The majority of the T3 NE policy on the site overlaps with Subdistricts A and B which permit a range of retail, office, warehouse and industrial uses that are not supported by the T3 NE policy.

STAFF RECOMMENDATION

In accordance with the requirements of 17.40.105 I, staff recommends that the Planning Commission find the portion of the SP under review to be active as construction has begun on the portion of the SP under review and there has been an aggregate of actions that constitutes activity by the owner in the last 12 months to initiate development of this portion of the SP.

ALTERNATIVE

If the Commission finds the SP inactive, then staff recommends that the Commission recommend that Council rezone the property as follows:

- The portion of the SP under review within areas of Conservation and Open Space policy should remain in place, as the SP limits development in those areas in a manner that is consistent with policy.
- The portion of the property within T3 NC policy should be rezoned to Mixed Use Neighborhood – Alternative (MUN-A) as this district would permit a range of uses to serve the surrounding neighborhoods at a scale appropriate for a neighborhood center.
- The portion of the property within T3 NE policy should be rezoned to Single-Family Residential (RS10), consistent with the zoning of the adjacent residential neighborhoods. Additionally, future development under RS10 zoning should include extension of all existing stub streets in the surrounding residential neighborhoods through this site to ensure consistency with the guidance in T3 NE policy to enhance vehicular and pedestrian connectivity.

Councilmember Hastings spoke in opposition to a deferral.

Councilmember Davis spoke in opposition to a deferral.

Councilmember Blalock spoke in opposition to a deferral.

Councilmember Hall spoke in opposition to a deferral.

Councilmember Hurt requested a one meeting deferral.

Ms. Shepard presented the staff recommendation of finding the SP to be active.

Dr. Sims expressed concerns with lack of legal representation for both sides.

Mr. Hayes spoke in opposition to a deferral.

Dr. Sims moved and Ms. Moore seconded the motion to defer to the November 8, 2018 Planning Commission meeting. (7-2) Mr. Haynes and Mr. Gobbell voted against.

Mr. Haynes left the meeting at 6:00 p.m.

Ms. Moore left the meeting at 6:00 p.m.

"BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-025-005 **is deferred to the November 8, 2018, Planning Commission meeting. (7-2)**

- 13. 2018SP-060-001**
MT. PISGAH AND EDMONDSON SP
Council District 04 (Robert Swope)
Staff Reviewer: Abbie Rickoff

A request to rezone from AR2A to SP-R zoning on property located at 5960 Edmondson Pike and Edmondson Pike (unnumbered), at the northeast corner of Edmondson Pike and Mt. Pisgah Road (13.4 acres), to permit 38 single-family residential lots, requested by Dale and Associates, applicant; Edmondson Landco, LLC, and Mary and Robert Hyman, Trustees, owners.

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

The Metropolitan Planning Commission deferred 2018SP-060-001 to the November 8, 2018, Planning Commission meeting. (10-0)

- 14. 2018SP-069-001**
RIDGECREST AT VISTA
Council District 03 (Brenda Haywood)
Staff Reviewer: Jason Swaggart

A request to rezone from IWD and R10 zoning to SP-R zoning for properties located at 420, 516, and 520 Green Lane, 3448 Knight Drive, Tisdall Drive (unnumbered), Knight Drive (unnumbered), White Creek Pike (unnumbered), and Green Lane (unnumbered), approximately 470 feet east of Knight Drive (116.76 acres), to permit 303 single-family residential lots, requested by Anderson, Delk, Epps and Associates Inc., applicant; Cornerstone Land Company, owner.

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

The Metropolitan Planning Commission deferred 2018SP-069-001 to the December 13, 2018, Planning Commission meeting. (10-0)

- 15. 2018S-155-001**
2410 UNA ANTIOCH PIKE
Council District 28 (Tanaka Vercher)
Staff Reviewer: Latisha Birkeland

A request for final plat approval to create five lots on property located at 2410 UNA Antioch Pike, approximately 250 feet Southeast of Apollo Drive, zoned RS10 (3.00 acres), requested by Dale and Associates, applicant; Arup Bandyopadhyay, owner.

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

The Metropolitan Planning Commission deferred 2018SP-069-001 to the December 13, 2018, Planning Commission meeting. (10-0)

- 16. 2018Z-106PR-001**
Council District 07 (Anthony Davis)
Staff Reviewer: Abbie Rickoff

A request to rezone from CL, R10, and R6 to MUL-A zoning for properties located at 1600 Riverside Drive and 1600 Porter Road, approximately 500 feet south of Shinkle Avenue (1.51 acres), requested by Southeast Venture, applicant; Middle Tennessee Foundation Holdings, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST
Zone change from CL, R6, and R10 to MUL-A.

Zone Change

A request to rezone from Commercial Limited (CL), One and Two-Family Residential (R6), and One and Two-Family Residential (R10) to Mixed Use Limited-Alternative (MUL-A) zoning for properties located at 1600 Riverside Drive and 1600 Porter Road, approximately 500 feet south of Shinkle Avenue (1.51 acres).

Existing Zoning

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

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *Approximately 0.4 acres of the site are within the R10 zoning district. R10 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units, based on the acreage only. However, a final determination on duplex eligibility is made by Codes. Application of the Subdivision Regulations may result in fewer lots at this property.*

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. *Approximately 0.78 acres of the site is within the R6 zoning district. R6 would permit a maximum of 5 lots with 1 duplex lot for a total of 6 units, based on the acreage only. However, a final determination on duplex eligibility is made by Codes. Application of the Subdivision Regulations may result in fewer lots at this property.*

Proposed Zoning

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

EAST 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.

ANALYSIS

The site includes two parcels on approximately 1.51 acres located along the north side of Porter Road, east side of Porter Avenue, and west side of Riverside Drive. The majority of the site is located on the larger parcel (1.31 acres), which currently contains a church, and is located in the CL, Commercial Limited, and R6 and R10, One and Two-Family Residential, zoning districts. The smaller parcel (0.2 acres), located along the western boundary of the site, currently contains a single-family home and is located in the R6 zoning district. Access to the site is currently provided from Porter Road and Riverside Drive, a collector-avenue and arterial-boulevard respectively, in the Major and Collector Street Plan. The site is served by existing transit, including an MTA bus stop along the Porter Road property frontage. South Inglewood Elementary is located approximately 500 feet to the north, and the South Inglewood Community Center is located west of the school, north of Cahal Avenue.

Surrounding land uses along Porter Road include commercial, residential, and office uses in the T4 NC policy, which extends from the site to the eastern side of Riverside Drive, and across the street, south of Porter Road, from the terminus of Cahal Avenue to east of Riverside Drive. Within the T4 NC area, properties are zoned for mixed use, commercial, multi-family, and one-and two family residential uses. The policy transitions to primarily T4 Neighborhood Maintenance (NM) policy north of the site, where the development pattern includes primarily single-family and two-family development, with scattered institutional and community uses.

The requested rezoning to MUL-A is consistent with the policy for the area, and is appropriate given the site's location and recently completed zoning requests. Several properties located south of Porter Road, opposite the site, were rezoned to MUL-A in August, 2018. The August 2018, rezoning was approved in conjunction with a community plan amendment to expand the T4 NC policy south of the Porter Road corridor, identifying the area as appropriate for neighborhood-scaled mixed use development.

The proposed MUL-A zoning is compatible with surrounding land uses and is consistent with policy, which is intended to enhance urban neighborhoods with mixed-use development at a scale commensurate with nearby residential areas. The current CL, R10, and R6 zoning districts are not supported by the T4 NC policy, as the zoning districts do not provide the same opportunities for redevelopment. The proposed MUL-A rezoning is supported by the policy, as it allows for a mixture of uses along the corridor that could serve the immediate neighborhood and be located in proximity to an arterial boulevard. The site is located at the intersection of urban streets with direct access to existing transit, offering options beyond single vehicle occupancy trips, consistent with the goals of the policy. The bulk and building placement standards associated with MUL-A zoning ensure future development addresses the pedestrian realm and limits the amount of parking between the building and the street.

Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

FIRE MARSHAL RECOMMENDATION

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: **CL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.33	0.6 F	8,624 S.F.	548	28	59

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.4	4.35 D	2 U	29	7	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.78	7.26 D	6 U	79	10	7

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)	0.76		33 U	209	17	23

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)	0.38	1.0	16,552 S.F.	186	43	21

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)	0.37		16,117 S.F.	1023	52	111

Traffic changes between maximum: **CL, R10, R6 and MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+762	+67	+86

METRO SCHOOL BOARD REPORT

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

Projected student generation existing R10 district: 0 Elementary 0 Middle 0 High

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

The proposed MUL-A zoning district will generate 29 additional students beyond what would be generated under the existing R6 and R10 zoning, assuming 50% of the floor area is utilized for non-residential uses. Students would attend Inglewood Elementary School, Issac Litton Middle School, and Stratford 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 Neighborhood Center policy.

Approve. Consent Agenda. (9-0-1)

Resolution No. RS2018-277

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-106PR-001 is approved. (9-0-1)

17. 2018Z-107PR-001

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Latisha Birkeland

A request to rezone from R6 to CS-A zoning for properties located at 5012 and 5014 Kentucky Avenue, 1202 51st Avenue North, 1003, and 1003 B 51st Avenue North, and 5100 Michigan Avenue, approximately 286 and 440 feet east of 52nd Avenue North, (0.57 acres), requested by Councilmember Mary Carolyn Roberts, applicant; Frank J. and Evelyn Marie Parrish, O.I.C. Homes at 5100 Michigan Avenue, and Stephen S. Morris, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Rezone from R6 to CS-A

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Commercial Service – Alternative (CS-A) zoning for properties located at 5012 and 5014 Kentucky Avenue, 1202 51st Avenue North, 1003, and 1003 B 51st Avenue North, and 5100 Michigan Avenue, approximately 286 and 440 feet east of 52nd Avenue North, (0.57 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 4 lots with 1 duplex lot for a total of 5 units.

Proposed Zoning

Commercial Service-Alternative (CS-A) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

WEST NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The property consists of four parcels totaling 0.57 acres located along 51st Avenue North in West Nashville. One parcel is currently vacant while the other three parcels currently have residential units on them. The properties are located on two different blocks along 51st Avenue North, which is identified as an arterial boulevard on the Major and Collector Street Plan, and provides MTA transit stops to the north and south of the properties.

These parcels are located in the T4 Urban Mixed Use Corridor (T4 CM) policy. This policy supports a mixture of uses along the corridor. This policy aims to balance higher density residential and commercial uses to make an active and vital corridor. The 51st Avenue North corridor runs the length between Centennial Avenue to the north and past Briley Parkway to the south.

The T4 Mixed Use Corridor policy is shallow along both the east and west side of 51st Avenue North. The adjacent policy to the corridor is the T4 Urban Neighborhood Maintenance policy, which is a residential only policy.

The parcels within the 51st Avenue North Corridor are mainly zoned Commercial Service (CS). The T4 Mixed Use Corridor policy supports higher intensity residential and commercial uses to frame the corridor. The proposed CS zoning allows for a mixture of commercial uses that would support the existing urban residential neighborhood and would be consistent with the existing zoning in the area. Lower intensity residential, such as R6 zoning, is not consistent with the T4 CM policy. Additionally, the alternative zoning district includes enhanced development standards pertaining to building placement and access, consistent with the goals of the land use policy. The proposed Commercial Service zoning will support the existing residential uses by providing walkable commercial uses for the neighborhood. The proposed rezoning brings the properties closer to the goals of the policy by allowing commercial uses along the corridor.

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: **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)	0.57	7.26 D	5 U	67	9	6

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.57	0.6 F	14,898 S.F.	946	48	102

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+879	+39	+96

METRO SCHOOL BOARD REPORT

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

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

The proposed CS-A zoning district would generate no more students than what is typically generated under the existing R6 zoning district. Students would attend Cockrill 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.

Approve. Consent Agenda. (10-0)

Resolution No. RS2018-278

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-107PR-001 is approved. (10-0)

18. 2018Z-108PR-001

BL2018-1365/Pulley
Council District 25 (Russ Pulley)
Staff Reviewer: Patrick Napier

A request to rezone from R10 to RS10 zoning for various properties located on General Hood Trail, Robin Road, and Winston Place, south of Woodmont Boulevard (7.46 acres), requested by Councilmember Russ Pulley, applicant; various property owners.

Staff Recommendation: Disapprove as submitted. Approve with a substitute ordinance.

APPLICANT REQUEST

Zone change from R10 to RS10

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Single-Family Residential (RS10) zoning for various properties located on General Hood Trail, Robin Road, and Winston Place, south of Woodmont Boulevard (7.46 acres).

Existing Zoning

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

Proposed Zoning

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

GREEN HILLS-MIDTOWN COMMUNITY PLAN

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

Consistent with Policy?

Yes, both the existing R10 zoning district and the proposed RS10 zoning district are consistent with the T3 NM policy depending on locational characteristics. The policy does not support one single-residential type, but can support single-family, two-family as well as multi-family, depending on the context. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern.

ANALYSIS

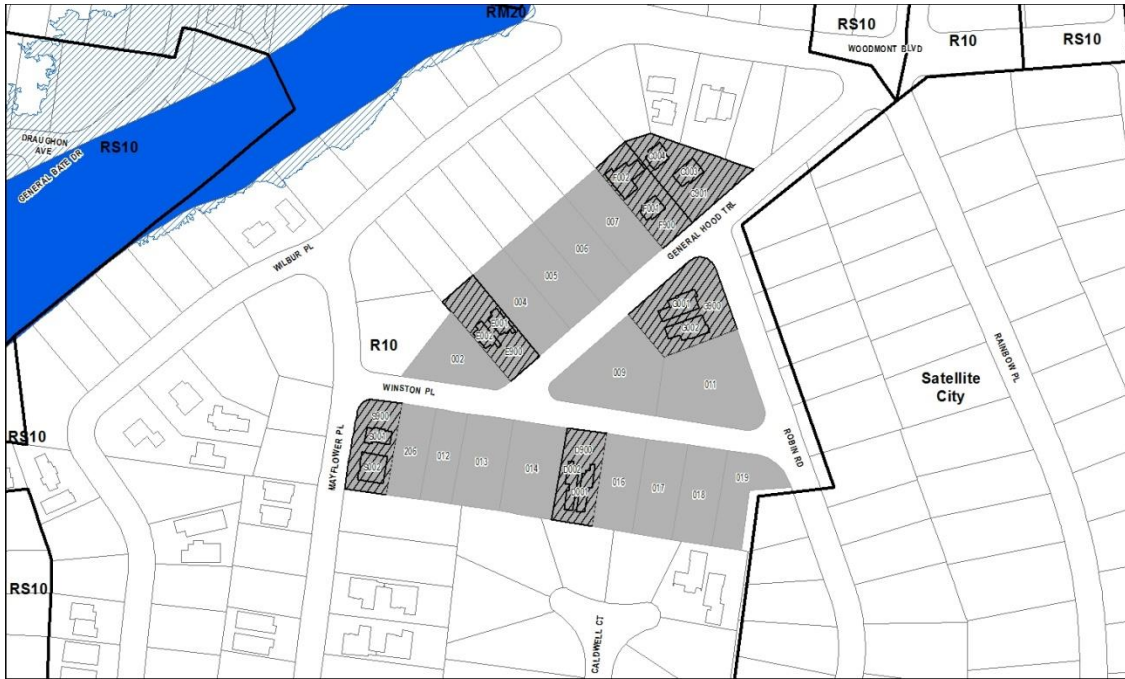
NashvilleNext calls for the integration of more diverse housing types into neighborhoods to allow for aging in place, to address the overall affordability of housing, and to respond to demographic changes that are influencing residential preferences. The area currently contains a diversity of housing types, including single-family and two-family homes. The proposed RS10 zoning district would limit development in the area to single-family uses.

In order to ensure adequate opportunities for housing diversity, staff recommends approval of a substitute ordinance to remove parcels with existing duplexes from the zone change area. The existing legally permitted two-family units make up approximately 28.5 percent of the total number of lots. This percentage represents an appropriate level of housing diversity given the T3 NM policy. Staff's recommendation is intended to provide a balance between maintaining the existing residential character and the General Plan goals for housing diversity. The existing duplexes in the area promote a diversity of housing options today, and retaining the R10 zoning on those parcels allows the two-family units to continue to provide opportunities for housing diversity in the future.

Substitute Ordinance No. 2018-1365

Staff recommends disapproval as submitted and approval with a substitute to remove the following parcels from the downzoning.

- Map 118-10-0-C, Parcel(s) 003,004, 901
- Map 118-14-0-G, Parcel(s) 001,002, 900
- Map 118-13-0-S, Parcel(s) 001,002, 900
- Map 118-14-0-D, Parcel(s) 001,002, 900
- Map 118-14-0-E, Parcel(s) 001,002, 900
- Map 118-14-0-F, Parcel(s) 001, 002, 900



*Hatched parcels indicate those staff recommends be removed from the zone change.

STAFF RECOMMENDATION

Staff recommends disapproval as submitted and approval of the substitute ordinance.

Mr. Napier presented the staff recommendation of disapproval as submitted and approval with a substitute ordinance.

Lisa (last name unclear) , 901 Winston Place, spoke in favor of both Item 18 and 19.

Rick Beasley spoke in favor of the downzoning.

Barbara (last name unclear) spoke in favor of the downzoning.

James Floyd, 909B Winston Place, would like to keep the current zoning as is.

Chairman Adkins closed the Public Hearing.

Dr. Sims spoke in favor of the application.

Mr. Gobbell spoke in favor of the application.

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

Resolution No. RS2018-279

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-108PR-001 **is disapproved as submitted. Approved with a substitute ordinance. (7-0)**

19. 2018Z-109PR-001

BL2018-1366/Pulley
 Council District 25 (Russ Pulley)
 Staff Reviewer: Patrick Napier

A request to apply a Contextual Overlay to various properties on General Hood Trail, Winston Place, and Robin Road, south of Woodmont Boulevard (7.46 acres), requested by Councilmember Russ Pulley, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a Contextual Overlay District.

Zone Change

A request to apply a Contextual Overlay to various properties on General Hood Trail, Winston Place, and Robin Road, south of Woodmont Boulevard (7.46 acres), requested by Councilmember Russ Pulley, applicant; various property owners.

Existing Zoning

Single Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 4.63 dwelling units per acre.

Proposed Zoning

Contextual Overlay provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

GREEN HILLS-MIDTOWN COMMUNITY PLAN

T3 Suburban Neighborhood Maintenance 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.

CONTEXTUAL OVERLAY

The Contextual Overlay district provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area. The design standards established through the Contextual Overlay include specific standards in regards to street setback, building height, building coverage, access, driveways, garages, and parking areas. Street setbacks, building height, and building coverage are directly tied to the lots abutting on either side of a lot proposed for new construction. Access, driveway, garage and parking design standards are intended to help control new accesses on the public streets as well as the location of garages and parking to lessen the impact of new construction on existing homes. The design standards are already established and cannot be modified.

Contextual Overlay Standards

A. Street setback. The minimum required street setback shall be the average of the street setback of the two developed lots abutting each side of the lot. When one or more of the abutting lots is vacant, the next developed lot on the same block face shall be used. The minimum provided in 17.12.030A and the maximum provided in 17.12.030C.3 shall not apply. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the minimum required street setback shall be calculated and met for each street.

B. Height.

1. The maximum height, including the foundation, of any primary structure shall not be greater than 35 feet or 125% of the average height of the principal structures on the two lots abutting each side of the lot, whichever is less. When one of the abutting lots is vacant, the next developed lot on the same block face shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum height shall be calculated for each street and limited to 35 feet or 125% of the average height of the lesser value. When 125% of the average of the abutting structures is less than 27 feet, a maximum height of 1.5 stories in 27 feet shall be permitted.

2. The maximum height, including the foundation, of any accessory structure shall not be greater than 27 feet.

3. For the purposes of this section, height shall be measured from grade or, if present, the top of a foundation which shall not exceed three feet above grade, to the roof line.

C. Maximum building coverage. The maximum building coverage (excluding detached garages and other accessory buildings) shall be a maximum of 150% of the average of the building coverage (excluding detached garages and other accessory buildings) of the two abutting lots on each side. When the abutting lot is vacant, the next developed lot shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum building coverage shall be calculated and met for each street.

D. Access and driveways, garages and parking areas.

1. Access and Driveways.

a. Where existing, access shall be from an improved alley. Where no improved alley exists, a driveway within the street setback may be permitted.

b. For a corner lot, the driveway shall be located within 30 feet of the rear property line.

c. Driveways are limited to one driveway ramp per public street frontage.

d. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.

2. Garages.

a. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.

b. Attached. The garage door shall face the side or rear property line

ANALYSIS

The proposed overlay area is within the T3 Suburban Neighborhood Maintenance policy area and the proposed Contextual Overlay is consistent with the policy. There is a fairly consistent housing type in regards to bulk and massing that currently exists in the area proposed for the Contextual Overlay.

The Contextual Overlay would help to preserve the general character of the existing neighborhood with specific standards for new construction that are directly related to the existing residential structures in the area.

STAFF RECOMMENDATION

Staff recommends approval as the establishment of a Contextual Overlay is consistent with the policy for the area.

Mr. Napier presented the staff recommendation of approval.

No one spoke in favor or opposition.

Chairman Adkins closed the Public Hearing.

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

Resolution No. RS2018-280

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-109PR-001 **is approved. (7-0)**

H: OTHER BUSINESS

20. New Employment Contract for Stephanie McCullough

Resolution No. RS2018-281

"BE IT RESOLVED by The Metropolitan Planning Commission that the new employee contract for Stephanie McCullough is **approved. (10-0)**

21. Contract Amendment for Dara Sanders

Resolution No. RS2018-282

"BE IT RESOLVED by The Metropolitan Planning Commission that the contract amendment for Dara Sanders is **approved. (10-0)**

22. Historic Zoning Commission Report

23. Board of Parks and Recreation Report

24. Executive Committee Report

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

Resolution No. RS2018-283

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are **approved. (10-0)**

26. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

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

J: ADJOURNMENT

Chairman

Secretary