



METROPOLITAN PLANNING COMMISSION

MINUTES

October 24, 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

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
Lillian Blackshear
Dr. Pearl Sims
Brian Tibbs
Roe Elam
Councilmember Kathleen Murphy

Commissioners Absent:

Ron Gobbell
Daveisha Moore

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
Shawn Shepard, Planning Manager I
Marty Sewell, Planner III
Latisha Birkeland, Planner II
Jason Swaggart, Planner II
Abbie Rickoff, Planner II
Gene Burse, Planner II
Stephanie McCullough, Planner II
Elwyn Gonzalez, Planner II
Amelia Lewis, Planner II
Joren Dunnavant, Planner II
Logan Elliott, Planner II

Patrick Napier, Planner I
Laura Hardwicke, Planner I
Quan Poole, Legal

Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

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

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

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

Legal Notice

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



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MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:10 p.m.

B: ADOPTION OF AGENDA

Mr. Haynes moved and Mr. Tibbs seconded the motion to adopt the agenda and move Item 15 to the beginning of the agenda. (8-0)

C: APPROVAL OF OCTOBER 10, 2019 MINUTES

Ms. Farr moved and Ms. Blackshear seconded the motion to approve the October 10, 2019 minutes. (8-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Rutherford spoke in favor of Item 14.

Councilmember Roberts spoke in opposition to Item 9.

Councilmember Sledge spoke in favor of Item 2, Item 12, and Item 15.

Councilmember Taylor asked to keep Item 11 and Item 13 on the Consent Agenda.

E: ITEMS FOR DEFERRAL / WITHDRAWAL

1. **2019CP-005-002**
EAST NASHVILLE COMMUNITY PLAN AMENDMENT (DICKERSON SOUTH CORRIDOR STUDY)
- 4a. **2019CP-008-003**
NORTH NASHVILLE COMMUNITY PLAN AMENDMENT
- 4b. **2019Z-135PR-001**
5. **2019Z-015TX-001**
Mr. Tibbs moved and Councilmember Murphy seconded the motion to approve the Deferred and Withdrawn Items.
(8-0)

F: CONSENT AGENDA ITEMS

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

2. **2019CP-011-003**
SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT WEDGEWOOD-HOUSTON AND CHESTNUT HILL PLANNING STUDY
- 3a. **2019CP-003-003**
BORDEAUX-WHITES CREEK -HAYNES TRINITY COMMUNITY PLAN AMENDMENT
- 3b. **2019SP-066-001**
CLARKSVILLE PIKE MIXED USE SP
6. **2019Z-016TX-001**
7. **2019Z-017TX-001**
8. **2019Z-018TX-001**

- 9. **2019S-198-001**
RESUBDIVISION OF LOT #40, BLOCK E ON THE PLAN OF CROLEYWOOD, SECTION II
- 10. **2019Z-149PR-001**
- 11. **2019Z-152PR-001**
- 12. **2019Z-154PR-001**
- 13. **2019Z-155PR-001**
- 14. **2019Z-156PR-001**

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

Mr. Haynes moved and Dr. Sims seconded the motion to approve the Consent Agenda. (8-0)

Ms. Blackshear recused herself from Item 11 and Item 13.

G: ITEMS TO BE CONSIDERED

- 1. **2019CP-005-002**
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
DICKERSON SOUTH CORRIDOR STUDY
Council District 05 (Sean Parker)
Staff Reviewer: Michael Briggs

A request to amend the East Nashville Community Plan on various parcels located along the eastern side of Dickerson Pike between Grace Street and Spring Street, Metro Nashville Planning Department, applicant; various owners.

Staff Recommendation: Defer to the November 14, 2019, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2019CP-005-002 to the November 14, 2019, Planning Commission meeting. (8-0)

- 2. **2019CP-011-003**
SOUTH NASHVILLE COMMUNITY PLAN AMENDMENT
WEDGEWOOD-HOUSTON AND CHESTNUT HILL PLANNING STUDY
Council District 17 (Colby Sledge)
Staff Reviewer: Anna Grider

A request to amend the South Nashville Community Plan on various parcels located in Wedgewood-Houston and Chestnut Hill and to amend the adopted Major and Collector Street Plan designations for various streets, requested by Metro Nashville Planning Department, applicant; various owners.

Staff Recommendation: Approve, including amendments.

APPLICANT REQUEST

Amend South Nashville Community Plan and Major and Collector Street Plan.

Major Plan Amendment and Major and Collector Street Plan Amendment

A request to amend the South Nashville Community Plan on various parcels located in Wedgewood-Houston and Chestnut Hill and to amend the adopted Major and Collector Street Plan designations for various streets.

SOUTH NASHVILLE COMMUNITY PLAN
Background

The Wedgewood-Houston and Chestnut Hill Planning Study (Study) area is defined by Interstate 40 and Lafayette Street/Murfreesboro Pike to the north, Browns Creek to the east, Wedgewood Avenue to the south, and Interstate 65 to the west.

The existing policy was included in *NashvilleNext* as part of the 2015 adoption and the update to *NashvilleNext* in 2017. The study area has had substantial planning activities over the prior two decades. Those plans are listed here:

- *Cameron-Trimble Neighborhood Plan* (1999) Metro Planning Commission
- *Chestnut Hill Neighborhood Study* (2005) Nashville Civic Design Center
- *Wedgewood-Houston Neighborhood Study* (2008) Nashville Civic Design Center
- *Place Making through Infill and Corridor Redevelopment* (2010) Urban Land Institute
- *Neighborhood Council on Affordable Living Report* (2014) SNAP
- *South Nashville Community Plan* (1993, 2007, 2015) Metro Planning Commission

Wedgewood-Houston and Chestnut Hill are at the forefront of two critical issues: i) the displacement of low and moderate income households throughout Nashville's urban core and ii) the loss of industrial uses and industrially zoned land in the urban core. In order to study these issues, Planning staff, in collaboration with Locate Arts (formerly SeedSpace), received funding from the National Endowment for the Arts (NEA) in the form of an Our Town Grant in Fall of 2016.

This funding was used to study and plan for the sustainability of these neighborhoods in the midst of an aggressively appreciating housing market, while also seeking to allow new artisan and small-scale manufacturing uses.

ANALYSIS

Prior to charrette week, the long-range planning team coordinated with various city and state agencies, including Metropolitan Development and Housing Agency, Metro Historical Commission, Metro Water, Metro Parks, Metro Public Works, WeGo Public Transit, Tennessee Department of Transportation, and other Planning Department staff, to complete an analysis of the study area:

Growth and Preservation Concept Map

The Growth and Preservation Concept Map reflects Nashvillians' expectations for growth in the future. It identifies tiered centers expected to accommodate a range of future growth, improved public spaces, transit, and sustainable economic activity, and it encourages infill development along transit and multimodal corridors.

The majority of the study area is identified as a Transition and Infill area, which encourages higher density housing appropriate along and around corridors. The area along I 65 and Chestnut Street is identified as a Tier One Center, which are the focus of coordinated investments to shape growth and support increased transit service in the next ten years. The remainder of the area is identified as Neighborhood; these are primarily residential areas offering a mix of housing types and character. The area along Browns Creek is identified as the Green Network.

Lafayette Street, 2nd Avenue S, and 4th Avenue S are all identified as Immediate Need High Capacity Transit Corridors; these streets establish a framework of more intense housing and commercial areas along major roads with planned near term improvements to more frequent transit service.

Proximity to Downtown

The northern portion of the study area is located adjacent to the center of downtown Nashville, separated by I 40. The policy application between downtown and properties south transitions in intensity from the T6 (Core) transect to T4 (Urban) south of the interstate.

Natural Environment

The primary natural environmental features are associated with Browns Creek and the floodplain. A majority of the eastern portion of the study area is encumbered by the floodway and floodplain of Browns Creek. Much of the study area slopes downward from downtown, reaching a geographical low point in Chestnut Hill, originally known as Trimble Bottoms.

Zoning and Existing Land Use

The majority of the study area is zoned One- and Two-Family Residential (R6-A and R6). A portion of the area generally along Browns Creek is zoned IWD (Industrial Warehousing/Distribution). Zoning along I 65 is IR (Industrial Restrictive) and along Lafayette Street and 4th Avenue zoning is CS (Commercial Service). Recent development requiring rezoning has utilized the SP (Specific Plan) zoning category. Other zoning districts that entitle mixed use are located throughout the central part of the study area.

Policy

Seven policy areas, predominantly in the T4 Urban Transect, are applicable to the study area.

Existing Community Character Policy	Location in Study Area
T4 Urban Mixed Use Corridor	Properties fronting Lafayette Street
T4 Mixed Use Neighborhood	Large swaths of property located along I 65 and eastward through the northern portion of Wedgewood-Houston to 4 th Avenue and north to I 40
T4 Urban Neighborhood Evolving	Residential portions of Wedgewood-Houston (to the south) and Chestnut Hill (to the east)
District Impact	Railyard
Open Space	Dudley Park and the City Cemetery
Civic	Cameron Middle School and Fall-Hamilton Elementary School properties
Conservation	Environmentally sensitive features such as Browns Creek

Supplemental Policies

The study area has one supplemental policy, SPA 11-T4-MU-01, for property directly south of the City Cemetery. Guidance specifies building height, pedestrian and bicycle connectivity, and transitioning from the Cemetery.

The Study reflects this supplemental policy. No changes are proposed.

Historic properties

Several historically significant properties are located within the study area, which are either listed on the National Register of Historic Places (Hubbard House, Cameron Middle School, St Patrick’s Catholic Church, and Nashville City Cemetery) or eligible to be listed (Seay-Hubbard Methodist Church, United Record Pressing, Merritt House, Fall-Hamilton Elementary, and the Fall-Hamilton Historic District). Over 100 properties are currently identified as Worthy of Conservation in the study area.

Streets/connectivity

The Major and Collector Street Plan (MCSP) identifies Lafayette Street, 2nd Avenue S, 4th Avenue S, and Wedgewood Avenue as Arterial-Boulevards. Chestnut Street, Lewis Street, Trimble Street, Factory Street, Fairfield Avenue, and Hart Street are Collector-Avenues. The remaining roads are classified as local streets.

The existing street network is reflective of an historic urban grid system. Interstate 65 and Browns Creek are barriers to connectivity east-west outside of the study area. Within the study area, the one-way street pair of 2nd and 4th Avenues S and the CSX railroad disrupt connections east-west through the study area. The at-grade rail crossing at 4th Avenue S and Hart Street causes significant delays to traffic heading southbound on 4th Avenue. Chestnut Street is the only east-west connection and angled intersections are common throughout the study area. Future street connections east-west between Nolensville Pike and Murfreesboro Pike are currently identified in the MCSP.

Transit

The Study Area has two frequent transit routes running through it – Nolensville Pike BRT Lite and Murfreesboro Pike BRT Lite. It also hosts four local service routes. The *nMotion Transit Plan* identifies Nolensville and Murfreesboro Pike’s with High Capacity Transit, a limited stop route that utilizes transit-only lanes independent of travel lanes with mixed traffic. WeGo Public Transit has begun installing new transit shelters along the Nolensville Pike BRT Lite route and will undertake similar upgrades for the BRT Lite stops on Murfreesboro Pike. *nMotion* also identifies a new crosstown Rapid Bus service along Chestnut Street with frequent services to Music Row, Vanderbilt University, Midtown, and Charlotte Pike, pursuant to a dedicated source of funding for transit.

COMMUNITY PARTICIPATION

After successfully applying for, and receiving funding, from the Our Town Grant, Planning staff undertook an extensive public outreach and participation program.

The following is a timeline of key events and dates:

- Stakeholder interviews undertaken September-November 2017
- WeHome Podcast launched September 2017
- WeHome Day on April 14th 2018
- Online and print survey launched April 2018
- Community Snapshot created May 2018
- Task Force meetings August 2018, February 2019, March 2019, April 2019 (x2), September 2019, October 2019
- Real Estate and Developer Focus Group April 2019

- Charrette April-May 2019
- Chestnut Hill Focus Group June 2019
- Maker/Artisan Space Needs Focus Group August 2019

Stakeholder Interviews

Throughout the fall of 2017, Planning Department staff undertook 18 interviews with stakeholders in the study area. These included neighbors, artists, makers, industrial businesses and industrial land owners, and developers.

WeHome Podcast and WeHome Day

Outreach began in the fall of 2017, with the collaboration with Locate Arts, which used the funding in their efforts to engage the public in the planning process through the creation of the WeHome Podcast (a nine episodes series with original illustrations and music), and artwork inspired by the podcast and presented at WeHome Day. WeHome Day was both a celebration of the completed podcast and the use of arts in community engagement, and a chance for Planning staff to talk with attendees about the two neighborhoods. Approximately 60 people attended.

Survey

An in-person and online survey was launched at WeHome Day that ultimately received 90 responses. The survey provided staff with detail on how the participants feel about their neighborhood and the changes they are experiencing.

Community Snapshot

In May 2018, Planning staff completed a Community Snapshot document. This document was created to provide a common resource for Planners and community members to understand the current state of the study area. The Snapshot includes data on demographics, land uses and regulations, infrastructure and a review of prior plans.

Task Force

During the summer of 2018, the Planning Department formed a Task Force to assist with outreach and function as a sounding board. The Task Force comprises business owners, neighborhood leaders, property owners, and development and design professionals. Within the Task Force, experiences range from long-time residents and business owners to newcomers. Staff met with the Task Force on multiple occasions throughout the planning process.

Real Estate and Developer Focus Group

In preparation for the charrette, Planning staff hosted a focus group in April 2019, with real estate and development professionals working in the study area. The group discussed the market, demand, and affordability of properties in the study area with 18 professionals.

Charrette Week

Planners hosted a four-day charrette April 29th to May 2nd at Trevecca Nazarene University's Tarter Student Activity Center. A charrette is a collaborative planning and design effort organized to build consensus and focus on one or more common goals. Staff held two evening community meetings – Monday, April 29th, and Thursday, May 2nd – and an on-site open design studio.

Public Notice and Outreach

As part of the standard policy amendment process, public notice of the charrette schedule, including community meetings, was mailed to approximately 3,500 property owners within and near the study area. In addition to the standard public notice letter, a project website was created – whchstudy.nashville.gov – and project flyers were sent to the Task Force members and other stakeholders to share with their contacts and email lists.

Approximately 35 community members and stakeholders attended the community visioning meeting on April 29th to convey their vision and expectations for the neighborhood's future. Following an opening presentation, the workshop began with a series of breakout small group exercises. Exercise results informed the planning team's work throughout the remainder of the week and during plan production over the months that followed.

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

A work-in-progress public presentation concluded the charrette on May 2nd. Thirty stakeholders attended to hear a summary of the week's work, including the results of the visioning exercises, the vision statement, goals and objectives, and character area and mobility concepts for achieving the community's vision and expectations. At the end of the presentation, attendees were encouraged to interact with the participation stations to respond to the concepts formulated during charrette week. The community was generally in support of the concepts presented; input led to further refinements following charrette week.

Key Issues and Common Goals

Overall, charrette participants identified four major points of emphasis that the planning team would work to bring together.

1. Retain long-time residents and connections to the neighborhoods' historical communities;
2. Understand the character of the neighborhoods, to balance older uses with the need for new investment in the area;
3. Improve the safety of neighborhood streets and public spaces; and
4. Expand access to and activation of parks and open space.

Post-Charrette Meetings

Throughout the charrette week, staff noticed participants did not reflect community members in Chestnut Hill. In order to get the feedback needed for the plan, Planning staff hosted a focus group in partnership with the Trimble Action Group (TAG). Ten residents of Chestnut Hill met with Planning in June 2019 and worked through a modified version of the exercises from charrette week. This feedback was incorporated into the final concepts.

As staff developed the planning study, more information was needed from the maker and artisan community about their specific physical space needs, compatibility issues, and ways of incorporating these uses into mixed use settings. In order to get the feedback needed, Planning staff hosted a focus group with five members of the maker/artisan community in August 2019.

Building on the information collected during and after charrette week, the planning team refined the goals, objectives, and concepts into the Planning Study document. The refined goals, objectives, character areas, subdistricts, mobility concepts, and design scenarios were presented to the Task Force. The general consensus was one of support for the information presented. Staff scheduled a post-charrette community meeting for September 17th to present a draft of the study prior to preparing the adoption draft for Planning Commission consideration.

A draft was released for review and comment on the Planning Department's website on September 6th. A static draft was posted on October 9th in preparation for the October 24th Planning Commission public hearing.

PROPOSAL

Adopt the Wedgewood-Houston and Chestnut Hill Planning Study.

The Study, if adopted, will be the policy guide for zone change requests. It may also guide requests for the Capital Improvements Budget. The vision statement, goals, and objectives are intended to guide policy interpretation and zone change requests.

Six (6) distinct character areas are proposed – North Wedgewood Houston, South Wedgewood Houston, Chestnut Hill, 4th Avenue S/Nolensville Pike, Industrial West Wedgewood Houston, and Browns Creek – and were informed by the community's vision for the long-term planning of the area and establish the framework for the supplemental policy guidance for each area. Derived from these six character areas are thirteen (13) subdistricts that further provide specific design, height, building types, and transitioning guidance, as well as incentives that work to achieve the community's priorities and common goals.

The mobility plan identifies the community's priorities for connectivity within and outside the study area. It identifies solutions for the constraints associated with the at-grade rail crossings, traffic calming solutions for neighborhood streets, and pedestrian, bikeway, and greenway connections and enhancements throughout the study area.

The parks and open space plan identifies improvements to existing parks and open space, stormwater best practices for low-impact development, and opportunities for additional greenway connections.

Amend the Community Character Policy.

Staff recommends the following policy amendments illustrated on the map below to better align with the goals, objectives, and policy guidance of the Study:

#	Original policy	Recommended policy	Rationale
1	T4 NE Urban Neighborhood Evolving	T4 NC Urban Neighborhood Center	Application of T4 NC policy better reflects the community's desire for these properties to evolve from a residential focus toward a mix of commercial, office, and mixed uses that serve the Chestnut Hill neighborhood.
2	T4 NE Urban Neighborhood Evolving	T4 CM Urban Mixed Use Corridor	Application of T4 CM policy to a greater depth off Lafayette Avenue better reflects the community's desire for a greater mix of commercial uses along this corridor and enhances the development potential of parcels along an arterial boulevard.
3	OS	CI	Application of Civic policy better reflects the current and long range future needs of Johnson High School and Head Start at Dudley Park.
4	T4 NE Urban Neighborhood Evolving	T4 MU Urban Mixed Use Neighborhood	Application of T4 MU to a greater depth off 4 th Avenue S enhances the development potential of parcels along this arterial boulevard for a mix of uses.

Adopt the Supplemental Policy.

Adoption of the proposed Study would supplement the Community Character Policy. Supplemental policies are intended to provide an additional level of guidance beyond that provided by the Community Character Manual (CCM). They address unique features of the area and expand upon standard guidance of CCM in order to tailor policy to the needs of the study area.

Supplemental Policies include the following:

1. Character Area and Subdistrict Guidance. Identifies six distinct character areas and thirteen subdistricts, represented by a character area and subdistrict map, building typology and heights table, appropriate and recommended maximum zoning districts table, and building typology pages. Additional information on urban industrial uses, including building types, specific guidance on the appropriate subdistrict, and design guidance to help in addressing compatibility issues is provided. This Study also identifies several approaches to housing affordability for use in some character areas.
2. Mobility Plan. Identifies MCSP amendment, transit improvements, traffic calming recommendations, and pedestrian, bikeway, and greenway connections and enhancements.
3. Parks and Open Space. Identifies opportunities for additional greenway connections, improvements to existing parks and open space, and stormwater best practices for low-impact development.

Amend the Major and Collector Street Plan.

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

The Wedgewood-Houston and Chestnut Hill Study proposes new street cross sections for 2nd Avenue South and 4th Avenue South that are specific to character areas 3 and 4, respectively. Each cross section incorporates the priority elements of accommodating pedestrian, bicycle, vehicular, and transit users within the right-of-way constraints and/or needs of each character area.

The Wedgewood-Houston and Chestnut Hill Study also proposes the removal of the Walsh Road Extension and University Right-of-Way Alternate Planned Arterial-Boulevards due to recent recommendations outlined in *Plan to Play*, as well as the ongoing updates to the Fairgrounds. A new connection was previously proposed parallel along the CSX rail line from Walsh Road to Lafayette Street, however due to right-of-way availability in relation to the rail line and the future Browns Creek Greenway, construction of the Walsh Road Extension Arterial-Boulevard connection is inappropriate.

Likewise, the University Right-of-Way Alternate Planned Arterial-Boulevard is proposed to be removed in order to reflect the alignment of the Wedgewood Avenue extension from Smith Avenue to Craighead Street, as part of the Fairgrounds revitalization.

In its place a new Planned Collector-Avenue, as a means to extend the Lewis Street Collector-Avenue, is proposed at the southern terminus of Lewis Street to Carney Street at the Ensley Boulevard intersection.

AMENDMENTS

Below are proposed amendments to the draft document that was published for review.

Page 39, subdistrict 4b

Revise this section as follows:

Longer term, this subdistrict should evolve into a mixed use district that supports transit and walkable access to downtown. Because the current form of this district are one story buildings built to the property line on narrow lots, lot by lot redevelopment will ~~rarely~~ **generally not** be appropriate. As the transition to more dense development begins to happen, redevelopment may be appropriate when it:

- Improves a substantial portion of a block (~~such as 200' of street frontage; less from a corner~~),
- Reduces curb cuts,
- Is close to future transit stops,
- Incorporates urban industrial or artisan spaces, generally on alleys or local streets, and
- Provides a mix of uses within a building.

Particular attention will be given for projects to provide additional crosswalks, access management, and stop controls where appropriate as a means to facilitate safer pedestrian crossings from east to west as properties redevelop. The recommended standard was incorrectly set based on the general need to improve stormwater infrastructure elsewhere in the study area.

Page 98, Implementation Table

Add a new recommendation: "Establish standards for major pedestrian streets in Character Area 1 within the Major and Collector Street Plan (page 70)."

STAFF RECOMMENDATION

Staff recommends approval, including the amendments above.

Mr. Haynes moved and Ms. Blackshear seconded the motion to approve, including amendments. (7-0)

Resolution No. RS2019-329

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019CP-011-003 is **approved, including amendments. (7-0)**

3a. 2019CP-003-003

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

Council District 02 (Kyonzte Toombs)
Staff Reviewer: Gene Burse

A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan by changing from T3 Suburban Neighborhood Evolving Policy to T3 Suburban Mixed Use Corridor Policy for properties located at 3724 Clarksville Pike and Bellefield Avenue (unnumbered), zoned R10 (4.01 acres), requested by Kimley-Horn, applicant; various owners. (See associated case #2019SP-066-001).

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend Bordeaux-Whites Creek-Haynes Trinity Community Plan to change the policy.

Major Plan Amendment

A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan by changing from T3 Suburban Neighborhood Evolving (T3 NE) policy to T3 Suburban Mixed Use Corridor (T3 CM) policy for properties located at 3724 Clarksville Pike and Bellefield Avenue (unnumbered), zoned One and Two Family Residential (R10) (4.01 acres).

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN

Current Policy

T3 Suburban Neighborhood Evolving (T3 NE) policy is intended to provide a broader range and integrated mixture of housing types and housing choice than may be present in surrounding suburban neighborhoods. T3 NE areas are intended to have a moderate density residential development pattern with a more diverse mix of housing types than are typically found in T3 Suburban Neighborhood Maintenance areas.

Proposed Policy

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

BACKGROUND

The applicant requested this plan amendment in conjunction with Case #2019SP-066-001, a request to change the zoning for properties located at 3720, 3724, 3726, 3730, and 3800 Clarksville Pike and Belleford Avenue (unnumbered), at the intersection of Lawrence Avenue and Belleford Avenue, from Commercial Limited (CL), Commercial Service (CS) and One and Two-Family Residential (R10) to permit a mixed use development. Existing T3 NE policy applied to these properties within this context does not support the scale and uses permitted by the proposed SP. Due to the conflict between the applicant's zoning request and existing policy, the applicant has proposed a policy change to T3 CM policy, which allows for greater density and more land uses.

The proposed plan amendment area (site) consists of vacant residential land. The site, which includes unimproved right-of-way along Bellefield Avenue and Lawrence Avenue, has a suburban, commercial and single-family residential development pattern defined by large lots with deep setbacks.

As part of the application process, the Executive Director determined the plan amendment is major which required a community meeting. Planning Staff limited the study area boundary primarily to parcels listed in the plan amendment request.

COMMUNITY PARTICIPATION

On August 26, 2019, staff hosted a community meeting at the YMCA, located at 3700 Ashland City Highway, to discuss the applicant's request. Approximately 26 people attended, along with the applicant and staff. Attendees consisted of property owners and concerned citizens. Staff spoke and answered questions regarding the plan amendment process, while the applicant discussed their reasons for the request in detail. Overall, reaction to the plan amendment request was generally positive given the potential for additional services that can be of benefit to the neighborhood and the site's proximity to a major corridor. There was some concern about the level of intensity that potential developments would be permitted to have in T3 CM policy in this location. Also, there was concern about the impact development of a high intensity in this location may have on housing affordability, traffic patterns and pedestrian safety.

Key themes expressed to staff include the following:

- Traffic impact;
- Sidewalks;
- Affordability;
- Opportunity to encourage additional land uses within the neighborhood.

ANALYSIS OF T3 CM MIXED USE NEIGHBORHOOD POLICY

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

NashvilleNext's Growth & Preservation Concept Map

The Growth & Preservation Concept Map reflects Nashvillians' desires for growth and preservation in the future. The concept map designates half of the site closest to Clarksville Pike as "Center." The remaining half of the site along Bellefield Avenue is designated as "Transition or Infill". An activity "Center" encourages suburban commercial centers and corridors to provide more services and options, especially along the southern portion of Clarksville Pike.

"Transition and Infill" supports a variety of moderately dense land uses that transition in scale between low density residential neighborhoods and corridors. As such, moderately dense housing with a greater mix of land uses such as office and retail are appropriate.

The concept map also designated Clarksville Pike as an "immediate need high capacity transit corridor" slated for near-term improvements to transit service. Allowing a mix of land uses, supported by T3 CM policy, in locations with convenient access to major transportation and transit networks (existing and planned) on a primary corridor to downtown Nashville is appropriate.

The site is partially located in a "Tier One Center." "Tier One Centers" focus coordinated investments to shape growth that supports transit with a dense mix of land uses.

Key Finding

- Concept map's vision for a greater mix of uses at moderate densities is shared by the intent of T3 CM policy. The site's designation as "Center" and "Transition and Infill" along an "immediate need high capacity transit corridor" makes application of T3 CM policy appropriate.

Community Character Policy Application

Center and Transition/Infill areas are generalized on the concept map and are explained in greater detail through Community Character Policies. These policies guide zoning and development decisions. The requested T3 CM policy encourages a greater mix of higher-density residential and mixed use development along the corridor, prioritizing higher intensity mixed use and commercial uses. T3 CM policy is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor.

Key Finding

- T3 CM's intent of creating suburban mixed use areas that provide a mix of land uses near centers and corridors make this an appropriate application of the policy.

Transportation and Connectivity

The site is located near Clarksville Pike north of Ashland City Highway. Clarksville Pike is classified as a five-lane arterial boulevard by the Major and Collector Street Plan. Ashland City Highway is classified as a five-lane arterial boulevard. WeGo provides bus service on Clarksville Pike with nearby access to one inbound and outbound bus stop located at the Clarksville Pike/Ashland City Highway intersection. Bus stops are located outside of but near the site.

Key Finding

- Adequate infrastructure consisting of transportation options, connectivity, and access is in place to support the request.

Relationship to Surrounding Policy

The site's relationship to surrounding policy is as follows:

- T3 NE policy is applied to the entire site and extends east to the interior of the neighborhood.
- T3 CM policy is applied to the west along Clarksville Pike adjacent to the site.

T3 NE policy is applied to the east where suburban residential development character should continue to develop. Application of T3 CM policy to the site would allow the opportunity for additional services for the neighborhood that can develop in a compatible and balanced manner along Clarksville Pike. Currently, T3 CM policy covers a narrow area on the east side of the corridor whereas the policy covers a significantly larger area on the west side of the corridor. Extending T3 CM policy to the site would allow for the consistent application of policy along both sides of Clarksville Pike that would lead to balanced development on each side of the corridor.

Key Findings

- T3 CM policy would allow the opportunity for compatible development to occur as an extension of existing T3 CM policy to the west along Clarksville Pike.

Analysis Summary

Amending the Community Character Policy from T3 NE to T3 CM is appropriate at this location because of the opportunities described above. In summary, the area of the request is appropriate for T3 CM policy due to the following:

- The plan amendment request will provide opportunity for new services near the neighborhood. However, some of the community feedback regarding this request includes concerns about the impact developments of a high intensity may have on traffic, affordability and pedestrian safety.
- Concept map's vision for a greater mix of uses at moderate densities is shared by the intent of T3 CM policy.
- T3 CM's intent of creating suburban mixed use areas that provide a mix of land uses near centers and corridors make this an appropriate application of the policy.
- Adequate infrastructure consisting of transportation options, connectivity, and access is in place to support the request.
- T3 CM policy would allow the opportunity for compatible development to occur as an extension of existing T3 CM policy to the west along Clarksville Pike.

STAFF RECOMMENDATION

Staff recommends approval.

Mr. Burse presented the staff recommendation of approval.

Items 3a and 3b were heard and discussed together.

Elizabeth Gatlin, architect, spoke in favor of the application. There were two community meetings held and support was received at both.

Ben Miskelley, 214 Oceanside Dr, spoke in favor of the application. This project will help improve the community and create a destination for Clarksville Pike.

Belinda Vanatta, property owner, spoke in favor of the application.

Pat Cheek, 2814 Courtney Ave, spoke in favor of the application.

Deborah Bell, 3306 Curtis St, spoke in opposition to the application due to traffic concerns and loss of wildlife in the area.

Chairman Adkins closed the Public Hearing.

Ms. Blackshear spoke in favor of the application as there are extensive traffic and parking requirements that will go along with the approval.

Councilmember Murphy stated that she would like the project better if it had some type of dedicated, designed walking trail where it's more pedestrian connected with green space.

Ms. Farr explained that she would love to be able to encourage affordable housing as 500 units is a lot.

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

Resolution No. RS2019-330

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019CP-003-003 is **approved. (7-0)**

**3b. 2019SP-066-001
CLARKSVILLE PIKE MIXED USE SP
Council District 02 (Kyonzte Toombs)
Staff Reviewer: Patrick Napier**

A request to rezone from R10, CS, and CL to SP zoning for properties located at 3720, 3724, 3726, 3730, and 3800 Clarksville Pike and Bellefield Avenue (unnumbered), at the intersection of Lawrence Avenue and Bellefield Avenue (11.23 acres), to permit a mixed use development, requested by Kimley-Horn, applicant; Jerry and Bellinda Vanatta, Trustees, owners. (See associated case #2019CP-003-003).

Staff Recommendation: Approve with conditions and disapprove without all conditions subject to approval of the associated plan amendment. If the plan amendment is not approved, staff recommends disapproval.

APPLICANT REQUEST

Rezone from R10, CS, and CL to Specific Plan to permit a mixed-use development.

Preliminary SP

A request to rezone from One and Two-Family Residential (R10), Commercial Service (CS), and Commercial Limited (CL) to Specific Plan – Mixed Use (SP-MU) zoning for properties located at 3720, 3724, 3726, 3730, and 3800 Clarksville Pike and Bellefield Avenue (unnumbered), at the intersection of Lawrence Avenue and Bellefield Avenue (11.23 acres), to permit a mixed use development.

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 34 lots with 8 duplex lots for a total of 42 units based on acreage alone; application of the subdivision regulations may result in fewer lots.*

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

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

Proposed Zoning

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

**BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN
Current Policy**

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

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

Proposed Policy

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

The NE policy will remain for part of the project. The conservation policy is intended to remain.

PLAN DETAILS

The approximately eleven acre site is located at the intersection of Lawrence Avenue and Bellefield Avenue. The site is flat and is partially developed. Several of the parcels included within the overall site contain existing commercial uses. The larger parcels located in the rear portion of the site are currently vacant and contain dense vegetation. The Major and Collector Street Plan identifies Clarksville Pike as a major arterial street. Bellefield Avenue is a local street.

Site Layout Exhibit

Site Plan

The plan calls for a mixed-use development, including a maximum of 500 multi-family residential units, and a maximum of 10,000 square feet of non-residential uses. Nonresidential uses are limited to all uses permitted by the MUL-A zoning district.

The plan consists of seven mixed use and multi-family structures along the front portion of the site. The rear portion of the site contains attached townhome structures. The site plan establishes three separate zones throughout the site with specific standards and use for each zone. Zone 1 contains 5 structures: two structures will contain a mixture of residential and commercial uses with the remaining three structures containing multi-family residences. The mixed use structures will have a maximum height of 5 stories. The multi-family structures will have a maximum height of 4 stories within 75 feet. The site plan includes a provision requiring landscape screening along raised foundations which exceed 4 feet in height, to be reviewed by Metro Planning staff with the submittal of the final site plan.

Zone 2 contains two multi-family structures along with a surface parking lot located at the rear of the structures. Two structures will front Lawrence Avenue; a mixed use structure will contain a maximum height of 5 stories within 75 feet. A multi-family structure will contain a maximum height of 4 stories within 75 feet.

Zone 3 contains attached townhome structures which are accessed from Bellefield Avenue and served by a network of alleys. The townhomes will contain rear loaded two car garages.

The majority of the townhome units will front onto open space courtyard areas within the interior of Zone 3. The plan provides architectural standards pertaining to, but not limited to, glazing, materials, stoops and articulation.

The plan calls for two points of access onto Clarksville Pike through a new public street and a new entrance only driveway. A new public street, Lawrence Avenue will provide the main entrance to the site. Lawrence Avenue will intersect with an extension of Bellefield Ave. This plan proposes to construct the unimproved right-of-way for Bellefield Avenue. Right-of-way will be dedicated for Lawrence Avenue as well as Bellefield Avenue to allow for the necessary right of way to accommodate the public sidewalks provided within the plan. Parking will be provided in the form of structured garages and surface parking per the requirements of the Metro Code. Bicycle parking will be provided as required by the Metro Code. Sidewalks meeting or exceeding the Major and Collector street plan and the local street standard are provided throughout the site.

ANALYSIS

The plan is consistent with the proposed T3 CM policy. The T3 CM policy is intended to encourage a greater mix of higher-density residential and mixed use development along the corridor. The plan calls for a mixed-use development that would provide additional density and housing options as well as commercial space at the corner of Lawrence Avenue and Bellefield Avenue. The plan and architectural standards are consistent with the suburban nature of the policy. The plan enhances the pedestrian realm by placing parking away from Clarksville Pike and local streets improved within the site. Pedestrian and vehicular connectivity will be improved through the sidewalks and public streets as shown within the plan which meets the connectivity goals stated in the T3 CM policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/ or building construction information provided. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Submittal of an availability study is required before the Preliminary SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study.

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.
- Remove right in/out south drive off Clarksville Pike. Problematic with One-way.
- Call out MPW standard sections for any public row ramps, sidewalks, curb/gutter on plans.
- Coordinate with Metro Planning on sidewalk requirement along Clarksville Pike frontage.
- Provide bulb-in for drop off in front of Mixed use Bldgs. May need larger ROW section on Bellefield to accommodate bulb-in.
- Spacing of adjacent drives off Clarksville close (min. 30').
- Provide hammerheads (or alt.) for fire turning at alley and roadway ends.
- Comply w/ MPW traffic engineer comments.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Prior to 1st use and occupancy permit for SP development, the following TDOT roadway improvements to Clarksville Hwy shall be constructed.

Clarksville Pike at Ashland City Highway / Courtney Avenue

- Alignment of Ashland City Highway and Courtney Avenue approaches.
- Construction of a traffic signal with protected-permitted southbound left-turn phasing, protected northbound left-turn phasing, and permitted east and westbound left-turn phasing.
- Construction of dual-northbound left-turn lanes with 400-foot storage lanes.

Clarksville Pike at W Hamilton Road

- Construction of an additional northbound through lane and left-turn lane.
- Construction of an additional southbound through lane.
- Reconstruction of the westbound approach to include dual, 150-foot left-turn lanes and a shared through-right lane.
- Reconstruction of the eastbound leg to include a 100-foot left-turn lane and a shared through right lane.
- Updates to traffic signal phasing to include protected-permitted northbound, southbound, and eastbound left-turn phasing. Westbound left-turn phasing updated to protected phasing.

Clarksville Pike

- Widening of roadway to five lanes, two through lanes and a continuous left-turn lane, from Ashland City Highway / Courtney Avenue to W Hamilton Road.

Clarksville Pike at Driveway 1

- Developer shall construct access driveway 1, (Lawrence Ave) with phase 1 SP construction.
- Construct traffic signal with southbound left-turn protected-permitted left-turn phasing on Clarksville Pike with appropriate ped infrastructure. Developer shall submit signal plan and signal warrant analysis with each SP phase.

- Re-stripe a 150-foot southbound left-turn lane along Clarksville Pike.
- Install signs and pavement markings in accordance with the standards provided in the Manual on Uniform Traffic Control Devices (MUTCD).
- Developer shall conduct additional traffic analysis to determine the appropriate laneage for Lawrence Ave. since proposed Right in only driveway 2 will not be approved.
- Developer shall construct a NB right turn lane on Clarksville Hwy at proposed Lawrence Ave. with appropriate RTL storage. Additional analysis to determine RTL storage is required.
- Developer shall provide additional traffic analysis to determine the appropriate width of Lawrence Ave and Bellefield Ave to access the proposed parking areas in zone 1 as identified in SP Book. Bellefield Ave shall be constructed with Bulb ins to provide appropriate space for ride share and short term deliveries outside of the travel lanes. Travel lanes shall be a minimum of 11 ft wide. TIS shall determine if LTL and RTL are warranted at internal intersections.
- Submit dimensioned road plans with 1st sp phase.
- Provide adequate sight distance at road and driveway intersections.
- Remove Right in only driveway 2 off Clarksville Pk.
- Identify appropriate roadway improvements and signage at Bellefield Ave and Courtney Ave.

Other Items

- Provide appropriate parking and turn around area for mail pick up/delivery in zone 3
- Identify appropriate crosswalks at road intersections in SP.
- Provide parking per metro code.
- All construction traffic shall use proposed new roads in SP for access instead of adjacent neighborhood roads.
- Developer shall submit a signal timing and coordination plan along Clarksville pk as directed by T&P staff.
- Construct loading zones per code.

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	8.86	4.356 D	38 U	427	32	41

*Based on two-family lots

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)	.49	0.6 F	12,806 SF	813	41	88

Maximum Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.54	0.6 F	40,249 SF	2555	128	276

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	-	-	500 U	3740	221	248

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	-	-	50,000 SF	542	74	59

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	-	-	50,000 SF	3753	177	326

Traffic changes between maximum: **R10, CS, CL and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4240	+271	+228

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 district: 4 Elementary 4 Middle 4 High

Projected student generation existing SP-MU district: 95 Elementary 60 Middle 55 High

The proposed SP-MU zoning is expected to generate 198 more students than the existing R10 zoning district. Students would attend Cumberland Elementary School, Joelton Middle School, and Whites Creek High School.

STAFF RECOMMENDATION

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

CONDITIONS

1. Permitted uses shall be limited to a maximum of 500 multi-family residential units, and 100,000 square feet of non-residential uses as permitted by the MUL-A zoning district. MUL-A uses shall be limited to Zone 1 and Zone 2. Short term rental property-owner occupied and short term rental property-not-owner occupied shall be prohibited.
2. The submittal of the final site plan shall meet or exceed the minimum standards of the Major and Collector Street Plan.
3. A "C" level landscape buffer is required along all property lines where the adjacent zoning is designated as R10.
4. Comply with all conditions and recommendations of Metro agencies.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district for uses in Zone 1 and Zone 2 and the RM20 zoning district for residential uses in Zone 3 as of the date of the applicable request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building.

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

Items 3a and 3b were heard and discussed together.

Elizabeth Gatlin, architect, spoke in favor of the application. There were two community meetings held and support was received at both.

Ben Miskelley, 214 Oceanside Dr, spoke in favor of the application. This project will help improve the community and create a destination for Clarksville Pike.

Belinda Vanatta, property owner, spoke in favor of the application.

Pat Cheek, 2814 Courtney Ave, spoke in favor of the application.

Deborah Bell, 3306 Curtis St, spoke in opposition to the application due to traffic concerns and loss of wildlife in the area.

Chairman Adkins closed the Public Hearing.

Ms. Blackshear spoke in favor of the application as there are extensive traffic and parking requirements that will go along with the approval.

Councilmember Murphy stated that she would like the project better if it had some type of dedicated, designed walking trail where it's more pedestrian connected with green space.

Ms. Farr explained that she would love to be able to encourage affordable housing as 500 units is a lot.

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

Resolution No. RS2019-331

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019SP-066-001 is **approved with conditions and disapproved without all conditions. (7-0)**

CONDITIONS

1. Permitted uses shall be limited to a maximum of 500 multi-family residential units, and 100,000 square feet of non-residential uses as permitted by the MUL-A zoning district. MUL-A uses shall be limited to Zone 1 and Zone 2. Short term rental property-owner occupied and short term rental property-not-owner occupied shall be prohibited.
2. The submittal of the final site plan shall meet or exceed the minimum standards of the Major and Collector Street Plan.
3. A "C" level landscape buffer is required along all property lines where the adjacent zoning is designated as R10.
4. Comply with all conditions and recommendations of Metro agencies.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district for uses in Zone 1 and Zone 2 and the RM20 zoning district for residential uses in Zone 3 as of the date of the applicable request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building.

**4a. 2019CP-008-003
NORTH NASHVILLE COMMUNITY PLAN AMENDMENT**

Council District 21 (Brandon Taylor)

Staff Reviewer: Anna Grider

A request to amend the North Nashville Community Plan by changing from T4 Urban Neighborhood Maintenance Policy to T4 Urban Mixed Use Corridor Policy for properties located at 1701, 1703, 1705, 1707, 1712 and 1714 9th Avenue North and 9th Avenue North (unnumbered), approximately 130 feet east of Delta Avenue, zoned CS and RS5 (0.65 acres), requested by Fulmer Engineering, applicant; various property owners (See associated case 2019Z-135PR-001).

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2019CP-008-003. (8-0)

4b. 2019Z-135PR-001

Council District 21 (Brandon Taylor)
Staff Reviewer: Logan Elliott

A request to rezone from CS and RS5 to MUL-A zoning for properties located at 901, 903, 905, 909, and 911 Buchanan Street and 1701, 1703, 1705, 1707, 1709, and 1711 9th Ave N, at the corner of Buchanan Street and 10th Ave N (1.98 acres), requested by Fulmer Engineering, LLC, applicant; various property owners (see associated case 2019CP-008-003).

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2019Z-135PR-001. (8-0)

5. 2019Z-015TX-001

BL2019-8/ Roberts
Staff Reviewer: Lisa Milligan

A request for an ordinance amending Section 17.20.120 of Title 17 of the Metropolitan Code pertaining to the provision of sidewalks, requested by Councilmember Mary Carolyn Roberts.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2019Z-015TX-001. (8-0)

6. 2019Z-016TX-001

BL2019-6/ Henderson
Staff Reviewer: Lisa Milligan

On Consent: Yes
Public Hearing: Open

A request for an ordinance to amend Title 17 of the Metropolitan Code of Laws regarding the waiting period revocation of a short term rental property permit, requested by Councilmember Angie Henderson.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Zoning Code pertaining to short term rental properties.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend Section 17.16.070.U and Section 17.16.250.E as follows (new text shown underlined; deleted text shown with ~~strike through~~):

Section 17.16.070.U., subsection 4.l.vi.(2) of the Metropolitan Code of Laws is hereby amended by revising the first sentence as follows:

Upon a finding by the board of zoning appeals that a short term rental property has operated without a permit, there shall be a waiting period of up to one (1) year from the date of such finding for the property to become eligible for a STRP permit, ~~as determined by the BZA.~~

Section 17.16.250.E., subsection 4.l.vi.(2), of the Metropolitan Code of Laws is amended by revising the first sentence as follows:

Upon a finding by the board of zoning appeals that a short term rental property has operated without a permit, there shall be a waiting period of up to one (1) year from the date of such finding for the property to become eligible for a STRP permit, ~~as determined by the BZA.~~

ANALYSIS

The regulation of short term rental properties, both owner and not-owner occupied, in Nashville has continued to evolve as the industry has evolved and as Nashville has come to terms with impacts of the use. The current proposal updates an operational standard and is not related to short term rentals as a land use type. As such, Planning Staff believes that the Planning Commission should recommend approval and suggest Metro Council consider the bill on its merits.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

Bill BL2019-6

An ordinance to amend Title 17 of the Metropolitan Code of Laws regarding the waiting period revocation of a short term rental property permit (Proposal No. 2019Z-016TX-001).

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

Section 1. That Section 17.16.070.U., subsection 4.I.vi.(2) of the Metropolitan Code of Laws is hereby amended by deleting the first sentence and replacing it with the following:

Upon a finding by the board of zoning appeals that a short term rental property has operated without a permit, there shall be a waiting period of one (1) year from the date of such finding for the property to become eligible for a STRP permit.

Section 2. That Section 17.16.250.E., subsection 4.I.vi.(2), of the Metropolitan Code of Laws is amended by deleting the first sentence and replacing it with the following:

Upon a finding by the board of zoning appeals that a short term rental property has operated without a permit, there shall be a waiting period of one (1) year from the date of such finding for the property to become eligible for a STRP permit.

Section 3. This Ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Sponsor(s) Angie Henderson

Approved. Consent Agenda. (8-0)

Resolution No. RS2019-332

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-016TX-001 is **approved. (8-0)**

7. 2019Z-017TX-001

BL2019-7/O'Connell

Staff Reviewer: Lisa Milligan

A request for an Ordinance to amend Section 17.16.250 of the Metropolitan Code of Laws regarding the existence of a Short Term Rental Property – Owner-Occupied in a two-family zoning district, requested by Councilmember Freddie O'Connell.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Zoning Code pertaining to short term rental properties.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend Section 17.16.250 as follows (new text shown underlined; deleted text shown with ~~strikethrough~~):

- Section 1. That Section 17.16.250, Subsection E.1, is hereby amended by revising subsections e and f in as follows:
- e. Only one permit shall be issued per lot in single-family and two-family zoning districts, except as described in subsection E.1.f.
 - f. Ownership of two-family dwellings. For properties in two-family zoning districts where a two-family dwelling exists, the following shall govern:
 - i. ~~The property ownership of the two family units cannot be divided. If both units of the two-family dwelling are owned by the same person, and one of the two units is the primary residence of the owner, the owner may apply for one (1) permit applicable to one (1) of the units. Prior to the issuance of such permit, an instrument shall be prepared and recorded with the register's office covenanting that the two-family dwelling may only be used under the conditions listed herein for so long as the STRP—Owner-occupied permit is valid.~~
 - ii. ~~The two family units shall be owned by the same person and one of the tow units shall be the primary residence of the owner. If the two-family dwelling units are owned by different persons, and each unit is the primary residence of the corresponding owner, then each owner may be issued a separate permit. No more~~

than two (2) permits may be issued per lot for these two-family dwelling units, and only one (1) permit may be issued per dwelling unit.

- iii. ~~Prior to the issuance of a permit, an instrument shall be prepared and recorded with the register's office covenanting that the two-family dwelling unit may only be used under the conditions listed above as long as the STRP-Owner Occupied permit is valid.~~

ANALYSIS

The regulation of short term rental properties, both owner and not-owner occupied, in Nashville has continued to evolve as the industry has evolved and as Nashville has come to terms with impacts of the use. The current proposal updates an operational standard related to the issuance of owner occupied permits in two-family units and is not related to short term rentals as a land use type. As such, Planning Staff believes that the Planning Commission should recommend approval and suggest Metro Council consider the bill on its merits.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

Bill BL2019-7

An Ordinance to amend Section 17.16.250 of the Metropolitan Code of Laws regarding the existence of a Short Term Rental Property – Owner-Occupied in a two-family zoning district (Proposal No. 2019Z-017TX-001).

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

Section 1. That Section 17.16.250, Subsection E.1, is hereby amended by deleting subsections e and f in their entirety and substituting in lieu thereof the following:

- e. Only one permit shall be issued per lot in single-family and two-family zoning districts, except as described in subsection E.1.f.
- f. Ownership of two-family dwellings. For properties in two-family zoning districts where a two-family dwelling exists, the following shall govern:
 - i. If both units of the two-family dwelling are owned by the same person, and one of the two units is the primary residence of the owner, the owner may apply for one (1) permit applicable to one (1) of the units. Prior to the issuance of such permit, an instrument shall be prepared and recorded with the register's office covenanting that the two-family dwelling may only be used under the conditions listed herein for so long as the STRP—Owner-occupied permit is valid.
 - ii. If the two-family dwelling units are owned by different persons, and each unit is the primary residence of the corresponding owner, then each owner may be issued a separate permit. No more than two (2) permits may be issued per lot for these two-family dwelling units, and only one (1) permit may be issued per dwelling unit.

Section 2. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsor(s) Freddie O'Connell

Approved. Consent Agenda. (8-0)

Resolution No. RS2019-333

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-017TX-001 is **approved. (8-0)**

8. 2019Z-018TX-001

BL2019-3/ Syracuse, Murphy & Others

Staff Reviewer: Lisa Milligan

A request for an ordinance amending Metropolitan Code Chapters 5.20 and 17.40 authorizing the Metropolitan Government of Nashville and Davidson County to come under the provisions of Tennessee Code Annotated Section 67-5-218 and establishing a Historic Property Review Board empowered to abate property taxes relating to certain improvements or restorations made to historic properties, requested by Councilmember Jeff Syracuse.

Staff Recommendation: Approve the amendments to Title 17.

APPLICANT REQUEST

Amend the Zoning Code pertaining to establishment of a Historic Property Review Board.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend Title 5 and Title 17 of the Metro Code. The Planning Commission will only be making a recommendation on the changes to Title 17. The proposed bill would amend Section 17.40.410 by inserting a new subsection D as follows:

- D. Historic Property Review Board. The historic zoning commission shall carry the responsibilities and perform the duties of the historic property review board as established in T.C.A. § 67-5-218.

ANALYSIS

Tennessee Code Annotated authorizes communities to establish Historic Property Review Boards and through these boards to establish tax abatement programs for historic preservation. The abatement program is being established through Title 5 and is not under review by Planning. The amendment to Title 17 is simply to designate the Historic Zoning Commission as the Historic Property Review Board.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

Bill BL2019-3

An ordinance amending Metropolitan Code Chapters 5.20 and 17.40 authorizing the Metropolitan Government of Nashville and Davidson County to come under the provisions of Tennessee Code Annotated Section 67-5-218 and establishing a Historic Property Review Board empowered to abate property taxes relating to certain improvements or restorations made to historic properties (Proposal No. 2019Z-018TX-001).

WHEREAS, it is in the interest of the Metropolitan Government of Nashville and Davidson County to encourage the preservation and adaptive reuse of historic properties; and

WHEREAS, T.C.A. § 67-5-218 authorizes a county that meets certain requirements to appoint a Historic Properties Review Board for that jurisdiction; and

WHEREAS, the decision to come under T.C.A. § 67-5-218 to allow for the creation of a Historic Property Review Board and the abatement of certain property taxes as provided in the statute requires a majority vote of the governing body of the county pursuant to T.C.A. § 67-5-218(c)(1); and

WHEREAS, the existing Historic Zoning Commission meets the requirements for the makeup of the Historic Property Review Board as defined by T.C.A. § 67-5-218(a)(2)(A); and

WHEREAS, the members of the Historic Zoning Commission are knowledgeable on the historic properties in Nashville and Davidson County and are capable of establishing the required criteria for certification of historic properties as stipulated in T.C.A. § 67-5-218(a)(2)(B).

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

Section 1. That Metropolitan Code Chapter 5.20 is hereby amended by creating a new section 5.20.100 as follows:

5.20.100 – Historic Property Improvement and Restoration Tax Abatement Program.

- A. The provisions of Tennessee Code Annotated Section 67-5-218 shall be applicable to the Metropolitan Government of Nashville and Davidson County.

- B. The historic zoning commission as established by Article IX of Chapter 17.40 of the Metropolitan Code shall serve as the historic property review board for Nashville and Davidson County.
- C. The historic property review board shall develop criteria for certification of historic properties pursuant to T.C.A. § 67-5-218(a)(2)(B).
- D. The historic property review board shall review and approve property tax abatements for improvements or restorations made to historic properties that meet the criteria for certification as established by the historic property review board or that meet other conditions for approval as established in T.C.A. § 67-5-218(a)(B)(3).

Section 2. That Metropolitan Code Section 17.40.410 is hereby amended by inserting a new subsection D as follows and renumbering the subsequent sections accordingly:

- D. Historic Property Review Board. The historic zoning commission shall carry the responsibilities and perform the duties of the historic property review board as established in T.C.A. § 67-5-218.

Section 3. This Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsor(s) Jeff Syracuse, Kathleen Murphy, Nancy VanReece, Tonya Hancock

Approved the amendments to Title 17. Consent Agenda. (8-0)
Resolution No. RS2019-334

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-018TX-001 is **approved the amendments to Title 17. (8-0)**

- 9. **2019S-198-001**
RESUBDIVISION OF LOT #40, BLOCK E
ON THE PLAN OF CROLEYWOOD, SECTION II
 Council District 20 (Mary Carolyn Roberts)
 Staff Reviewer: Joren Dunnavant

A request for final plat approval to create two lots on property located at 542 Croley Drive, at the northeast corner of Croley Drive and Columbia Avenue, zoned R8 (0.43 acres), requested by Clint T. Elliott Survey, applicant; Genetta Lafferty and Thomas Horton, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST
Request for final plat approval to create two lots.

Final Plat

A request for final plat approval to create 2 lots on properties located at 542 Croley Drive, at the northeast corner of Croley Drive and Columbia Avenue, zoned One and Two-Family Residential (R8) (0.43 acres).

Existing Zoning

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

Community Character Manual Policy

The site is located within the T3 Suburban Neighborhood Maintenance (T3 NM) Policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For T3 NM, the Compatibility for Infill Subdivision Standards in Chapter 3 is applied.

PLAN DETAILS

The site is located at the northeast corner of Croley Drive and Columbia Avenue. There is an existing single family structure fronting Croley Drive located on the site. The proposal is to create two lots. The proposed lots have the following area and frontage:

- Lot 1: 10,645 square feet (0.244 acres) and 75 feet of frontage along Croley Drive and 96 feet of frontage along Columbia Avenue. There is an existing single family structure to be removed.
- Lot 2: 9,052 square feet (0.208 acres) and 60 feet of frontage along Croley Drive.

ANALYSIS

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

Zoning Code

Each proposed lot meets the minimum standards of the One and Two-Family Residential (R8) zoning district.

Street Frontage

Each proposed lot has frontage on a public street.

Community Character

Section 3-5, 2, d of the subdivision regulations looks for consistency with the community character of surrounding parcels. "Surrounding parcels" is defined 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 community character section of the subdivision regulations requires that the newly created lot frontage and lot size be either equal to or greater than 70% of the average frontage and size of the surrounding parcels or equal to or larger than the smallest surrounding lot, whichever is greater. Both of the newly created lots will front Croley Drive, therefore the one lot to north of the newly created lots was used to analyze compatibility.

1. Lot Frontage: Lot 1 has a lot frontage of 60 feet and Lot 2 has a lot frontage of 75 feet which are both less than the 120 foot lot frontage of the surrounding parcel.
2. Lot size: Lot 1 is 10,645 square feet and Lot 2 is 9,052 square feet, both of which are smaller than the surrounding lot size of 15,544 square feet.

Section 3-5.2.f states that where a subdivision meets all other requirements but falls short on compatibility, the Planning Commission may consider whether the subdivision can provide for the harmonious development of the community. The Planning Commission shall specifically consider the development pattern of the area, any unique geographic, topographic and environmental factors, and other relevant information. Staff suggests that the Planning Commission make an exception for this subdivision as the proposed lot size is not inharmonious to the existing pattern along Croley Drive across the street. The lots that this subdivision will create are similar in lot frontage, lot size, and lot depth of the lots across the street. The development pattern that this subdivision will create will be complimentary and compatible with the existing development pattern.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/ or building construction information provided. Any additional fire code or access issues will be addressed during the construction permitting process.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Water and Sewer capacity fees must be reserved for new lot before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions of Metro reviewing agencies.

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

Lloyd Carney, representing the applicant, spoke in favor of the application.

Nanette Clark, 6463 Old Hickory Blvd, spoke in favor of the application as it will bring the lot in line with the rest of the neighborhood.

Chuck Smith, 6207 Robertson Ave, spoke in opposition to the application. The density is too high, the infrastructure is inadequate, and the neighbors want the area maintained as it is currently.

Tommy Barnes, 7592 3rd St, spoke in opposition to the application due to increased traffic concerns.

Chairman Adkins closed the Public Hearing.

Mr. Haynes spoke in favor of the application.

Ms. Blackshear spoke in favor of the application; in looking at the development pattern, this would provide harmonious development.

Dr. Sims spoke in opposition to the application since the councilmember is not in support.

Councilmember Murphy spoke in favor of the application although she understands the concerns of the neighbors. She suggested they consider rezoning.

Ms. Farr spoke in favor of the application.

Councilmember Murphy suggested adding a condition to limit vehicular access to one driveway, a maximum of 16 feet wide, per lot.

Ms. Farr moved and Mr. Haynes seconded the motion to approve with conditions based upon finding that the subdivision provides for the harmonious development of the community with an additional condition limiting vehicular access to one driveway, a maximum of 16 feet wide, per lot. (6-1) Dr. Sims voted against.

Resolution No. RS2019-335

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019S-198-001 approved with conditions based upon finding that the subdivision provides for the harmonious development of the community. (6-1) CONDITIONS

1. Comply with all conditions of Metro reviewing agencies.
2. Vehicular access shall be limited to one driveway, a maximum of 16 feet wide, per lot.

10. 2019Z-149PR-001

Council District 08 (Nancy VanReece)
Staff Reviewer: Amelia Lewis

A request to rezone from R10 to RM9-A zoning for properties located at 428 Williams Avenue and Nesbitt Lane (unnumbered), at the northern terminus of Walker Terrace (9.0 acres), requested by S + H Group LLC, applicant; The George Nicholas Spiva Trust, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R10 to RM-9A.

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Multi-Family Residential Alternative (RM9-A) zoning for properties located at 428 Williams Avenue and Nesbitt Lane (unnumbered), at the northern terminus of Walker Terrace (9.0 acres).

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 33 lots with 8 duplex lots for a maximum of 41 units. The application of the subdivision regulations may result in fewer lots.*

Proposed Zoning

Multi-Family Residential-Alternative (RM9-A) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM9-A would permit a maximum of 81 units.*

MADISON COMMUNITY PLAN

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

ANALYSIS

The site is located on the north side of Williams Avenue, just northwest of the intersection of Williams Avenue and Walker Terrace. The 9 acre site has been developed with several single story detached houses.

The properties to the west are multi-family residential, zoned Residential Multi-Family (RM9). The properties to the north, east and south are primarily detached single family residential structures zoned Residential Single-Family (RS7.5) and One and Two-Family Residential (R10).

The T4-NE policy areas are intended to produce a different character inclusive of increased housing diversity and improve connectivity. The site is located between multi-family uses to the west and single-family residential to the north and east. The proposed RM9-A is not more intense than the multi-family to the west. Under RM9-A zoning, a B landscape buffer would be required along the eastern property line adjacent to the properties zoned R10. This would transition from the existing RM9 zoning to the west to the lower intensity R10 zoning district to the east. The RM9-A zoning district would permit the development of the site at a level of intensity appropriate to the area.

The policy also states that successful infill and redevelopment in existing neighborhoods should take into account considerations such as the existing developed character, the street network and block structure and proximity to Centers and Corridors. The site is large enough to accommodate infrastructure needed to support the proposed zoning district and make the necessary street network provisions. The site is located within the Urban Services District (USD) therefore sidewalks would be required with development. This would achieve the policy's intent of improving pedestrian connectivity.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/ or building construction information provided. Any additional fire code or access issues will be addressed during the construction permitting process.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	9	4.356 D	39 U	369	29	39

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **RM9-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	9	9 D	81 U	572	40	49

Traffic changes between maximum: **R10 and RM9-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 42 U	+203	+11	+10

METRO SCHOOL BOARD REPORT

Projected student generation existing R10 district: 5 Elementary 4 Middle 4 High
Projected student generation proposed RM9-A district: 10 Elementary 6 Middle 6 High

The proposed RM9-A zoning is expected to generate 9 additional students beyond the existing R10 zoning. Students would attend Stratton Elementary School, Madison Middle School, and Hunters Lane High School.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Lewis presented the staff recommendation of approval.

Chip Howorth, 2606 Virginia Ave, spoke in favor of the application.

Lisa Patrino, 1625 Liberty Hill Dr, spoke in opposition to the application due to loss of wildlife, additional traffic, and safety concerns.

Stephanie Lillard, 1661 Liberty Hill, spoke in opposition to the application due to traffic and safety concerns.

Anna Thomas, 1616 Liberty Hill, spoke in opposition to the application due to additional traffic concerns, and environmental impact concerns.

Councilmember VanReece spoke in favor of the application.

Chairman Adkins closed the Public Hearing.

Councilmember Murphy spoke in favor of the application.

Dr. Sims spoke in favor of the application.

Mr. Haynes spoke in favor of the application.

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

Resolution No. RS2019-336

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-149-00 is **approved. (7-0)**

11. 2019Z-152PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Amelia Lewis

A request to rezone from RS5 to R6-A zoning for property located at 1544 12th Avenue North, at the southeast corner of Cockrill Street and 12th Avenue North (0.24 acres), requested by RSC LLC, applicant; Affordable Housing Resources; 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 1544 12th Avenue North, at the southeast corner of Cockrill Street and 12th Avenue North (0.24 acres)

Existing Zoning

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

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The site is located at the southeast corner of the intersection of 12th Avenue North and Cockrill Street. The 0.24 acre site is currently undeveloped. The site has frontage along 12th Avenue North and Cockrill Street. Alley 539 is along the eastern portion of the site. The surrounding properties are primarily zoned RS5 and have been developed with single-family and some two-family houses.

The T4 NM policy area is intended to maintain urban neighborhoods. When these policy areas experience change, efforts should be made to retain the existing character of the neighborhood. The proposed zoning district, R6-A, is consistent with existing one and two-family residential character of the neighborhood. Given the size of the property and the proposed zoning, the site could be developed with up to two residential units by the zoning standards.

The site has several factors that lend it to being a candidate for increased intensity at an appropriate scale. These factors include the larger lot size, corner location, and alley access to serve the site. The alternative standards applied to the zoning district provide standards to maintain the urban form of the existing neighborhood. The proposed R6-A zoning district would permit the development of the site at a level of intensity appropriate to the area.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/ or building construction information provided. Any additional fire code or access issues will be addressed during the construction permitting process.

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)	0.24	8.71 D	2 U	19	2	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)	0.24	7.26 D	2 U	19	2	2

* Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	0	0	0

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 R5 zoning. Students would attend Churchwell Elementary School, John Early Middle School, and Pearl-Cohn High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda. (7-0-1)

Resolution No. RS2019-337

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-152PR-001 is **approved. (7-0-1)**”

12. 2019Z-154PR-001

Council District 17 (Colby Sledge)

Staff Reviewer: Jason Swaggart

A request to rezone from R6 to OR20-A zoning for properties located at 755, 757, 759, and 761 Lynwood Avenue, approximately 160 feet west of Ridley Boulevard (0.59 acres), requested by Land Development Solutions, applicant; James Ryan Snellen, Lynwood Row II, GP, OIC Homes at 755, 757, 761 Lynwood, owners.

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/Residential – Alternative (OR20-A) zoning for properties located at 755, 757, 759, and 761 Lynwood Avenue, approximately 160 feet west of Ridley Boulevard (0.59 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 three duplex lots for a total of six residential 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 12 residential units.*

GREEN HILLS - MIDTOWN COMMUNITY PLAN

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

ANALYSIS

The subject site which comprises approximately half an acre is located on the south side of Lynwood Avenue between 8th Avenue South and Ridley Boulevard. The surrounding land uses include medium density residential in the form of duplexes and some multi-family as well as office and commercial to the west along 8th Avenue South. The surrounding zoning pattern includes a variety of one and two-family residential and office and residential. There are also commercial zoning districts and medium to high density zoning districts in the immediate area along 8th Avenue South and Wedgewood Avenue which is south of the site. Many of the surrounding OR20-A zoning districts were approved within the last several years.

The proposed OR20-A zoning district is consistent with the T4 MU land use policy at this location. The OR20-A district supports higher density residential uses as well as office uses which are supported by the T4 MU land use policy. The additional density permitted under OR20-A presents the possibility of providing more people to support commercial businesses along the 8th Avenue Corridor. A bus route runs along 8th Avenue South. Bus service and other transit options are important factors when considering appropriate locations for higher density/intensity development. Convenient bus service and other transportation options increase the likelihood that people will use these options which reduces traffic. The development standards required for OR20-A implement the urban nature of the policy and are intended to create a more pedestrian friendly environment consistent with the T4 MU land use policy.

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: **R6**

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)	0.59	7.26 D	6 U*	38	3	4

*Based on duplex lots permitted under R6

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)	0.59	0.8F	20,560 SF	201	24	24

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
-	-	-	-	+163	+21	+20

SCHOOL BOARD REPORT

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

Projected student generation proposed OR20-Adistrict: **1 Elementary 0 Middle 0 High**

The proposed OR20-A zoning district will not generate additional students than what is typically generated under the existing R6 zoning district. Students would attend Waverly-Belmont Elementary School, J.T. Moore Middle School, and Hillsboro High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda. (8-0)

Resolution No. RS2019-338

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-154PR-001 is **approved. (8-0)**

13. 2019Z-155PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Abbie Rickoff

A request to rezone from RS5 to R6-A zoning for property located at 1518 16th Avenue North, approximately 85 feet north of Underwood Street (0.20 acres), requested by RSC, LLC, applicant; Affordable Housing Resources, Inc., 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 1518 16th Avenue North, approximately 85 feet north of Underwood Street (0.20 acres).

Existing Zoning

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

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 would permit a maximum of one duplex for a total of two residential units, as determined by the Codes Department.*

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The vacant parcel comprises 0.2 acres and is located on the east side of 16th Avenue North, south of Cockrill Street and north of Underwood Street. The property has frontage on 16th Avenue North and is served by Alley #541 at the rear of the site. The 1500 block of 16th Avenue North includes one and two-family residential uses, as well as a commercial use at the corner of 16th Avenue North and Underwood Street. The greater area includes an established mixture of one and two-family residential uses and scattered vacant properties.

The T4 Neighborhood Maintenance policy is intended to maintain the general character of an area; however, some change is anticipated to occur over time, particularly in infill areas with high levels of connectivity. The area is served by a highly connected network of streets and alleys, and the site is in proximity to an existing MTA route along Cockrill Street. The T4NM policy explains that areas with adequate infrastructure and good access to transit, such as this site, may be appropriate for a broader mix of housing types, subject to appropriate transitions to the surrounding neighborhood. The requested R6-A zoning would allow for diversity in housing stock in an area that can support additional density, while also requiring enhanced design and building placement standards.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Limited building detail, and/ or building construction information provided. Any additional fire code or access issues will be addressed during the construction permitting process.

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)	0.20	8.71 D	1 U	10	1	1

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)	0.20	7.26 D	2 U	19	2	2

* Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+9	+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 district would generate no more students than what is typically generated under the existing RS5 zoning district. Students would attend Churchwell Elementary School, John Early Middle School, and Pearl Cohn High School.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda. (8-0)

Resolution No. RS2019-339

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-155PR-001 is **approved. (8-0)**”

14. 2019Z-156PR-001

Council District 31 (John Rutherford)

Staff Reviewer: Patrick Napier

A request to rezone from AR2a to MUL-A zoning for property located at 6210 Nolensville Pike, approximately 180 feet southeast of Bienville Drive and within a Corridor Design Overlay District (3.21 acres), requested by Patsy Claude Trustee, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from AR2a to MUL-A.

Zone Change

A request to rezone from Agricultural and Residential (AR2a) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 6210 Nolensville Pike, approximately 180 feet southeast of Bienville Drive and within a Corridor Design Overlay District (3.21 acres).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of one duplex lot for a total of two residential units.*

Corridor Design Overlay

The corridor design overlay district provides appropriate design standards for commercial, office and mixed-use development along corridors necessary to provide incremental improvements to the aesthetics of Nashville’s commercial districts and corridors. Application of this overlay district shall be limited to areas requiring transitional standards.

Proposed Zoning

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

SOUTHEAST COMMUNITY PLAN

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

ANALYSIS

The approximately three acre site is located 180 feet southeast of Bienville Drive and fronts Nolensville Pike. Nolensville Pike is identified as an Arterial Street in the Major and Collector Street Plan. The property contains a single family structure. Surrounding uses include multi-family residential, retail, and institutional uses.

The site is located in an area identified by the NashvilleNext Growth and Preservation Concept Map as a Tier 2 Center. These centers receive some investments to manage growth, though less than Tier One centers. The proposed MUL-A zoning district permits residential, retail, and office uses. MUL-A zoning is consistent with the policy as the purpose is to create a mixture of uses. The policy calls for development that is urban in form. The proposed MUL-A district includes requirements intended to create development that is urban in form. It is also important to note that the existing AR2a zoning district is not consistent with the policy.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

- Limited building detail, and/ or building construction information provided. Any additional fire code or access issues will be addressed during the construction permitting process.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential (210)	3.21	2.18 D	6 U	57	5	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	1.61	1.0 F	70 U	489	34	43

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
Restaurant (931)	.80	1.0 F	35,065 SF	2940	26	274

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)	.80	1.0 F	35,065 SF	2226	112	240

Traffic changes between maximum: **AR2a and MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+5598	+167	+551

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High

Projected student generation proposed MUL-A district: 8 Elementary 6 Middle 5 High

The proposed MUL-A zoning will generate 16 more students than the existing AR2a zoning district. Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School.

STAFF RECOMMENDATION

Staff recommends approval. The proposed MUL-A zoning district is consistent with the T4-CC policy.

Approved. Consent Agenda. (8-0)

Resolution No. RS2019-340

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-156PR-001 is **approved. (8-0)**”

15. 2019M-032AG-001

Council District 17 (Colby Sledge)

Staff Reviewer: Lisa Milligan

An ordinance approving amendment three to the ground lease for Rose Park between The Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Parks and Recreation, and Belmont University, and approving a new ground lease between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Public Education, and Belmont University for the construction and operation of an indoor batting and locker/training facility, requested by Metro Board of Education, applicant; Metro Government, Rose Park Middle School, owner.

Staff Recommendation: Approve.

To: Chairman Adkins and Planning Commissioners

From: Lucy Kempf

Date: October 15, 2019

Re: 2019M-032AG-001 (BL2019-11): Lease agreement for an athletic facility at Rose Park Middle School

The October 24, 2019 Planning Commission agenda includes Agenda Item #15, an ordinance that sets forth the terms for a new lease agreement for an athletic facility at Rose Park Middle School, under jurisdiction of Metropolitan Nashville Public Schools (MNPS). The item before the Commission is a Mandatory Referral, an application type that Planning Department staff typically handles administratively. Most mandatory referrals approve sewer easements, right of way acquisitions, and the like. Because the majority of Mandatory Referral applications are for such operational issues, it is appropriate for an administrative staff-level review. If the application is not acted on within 30 days by the Planning Commission or its designee, the Charter states that it is deemed approved. Given the nature of most Mandatory Referral applications and the time constraints set forth in the Charter, no public notice is required to process these applications.

This particular case, however, addresses complexities that are of public interest to the community, Belmont University, MNPS, and Parks. Therefore, I have determined that an administrative review of this proposal is not appropriate and that a public hearing of the Planning Commission is the best course for moving forward to assure that planning outcomes are evaluated in a public forum. Staff alerted the Councilmember and neighborhood leadership to help notify residents about the public hearing. Staff recommends approval of this Mandatory Referral.

What is a Mandatory Referral?

The Metro Charter establishes in Section 11.505 that no buildings, infrastructure, utilities, parks, etc., may be constructed or authorized until approved by the Planning Commission. The Charter further states that changes to public infrastructure such as widening or closures, leasing of public buildings or land, and sale of lands must also be approved by the Planning Commission. These types of applications are referred to as Mandatory Referrals. The Rules and Procedures of the Metropolitan Planning Commission authorize the Executive Director to act on behalf of the Planning Commission on mandatory referrals. If the Executive Director finds that the mandatory should not be approved or where the Executive Director decides that consideration by the Planning Commission is warranted, the application may be submitted to the Commission for action. The Planning Commission must take action on all Mandatory Referrals, either through the Executive Director administratively or a Planning Commission meeting, within 30 days of submission of the application. **If it is not acted on within 30 days by Planning, the Charter states that it is deemed approved.**

What is the Commission’s Role in Reviewing Mandatory Referrals?

As noted above, most Mandatory Referrals pertain to minor infrastructure upgrades. However, in a minority of cases like this one, where public property may be affected or where there is broad public interest, staff evaluates the proposal against planning principles set forth in the General Plan, and principles for sound property management practices that may affect future capital project requests. The Planning Commission provides a recommendation to Metro Council.

Background on the Current Proposal

To evaluate this proposal, it is important to understand the larger context around the use of public parkland in the area, particularly at Rose Park, which is adjacent to the Rose Park Middle School, and also more recently the debates around the future of open space at Greer Stadium.

With respect to Rose Park, during the last ten to fifteen years there has been wide community debate around the construction of the Belmont athletic facilities there. There continues to be a range of views about the balance of Belmont's use of the land and broader open space needs for the neighborhood. The athletic facilities in Rose Park are shared with a number of different users and many support the benefits of these resources.

For example, according to Belmont, in 2018-19, the University utilized the athletic venues at Rose Park 13% of the time, during open hours. The rest of the open hours the park was open and available for use by the public. And, since the venues opened in 2011, the University has sponsored at least 74 programs and initiatives designed to meet the housing, health, recreation, arts and cultural needs of the Edgehill community. To date in 2019, at least 64 outside groups have reserved the athletic venues at Rose Park for their activities.

However, despite the benefits of these facilities, there remains a strong community desire to preserve the remaining open space at Rose Park. Certainly, public parkland is critical to the health of every neighborhood - its programming and use must be rigorously evaluated and protected. Belmont initially proposed to locate the batting cage at Rose Park and in 2017 it received multiple approvals to do so. However, since early 2017, Metro Parks, MNPS, Metro Councilmembers, neighborhood representatives and Belmont have continued to work through issues to address a broad range of goals for the Edgehill community, Metro students, and the University. In response to neighborhood concerns, the proposed site was moved from Parks property to the Middle School on MNPS property, in an area less defined by public open space uses and most importantly, off of parkland. In November 2018, MNPS approved an MOU granting an easement for the construction of an indoor batting facility.

Current Proposal

Under consideration is BL2019-11, which approves the lease of an athletic facility at Rose Park Middle School. As noted above, in 2017, this same structure was approved by the Metropolitan Parks Board, Metropolitan Planning Commission and the Metropolitan Council to be built and used in the same manner on the adjacent Metro Parks property at Rose Park. See attached for a property map.

The structure at issue is an 80 x 120 foot building that that will be owned by MNPS and shared by MNPS, Returning Baseball to the Inner Cities (RBI), a nonprofit organization founded by Major League Baseball dedicated to teaching children the game, and Belmont University. It will provide athletic facilities for Belmont and educational opportunities for MNPS student athletes and children attending MNPS schools who participate in an after school program.

The new location of the structure on MNPS property will be situated between an embankment adjacent to the basketball courts and a parking lot directly behind Rose Park Middle School. The construction of the facility at this location requires a retaining wall and the reconstruction of the parking lot next to the school. See attached for an aerial showing the location of the proposed facility.

The main floor of the facility will be dedicated to the athletic development of student athletes from Belmont and MNPS as well as for the recreational use of the community at large. It will include batting practice areas, storage rooms, restrooms and office space that will be shared by MNPS, Belmont and RBI. The second floor, which will not be open to the public, will be unique space to be used by Belmont for a locker room, athletic therapy and treatment, meetings and administrative space.

Belmont will pay for the cost of construction, an annual grant payment of \$35,000 to use the facility and for the maintenance and upkeep of the facility.

Analysis

There are a number of ways to evaluate this application from a land use/planning perspective:

1. Speaking broadly, historically, many schools across our country served as the epicenter for civic life within our communities. They often included central park spaces, academic functions, community services, and other related facilities. In Nashville, the cluster of green spaces and schools located around Rose Park within Edgehill expresses this tradition and the opportunity to bring together many users around amenities. A central planning goal is to ensure that the facilities in this public cluster continue to be designed for collaborative spaces that can meet multi-functional uses and the needs of a diverse set of community members. MNPS has determined that the agreement meets the resource needs for its students, who will have access to the first floor of the facility. See the attached letter from David Proffitt, representing MNPS, for further detail.
2. The land use policy applicable to the Rose Park Elementary School property is Civic (CI). The primary intent of CI policy is to preserve and enhance existing publically owned properties that are used for civic purposes. Community education use and associated facilities are appropriate within this policy area. MNPS has determined that the proposed structure and lease meet the needs of its students and meet the threshold for educational use.

During the public hearing for this proposal, it is critical for MNPS to further expound upon the research that illustrates the importance of athletics to student development. And further, it would be beneficial for the Commission's review to consider how the proposed agreement and facility meets those goals.

3. MNPS has determined that this athletic facility would not preclude a future expansion or complete redevelopment of the school site. Therefore, from a long-term facilities planning perspective, staff finds the proposal to be generally consistent with our standards for capital project planning.
4. The location of the new facility on MNPS property is not primarily defined as active or passive open space. The proposed structure will be situated between an embankment adjacent to the basketball courts and a parking lot directly behind Rose Park Middle School. Given the importance of balancing open space, programmed and athletic spaces in this general area, staff finds that the site for the proposed building to be generally appropriate.

Recommendation

Given the land use policy of the school property, the location of the proposed building, and the shared nature of the facility, staff recommends approval of the mandatory referral for the lease agreement. However, staff notes that during the public hearing, it is critical for MNPS to present its determination that the proposal in its entirety is an educational use that meets a critical need for its students. Staff recommends that the Commission evaluate this data in its review of the Mandatory Referral.



METRO
NASHVILLE
PUBLIC
SCHOOLS

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October 17, 2019

Ms. Lucy Kempf
Executive Director
Metropolitan Planning Commission
Howard Office Building
700 Second Avenue South
Nashville, TN 37210.

RE: Education and Sports

Dear Director Kempf,

There has been debate in the past few weeks and days about how the batting facility at Rose Park Middle School will benefit children educationally. In conjunction with our Director of Extended Learning, Dr Jennifer Bell, we wanted to offer some clarity on that subject so there are no misunderstandings on this subject.

Athletics and afterschool programs play an integral role in student success. These programs foster positive mentorship, build confidence, promote teamwork, and afford students an opportunity to engage in a program of interest. In a city in which crime rates peak between the hours of 3:00pm-8:00pm, it is critical that we seek to expand opportunities for students to engage in a positive experience as opposed to negative and/or unsafe influences in the communities in which they live.

Out of school time programs have a proven impact on student success. As indicated below, out of school time programs impact our Metro Schools Key Performance Indicators for student success. As you will see, student learning does not cease at dismissal. Every opportunity to engage in a child's life increases their potential to succeed...That is what education is about....

- According to the Afterschool Alliance, 50% of students who attend an afterschool program regularly improved language arts grades.
- A meta-analysis of 68 studies of afterschool programs reported that students who participated in afterschool programs that used evidence-based practices saw significant improvement in their school-day attendance.
- Statewide evaluations of 21st Century Community Learning Centers have found the programs to have a positive impact on their students' school-day attendance.
- According to the Afterschool Alliance, 60% of students who attend an afterschool program regularly improved behavior in class.
- A 2016 evaluation found that the school-day disciplinary incidence rate for high school students attending the program for 60 days or more was 23 percent lower than students who did not participate in the program.

- According to the Afterschool Alliance, 50% of students who attend an afterschool program regularly improved math grades.
- A study of approximately 3,000 low-income, ethnically diverse elementary and middle school students found that those who regularly attended high-quality programs for more than two years gained up to 20 percentiles in standardized math test scores compared with peers who were routinely unsupervised during the afterschool hours

It should be easy to reconcile, with the above statistics, that afterschool programs and sports, and by extension their facilities, play an integral role in educating our children. To think that this facility could not be a part of that educational experience would be saying no sport could play a role in a child's welfare and their educational opportunities. We know otherwise.

Sincerely,



David R Proffitt, AIA, Architect
Executive Director
Facilities Maintenance and Construction
Metropolitan Nashville Public Schools

CC: File
Dr. Jennifer Bell, Ed

Ms. Blackshear stepped out of the room at 4:29 p.m.

Ms. Milligan presented the staff recommendation of approval.

Jennifer Bell, 1806 10th Ave N, spoke in favor of the application.

Jason Rogers, 1900 Belmont Blvd, spoke in favor of the application.

Joyce Searcy, 1029 Villa Pl, spoke in favor of the application.

Dawana Wade, 5321 Ryan Allen Cr, spoke in favor of the application.

John Holmes, 8012 Cloverland Dr, spoke in favor of the application.

Ludye Wallace, 2718 Scovel St, spoke in favor of the application.

Roland Huddleston spoke in favor of the application.

Brenda Morrow, 1472 11th Ave S, spoke in favor of the application; this will be directly beneficial to the children.

Doris Huggins, 1321 Southside Cr, spoke in favor of the application.

Calvin Barlow, 905 S Douglas Ave, spoke in favor of the application.

Barry Barlow, 3246 Moorewood Dr, spoke in favor of the application.

Charles Howe, 1009 15th Ave S, spoke in favor of the application.

Helen Moore Robinson, 1409 Acklen Ave, spoke in favor of the application as it will help provide a healthy built environment.

John Feldhacker spoke in opposition to the application because the building isn't being built for the benefit of the children, it's for the benefit of Belmont University.

Joe Staler, 1301 8th Ave S, spoke in opposition to the application.

Mike Gordon spoke in opposition to the application.

Keith Floyd spoke in opposition to the application and explained this needs to be governed very well for the future.

Avy Long, 1222 15th Ave S, spoke in opposition to the application because 95% of the building is off limits to the students.

Joel Dark, 1027 15th Ave S, spoke in opposition to the application and encouraged the commission to pay attention to the details.

Jennifer Bell spoke in favor and reminded the commission that this is a civic use on school property.

Chairman Adkins closed the Public Hearing.

Mr. Tibbs spoke in favor of the application as it is hard to oppose something that will benefit our schools. This is a creative solution and will add value to the school.

Councilmember Murphy stated that her only concern is the percentage of the building that is off limits to the students. Belmont University needs to be taken out of the equation so it doesn't lean towards an educational use. Metro doesn't have the money in the budget to build this type of facility.

Mr. Elam asked if the lease agreement can be terminated if the school went away.

Mr. Poole clarified that even if the school portion goes away, the obligation to allow public access/use of the facility would continue. The lease still has to be honored even if the use changes.

Mr. Elam spoke in favor of the application and stated that the track record of Belmont is a huge consideration.

Dr. Sims stated that the entire second floor needs more information and more community engagement; there hasn't been transparent, procedural regulations. Not sure how we got here without one public hearing.

Mr. Haynes spoke in favor of the application; he heard about this two years ago as the planning representative on the Parks Board – there were multiple opportunities for public hearings. This is a great partnership with Belmont University.

Dr. Sims suggested adding two recommendations: 1) asking Council to hold a public hearing, and 2) that Council review the lease agreement.

Mr. Haynes moved and Ms. Farr seconded the motion to approve. The Planning Commission recommends that Metro Council hold a public hearing on the mandatory and that Council review the lease agreement as it relates to the length of the lease, termination terms, and escalation clause. (7-0)

Ms. Blackshear stepped back in the room at 6:15 p.m.

Mr. Tibbs left the meeting at 6:15 p.m.

Resolution No. RS2019-341

"BE IT RESOLVED by The Metropolitan Planning Commission that 2019M-032AG-001 is approved. The Planning Commission recommends that Metro Council hold a public hearing on the mandatory and that Council review the lease agreement as it relates to the length of the lease, termination terms, and escalation clause. (7-0)

H: OTHER BUSINESS

16. Historic Zoning Commission Report
17. Board of Parks and Recreation Report
18. Executive Committee Report
19. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2019-342

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are approved. (8-0)

20. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

November 14, 2019

MPC Meeting

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

December 12, 2019

MPC Meeting

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

January 09, 2020

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 8:18 p.m.

Chairman

Secretary