



# **METROPOLITAN PLANNING COMMISSION**

## **MINUTES AGENDA**

**April 25, 2019**  
**4:00 pm Regular Meeting**

**700 Second Avenue South**  
(between Lindsley Avenue and Middleton Street)  
Howard Office Building, Sonny West Conference Center (1st Floor)

### **MISSION STATEMENT**

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

**Commissioners Present:**

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

**Staff Present:**

Lucy Kempf, Executive Director  
Bob Leeman, Deputy Director  
George Rooker, Special Projects Manager  
Kelly Adams, Admin Services Officer IV  
Lisa Milligan, Planning Manager II  
Greg Claxton, Planning Manager I  
Jason Swaggart, Planner II  
Joren Dunnavant, Planner II  
Abbie Rickoff, Planner II  
Gene Burse, Planner II  
Amelia Lewis, Planner II  
Patrick Napier, Planner I  
Elham Daha, Planner I  
Quan Poole, Legal

**Lucy Alden Kempf**

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

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

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

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

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

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

### Writing to the Commission

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

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

### Speaking to the Commission

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

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

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

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

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

### Legal Notice

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



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](mailto: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

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## **A: CALL TO ORDER**

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

## **B: ADOPTION OF AGENDA**

Mr. Tibbs moved and Mr. Elam seconded the motion to adopt the agenda. (10-0)

## **C: APPROVAL OF APRIL 11, 2019 MINUTES**

Mr. Haynes moved and Mr. Gobbell seconded the motion to approve the April 11, 2019 minutes. (10-0)

## **D: RECOGNITION OF COUNCILMEMBERS**

Councilmember Anthony Davis spoke in favor of Item 25.

Councilmember Johnson spoke in opposition to Item 11.

Councilmember Hagar spoke in favor of Items 31 and 32.

Councilmember Scott Davis spoke in favor of Items 13 and 25.

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

**2. 2018Z-010TX-001**

**3a. 2019CP-005-001**  
**EAST NASHVILLE COMMUNITY PLAN AMENDMENT**

**3b. 2019Z-004PR-001**

**5. 2018SP-029-002**  
**405 40TH AVENUE NORTH SP (AMENDMENT)**

**6. 2018SP-057-001**  
**EATON CREEK COMMONS**

**7. 2019SP-006-001**  
**3RD AVENUE NORTH SP**

**8. 2019SP-020-001**  
**PETTUS ROAD SP**

**9. 2019S-032-001**  
**RESUBDIVISION OF PART OF LOT 10 ON THE PLAN OF ALPINE TERRACE SUBDIVISION**

**10. 2019S-039-001**  
**4830 PAYNE ROAD**

**14. 2019Z-044PR-001**

**16. 2019SP-010-001**  
**0 SHANNON AVENUE**

**20. 2019HP-001-001**  
**MARATHON VILLAGE**

**21. 2018Z-038PR-001**

**22. 2018Z-039PR-001**  
Dr. Sims moved and Ms. Moore seconded the motion to approve the Deferred and Withdrawn Items. (10-0)

## **F: CONSENT AGENDA ITEMS**

1. **CIB FY2019-20**
  
12. **2019S-047-001**  
2306 DONNA HILL COURT
  
13. **2019Z-035PR-001**
  
15. **2018SP-013-001**  
THE COTTAGES AT CITY HEIGHTS SP
  
17. **2019S-059-001**  
SAINT CHARLES ESTATES SUBDIVISION
  
19. **122-83P-001**  
THE WOODLANDS, PHASE 3 (REVISION AND FINAL)
  
23. **2018Z-129PR-001**
  
24. **2019Z-016PR-001**
  
25. **2019Z-046PR-001**
  
26. **2019Z-051PR-001**
  
27. **2019Z-053PR-001**
  
28. **2019Z-054PR-001**
  
29. **2019Z-055PR-001**
  
30. **2019Z-056PR-001**
  
31. **2019Z-057PR-001**
  
32. **2019Z-058PR-001**
  
36. **Accept the Director's Report and Approve Administrative Items**

Mr. Haynes moved and Ms. Farr seconded the motion to approve the Consent Agenda. (10-0)

Ms. Blackshear recused herself from Item 1.

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

### 1. CIB FY2019-20

#### FY19-20 CAPITAL IMPROVEMENTS BUDGET

Staff Review: Greg Claxton

Submit the FY2019-20 Capital Improvements Budget for consideration by the Mayor.

**Staff Recommendation: Approve.**

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

**Resolution No. RS2019-100**

"BE IT RESOLVED by The Metropolitan Planning Commission that CIB-FY2019-20 is **approved. (9-0-1)**

### 2. 2018Z-010TX-001

BL2018-1416/Henderson, A. Davis, Sledge

Staff Reviewer: Shawn Shepard

A request to amend Chapter 17.24 of Title 17 of the Metropolitan Code, Zoning Regulations regarding tree density, removal, and replacement requirements.

**Staff Recommendation: Defer to the June 13, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-010TX-001 to the June 13, 2019 Planning Commission meeting. (10-0)**

### 3a. 2019CP-005-001

#### EAST NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 05 (Scott Davis)

Staff Reviewer: Marty Sewell

A request to amend the East Nashville Community Plan by changing from T4 Urban Neighborhood Evolving policy and T4 Neighborhood Maintenance policy to T4 Neighborhood Center policy on various properties located along North 6th Street, zoned SP-R (1.75 acres), requested by Sean Roberge, applicant; various property owners (See associated case # 2019Z-004PR-001).

**Staff Recommendation: Defer to the May 23, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019CP-005-001 to the May 23, 2019 Planning Commission meeting. (10-0)**

### 3b. 2019Z-004PR-001

Council District 05 (Scott Davis)

Staff Reviewer: Latisha Birkeland

A request to rezone from SP-R to MUN-A zoning on properties located at various addresses along North 6th Street, at the northeastern corner of Cleveland Street and North 6th Street (1.75 acres), requested by Cleveland Street Missionary Baptist Church, applicant and owner.

**Staff Recommendation: Defer to the May 23, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019Z-004PR-001 to the May 23, 2019 Planning Commission meeting. (10-0)**

**4. 2017SP-092-001**  
**THE VILLAGES AT HODGES HILL SP**

Council District 03 (Brenda Haywood)  
Staff Reviewer: Abbie Rickoff

A request to rezone from RS20 to SP-MR zoning on a portion of property located at 4000 Brick Church Pike, at the corner of Brick Church Pike and Hillenglade Drive, (14.8 acres), to permit up to 71 residential units, comprised of 55 single-family lots and 16 multi-family units, requested by Dale and Associates, applicant; Jeffery Bullock, owner.

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

**APPLICANT REQUEST**

**Preliminary SP to permit up to 71 residential units, comprised of 55 single-family lots and 16 multi-family units.**

Preliminary SP

A request to rezone from Single-Family Residential (RS20) to Specific Plan – Mixed Residential (SP-MR) zoning on a portion of property located at 4000 Brick Church Pike, at the corner of Brick Church Pike and Hillenglade Drive, to permit up to 71 residential units, comprised of 55 single-family lots and 16 multi-family units (14.8 acres).

**Existing Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 27 units on the 14.8 acre-site, based on the acreage only. However, application of the Subdivision Regulations may result in fewer units at this site.*

**Proposed Zoning**

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

**SITE CONTEXT AND PLAN DETAILS**

The proposed SP is located on a portion of property (14.8 of 41.87 acres), located on the west side of Brick Church Pike, south of Old Hickory Boulevard. The front of the existing 41.87-acre property is relatively flat and open, transitioning to areas containing heavy vegetation, steeper slopes, a stream, and problem soils towards the western property line, away from Brick Church Pike. The 14.8 acres proposed for development are located at the front of the property, which contains less existing vegetation than the remainder of the property. The site formerly contained a building that was recently demolished. This request is to rezone the 14.8-acre site to an SP; the existing RS20 zoning on the remainder of the site will remain in place.

Surrounding land uses include primarily single-family and vacant properties, with scattered multi-family and two-family uses that are generally concentrated to the south, on the east side of Brick Church Pike.

Site Plan

The site plan proposes 71 total residential units, comprised of 55 single-family lots and 16 multi-family units. The single-family lot sizes range from approximately 5,400 square feet to 13,678 square feet, with a typical lot being in the 5,400 to 7,000 square foot range. The multi-family units are housed in 4 buildings, identified as manor homes. Each manor home will contain 4 units, appearing from the exterior as a single-family home with one primary entrance, and access to the individual living units provided inside the structure. The manor homes are located on lot sizes that range from approximately 15,000 square feet to 20,000 square feet. The manor home units are located in front of the single-family lots, with direct frontage along Brick Church Pike.

Access into the site is provided from a new public street (Road A) that aligns with Cheshire Drive, an existing public street located on the east side of Brick Church Pike. Road A connects to a series of public streets within the site that stub to the northern and western boundaries, providing access to all of the single-family lots and creating options for future connectivity. Shared access easements, located on either side of Road A, provide rear access to the manor home units. The southern shared access easement extends to the southern property line before wrapping to the east and connecting back to the corridor, intended for emergency access only. The new public streets will include a 5 foot sidewalk and 4 foot planting strip consistent with the local street standard. Brick Church Pike will include a 6 foot sidewalk and 8 foot planting strip, consistent with the arterial-boulevard standards of the Major and Collector Street Plan.

Open space is incorporated throughout the site, including a large area of open space near the northwestern corner, and a smaller open space area towards the front of the site, behind the manor home units. The larger open space includes existing vegetation, which is indicated to be retained on the plans. The smaller open space is located closer

towards the corridor and includes areas for stormwater management and passive recreation. Both open spaces include pedestrian connections to the internal sidewalk network proposed on the new public streets. Landscape buffers are also provided along the northern and southern property lines.

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 3 stories in 35 feet for the single-family lots, and 2 stories in 30 feet for the manor home units.

**PARKWOOD-UNION HILL COMMUNITY PLAN**

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

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

CO policy at this site recognizes steep slopes, problem soils, a stream, and associated stormwater regulation buffers.

**ANALYSIS**

Staff finds the plan to be consistent with the T3 Neighborhood Evolving policy guidance for properties containing CO policy, which is intended to balance future development with the protection and preservation of environmentally sensitive features. The site is located in a larger area of Neighborhood Evolving and Conservation policies that contains primarily undeveloped properties along the west side of Brick Church Pike, and across the street from a T3 Neighborhood Maintenance policy area on the east side of Brick Church Pike where the development pattern includes traditional suburban development.

The original plans filed with the Planning Department proposed a mixed use development with non-residential uses and 122 multi-family residential units, including 52 stacked flat units located along the corridor. Staff had fundamental concerns about the overall development intensity, given the surrounding context and adjacency to lower-density policy areas. The original plans proposed an urban development form in a suburban transect, and did not appear to respond to the Maintenance policy area located opposite the site, where transitions in scale and massing would be appropriate. Additionally, the introduction of non-residential uses would not be considered under the current residential policy.

After ongoing discussions with the applicant, the scope and layout were modified. The non-residential uses were removed. The interior of the site, which was previously proposed with townhome units and large areas of surface parking, was replaced with single-family lots.

The stacked flats units, which were proposed directly opposite the single-family homes on the east side of Brick Church Pike, were replaced with four manor home lots. The depth and spacing of the manor home lots allows for development along the corridor that is more compatible with the setbacks and spacing of the existing homes across the street. The manor homes will appear from the exterior as single-family homes, consistent with the developed character on the east side of the corridor. The applicant has also provided exhibits demonstrating the proposed height, massing, and shared entries of the manor homes. The final SP will include architectural elevations that demonstrate compliance with the exhibits provided to staff and all architectural standards outlined on the preliminary SP for review and approval.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

In accordance with revised TIS dated 2/2019, developer shall construct the following roadway improvements.

- The project access should be constructed to include one entering lane and two exiting lanes, striped as a separate left turn lane and a shared through/right turn lane. Each of the exiting turn lanes should include at least 100 feet of storage due to future connectivity with adjacent parcels.  
Also, the project access should be constructed with adequate turning radii for school buses, moving trucks, and delivery vehicles. Project access shall be aligned with opposing Cheshire Dr and Cheshire Dr shall be widened to allow opposing lane alignments with approximately 50 ft of storage.
- A northbound left turn lane with at least 100 feet of storage should be provided on Brick Church Pike at the project access. This turn lane should be designed and constructed according to AASHTO standards with appropriate lane transition. Also, along the segments of Brick Church Pike that will be under construction to provide these turn lanes, a four-foot shoulder should be provided on west side of Brick Church Pike. These modifications should be constructed in conjunction with the construction of the project access.
- The guidelines that are included in A Policy on Geometric Design of Highways and Streets, which is published by the American Association of State Highway and Transportation Officials (AASHTO) and commonly known as The Green Book, indicate that for a speed of 40 mph, the minimum stopping sight distance is 305 feet. This is the distance that a motorist on Brick Church Pike will need to come to a stop if a vehicle turning from the project creates a conflict. Also, based on The Green Book, the minimum intersection sight distance is 445 feet. This is the distance that a motorist on the project access will need to safely complete turns onto Brick Church Pike. Initial field observations and measurements indicate that adequate sight distance is available at the project access.
- Along the frontage of the project site, adequate right-of-way should be reserved to facilitate a future widening of Brick Church Pike to the ultimate cross-section identified by the Metro Planning and Public Works Departments.
- As planned, the project should include connectivity to future development adjacent to the proposed project.
- Consideration should be given to providing parking at market demands rather than codes requirements.
- The site's internal traffic should be controlled by stop signs as shown in Figure 9.in TIS.
- Currently, there are no bicycle, transit, or pedestrian facilities in the vicinity of the project site.

Maximum Uses in Existing Zoning District: **RS20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	14.8	2.17 D	27 U	312	24	29

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	14.8		71 U	496	35	44

Traffic changes between maximum: **RS20 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+44 U	+184	+11	+15

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS20 district: 4 Elementary 3 Middle 3 High

Projected student generation proposed SP-MR district: 11 Elementary 10 Middle 9 High



The proposed SP zoning is expected to generate 20 more students than the existing RS20 zoning. Students would attend Bellshire Elementary School, Madison Middle School, and Hunters Lane High School. All three schools have been identified as having additional capacity.

This information is based upon data from the school board last updated November 2018.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

### **CONDITIONS**

1. Uses shall be limited to a maximum of 71 residential units, comprised of 55 single-family lots and 16 multi-family units. The multi-family units shall be housed in four manor homes.
2. Each of the manor homes shall appear from the exterior as a single-family home with one door on the street-facing façade that reads as a main entrance. Other balconies or doors on the front façade shall be limited to avoid the appearance of a stacked flat or plex building. Architectural elements could include, but are not limited to:
  - a. A pitched roof;
  - b. Window styles that repeat; and
  - c. Consistency in materials across a floor
3. The manor home lots shall include similar front setbacks as the existing residential properties on the east side of Brick Church Pike, on either side of Cheshire Drive.
4. On the corrected copy, remove all references to alley access.
5. On the corrected copy, identify the access easement along the southern property line to Brick Church Pike as emergency access only. No individual access to Units 13-16 shall be permitted from the emergency access connection.
6. On the corrected copy, modify the fallback zoning to R8-A.
7. Vehicular access to the manor home units shall be provided from the rear shared access easements only. No individual driveway access to Brick Church Pike shall be permitted.
8. A geotechnical report shall be accompanied with the final site plan application, per Sec. 17.28.050 of the Metro Zoning Code.
9. The final site plan shall identify all critical lots. Any lots designated as critical lots shall be developed in compliance with the critical lot requirements pursuant to Section 17.28.030 of the Metro Zoning Code. If critical lots cannot be developed in compliance with the critical lot requirements, the lot layout shall be modified accordingly.
10. With the submittal of the final site plan, provide architectural elevations complying with the manor home exhibits provided to staff and all architectural standards outlined on the Preliminary SP for review and approval.
11. With the submittal of a final site plan, a landscape plan shall be provided that includes landscape buffer details.
12. With the submittal of the final site plan, a tree protection plan shall be provided to indicate preservation of trees where existing vegetation is noted to be retained on the preliminary SP.
13. Areas reserved for bioretention and stormwater management shall be designed as an amenity in addition to their other functions, including any stormwater treatment areas located at the front of the site, visible from Brick Church Pike.
14. The final site plan shall itemize the bedroom counts for the manor home units. Parking shall be provided per Metro Parking Requirements.
15. 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.
16. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R8-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
17. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
18. 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.
19. 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.
20. Comply with all conditions and requirements of Metro reviewing agencies.
21. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Kerry McKibbens, 4804 Indian Summer Dr, spoke in favor of the application. This will be good for the city.

Michael Garrigan, 516 Heather Pl, spoke in favor of the application as they have been working on this for over two years.

Carlene Del Robbins, 7184 Sonya Dr, spoke in favor of the application.

Michael Maples, 4010 Brick Church Pk, spoke in opposition to the application.

Mervin Louque, 30 Hillen Glade Dr, spoke in opposition to the application.

Michael McAllister, 4016 Ridgemont Dr, spoke in opposition to the application due to stormwater concerns.

Ryan Dowd, 4004 Sussex Dr, spoke in opposition to the application because it gives nothing to the community.

Maggie Malone, 4004 Sussex Dr, spoke in opposition to the application due to stormwater concerns and the fact that it gives nothing to the community.

Aaron Fishbein, 4020 Ridgemont Dr, spoke in opposition to the application.

Lisa Johnson, 4001 Ridgemont Dr, spoke in opposition to the application because it's not in character with the remainder of the area.

James Ladd, 4008 Sussex Dr, spoke in opposition to the application as it will change the character of the neighborhood.

King Dandridge, 4017 Dambarton Dr, spoke in opposition to the application due to stormwater and traffic concerns.

Elaine Reynolds, 1517 Naples Ave, spoke in opposition to the application as it will not enhance the neighborhood.

Elise Hudson, 4601 Whites Creek Pk, spoke in opposition to the application.

Duke Sutherland, 917 Conference Dr, spoke in opposition to the application due to flooding concerns.

Michael Garrigan asked for approval and explained the application meets all Metro requirements.

Councilmember Haywood spoke in opposition to the application but noted the community is getting closer to a solution. Would like more time to continue working with the community and the developer.

Michael Garrigan agreed to an indefinite deferral in order to continue working with the community.

**Chairman Adkins closed the Public Hearing.**

**Councilmember Bedne moved and Mr. Haynes seconded the motion to defer indefinitely. (10-0)**

**Resolution No. RS2019-101**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-092-001 is deferred indefinitely. (10-0)**

- 5. 2018SP-029-002**  
**405 40TH AVENUE NORTH SP (AMENDMENT)**  
Council District 24 (Kathleen Murphy)  
Staff Reviewer: Gene Burse

A request to amend a Specific Plan Zoning District on property located at 405 40th Avenue North, approximately 190 feet north of Charlotte Avenue (1.92 acres), to permit a mixed use development, requested by Dewey Engineering, applicant; 405 Charlotte Development Partners, owner.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018SP-029-002 to the May 9, 2019 Planning Commission meeting. (10-0)**

**6. 2018SP-057-001**

**EATON CREEK COMMONS**

Council District 01 (Jonathan Hall)

Staff Reviewer: Jason Swaggart

A request to rezone from SP and RS15 to SP-R for properties located at 4269 Ashland City Highway and Ashland City Highway (unnumbered), approximately 830 feet East of Stewarts Lane, (23.34 acres), to permit up to 100 residential units, requested by Land Solutions Company, LLC., applicant; Green Trails, LLC, owner.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018SP-057-001 to the May 9, 2019 Planning Commission meeting. (10-0)**

**7. 2019SP-006-001**

**3RD AVENUE NORTH SP**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Patrick Napier

A request to rezone from R6-A to SP zoning on properties located at 1825, 1827, 1829, 1831, 1833, and 1835 3rd Avenue North, at the southeast corner of Coffee Street and 3rd Avenue North (1.18 acres), to permit 25 multi-family residential units, requested by Dale and Associates, applicant; TAB Homebuilders, LLC., owner.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-006-001 to the May 9, 2019 Planning Commission meeting. (10-0)**

**8. 2019SP-020-001**

**PETTUS ROAD SP**

Council District 31 (Fabian Bedne)

Staff Reviewer: Patrick Napier

A request to rezone from AR2a to SP-R zoning for property located at Pettus Road (unnumbered), at the northeastern corner of Old Hickory Boulevard and Pettus Road, (38.49 acres), to permit 143 multi-family residential units, requested by Tifinie Capehart Consulting, applicant; Province Builders, LLC., owners.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-020-001 to the May 9, 2019 Planning Commission meeting. (10-0)**

**9. 2019S-032-001**

**RESUBDIVISION OF PART OF LOT 10 ON THE PLAN OF ALPLINE**

**TERRACE SUBDIVISION**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Patrick Napier

A request for final plat approval to create three lots on property located at 2420 Stivers Street, at the eastern terminus of Stivers Street, zoned R10 (0.87 acres), requested by Clint Elliott Surveying, applicant; C & H Properties, LLC., owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2019S-032-001 indefinitely. (10-0)**

**10. 2019S-039-001**  
**4830 PAYNE ROAD**

Council District 28 (Tanaka Vercher)  
Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 20 single-family residential lots on property located at 4830 Payne Road, approximately 600 feet south of Reeves Road, zoned R8 and within the Payne Road Residential Urban Design Overlay District (5.5 acres), requested by Dale and Associates, applicant; Sameh Lous, owner.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019S-039-001 to the May 9, 2019 Planning Commission meeting. (10-0)**

**11. 2019S-043-001**  
**HIGHLAND VIEW**

Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create 32 cluster lots including 8 duplex lots for a total of 40 units, on property located at Watts Lane (unnumbered) and a portion of property located at 5710 Knob Road, approximately 430 feet west of Neighborly Avenue, zoned R40 (37.53 acres), requested by Dale and Associates, applicant; Highland Park Church, Inc., owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Create 32 residential cluster lots, including 8 duplex lots, for a total of 40 units.**

Concept Plan

A request for concept plan approval to create 32 cluster lots including 8 duplex lots for a total of 40 units, on property located at Watts Lane (unnumbered) and a portion of property located at 5710 Knob Road, approximately 430 feet west of Neighborly Avenue, zoned One and Two-Family Residential (R40) (37.53 acres).

**Existing Zoning**

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 34 lots with 8 duplex lots for a total of 42 units based on acreage only. However, application of the Subdivision Regulations may result in fewer units on this property.*

**Community Character Manual Policy**

The site is within the T3 Neighborhood Maintenance (T3 NM), T3 Neighborhood Evolving (T3 NE) and Conservation (CO) policies. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T3 and CO, the conventional regulations found in Chapter 3 are utilized.

**HISTORY**

At the April 13, 2017, Metro Planning Commission meeting, the MPC disapproved case 2017S-033-001, a concept plan with 30 cluster lots located on a portion of this site, following staff's recommendation of approval with conditions including a variance to the length of a dead end street. The currently proposed subdivision (case 2019S-043-001) is a concept plan with 32 cluster lots and includes an additional parcel (164) that was not included in the 2017 plan. The addition of parcel 164 allows the internal street network to connect through the site, rather than terminating at a dead end. Therefore, a variance is no longer needed.

**SITE CONTEXT AND PLAN DETAILS**

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application.

This development is located off of Knob Road, east of Charlotte Pike and west of White Bridge Pike. The site comprises approximately 37.53 of 67.46 total acres and includes property on Watts Lane (parcel 164) and a portion of property located on the north side of Knob Road (part of parcel 127). Parcel 164 is comprised of 0.83 acres and is located on the northern portion of the site, bordering Watts Lane, a partially improved street to the west, and, unimproved right-of-way for a portion of Marcia Avenue to the north. Parcel 127 is comprised of approximately 66.63 total acres along Knob Road and includes an existing church. The portion that is slated for redevelopment is located on the western half of parcel 127. The church is located on the eastern portion of parcel 127 and is not included in

the proposed subdivision. The site is heavily wooded and contains some areas of potential steep slopes, as well as a stream that flows at the front of the site along Knob Road.

Surrounding land uses include single-family residential development (north, south, and west), multi-family development (northwest), and the WSMV-TV studios and transmission tower which are located directly northeast of the subject parcel. A 500 foot buffer has been provided around the tower and will remain undisturbed. A transmission tower easement extends diagonally from the WSMV tower through the 500 foot buffer towards the center of the development area.

#### Site Plan

The plan proposes a cluster lot subdivision with 32 lots, including 8 duplex lots, for a total of 40 units. The single-family lots are clustered down to the R20 district size with a minimum lot size of 20,000 square feet. The duplex lots are a minimum of 40,000 square feet and have been interspersed throughout the site, mixed in with the single-family lots. All of the lots are at least 50 feet in width. None of the lots have been identified on natural slopes of 20 percent or greater, and no problem soils have been identified on the site plan. The stream and stream buffer at the front of the site are not located within any of the proposed lots.

All of the lots are oriented along new streets which will connect to Knob Road and Watts Lane. Road A is accessed from Knob Road (south) and will share access with the existing church, which is located outside of the development area. Road D is accessed from Watts Lane (north), which will be improved from the access point to Charlotte Pike as determined appropriate by Metro agencies. Roads A and D extend towards the center of the site and connect to Court B and Road C, which provide access to lots on the western portion of the site. Five-foot wide sidewalks with a four-foot planting strip are provided on the new streets per the local street standard.

In cluster lot subdivisions, a minimum of 15 percent of each phase of development shall be open space. Approximately 15.1 acres (40.2%) of the site is proposed as open space, including:

- 2.75 acres designated as stormwater facilities
- 6.12 acres located in the WSMV tower easement and/or 500 foot buffer. The tower easement area will not be accessible to the public.
- 6.23 acres of passive open space and recreation areas (including approximately 5.2 acres which will remain undisturbed)

A standard "C" buffer is provided along all perimeter lots in accordance with the cluster lot provisions. Streams and associated buffers have been identified on the site plan nearest the Knob Road access point. Prior to any land disturbance, an environmental survey and hydrologic stream determination will be conducted in order to identify any streams or other protected water features in accordance with stormwater regulations.

#### **ANALYSIS**

As mentioned at the beginning of this report, the inclusion of parcel 164 allows the internal street network to extend through the site to Watts Lane, providing a second means of site access that was not included in the 2017 plan. Watts Lane will be improved from the Watts Lane access point to Charlotte Pike, as determined appropriate by Metro agencies, prior to final plat approval.

In order to provide for flexibility of design, the creation of common open space, and the preservation of natural features, the Metro Zoning Code permits the development of cluster lot subdivisions in Single-Family (RS) and One and Two-Family (R) zoning districts. To permit creative design necessary to meet the premise of the cluster lot option, residential lots are allowed to contain less land area than what is normally required by the base zoning district when certain standards are met. The cluster lot option does not allow more density than what would be allowed under the existing R40 zoning district, but it does allow the minimum lot area for single-family lots to be reduced down to a minimum of two smaller base zone districts (R40 to R20, in this case). As proposed, all of the single-family lots have been clustered down to a minimum lot size of 20,000 square feet. The lots identified as two-family have a minimum lot size of 40,000 square feet, consistent with the cluster lot provisions.

In cluster lot subdivisions, a minimum of 15 percent of the development must be open space. Of the 37.53 acres proposed for subdivision, 15.1 acres will remain as open space, or (40.2%) of the total area. Recreational facilities are required within a portion of the open space, and this proposal includes a gazebo and small park. As proposed, the plan meets all requirements of the Subdivision Regulations and the Zoning Code for the cluster lot option. .

The lots are located outside areas with potential steep slopes and streams/stream buffers, and no critical lots have been identified on the plan.

#### **FIRE MARSHAL RECOMMENDATION**

##### **Approved with conditions**

- Fire Apparatus Access Roads shall be in accordance with all of the provisions of the Appendix D in the 2012 IFC. The connection to Watts shall comply. Fire Code issues will be addressed in the permit phase.

## **STORMWATER RECOMMENDATION**

### **Approved with conditions**

- Graded/imperious areas should be routed to traditional Stormwater facilities (traditional or non-conventional).

## **PUBLIC WORKS RECOMMENDATION**

### **Approve with conditions**

- Public Works has collaborated with the Planning Department and recommends the following condition: Prior to final plat approval, bond or improve Watts Lane from the termini of this development to Charlotte Pike to provide a minimum pavement width of 20 feet where it doesn't already exist. Minor modifications to this requirement may be approved during the development of construction plans, as determined appropriate by Metro Planning, Public Works, Fire Marshall, and Storm Water.

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Approved with conditions**

- Provide adequate sight distance at both access drives. Submit pavement marking to modify DYSL striping on Knob Road at access prior to final plan approval.

## **WATER SERVICES RECOMMENDATION**

### **Approved with conditions**

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

## **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

## **CONDITIONS**

1. Prior to final plat approval, bond or improve Watts Lane from the termini of this development to Charlotte Pike to provide a minimum pavement width of 20 feet where it doesn't already exist. Minor modifications to this requirement may be approved during the development of construction plans, as determined appropriate by Metro Planning, Public Works, Fire Marshall, and Storm Water.
2. On the corrected copy, modify the Watts Lane improvement note on sheet C2.0 to reflect Condition #1.
3. Add the following note to all open spaces, outside of areas reserved for Stormwater and designated recreational facilities: All existing trees in designated open spaces shall be preserved. These areas shall remain undisturbed.
4. A tree protection plan shall be provided with the final site plan application to indicate preservation of trees within common open space and buffer areas.
5. A tree survey indicating all trees with an 8 inch caliper or greater shall be submitted with the final site plan.
6. Prior to any land disturbance, an archeological survey shall be required to determine the location of any historic structures, including rock or stone walls, in consult with MHZC staff. If any walls are determined to have historical significance, additional conditions may be applied to the final site plan.
7. The final site plan shall include buffer yards consistent with the provisions of the Cluster Lot Option, Section 17.12.090 of the Metro Zoning Code.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

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

Mr. Elam left the meeting at 5:20 p.m.

Roy Dale, 516 Heather Place, spoke in favor of the application and explained this meetings all subdivision regulations.

Mr. Tibbs left the meeting at 5:38 p.m.

Don O'Donnely, 2603 Belmont Blvd, spoke in opposition to the application and asked for a deferral. The concept as drawn doesn't meet the legal requirements of consistency with the plan.

Cindy Anderson, 1211 Watts Terrace, spoke in opposition to the application.

David Crenshaw, 5730 Knob Rd, spoke in opposition to the application because of the unwanted second access point.

Greg Atkinson, 6441 Fleetwood Dr, spoke in opposition to the application because of the unwanted second access point.

Blaine Marvel, 820 Russ Leo Dr, spoke in opposition to the application due to the unwanted road connection to the north.

Tom Anderson, 1211 Watts Terrace, spoke in opposition to the application due to the unwanted road connection to the north.

Bill Livsey, 5745 Knob Rd, spoke in opposition to the application due to the unwanted road connection to the north.

Kelly Iamaio-Mihalko, 6474 Fleetwood Dr, spoke in opposition to the application due to the unwanted road connection to the north.

Mike Williams, 6457 Fleetwood Dr, spoke in opposition to the application due to the unwanted road connection to the north. The community would like the site to remain as open space if the opportunity arises.

David Packer, 820 Russ Leo Dr, spoke in opposition to the application.

Kathy Baker, 6811 Fleetwood Dr, spoke in opposition to the application. It violates the land use policy in the West Nashville community plan.

Trish Bolian, 6002 Hickory Valley Rd, spoke in opposition to the application due to safety and traffic concerns.

Ruth Cirillo, 6473 Fleetwood Dr, spoke in opposition to the application.

Miriam Leibowitz, 5621 Meadowcrest Ln, spoke in opposition to the application due to flooding concerns.

Michael Aldridge, Watts Lane, spoke in opposition to the application. Part of this is on his property and he will not allow them to use it unless they purchase his entire lot.

Jennifer Kirkendall, 5753 Maudina Ave, spoke in opposition to the application due to safety concerns from ice and lead. Large chunks of ice fall from the tower and are very dangerous. Lead fell from the tower in 2017 and Gobbell Hays was hired to clean it up, but a lot was still absorbed into the soil. There is still lead in the ground and around the tower.

Tom Hibbett, 106 Demoss Rd, spoke in opposition to the application due to traffic concerns.

Willi Honegger, 6522 Rolling Fork Dr, spoke in opposition to the application.

The Vice President and General Manager of WSMV spoke in opposition to the application due to the great risk of falling ice from the tower. Future homeowners need to be made aware of this risk.

Kathy Cloninger, 6457 Fleetwood Dr, spoke in opposition to the application due to flooding concerns.

Steve Jordan, 601 Kendall Dr, spoke in opposition to the application due to flooding concerns.

Jensi Wherley, 131 Demoss Rd, spoke in opposition to the application due to flooding concerns.

Kyle Miller, 125 Demoss Rd, spoke in opposition to the application.

Tom Baker, 6811 Fleetwood Dr, spoke in opposition to the application due to concerns with falling ice from the tower.

Joan Parmer, 5406 Burgess Ave, spoke in opposition to the application due to flooding concerns.

Duncan Ragsdale, 6453 Fleetwood Dr, spoke in opposition to the application due to flooding concerns.

Keith Lawless, 842 Russ Leo Dr, spoke in opposition to the application due to flooding concerns.

Heather Webber, Elysian Fields Rd, spoke in opposition to the application due to concerns with flooding and blasting damage.

Rob Cheplicki, 6453 Fleetwood Dr, spoke in opposition to the application.

Ashley Prentice, 5719 Stoneway Trail, spoke in opposition to the application.

Elise Hudson, 4601 Whites Creek Pk, spoke in opposition to the application.

Roy Dale asked for approval and clarified that this meets all subdivision regulations; this is not a rezoning.

Councilmember Roberts spoke in opposition to the application. This is not what the community wants.

**Chairman Adkins closed the Public Hearing.**

Mr. Gobbell recused himself and stepped out of the room due to the previously mentioned Gobbell Hays involvement.

Ms. Farr inquired about the perceived health and safety concerns due to falling ice and also inquired about stormwater.

Logan Bowman, Metro Storm Water, explained that there are multiple drainage basins on site that will reduce runoff and treat the water so it will be clean water coming off the site.

Ms. Blackshear expressed concerns regarding the tower safety radius and suggested follow-up with another study.

Councilmember Bedne requested a deferral to allow a soil test to be conducted to check lead levels.

Dr. Sims stated that she would like to get all questions answered regarding health, safety, and general welfare.

Mr. Haynes stated that the commission needs to understand who takes the liability when ice falls. He would also like to understand the Public Works standards for slopes of roads, especially as it connects into Watts Lane.

**Mr. Haynes moved and Ms. Moore seconded the motion to defer to the May 23, 2019 Planning Commission meeting with direction to staff and the applicant to evaluate the following: Metro Legal to provide information on who assumes liability risk associated with tower; applicant shall provide soil test for lead; staff shall provide confirmation on slope standards for road connecting to Watts Lane; and Metro Legal to provide information on case law as it relates to health and safety issues with review of subdivisions. (7-0)**

**Resolution No. RS2019-102**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2019S-043-001 is to defer to the May 23, 2019 Planning Commission meeting with direction to staff and the applicant to evaluate the following: Metro Legal to provide information on who assumes liability risk associated with tower; applicant shall provide soil test for lead; staff shall provide confirmation on slope standards for road connecting to Watts Lane; and Metro Legal to provide information on case law as it relates to health and safety issues with review of subdivisions. (7-0)**

**12. 2019S-047-001  
2306 DONNA HILL COURT**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Gene Burse

A request for final plat approval to create two lots on property located at 2306 Donna Hill Court, west of the terminus of Donna Hill Court, zoned RS30 (5.49 acres), requested by Beau Agee, applicant; Sarah Prouty, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Final Plat

A request for final plat approval to create two lots on property located at 2306 Donna Hill Court, west of the terminus of Donna Hill Court, zoned Single-Family Residential (RS30) (5.49 acres).



**Existing Zoning**

Single-Family Residential (RS30) requires a minimum 30,000 square foot lot and is intended for single-family dwellings at an overall density of 1.45 dwelling units per acre. *RS30 would permit a maximum of seven single-family lots. Application of the Subdivision Regulations may result in fewer lots.*

**Community Character Manual Policy**

The site is within the T3 Neighborhood Maintenance (T3 NM), T3 Neighborhood Evolving (T3 NE) and Conservation (CO) policies. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T3 and CO, the conventional regulations found in Chapter 3 are utilized.

**PLAN DETAILS**

This site is located at 2306 Donna Hill Court, west of the terminus of Donna Hill Court. The proposal is to create two lots. The proposed lots have the following area and frontage:

Proposed Lots:

- Lot 1: 124,718 square feet (2.86 acres) and 63 feet of frontage along Tally Green Court
- Lot 2: 114,353 square feet (2.63 acres) and 63 feet of frontage along Donna Hill Court

**Analysis**

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

Zoning Code

Each proposed lot meets the minimum standards of the Single-Family Residential (RS30) zoning district.

Street Frontage

Each proposed lot has 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.

Each lot was compared to surrounding lots consistent with the Subdivision Regulations. In this instance, each proposed lot was compared to lots along different block faces. Lot 1 was compared to lots along Tally Green Court. Lot 2 was compared to lots along Donna Hill Court.

Lots created along Tally Green Court must have the following frontages:

<b>Lot 1 Frontage</b>	
Proposed Frontage	63 ft.
70% of Average	43 ft.
Smallest Surrounding Parcel	42 ft.

Lots created along Donna Hill Court must have the following frontages:

<b>Lot 2 Frontage</b>	
Proposed Frontage	63 ft.
70% of Average	75 ft.
Smallest Surrounding Parcel	93 ft.

Lot 1 meets the frontage requirement but Lot 2 does not meet the frontage requirement of the compatibility criteria.

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.

Lots created along Tally Green Court must have the following size:

<b>Lot 1 Area</b>	
Proposed Area	124,718 s.f
70% of Average	7,927 s.f.
Smallest Surrounding Parcel	7,840 s.f.

Lots created along Donna Hill Court must have the following size:

<b>Lot 2 Area</b>	
Proposed Area	114,353 s.f.
70% of Average	25,430 s.f.
Smallest Surrounding Parcel	26,136 s.f.

Both lots meet the area requirement.

Lot orientation: Orientation of proposed lots shall be consistent with the surrounding parcels. Lot 1 orients to Tally Green Court and Lot 2 orients to Donna Hill Court, consistent with the lot pattern in the area.

Agency Review

All review agencies have provided approval.

**HARMONY OF DEVELOPMENT**

Lot 2 does not meet the compatibility criteria of the Subdivision Regulations pertaining to lot frontage when compared to surrounding parcels as defined in the Metro Subdivision Regulations. Section 3-5.2 of the Subdivision Regulations defines surrounding parcels as the five parcels oriented to the same block face on either side of the parcel proposed for subdivision or to the end of the same block face, whichever is less. The Metro Planning Commission may consider whether this proposal can provide for the harmonious development of the community by comparing this proposal with the development pattern of the area per Section 3-5.2.f of the Subdivision Regulations.

Each of the proposed lots were compared to adjacent parcels along different block faces, consistent with the compatibility criteria of the Subdivision Regulations. The development pattern along Donna Hill Court as it turns into Tally Green Court transitions from lots with larger frontages to lots with smaller frontages. The site, located at the intersection of Tally Green Court and Donna Hill Court, is the transition point for this shift in the development pattern. Lot 2 has similar frontage when compared to the development pattern along Tally Green, which was used in the analysis for Lot 1. Additionally, the 63-foot frontage proposed for Lot 2 falls between the minimum required frontage along Tally Green Court and the minimum required frontage along Donna Hill Court, providing for a transition in frontage between the two streets. This proposal does not include a significant change to the existing lot size. Existing entitlements will not increase with this proposal. Lot 2 will remain a single-family residential lot.

Staff finds that this proposal would provide for harmonious development within the immediate area along both Donna Hill Court and Tally Green Court.

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Any required capacity fee for lot 2 must be paid prior to issuance of a building permit.

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-103**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019S-047-001 is **approved. (10-0)**”

**13. 2019Z-035PR-001**

Council District 05 (Scott Davis)

Staff Reviewer: Jason Swaggart

A request to rezone from SP-R to R6-A zoning for property located at 1026 N 7th Street, at the southwest corner of Evanston Avenue and N 7th Street (0.29 acres), requested by Vernon T Keese, Jr., owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from SP-R to R6-A.**

Zone Change

A request to rezone from Specific Plan – Residential (SP-R) to One and Two-Family Residential – Alternative (R6-A) zoning for property located at 1026 N 7th Street, at the southwest corner of Evanston Avenue and N 7th Street (0.29 acres).

**Existing Zoning**

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan permits detached accessory dwelling units in addition to uses permitted by RS5.

**Proposed Zoning**

One and Two-Family Residential – Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit a maximum of two residential units.*

**EAST NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The approximately quarter acre site is located at the southwest corner of Evanston Avenue and N 7<sup>th</sup> Street directly across the street from Cleveland Park. A single home currently sits on the property. Sidewalks are located along both street frontages, and an alley runs along the rear of the property. Land uses in the immediate area consist of mostly single-family, but there are also some duplex units in the area. The adjacent property to the south is a zero lot line. There are some vacant properties in the area including on N 7<sup>th</sup> Street.

The existing SP zoning which applies to the surrounding area permits a detached accessory dwelling unit in addition to a single-family home. The proposed R6-A zoning district is consistent with the T4 NM policy at this location. R6-A will permit one additional unit (two max). Due to the property being located at a corner with alley access, a strong sidewalk and street network, additional density is appropriate at this location. While additional density is appropriate at this location, a district permitting more than two units is not appropriate. Also, the standards for R6-A are consistent with the urban nature of the policy.

**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: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.29		1 U	16	6	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.29	7.26 D	2 U	29	7	3

\*Based on two-family lots

Traffic changes between maximum: **SP-R and R6**

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

**METRO SCHOOL BOARD REPORT**

Projected student generation existing SP-R district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High

The proposed R6-A zoning district would not generate any additional students than what is typically generated under the existing SP-R zoning district. Students would attend Ida B. Wells Elementary School, Jere Baxter Middle School, and Maplewood High School. None of the schools have been identified as being over capacity. This information is based upon data from the school board last updated November 2018.

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the T4 NM land use policy at this location.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-104**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-035-001 is **approved. (10-0)**

**14. 2019Z-044PR-001**

Council District 05 (Scott Davis)  
 Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to MUG-A zoning for property located at 1315 Lischey Avenue, approximately 375 feet southeast of Marie Street (0.37 acres), requested by Michael P. Williamson applicant and owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2019Z-044PR-001 indefinitely. (10-0)**

**15. 2018SP-013-001**

**THE COTTAGES AT CITY HEIGHTS SP**

Council District 21 (Ed Kindall)  
 Staff Reviewer: Patrick Napier

A request to rezone from RS5 to SP-R zoning on property located at 724, 726, 728 and 730 27th Avenue North, at the southeast corner of the intersection of 27th Avenue North and Booker Street (0.84 acres) to permit a maximum of 16 multi-family residential units, requested by Catalyst Design Group, applicant; E3 Construction Services, owner.

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

## **APPLICANT REQUEST**

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

#### Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan - Residential (SP-R) zoning on property located at 724, 726, 728 and 730 27th Avenue North, at the southeast corner of the intersection of 27th Avenue North and Booker Street (0.84 acres) to permit a maximum of 16 multi-family residential units.

#### **Existing Zoning**

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

#### **Proposed Zoning**

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

## **NORTH NASHVILLE COMMUNITY PLAN**

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

### **PLAN DETAILS**

The site consists of four existing lots on approximately 0.84 acres located at the northeast corner of 27th Avenue North and Booker Street. The neighborhood contains a mix of one and two-family residential uses. There are numerous vacant lots within the surrounding neighborhood. The surrounding parcels are also located within the T4 Neighborhood Evolving policy.

The site plan proposes up to 16 multi-family residential units. Six of the proposed units will front 27<sup>th</sup> Avenue North and six units will front Booker Street. The remaining 4 units are oriented to the interior of the site. The plan includes architectural standards requiring raised foundations, minimum glazing percentage, minimum porch depths and prohibited materials. The plan limits the building height to a maximum of two and a half stories in 38 feet.

The site plan proposes an 8 foot wide B landscape buffer along the southern property line along with a 6 foot fence. The landscape buffer will facilitate an appropriate transition for the existing single family homes located adjacent to the southern property line.

Parking is provided in rear loaded garages and surface parking spaces. Units 1-5 and 8-12 will contain rear loaded garages and units 6, 7, and 13-16 will be served by surface parking spaces. Access will be provided through a single connection to the alley which connects to Booker Street. Five-foot sidewalks are provided interior to the development connecting the units to proposed sidewalks along 27th Avenue North and Booker Street. A 5 foot sidewalk and 4 foot planting strip consistent with standards for a local street, are provided along 27th Avenue North and Booker Street.

### **ANALYSIS**

The policy is intended to create and enhance urban neighborhoods with improved connectivity and a variety of housing choices where density is secondary to the form of development. The proposed plan provides an alternative form of housing which is contextually sensitive to the surrounding neighborhood. The predominant character of the surrounding neighborhood contains detached single family dwellings with some two family structures. The housing type proposed in this plan introduces a new housing type for the area which is consistent with the goal of increased housing choice stated in the policy. The density of the proposed plan is consistent with the goals of the policy which identifies moderate to high density residential as appropriate in evolving areas.

The site plan proposes structures which are regularly spaced and contain shallow setbacks in relation to 27th Avenue North and Booker Street. This setback pattern establishes minimal spacing between buildings which is consistent with the goals of the policy. Parking is located to the rear of the units fronting to 27th Avenue North and Booker Street which will allow the structures to provide an effective screen for the surface parking area. A formal landscape buffer which is provided along the southern property line will create an effective buffer for the existing structures to the south of this site.

The site contains a high level of connectivity given the existing sidewalks along 27th Avenue North and Booker Street. Sidewalks which meet the local street standards will be provided with the construction of this site. The proposed sidewalks will enhance the existing sidewalk network within the neighborhood which provides a safe path for pedestrian travel and the access to alternative transit such as MTA service. There is an MTA stop located within a quarter of a mile at the south west corner of Batavia Street and 28<sup>th</sup> Avenue North.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. The applicant must submit for, and receive approval of, a variance for the proposed shared private sewer system, prior to Final SP approval. This variance package must contain a Letter Of Responsibility, and must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions. Indicate installation of 1 ADA Ped ramp at the intersection of Booker and 27th.
- Prior to submission of the Final SP, submit recorded copies of the ROW dedications to MPW.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.84	8.71 D	7 U	67	6	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.84	-	16 U	118	8	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 9 U	+51	+2	+1

**METRO SCHOOL BOARD REPORT**

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

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

The proposed SP zoning is expected to generate no more students than the existing RS5 zoning. Students would attend Park Avenue School, McKisssack Middle School and Pearl-Cohn High School. All three schools have been identified as having additional capacity.

This information is based upon data from the school board last updated November 2018.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

## CONDITIONS

1. Permitted land uses shall be limited to a maximum of 16 multi-family residential units. Owner occupied short term rentals are permitted. Not-owner occupied short term rentals are prohibited.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
3. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
4. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

### **Approve with conditions and disapprove without all conditions. Consent Agenda. (10-0)**

#### **Resolution No. RS2019-105**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-013-001 is **approved with conditions and disapproved without all conditions. (10-0)**

## CONDITIONS

1. Permitted land uses shall be limited to a maximum of 16 multi-family residential units. Owner occupied short term rentals are permitted. Not-owner occupied short term rentals are prohibited.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
3. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
4. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## 16. 2019SP-010-001

### **0 SHANNON AVENUE**

Council District 09 (Bill Pridemore)

Staff Reviewer: Jason Swaggart

A request to rezone from RS7.5 to SP-R zoning for properties located at Shannon Avenue (unnumbered), approximately 300 feet west of Pierce Road, (1.96 acres), to permit 28 multifamily residential units, requested by Clint T. Elliott Surveying, applicant; Elite Nashville Development, LLC., owner.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-010-001 to the May 9, 2019 Planning Commission meeting. (10-0)**

**17. 2019S-059-001**  
**SAINT CHARLES ESTATES SUBDIVISION**

Council District 04 (Robert Swope)  
Staff Reviewer: Patrick Napier

A request for concept plan approval to create 13 residential cluster lots with three duplex lots for a total of 16 units for properties located at 5458 Franklin Pike Circle and 5504 Kelly Road, approximately 335 feet west of Heatherwood Drive, zoned One and Two-Family Residential (R20) (7.23 acres), requested by DBS and Associates Engineering, applicant; Sharon Coggin, Marcia Ingham, Robert E. Hill, and Constance A. Hill, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Concept Plan approval to create 13 residential cluster lots with three duplex lots for a total of 16 units.**

Concept Plan

A request for concept plan approval to create 13 residential cluster lots with three duplex lots for a total of 16 units for properties located at 5458 Franklin Pike Circle and 5504 Kelly Road, approximately 335 feet west of Heatherwood Drive, zoned One and Two-Family Residential (R20) (7.23 acres).

**Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 13 lots with 3 duplex lots for a total of 16 units.*

**Community Character Manual Policy**

The site is within the T3 Suburban Neighborhood Maintenance (T3 NM) and the Conservation (CO) policies. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T3 NM and CO, the conventional regulations found in Chapter 3 are utilized.

**PLAN DETAILS**

The site is approximately 7.23 acres and is located at 5458 Franklin Pike Circle and 5504 Kelly Road, approximately 335 feet west of Heatherwood Drive. The site currently contains two single family structures located on individual lots. The site is surrounded by single-family residential dwellings to the east, west, and north.

Site Plan

The site plan proposes up to 13 clustered lots. Lot sizes range from 10,378 square feet to 34,700 square feet. Twelve of the lots will front on to a new public street. A single lot will front onto Kelly Road, which is an existing local street. Lots 8, 9, and 13 are noted as duplex lots. Duplex lots are required to meet the minimum lot size of the current zoning district, or 20,000 square feet in this instance; each lot exceeds the required minimum lot size. The remaining lots will be single family lots.

The concept plan proposes a new public road which will be constructed to the local street standards. The new public street will connect to an existing public street, Kelly Road. The proposed local street will terminate into a cul-de-sac without connecting to Franklin Pike Circle. A large area at the terminus of the cul-de-sac will remain as open space. The proposed local street will include a five foot wide sidewalk and a four foot wide grass strip, consistent with local street standards. The existing Kelly Road street frontage will be improved to meet the local street standard, which requires a five foot wide sidewalk and a four foot wide grass strip. A standard C landscape buffer is proposed along the north and east property lines which abut existing lots. A standard B level landscape buffer is provided along the western property line which abuts existing lots.

This site includes sensitive environmental features identified by the conservation policy. A stream is identified in the southeastern portion of the site. The stream and the required stream buffers have been placed within an area of open space which will be left undisturbed.

**ANALYSIS**

The cluster lot option in the Zoning Code allows for flexibility of design, the creation of open space and the preservation of natural features in Single-Family (RS) and One and Two-Family (R) zoning districts. To promote creative designs, single family lots are allowed to contain less land area than what is required by the base zoning district. The minimum lot area within a cluster subdivision can be reduced down two smaller base zone districts. With this plan, the applicant is proposing to cluster the parcels to a minimum lot size of 10,000 square feet. The cluster lot



option does not allow more density than what would be allowed under R20 zoning. The cluster lot option allows a reduction in lot sizes to work with existing topography, protect natural features, and create more useable open space.

In cluster lot subdivisions, a minimum of 15% of the development is required to be reserved for open space. Of the total 7.23 acres, 1.36 acres will remain as open space, or 19.6% of total area. The proposed concept plan protects the sensitive environmental features on site by placing the stream the required stream buffers within an area of open space which will be owned and maintained by the homeowner association.

Section 3-5.2 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions and for determining their compatibility in Neighborhood Maintenance policies. Lot 13 fronts an existing public street and therefore must meet the infill subdivision criteria. When compared to the two adjacent lots to the west, lot 13 will meet the minimum requirements for frontage and area required by the infill subdivision regulations.

The plan meets the requirements of the Subdivision Regulations and Zoning Code for a cluster lot subdivision.

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Comply with road comments.
- Provide adequate sight distance at intersection with Kelly Road.

**WATER SERVICES**

**Approve with conditions**

- Approved as a Concept Plan only. Public water and sanitary sewer construction plans must be submitted and approved prior to Final Site/Development Plan approval. The 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. Capacity study submitted 2/28/2019, permit # 2019011994.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-106**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019S-059-001 is **approved. (10-0)**”

**18. 2019S-068-001  
HUNTERS RUN**

Council District 03 (Brenda Haywood)

Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create 232 cluster lots on properties located at 1269 Hunters Lane, a portion of 1331 Hunters Lane, Hunters Lane (unnumbered), and a portion of Hunters Lane (unnumbered), approximately 440 feet north of Dalemere Drive, zoned R20 (approximately 140.1 acres), requested by Ragan-Smith and Associates, applicant; The Galbreath Family Gen. Partnership and P.J. Dunn, owners.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Create 232 residential cluster lots.**

Concept Plan

A request for concept plan approval to create 232 cluster lots on properties located at 1269 Hunters Lane, a portion of 1331 Hunters Lane, Hunters Lane (unnumbered), and a portion of Hunters Lane (unnumbered), approximately 440 feet north of Dalemere Drive, zoned One and Two-Family Residential (R20) (approximately 140.1 acres).

### **Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 259 lots with 64 duplex lots for a total of 323 units, based on the acreage only. However, application of the Subdivision Regulations may result in fewer units at this site.*

### **Community Character Manual Policy**

The property is within the T2 Rural Maintenance (T2 RM) and CO (Conservation) policies. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T2 RM, the Rural Character Subdivision Regulations found in Chapter 4 are utilized. For CO, the conventional regulations found in Chapter 3 are utilized.

### **HISTORY**

At the February 28, 2019, Metro Planning Commission meeting, the MPC disapproved case 2018S-204-001, a concept plan with 237 cluster lots at this site, following Staff's recommendation of approval with conditions, finding the proposed street network violated Section 4-2.5 of the Subdivision Regulations. The street network proposed in the 2018 case included one point of access from Hunters Lane and several street extensions from adjacent subdivisions.

The currently proposed concept plan (2019S-068-001) includes 232 cluster lots with two points of access from Hunters Lane and no proposed street extensions from the adjacent subdivisions. A portion of parcel 206, which was not included in the previous plan, has been added to the proposed concept plan to provide the second access point to Hunters Lane.

Additionally, approximately 9 acres near the southern boundary, which were included in the 2018 plan, have been removed from the proposed subdivision.

### **SITE CONTEXT AND PLAN DETAILS**

This proposal is for subdivision development under existing zoning entitlements. No rezoning is proposed with this application.

This request is for concept plan approval to create 232 cluster lots on approximately 140.1 acres southwest of Hunters Lane, west of Dickerson Pike and north of Old Hickory Boulevard. The site is mostly vacant except for an accessory structure, which is not indicated to be retained. Aside from an area near the southeastern corner, and the portion of parcel 206 that will be providing access near the northwestern corner, the majority of the site does not have direct street frontage and is set back from the main road, behind existing parcels.

The site is adjacent to Grande Villa Estates (west) and Dalemere (south), already-developed subdivisions located between this site and Old Hickory Boulevard to the south. Hunters Lane High School is located east of the site, on the opposite side of Hunters Lane. The surrounding area north of Hunters Lane includes primarily larger residential parcels and vacant lots.

The site contains streams, floodway/floodplain, potential wetlands, and stormwater regulation buffers associated with Little Creek. Approximately 9 acres included in the previous concept plan proposal, located between the floodway areas and Dalemere, are no longer included in this application.

### Site Plan

The plan proposes 232 single-family cluster lots. Lots are clustered down to the R10 district size and range from approximately 10,000 square feet to 19,000 square feet. All of the proposed lots front new interior streets accessed from Hunters lane in two areas. The first access point is located near the southeastern corner, opposite Hunters Lane High School. The second access point is located near the northwestern corner, through parcel 206. The two access roads connect to an internal street network which includes several cul-de-sacs on either side of the floodway. Although cul-de-sacs are generally discouraged, they are permitted in instances where natural features exist that are not desirable to be removed or where the configuration of property boundaries prevent street connections. In this instance, the location of the streams and floodway prevent street connectivity, and cul-de-sacs are appropriate. None of the internal streets include extensions from the adjacent Grande Villa Estates and Dalemere subdivisions. Staff is recommending a condition that would connect Road C to Bellavista Boulevard as an emergency only access.

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

Approximately 68 acres (48.55% of the site) is proposed as open space, including stormwater management areas, natural areas located outside of the development footprint, and approximately five acres at the front of the site along Hunters Lane.

## **ANALYSIS**

Chapter 4 of the Subdivision Regulations, Rural Character Subdivisions, regulates the subdivision of land in T2 Rural Neighborhood policies, with the intent of ensuring that new development is in harmony with the established rural character of these areas.

Prior to design of any subdivision plan with new streets or joint access easements, Primary Conservation Land must be identified. Primary Conservation Land include a range of sensitive environmental features, including problem soils and areas over 10,000 square feet of contiguous slopes over 15 percent. The intent of identifying Primary Conservation Land is to minimize the impact of development or disturbance to environmental resources through protection and preservation. None of the proposed lots are located in Primary Conservation Land.

Section 4-2.5 permits two Character Options for the development of land in Rural Neighborhood policies: Countryside Character Option and Agricultural Character Option. In this case, the Agricultural Character Option is not appropriate because the primary function of the subdivision is not for agricultural use. Therefore, the Countryside Character Option is the most appropriate option. Under the Countryside Character Option, two alternatives exist: Open Alternative and Screened Alternative.

Based on the site characteristics and proposed uses, staff reviewed the plan against the following Open Alternative criteria:

### Building Setback along existing public streets

Section 4.2.5 includes standards for determining the minimum building setback along existing streets, including consideration of the average setback of abutting parcels and whether those parcels are vacant or developed.

In this instance, none of the proposed lots are located along existing streets. Therefore, minimum building setbacks are not applicable to this application.

### Lot Depth along existing public streets

The minimum depth for lots along existing public streets shall be the building setback required by Section 4-2.5(a) plus 300 feet.

In this instance, none of the proposed lots are located along existing streets. Therefore, minimum lot depths are not applicable to this application.

### Lot size along existing public streets

Individual lot sizes along existing public streets shall vary in size to reflect the rural character. The minimum lot size is either equal to or greater than 70% of the lot size of the average size of the surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. If there are no surrounding parcels, the screened alternative shall be used. Flag lots shall not be included in the analysis.

In this instance, none of the proposed lots are located along existing streets. Therefore, minimum lot sizes are not applicable to this application.

### Lot frontage abutting existing public streets

Lot frontage abutting existing public streets is either equal to or greater than 70% of the average frontage of the surrounding parcels or equal to or greater than the smallest of the surrounding parcels, whichever is greater.

In this instance, none of the proposed lots are located along existing streets. Therefore, minimum lot frontage is not applicable to this application.

### Street Lights

Not applicable to this application.

### Cluster lot option

In order to provide for flexibility of design, the creation of common open space, and the preservation of natural features, Section 17.12.090 of the Metro Zoning Code permits the development of cluster lot subdivisions in Single-Family (RS) and One and Two-Family (R) zoning districts. To permit creative design necessary to meet the premise of the cluster lot option, the Zoning Code allows residential lots to contain less land area than what is normally required by the base zoning district when certain standards are met. The cluster lot option does not allow more density than what would be allowed under the existing R20 zoning district, but it does allow the minimum lot area for single-family lots to be reduced down to a minimum of two smaller base zone districts (R20 to R10, in this case).

Chapter 4 of the Subdivision Regulations, through the Countryside (Open Alternative) Character Option, identifies the Cluster Lot Option as an available option for residential subdivisions:

Development through the Countryside Character Option may utilize the provisions of Cluster Lot Option within the Development Footprint area, excluding lots abutting existing public streets.

This subdivision meets the provisions of the Cluster Lot Option, consistent with Section 17.12.090 of the Metro Zoning Code. All of the lots are proposed as single-family lots, which are permitted to cluster down to a minimum lot size of 10,000 square feet, per the cluster lot provisions. All of the proposed lots exceed the minimum lot size requirement. and all

In cluster lot subdivisions, a minimum of 15 percent of each phase of the development shall be open space. This concept plan provides approximately 68 acres of open space (approximately 48.55% of the total area), including stormwater management areas which are generally located near the stream buffers. Recreational facilities are required within a portion of the open space, per the cluster lot provisions. Three recreational facilities have been identified on the site plan, including a playground and two gazebos. Street parking is also included near each of the recreational facilities.

#### **PLAN SUMMARY**

This proposal complies with the development standards of the Rural Character Subdivisions regulations. None of the proposed lots are located within Primary Conservation Land, which has been identified on the plans and will be preserved from any development or disturbance. The plan complies with applicable Open Alternative criteria as described in the Countryside Character Option.

Additional open space is proposed throughout the development to preserve natural features and to achieve appropriate rural development patterns along the street. Approximately five acres of open space at the southeastern portion of the site provides a minimum depth of approximately 300 feet along Hunters lane, maintaining the natural character along the roadway and minimizing visual intrusion into the development. Approximately 68 total acres of open space have been provided, including area within Primary Conservation Land which will be preserved from development. A 75' public access greenway conservation easement has been provided from the edges of the floodway areas, consistent with the subdivision regulations. The public access greenway easements will be recorded with the final plat. No critical lots have been identified on the plans.

As proposed, the plan meets all requirements of the Subdivision Regulations and the Zoning Code for the cluster lot option.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve**

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

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

In accordance with the revised TIS findings, Developer shall construct the following roadway improvements. Submit Left turn lane construction plans and pavement markings. Show LTL on Hunters lane east access on site plan. Submit signal plans for ped signal prior to final subdivision approval.

##### Hunters Lane at Hunters Lane High School Entrance

- Due to the separation between the existing school access and the proposed Hunter's Run access, northbound vehicles turning left into the Hunters Run development are not expected to conflict with the southbound vehicles turning left into the Hunters Lane High School Entrance.

##### Dickerson Pike at Hunters Lane/Nesbitt Drive

- The intersection currently meets the Metro Nashville – Davidson County's policy goal for level of service.
- Provided that right-of-way is available, this intersection should be improved with curb ramps and crosswalk markings for the west and north leg to meet current Metro Public Works standards.
- Provided that right-of-way is available, this traffic signal should be improved with pedestrian signal heads and pushbuttons for each proposed crosswalk.
- The intersection improvements should be installed as part of Phase 1 of the Hunters Run
- Development. A signal modification plan should be submitted as part of the Phase 1 site plans for approval by the Metro Traffic Engineer.

##### Hunters Lane at Project Access East

- The intersection currently meets the Metro Nashville – Davidson County's policy goal for level of service.
- The east project access to Hunters Lane should include one travel lane in each direction.

- On Hunters Lane, a northbound left turn lane is not warranted but is appropriate since this will be the primary access to the site. A left turn lane with 75 feet of storage and tapers per MUTCD and AASHTO guidelines should be provided for traffic turning into Hunters Run.
- On Hunters Lane, improvements consisting of pavement widening, curb and gutter, grass strip and sidewalk should be constructed on the project frontage to be consistent with the Major and Collector Street Plan.
- Based on the intersection capacity analysis level of service results and the turn lane need analysis for this intersection, the installation of a right turn lane on Hunters Lane is not warranted or recommended.

#### Hunters Lane at Project Access North

- The intersection currently meets the Metro Nashville – Davidson County’s policy goal for level of service.
- The north project access to Hunters Lane should include a minimum of one travel lane in each direction.
- Based on the intersection capacity analysis level of service results and the turn lane need analysis for this proposed access, the installation of a right turn lane or left turn lane on Hunters Lane is not warranted or recommended.

#### **WATER SERVICES RECOMMENDATION**

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

- Approve as a Concept Plan only. Public sewer construction plans must be submitted and approved prior to Final Site/Development Plan approval. The 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.
- Madison Water

#### **MADISON SUBURBAN UTILITY DISTRICT**

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

- Madison Suburban Utility District tentatively agrees to serve the project pending approval of project plans.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply must be met prior to the issuance of building permits.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Road C shall connect to Bellavista Boulevard as an emergency only access.
4. The public access greenway easements shall be identified on the final site plan and recorded with the final plat.
5. All areas identified within Primary Conservation Land shall be preserved from development or disturbance.
6. With the construction of Road D through Parcel 206, the developer shall minimize tree removal and disturbance to the extent possible.
7. The final site plan shall include buffer yards and recreational facilities consistent with the provisions of the Cluster Lot Option, Section 17.12.090 of the Metro Zoning Code.
8. Prior to any land disturbance within the development footprint, a tree survey shall be provided consistent with the provisions of Rural Character Design, Sec.4-2.5(d) of the Metro Subdivision Regulations.
9. A tree protection plan shall be provided with the final site plan application to indicate preservation of trees within common open space and buffer areas.
10. On the final site plan, provide an open space summary that identifies each open space with corresponding area information.
11. A landscape plan shall be submitted with the final site plan. The landscape plan shall include proposed vegetation in the open space areas.
12. The open space areas along Hunters Lane at the southeastern portion of the site shall provide a minimum depth of approximately 300 feet.
13. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
14. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

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

Tom White, 315 Deaderick, spoke in favor of the application. This is not a zoning issue. Every Metro department has recommended approval.

Hilary Bonham, Goodall Homes, spoke in favor of the application.

John Hayes, 1512 Hunters Lane, spoke in opposition to the application due to safety and traffic concerns. This development is not harmonious with the area.

Elaine McReynolds, 1517 Naples Ave, spoke in opposition to the application. This does not meet subdivision regulations since it is not harmonious with the area.

Anne McNair, 104 Bella Ct, spoke in opposition to the application because they do not want the emergency exit.

Gwendolyn Harris, 1386 Bellavista, spoke in opposition to the application because they do not want the crash gate.

Deborah Caldwell, 1393 Laboldi Ave, spoke in opposition to the application. They do not want or need the crash gate.

Jackie Armstrong, 1520 Hunters Lane, spoke in opposition to the application due to traffic and safety concerns.

JoAnn Hutchison, 1305 Dalemere Dr, spoke in opposition to the application as it is not harmonious with the surrounding area.

Renard Hirsch, 1405 Bellavista, spoke in opposition to the application due to flooding and infrastructure concerns. This is not harmonious with the surrounding area and the crash gate is unwanted.

Elise Hudson, 4601 Whites Creek Pk, spoke in opposition to the application.

Jennifer Gamble spoke in opposition to the application.

Aleah Armstrong, 43189 Grandville Blvd, spoke in opposition to the application; the crash gate is not a solution.

Dale Hire, 4225 Cecil Ct S, spoke in opposition to the application as it is not harmonious with the surrounding area.

Elaine Lovett, 4209 Grandville Blvd, spoke in opposition to the application due to flooding concerns.

Eunice Bell, 1512 Naples Ave, spoke in opposition to the application.

Lisa Johnson spoke in opposition to the application.

Tom White explained that there are crash grates all over the city and he has never heard of any issues with them. This meets all subdivision regulations.

Councilmember Haywood spoke in opposition to the application.

**Chairman Adkins closed the Public Hearing.**

Mr. Haynes explained that the subdivision regulations dictate the decision.

Dr. Sims spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Councilmember Bedne stated that a road to the crash gate isn't necessary. That will discourage any future potential use of that as a cut-through street. The subdivision regulations dictate the decision.

**Ms. Farr moved and Mr. Haynes seconded the motion to approve with conditions including modified condition 3, a condition that the emergency only access be designed in such a way as to not appear as a vehicular access, and a condition that the cul de sac at the terminus of Road C remain. (7-0)**

**Resolution No. RS2019-107**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2019S-068-001 is **approve with conditions including modified condition 3, a condition that the emergency only access be designed in such a way as to not appear as a vehicular access, and a condition that the cul de sac at the terminus of Road C remain. (7-0)**  
**CONDITIONS**

1. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply must be met prior to the issuance of building permits.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Road C shall connect to Bellavista Boulevard as an emergency only access.

4. The public access greenway easements shall be identified on the final site plan and recorded with the final plat.
5. All areas identified within Primary Conservation Land shall be preserved from development or disturbance.
6. With the construction of Road D through Parcel 206, the developer shall minimize tree removal and disturbance to the extent possible.
7. The final site plan shall include buffer yards and recreational facilities consistent with the provisions of the Cluster Lot Option, Section 17.12.090 of the Metro Zoning Code.
8. Prior to any land disturbance within the development footprint, a tree survey shall be provided consistent with the provisions of Rural Character Design, Sec.4-2.5(d) of the Metro Subdivision Regulations.
9. A tree protection plan shall be provided with the final site plan application to indicate preservation of trees within common open space and buffer areas.
10. On the final site plan, provide an open space summary that identifies each open space with corresponding area information.
11. A landscape plan shall be submitted with the final site plan. The landscape plan shall include proposed vegetation in the open space areas.
12. The open space areas along Hunters Lane at the southeastern portion of the site shall provide a minimum depth of approximately 300 feet.
13. The final site plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
14. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

**19. 122-83P-001  
THE WOODLANDS, PHASE 3 (REVISION AND FINAL)**

Council District 04 (Robert Swope)  
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District, on property located at 1203 Pineview Lane, at the terminus of Boxwood Drive, zoned R15 (31.54 acres), to permit the development of 41 single-family residential lots, requested by Dewey-Estes Engineering, applicant; Woodlands Development, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise a portion of the Planned Unit Development and final site plan to permit the development of 41 single-family residential lots.**

Revise PUD and Final Site Plan Approval

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District, on property located at 1203 Pineview Lane, at the terminus of Boxwood Drive, zoned One and Two-Family Residential (R15) (31.54 acres), to permit the development of 41 single-family residential lots.

**Existing Zoning**

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *Overall density is regulated by the PUD.*

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

**PLAN DETAILS**

The Woodlands PUD was originally approved in 1983 for a total of 829 residential units consisting of 239 single-family lots, and 590 multi-family units. Since the original approval the plan has been revised numerous times. The last revision that included this portion of the PUD was approved by the Planning Commission in 2004. The 2004 plan

included a total of 115 residential lots. This portion of the PUD is the last phase of the development. Once Phase 3 has been constructed the PUD will be built out.

#### Site Plan

The plan proposes a total of 41 single-family residential lots. Due to steep slopes that encumber the site, all lots are denoted as critical. Access to 37 lots is from the extension of Boxwood Drive. The remaining four lots are access from Woodlands Avenue. Approximately 23 acres of the site is in open space and includes large areas of steep slopes.

#### **ANALYSIS**

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

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

As proposed, the final site plan does not call for any significant changes to the last approved plan, nor does it increase the density above what was last approved by Council. As proposed, the plan modifies the layout. The modifications are intended to reduce the development footprint due to issues with developing on the steeper slopes.



These changes are appropriate, and reduce the overall impact of the development. Since the proposed revision is consistent with the overall concept approved by Council, staff recommends approval with conditions.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Fire Code issues will be addressed in the permit phase.
- Water flow requirements for single-family homes that do not exceed 3600 sq. ft. is a minimum of 1000 gpm @ 20 psi. Provide this data to pre-approve the future homes.

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- All previous traffic conditions apply.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
4. 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.

**Approve with conditions. Consent Agenda. (10-0)**

**Resolution No. RS2019-108**

"BE IT RESOLVED by The Metropolitan Planning Commission that 122-83P-001 is **approved with conditions.**  
**(10-0)**

**CONDITIONS**

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
4. 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.

- 20. 2019HP-001-001**  
**MARATHON VILLAGE**  
BL2019-1584/O'Connell  
Council District 19 (Freddie O'Connell)  
Staff Reviewer: Amelia Lewis

A request to apply a Historic Preservation Overlay District to various properties located along Jo Johnston Avenue from 16th Avenue North to 12th Avenue North and bordered by the CSX Railroad, zoned CF, CS, IR and SP (13.79 acres), requested by Councilmember Freddie O'Connell, applicant; various owners.

**Staff Recommendation: Defer to the June 27, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019HP-001-001 to the June 27, 2019 Planning Commission meeting. (10-0)**

- 21. 2018Z-038PR-001**  
Council District 05 (Scott Davis)  
Staff Reviewer: Gene Burse

A request to rezone from RS5 to RM20-A zoning on property located at 1519 Meridian Street and rezone from RS5 to RM15-A zoning on property located at 1523 Meridian Street (0.51 acres), requested by Land Development Solutions, applicant; Magness Devco 2017, GP, and FED Development, LLC owners.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-038PR-001 to the May 9, 2019 Planning Commission meeting. (10-0)**

- 22. 2018Z-039PR-001**  
Council District 05 (Scott Davis)  
Staff Reviewer: Patrick Napier

A request to rezone from RS5 to RM20-A zoning on properties located at 1602, 1604, 1606, 1702, and 1704 Meridian Street, approximately 30 feet northwest of Edith Avenue (1.68 acres), requested by Councilmember Scott Davis AND Land Development Solutions, applicants; various owners.

**Staff Recommendation: Defer to the May 9, 2019 Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2018Z-039PR-001 to the May 9, 2019 Planning Commission meeting. (10-0)**

- 23. 2018Z-129PR-001**  
Council District 15 (Jeff Syracuse)  
Staff Reviewer: Patrick Napier

A request to rezone from SP to MUL-A on property located at 1510 Lebanon Pike, approximately 150 feet east of Spence Lane (1.77 acres), requested by Goodwyn, Mills, and Cawood Inc., applicant; Bodenhamer Florida Properties LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**  
**Zone change from SP-C to MUL-A.**

Zone Change

A request to rezone from Specific Plan-Commercial (SP-C) to Mixed Use Limited-Alternative (MUL-A) on property located at 1510 Lebanon Pike, approximately 150 feet east of Spence Lane (1.77 acres).

**Existing Zoning**

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

**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..

**DONELSON - HERMITAGE - OLD HICKORY 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.

Lebanon Pike Small Area Plan

SPA 14-SAP-01 - Lebanon Pike Small Area Plan is intended to coordinate the elements of development to ensure that the intended character of an area is achieved. The goal of the supplemental policy is to grow mixed-use neighborhoods along Lebanon Pike, improve connectivity to Donelson, maintain the suburban character of the existing neighborhoods, and balance transportation needs for everyone.

**ANALYSIS**

The site is located on the north side of Lebanon Pike approximately 150 feet east of Spence Lane. The existing SP permits automobile convenience, vehicular rental/leasing, and vehicular sales and service, as well as all other uses permitted by the CS zoning district. There is an existing commercial structure on the site. The site has frontage directly on the Lebanon Pike corridor. Lebanon Pike is designated in the Major and Collector Street Plan as an urban mixed-use collector avenue. Spence Lane, located approximately 150 feet to the west, is designated as a mixed use arterial boulevard with existing transit service. Surrounding properties along Lebanon Pike include commercial, multi-family, and some light industrial uses. Various properties on the north and south side of Lebanon Pike are also located in the T4 CM policy.

The permitted uses within the SP as well as the bulk and placement of the commercial structure do not meet the intent of the T4 CM policy. The base zoning within the existing SP is Commercial Service (CS) which is not supported by the T4CM policy. The requested rezoning to MUL-A is compatible with surrounding land uses and is consistent with policy. T4 CM policy is intended to enhance mixed use corridors with a greater mix of residential and nonresidential development. The bulk and building placement standards required by the MUL-A zone district ensure mixed-use development that addresses the pedestrian realm and limits the amount of parking between the building and the street. The standards of the MUL-A zone district will also ensure a minimum façade width, primary entrance location and minimum glazing percentages. These standards will also help enhance a pedestrian-friendly, urban streetscape, consistent with the goals of the policy.

The Lebanon Pike Small Area Plan provides guidance for implementing enhancements to the mobility of Lebanon Pike by providing additional transit stops, bike infrastructure and traffic improvements in strategic locations. The small area plan divided Lebanon Pike into three separate subsections characterized by the policy areas immediately surrounding each respective segment. This site is located in section A which is planned for pedestrian and vehicular improvements as development and redevelopment occurs. Some of the improvements which are identified within this section of Lebanon Pike will include raised medians, striping for pedestrian crossings, and street trees within the required planting strips.

The redevelopment of this site will require the construction of sidewalks which meet the requirements of the Major and Collector Street Plan which includes bike lane infrastructure. 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: **SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	1.77	0.6 F	46,260 S.F.	3560	156	308

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)	0.88		38 U	247	20	25

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)	0.45	1.0 F	19,602 S.F.	219	45	25

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)	0.44	1.0 F	19,166 S.F.	1217	61	132

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		-1877	-30	-126

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed MUL-A district: 5 Elementary 4 Middle 3 High

The proposed MUL-A zoning district will generate 12 additional students beyond what would be generated under the existing SP-C zoning district assuming 50% of the floor area is utilized for non-residential uses. Students would attend Pennington Elementary, Two Rivers Middle School, and McGavock High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2018.

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the T4 Mixed Use Corridor policy and the Lebanon Pike Small Area Plan.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-109**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2018Z-129PR-001 is **approved. (10-0)**”

**24. 2019Z-016PR-001**

Council District 21 (Ed Kindall)

Staff Reviewer: Jason Swaggart

A request to rezone from R6 to OR20-A zoning for property located at 3833 Dr. Walter S. Davis Boulevard, at the northeastern corner of Dr. Walter S. Davis Boulevard and 38th Avenue North (0.17 acres), requested by Liberty Plus, LLC., owner and applicant.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R6 to OR20-A**

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Office and Residential – Alternative (OR20-A) zoning for property located at 3833 Dr. Walter S. Davis Boulevard, at the northeastern corner of Dr. Walter S. Davis Boulevard and 38th Avenue North (0.17 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 duplex lot for a total of two units.*

**Proposed Zoning**

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

**NORTH NASHVILLE COMMUNITY PLAN**

**Existing Policy**

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

Supplemental Policy (SPA 08-T4-MU-02) is applied to a small area just west of Tennessee State University. The policy focuses on adaptive reuse of existing residential structures to achieve a mixture of uses. Where silent, the guidance of T4 Mixed Use Neighborhood is applied.

**ANALYSIS**

The approximately quarter acre property is located on the east side of Dr. Walter S. Davis Boulevard, just north of John L. Driver Avenue. The Major and Collector Street Plan classifies Dr. Walter S. Davis Boulevard as a major arterial. There is an unbuilt alley at the rear of the property. The property directly to the south is zoned OR20. The site is currently vacant.

The Supplemental Policy applied to the property focuses on guidance for properties where existing structures are being reused for a mix of uses. Given that the property is currently vacant, the supplemental policy points to T4 Mixed Use Neighborhood for guidance on zone changes.

Given the location and surrounding zoning, the proposed OR20-A district is consistent with the T4 MU policy. The proposed OR20-A zoning district permits office and residential uses at a scale appropriate to the area and would permit 1 additional residential unit above the existing entitlements. The OR20-A zoning district also includes design standards that implement the urban policy.

**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: 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)	0.17	7.26 D	2 U	29	7	3

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.085	0.8 F	2,962 S.F.	35	30	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.085	0.8 F	3 U	22	2	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+28	+25	+4

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed OR20-A district: 1 Elementary 1 Middle 2 High

The proposed OR20-A zoning district would generate two more student than what is typically generated under the existing R6 zoning district. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Chon High School. All three schools have been identified as having additional capacity by the Metro School Board. This information is based upon data from the school board last updated November 2018.

**STAFF RECOMMENDATION**

Staff recommends approval as the proposed OR20-A zoning district as it is consistent with the goals of the Urban Mixed Use Neighborhood policy.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-110**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-016PR-001 is **approved. (10-0)**

**25. 2019Z-046PR-001**

BL2019-1594/S. Davis, A. Davis

Council District 05 (Scott Davis); 07 (Anthony Davis)

Staff Reviewer: Gene Burse

A request to expand the Urban Zoning Overlay District for various properties located east of Ellington Parkway, zoned CL, CS, IR, MUL-A, OR20, R6, RS5, and SP and partially within the Gallatin Pike Urban Design Overlay District (212.07 acres), requested by Councilmembers Anthony Davis and Scott Davis, applicant; various property owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change to apply Urban Zoning Overlay.**

Zone Change

A request to expand the Urban Zoning Overlay District for various properties located east of Ellington Parkway, zoned Commercial Limited (CL), Commercial Services (CS), Industrial Restrictive (IR), Mixed Use Limited-Alternative (MUL-A), Office Residential (OR20), One and Two-Family Residential (R6), Single-Family Residential (RS5), and Specific Plan (SP) and partially within the Gallatin Pike Urban Design Overlay District (212.07 acres).

**Proposed Zoning**

Urban Zoning Overlay (UZO) The intent of the UZO district is to preserve and protect existing development patterns that predate the mid-1950s in portions of Metro Nashville that were originally developed before that time and to ensure the compatibility of new development in those older portions of the city. In addition, the UZO district is

intended to promote reinvestment in areas of metro Nashville originally developed before the mid-1950s by modifying development standards that could add unnecessary expense without improving the safety or compatibility of resulting development. The UZO is also intended to implement provisions of adopted plans that call for particular areas to evolve to a development pattern characterized predominantly by lot sizes, street patterns, and alley systems commonly used before the mid-1950s.

## **EAST NASHVILLE COMMUNITY PLAN**

### Existing Policies

The area proposed for application of the UZO includes properties located within numerous land use policies. The majority of the area is within the T4 Urban transect. Policies in those transects present in the UZO application area include: T4 Neighborhood Maintenance, T4 Neighborhood Evolving, T4 Mixed Use Corridor, T4 Community Center, District Employment Center, District Impact, and Civic. Conservation policy, which recognizes the presence of streams, floodplains, slopes and other sensitive environmental features, is present throughout the UZO application area.

### **ANALYSIS**

The UZO district was originally adopted in 2000 and was created to improve the way development in older urban areas of Nashville is regulated. The zoning code in place at the time was primarily designed for development with a newer, more suburban development pattern. In many cases, application of the standards to older, existing urban areas of the county resulted in nonconformities or in new development that was inconsistent with the existing urban pattern. The UZO is intended to preserve and enhance urban developed areas, encourage reinvestment, and also to achieve community goals for creating more walkable neighborhoods with good connectivity for vehicles, pedestrians and transit. All of these goals are currently formally established in NashvilleNext and the individual community plans.

The UZO was originally applied to a large portion of Nashville's urban core, based loosely on the 1956 boundary of the City of Nashville. Since that time, the UZO has been expanded in some areas, most recently in 2017, when the UZO was applied to portions of West Nashville. The UZO is an overlay; its application does not change the base zoning or existing entitlements on any property. The standards of the UZO vary by zoning district and, in the case of parking requirements, by use, but generally address the placement and size of buildings, amount and location of parking, and landscaping.

The current request proposes application of the UZO to contiguous parcels in East Nashville generally east of Ellington Parkway, west of Gallatin Pike, south of McGavock Pike and north of Cahal Avenue. The properties included in the proposal span a range of zoning districts, from low density single-family or one and two-family residential to higher intensity commercial and industrial zoning districts. The implications of application of the UZO will vary from parcel to parcel, depending on the existing zoning and the development proposed. Some of the properties in the area are currently zoned Specific Plan. The effects of the UZO on those properties are limited, as the Specific Plan will continue to govern the development of those properties.

In single-family or one and two-family residential districts, the primary effect of the UZO is a limitation on height. The UZO limits height to three stories in 45 feet, where the single-family and one and two-family zoning districts limit height to three stories without a specific limitation in feet. Additionally, pursuant to the standards of BL2016-493, the sidewalk ordinance that took effect in July 2017, the UZO serves as a trigger for sidewalks with single-family or one and two-family residential new construction.

For multi-family, office, and commercial uses, the effects of the UZO are more varied and depend on context. Generally, the UZO allows for alternative street setbacks and building height, subject to certain conditions, as well as for reduced parking requirements or adjustments to parking based on proximity to transit and complete sidewalk networks. The UZO also includes specific standards for landscape buffer yards and the landscaping of parking lots that vary from those of the base zoning districts.

One of the effects of UZO application is that under the new sidewalk ordinance, the UZO is a trigger for sidewalk construction for new single-family or one- and two-family residential construction. This is consistent with the goals of the Neighborhood Maintenance, Neighborhood Evolving, and Mixed Use Neighborhood policies to enhance pedestrian connectivity and create a more complete multi-modal transportation network.

In multi-family, office, commercial and mixed use districts, the UZO allows for alternative street setbacks which may allow buildings to be built closer to the street. This is consistent with goals in several policies to have buildings address the street in order to activate the pedestrian realm and create more walkable neighborhoods. Reduced parking requirements and parking adjustments are available for many uses, particularly when the site is close to a bus route or in a mixed use area with a connected sidewalk network that encourages walkability. The reduced parking requirements may support transit service and could reduce impervious surface on sites, especially areas in Conservation policy with sensitive environmental features.

The area proposed for application of the UZO is a contiguous area adjacent to the existing boundary of the UZO. The majority of the area has an established development pattern of small to moderately sized lots with connected streets.

As redevelopment or infill development occurs, the standards of the UZO will support a development form that is coherent and connected with what exists today. The varied standards of the UZO, which are specific to certain zoning districts and uses, make the UZO an adaptable zoning tool to ensure that development and redevelopment to occur in a context-sensitive manner without impact existing entitlements or base zoning. Application of the UZO will help to achieve a wide range of goals identified in NashvilleNext and in the community plans for this area, including enhanced pedestrian connectivity, activation of the streetscape in centers and along corridors, and support for existing and future transit service in the area.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-111**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-046PR-001 is **approved. (10-0)**

**26. 2019Z-051PR-001**

Council District 19 (Freddie O'Connell)

Staff Reviewer: Amelia Lewis

A request to rezone from CS to MUN-A zoning for property at 510 Fisk Street, approximately 190 feet southeast of Jo Johnston Avenue (0.09 acres), requested DBS and Associates Engineering, applicant; Jan Carnell Wallace, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from CS to MUN-A.**

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Neighborhood – Alternative (MUN-A) zoning for property at 510 Fisk Street, approximately 190 feet southeast of Jo Johnston Avenue (0.09 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**NORTH NASHVILLE COMMUNITY PLAN**

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

The site is within a supplemental policy area in the North Nashville Plan, 08-T4-MU-01. The supplemental policy for properties within the Fisk/Meharry/Watkins Park area includes specific guidance on preferred uses, building form, and zoning. The supplemental policy states that within this specific policy area, less intense zoning districts such as MUN-A are preferred.

**ANALYSIS**

The 0.09 acre parcel is located on the east side of Fisk Street between Jo Johnston Avenue and Pearl Street. The site is currently vacant. Alley #618 is the southern boundary to the site and Alley #620 forms the western boundary of the site. The surrounding properties are zoned CS, Office/Residential (OR20), One and Two-Family Residential (R6), and mixed use. The adjacent property to the north has been developed with a single story office building and the property to the south across the alley has been developed with a single story detached single-family structure. The surrounding properties have been developed with commercial and residential uses.

The site is located within an area of T4 MU policy and, as noted above, the site was included in a Supplemental Policy Area within the North Nashville Study. The supplemental policies detailed in the study provide additional guidance for future development in regards to use, form and intensity. The Supplemental Policy applicable to this site indicates that the area is going through a transition from primarily single family residential to commercial, which is reflected in the existing uses on properties surrounding the site. The guidance provided within the supplemental policy states that appropriate land uses include solely residential or mixed use. The request to rezone to MUN-A



would permit more residential and mixed use development at an intensity that is supported by the Supplemental Policy guidance and consistent with the land use policies for 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: **CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.09	0.6 F	2,352 S.F.	150	8	17

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.05	0.6 F	1 U	8	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.02	0.6 F	522 S.F.	6	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.02	0.6 F	522 S.F.	34	2	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		-102	-4	-11

**METRO SCHOOL BOARD REPORT**

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

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

The proposed MUN-A zoning district would not generate any additional students than what is generated under the existing CS zoning district.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-112**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-051PR-001is **approved. (10-0)**

## 27. 2019Z-053PR-001

Council District 02 (DeCosta Hastings)

Staff Reviewer: Joren Dunnavant

A request to rezone from RM40 and R6 to RM40-A zoning for properties located at 2418 A, 2420 A and 2424 14th Avenue North, at the northeast corner of 14th Avenue North and Jennings Street (1.23 acres), requested by FMBC Investments, applicant; The Metro at 14th, LLC., and 3716 West End Avenue, owners.

**Staff Recommendation: Disapprove as submitted. Approve RM40-A for parcel 07015000300, and RM20-A for parcels 07015000400 and 07015004500.**

### **APPLICANT REQUEST**

**Zone change from RM40 and R6 to RM40-A**

#### Zone Change

A request to rezone from Multi-Family Residential (RM40) and One and Two-Family Residential (R6) to Multi-Family Residential – Alternative (RM40-A) zoning on property located at 2418 A, 2420 A, and 2424 14<sup>th</sup> Avenue North, at the northeast corner of 14<sup>th</sup> Avenue North and Jennings Street (1.23 acres).

#### **Existing Zoning**

Multi-Family Residential (RM40) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *Approximately 0.89 acres of the site are zoned RM40. RM40 would permit a maximum of 36 units.*

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 0.34 acres of the site are zoned R6. R6 would permit a maximum of 2 duplex lots for a total of 4 units.*

#### **Proposed Zoning**

Multi-Family Residential - Alternative (RM40-A) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM40-A would permit a maximum of 49 units.*

#### **NORTH NASHVILLE COMMUNITY PLAN**

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

#### **ANALYSIS**

The properties are located on approximately 1.23 acres at 2418 A, 2420 A, and 2424 14<sup>th</sup> Avenue North, at the northeast corner of 14<sup>th</sup> Avenue North and Jennings Street. The site is located just south of Rosa Parks Boulevard and currently contains industrial and residential land uses. The surrounding land uses include park space to the west and a mixture of single-family, two-family, and multi-family residential on all other sides.

The T4 Urban Neighborhood Maintenance policy is characterized by its moderate to high density residential development pattern, building form, building types, setbacks, and building rhythm along the streets. This area contains a mixture of single family, two family, and multi-family residential housing types along with many vacant properties. Since the existing zoning is RM40 to the north and R6 to the south, a transitional zoning would meet the intent of the policy to maintain moderate to high density residential development within an urban-neighborhood built environment.

Rezoning parcel 07015000300 to RM40-A zoning would allow additional housing types and create a more urban development pattern in building form, setbacks, and building rhythm while maintaining the existing land use pattern for the neighborhood. Rezoning parcels 07015000400 and 07015004500 to RM20-A zoning would allow for an increase in density and better design standards while providing a transitional area between the higher density to the north and lower density to the south.

#### **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: **RM40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.89		36 U	232	19	24

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)	0.34	7.26 D	4 U	54	8	5

\*Based on two-family residential lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.23		49 U	330	25	32

Traffic changes between maximum: **RM40, R6 and RM40-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 9 U	+44	-2	+3

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RM40 district: 0 Elementary 0 Middle 0 High

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

Projected student generation proposed RM40-A district: 0 Elementary 0 Middle 0 High

The proposed RM40-A zoning district would generate fewer students than what is typically generated under the existing RM40 and R6 zoning districts. Students would attend Buena Vista Elementary School, John Early Middle School, and Pearl-Cohn High School. None of the schools have been identified as being over capacity. This information is based upon data from the school board last updated November 2018.

**STAFF RECOMMENDATION**

Disapprove as submitted. Approve RM40-A for parcel 07015000300, and RM20-A for parcels 07015000400 and 07015004500.

**Disapprove as submitted. Approve RM40-A for parcel 07015000300, and RM20-A for parcels 07015000400 and 07015004500. Consent Agenda. (10-0)**

**Resolution No. RS2019-113**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-053PR-001 is disapprove as submitted. Approve RM40-A for parcel 07015000300, and RM20-A for parcels 07015000400 and 07015004500. (10-0)**

**28. 2019Z-054PR-001**

BL2019-1581/Swope, Elrod, Blalock, Potts, Bedne  
Council District 04 (Robert Swope); 26 (Jeremy Elrod);  
27 (Davette Blalock); 30 (Jason Potts); 31 (Fabian Bedne)  
Staff Reviewer: Jason Swaggart

A request to apply a Corridor Design Overlay District to various properties located along Nolensville Pike, southward from Zoo Road to the south side of Burkitt Road, zoned AR2a, CL, CS, OR20, R10, R15, R6, RM15, RM20, RM9, RS10, SCC, SCN, SCR, and SP (812.34 acres), requested by Councilmembers Davette Blalock, Jason Potts, Robert Swope, Fabian Bende and Jeremy Elrod, applicants; various owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**  
**Apply Corridor Design Overlay District.**

Zone Change

A request to apply a Corridor Design Overlay District (CDO) to various properties located along Nolensville Pike, southward from Zoo Road to the south side of Burkitt Road, zoned Agricultural and Residential (AR2a), Commercial Limited (CL), Commercial Services (CS) Office Residential, (OR20), One and Two Family Residential (R6, R10, R15), Multi-Family Residential (RM9, RM15, RM20), Single-Family Residential (RS10), Shopping Center Community (SCC), Shopping Center Neighborhood (SCN), Shopping Center Regional (SCR), and Specific Plan (SP), and partially within a Planned Unit Development (PUD) (812.34 acres).

**Proposed Zoning**

Corridor Design Overlay District (CDO) is an overlay intended to provide incremental improvements to the aesthetics of Nashville’s commercial districts and corridors. The CDO provides standards for signage, landscaping and materials that are derived from standards of base zoning districts. The CDO does not regulate uses. Uses within a CDO are regulated by the base zoning district.

**SOUTHEAST NASHVILLE COMMUNITY PLAN**

The area proposed for application of the CDO includes properties located within numerous land use policies. Policies include, but are not limited to Conservation, Urban Neighborhood Center, Urban Community Center, Suburban Neighborhood Evolving, Suburban Neighborhood Maintenance, Suburban Community Center, Suburban Mixed Use Corridor, Suburban Residential Corridor, and Civic.

**ANALYSIS**

On February 14, 2019, the Planning Commission recommended that Council approve the text amendment creating the CDO. The Council Ordinance, BL2019-1540, that will ratify the CDO was approved on second reading on April 2, 2019, and will become effective on April 30, 2019.

The CDO would apply to approximately 800 acres along Nolensville Pike. This area consists of numerous properties, zoning districts, and a variety of commercial and residential land uses. The CDO does not regulate land use, and with the exception of variations to signage regulations and landscaping regulations all other requirements of the base zone district will apply. In addition to variations from the signage and landscaping regulations, the CDO applies regulations regarding building materials.

Signage standards for all properties in the CDO will adhere to current signage standards of the Metro Zoning Code for ORI, ORI-A, MUG, MUG-A, MUI and MUI-A regardless of the base zoning district. This would apply only to new signs, and it would not apply to panel changes to existing signs.

The CDO requires that trees be planted along the perimeter of parking lots at a rate of one tree every thirty feet. Current requirements are one tree every 50 feet. This applies to new parking lots and any expansion of an existing parking lot that is expanded by more than ten spaces.

The CDO applies standard for materials. The CDO requires front façades of buildings must be at least 75% brick, brick veneer, stone, cast stone, or architecturally treated concrete masonry units. The remaining 25% may be any material with the exception of exposed untreated concrete masonry units. The standards for materials apply to new buildings and additions that are more than 50% of the existing building area.

Staff finds that the proposed CDO overlay is appropriate. The intent of the CDO is to implement incremental improvements to the aesthetics of Nashville’s commercial districts and corridors. This goal is consistent with all land use policies. NashvilleNext established an overall goal, through the Growth and Preservation Concept Map, of

directing growth into centers and along corridors, such as Nolensville Pike. Each of the community character policies in this area is intended to encourage pedestrian-friendly development along the corridor that enhances the public realm. The standards of the CDO, which focus on landscaping, signage and materials, will help implement the goals of the policies to enhance the corridor with quality, pedestrian-friendly development. Staff is recommending approval of the proposed CDO as it is consistent with the goals of the land use policies.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-114**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-054PR-001 is **approved. (10-0)**

**29. 2019Z-055PR-001**

Council District 17 (Colby Sledge)  
Staff Reviewer: Gene Burse

A request to rezone from IWD to MUL-A zoning for property located at 2176 Carson Street, at the northeastern corner of Coleman Street and Carson Street (1.32 acres), requested by IPA Partners, LLC., applicant; Charles Shacklett, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from IWD to MUL-A.**

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 2176 Carson Street, at the northeastern corner of Coleman Street and Carson Street (1.32 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**SOUTH NASHVILLE COMMUNITY PLAN**

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

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

**ANALYSIS**

The site is located at 2176 Carson Street at the northeastern corner of Coleman Street and Carson Street, one block east of Nolensville Pike, in the South Nashville Community Plan Area. Existing site conditions include one parcel of vacant land. This site is part of a larger area of Industrial Warehousing/Distribution zoning. Nearby land uses consist of industrial uses north of the site, office and commercial uses west of the site along Nolensville Pike, and one and two-family residential uses east of the site.

The proposed Mixed Use Limited-Alternative (MUL-A) zoning district is consistent with the T4 Urban Mixed Use Neighborhood (T4 MU) and Conservation (CO) policy areas in this location. Conservation policy in this location is in the form of a small area of steep slopes in the northeast corner of the site. These slopes are not part of broader network. This site serves as an area of transition between the T4 Urban Mixed Use Corridor (T4 CM) policy area

along Nolensville Pike to the west and the T4 Neighborhood Maintenance (T4 NM) policy along Whitney Avenue to the east. The MUL-A zoning district would replace the existing IWD zoning which is not consistent with the T4 MU policy area in this location. The proposed MUL-A zoning district would provide the opportunity to meet goals of each policy area in this location that include the opportunity to provide a variety of housing and create development that offers a mix of uses near a corridor with transit service. The MUL-A zoning district will also serve as an appropriate transition between the corridor along Nolensville Pike and the neighborhood.

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions**

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

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic study may be required at time of development

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.32	0.8 F	45,999 S.F.	119	31	34

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)	0.66	1.0 F	29 U	179	15	20

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)	0.33	1.0 F	14,374 S.F.	162	41	19

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)	0.33	1.0 F	14,374 S.F.	635	32	69

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+857	+57	+74

**METRO SCHOOL BOARD REPORT**

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

Projected student generation existing MUL-A district: 4 Elementary 2 Middle 2 High

The proposed MUL-A zoning will generate eight more students than the existing IWD zoning district. Students would attend Whitsitt Elementary School, Cameron College Preparatory Middle School, and Glenclyff High School. All three schools have been identified as having additional capacity by the Metro School Board. This information is based upon data from the school board last updated November 2018.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-115**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-055PR-001 is **approved. (10-0)**”

**30. 2019Z-056PR-001**

Council District 05 (Scott Davis)

Staff Reviewer: Abbie Rickoff

A request to rezone from RS5 to R6-A zoning for property located at 838 Lischey Avenue, approximately 50 feet south of Cleveland Street (0.2 acres), requested by Eddie Ferrell, applicant; Gary Goetzman, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS5 to R6-A.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential – Alternative (R6-A) zoning for property located at 838 Lischey Avenue, approximately 50 feet south of Cleveland Street (0.2 acres).

**Existing Zoning**

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

**Proposed Zoning**

One and Two-Family Residential – Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit a maximum of one duplex lot for a total of two residential units. The Codes Department has determined that this site is duplex eligible. .*

**EAST NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The 0.20-acre site is vacant and is located on the west side of Lischey Avenue, approximately 50 feet south of the intersection of Lischey Avenue and Cleveland Street, a collector-avenue designated by the Major and Collector Street Plan.

Alley #352 runs parallel with the western property line, extending from Cleveland Street to the south, providing rear access to properties on either side of the alley. Surrounding properties are zoned for mixed residential, commercial and non-residential districts. The site is located along a block that contains a mixture of single-family, two-family, multi-family, commercial, and institutional land uses. A multi-family building is located adjacent to the site (north), at the southwest corner of Cleveland Street and Lischey Avenue, and a commercial use is located directly opposite the site, on the east side of Lischey Avenue. The site is also located in proximity to multiple properties containing institutional uses, including the Murrell School (west) and several neighborhood churches.

The proposed zone change is consistent with the site’s Urban Neighborhood Evolving policy, as the requested R6-A zoning would add diversity in housing stock for the immediate neighborhood, while also requiring enhanced design and building placement standards. The site is located near non-residential policy areas along the Cleveland Street corridor, including Urban Neighborhood Center and Civic policies, where a slight increase in residential density could be supported. An existing MTA bus route runs along Cleveland Street and Lischey Avenue, north of the site, and includes multiple bus stops in proximity to the site.

The R6-A zoning district includes standards for the location of access, driveways, and parking designed to enhance the pedestrian environment. Its location close to the corridor and the availability alley access make the site an appropriate location for two-family residential development.

**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: **RS5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.2	8.71 D	1 U	16	6	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.2	7.26 D	2 U	29	7	3

\*Based on two-family residential lots

Traffic changes between maximum: **RS5 and R6-A**

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

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed R6-A district: 0 Elementary 0 Middle 0 High

The proposed R6-A zoning is not expected to generate any additional students beyond the existing RS5 zoning. Students would attend Ida B. Wells Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2018.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-116**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-056PR-001 is **approved. (10-0)**

**31. 2019Z-057PR-001**

BL2019-1570/Hagar

Council District 11 (Larry Hagar)

Staff Reviewer: Amelia Lewis

A request to rezone from R8 to RS7.5 zoning for various properties located along Old Hickory Boulevard, from 6th Street to Butlers Lane (40.14 acres), requested by Councilmember Larry Hagar, applicant; various owners.

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



**APPLICANT REQUEST**

**Zone change from R8 to RS7.5.**

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Single-Family Residential (RS7.5) zoning for various properties located along Old Hickory Boulevard, from 6<sup>th</sup> Street to Butlers Lane (40.14 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

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

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

**ANALYSIS**

The 40 acre site is located on the east side of Old Hickory Boulevard, which forms the western boundary of the subject area. The area is bounded by 6<sup>th</sup> Street to the north and Butlers Lane to the south. The eastern edge of the site is bordered by the Hermitage Property. The subject area is primarily single family residential with several institutional sites within the boundaries. Surrounding properties to the east are zoned One and Two-Family Residential (R8 and R15) with more dense single family developments. Properties to the south are zoned Agricultural/Residential (AR2A) and One and Two-Family Residential (R20 and R8). The proposed rezoning would provide a transition from denser single and two family developments to the west to lower density development across Old Hickory Boulevard, adjacent to the existing open space to the east.

Both the existing R8 and the proposed RS7.5 zoning districts are consistent with the T3 NM policy, depending on locational characteristics. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The rezoning at this location is consistent with the T3 NM policy, which is intended to provide suburban neighborhoods that are low to moderate in density.

NashvilleNext calls for the integration of more diverse housing types into neighborhoods to allow for aging in place, address the overall affordability of housing, and to respond to demographic shifts that are driving changes in housing preferences. Both NashvilleNext and the Donelson-Hermitage-Old Hickory community plan specific to this area call for additional housing opportunities while preserving established residential areas and character. Staff is recommending removal of several properties from the zone change as depicted in the map below in order to minimize the creation of nonconformities. Properties with existing, legally established two-family structures are identified for removal from the zone change on the map below.

**Substitute Rezoning Map**

Staff recommends approval with a substitute to remove the following parcels from the downzoning:

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

**STAFF RECOMMENDATION**

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

**Disapproval as submitted and approval of the substitute ordinance. Consent Agenda. (10-0)**

**Resolution No. RS2019-117**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-057PR-001 is disapproval as submitted and approval of the substitute ordinance. (10-0)**

**32. 2019Z-058PR-001**

BL2019-1571/Hagar

Council District 11 (Larry Hagar)

Staff Reviewer: Amelia Lewis

A request to apply a Contextual Overlay District to various properties located along Old Hickory Boulevard, from 6th Street to Butlers Lane, zoned R8 (39.74 acres), requested by Councilmember Larry Hagar, applicant; various owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply a Contextual Overlay District.**

Zone Change

A request to apply a Contextual Overlay to various properties located along Old Hickory Boulevard, from 6<sup>th</sup> Street to Butlers Lane, zoned One and Two-Family Residential (R8) (39.74 acres).

**Existing Zoning**

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

**Proposed Zoning**

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.

**DONELSON-HERMITAGE-OLD HICKORY 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.

**Approve. Consent Agenda. (10-0)**

**Resolution No. RS2019-118**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-058PR-001 is **approved. (10-0)**

**H: OTHER BUSINESS**

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

**Resolution No. RS2019-119**

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

- 37. Legislative Update

## **I: MPC CALENDAR OF UPCOMING EVENTS**

**May 09, 2019**

MPC Meeting

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

**May 23, 2019**

MPC Meeting

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

**June 13, 2019**

MPC Meeting

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

**June 27, 2019**

MPC Meeting

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

**July 18, 2019**

MPC Meeting

4 pm, 1441 12<sup>th</sup> Avenue South, Midtown Hills Police Precinct

## **J: ADJOURNMENT**

The meeting adjourned at 4:45 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary