



# **METROPOLITAN PLANNING COMMISSION MINUTES**

**January 16, 2020  
4:00 pm Regular Meeting**

**2601 Bransford Avenue**  
Metropolitan Public Schools  
Administration Building

## **MISSION STATEMENT**

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

Commissioners Present:  
Greg Adkins, Chair  
Jessica Farr, Vice Chair  
Jeff Haynes  
Ron Gobbell  
Brian Tibbs  
Dr. Pearl Sims  
Mina Johnson  
Councilmember Kathleen Murphy

Commissioners Absent:  
Lillian Blackshear  
Daveisha Moore

Staff Present:  
Lucy Kempf, Executive Director  
Bob Leeman, Deputy Director  
Kelly Adams, Admin Services Officer IV  
Lisa Milligan, Planning Manager II  
Shawn Shepard, Planning Manager I  
Greg Claxton, Planning Manager I  
Latisha Birkeland, Planner II  
Abbie Rickoff, Planner II  
Jason Swaggart, Planner II  
Amelia Lewis, Planner II  
Logan Elliott, Planner II  
Joren Dunnavant, Planner II  
Patrick Napier, Planner I  
Simone Holder, Planner I  
Quan Poole, Legal

### **Lucy Alden Kempf**

Secretary and Executive Director, Metro Planning Commission  
**Metro Planning Department of Nashville and Davidson County**  
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300  
p: (615) 862-7190; f: (615) 862-7130

## 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](mailto:planning.commissioners@nashville.gov)

### Speaking to the Commission

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

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

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

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

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

### Legal Notice

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



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

# MEETING AGENDA

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## **A: CALL TO ORDER**

The meeting was called to order at 4:07 p.m.

## **B: ADOPTION OF AGENDA**

Ms. Johnson moved and Councilmember Murphy seconded the motion to adopt the agenda. (8-0)

## **C: APPROVAL OF DECEMBER 12, 2019 MINUTES**

Mr. Tibbs moved and Ms. Johnson seconded the motion to approve the December 12, 2019 minutes. (8-0)

## **D: RECOGNITION OF COUNCILMEMBERS**

Councilmember VanReece spoke in favor of Item 17.

Councilmember Hagar spoke in favor of Item 19.

Councilmember Sledge spoke in favor of Item 11.

- 1a. 2019CP-014-001**  
DONELSON - HERMITAGE - OLD HICKORY COMMUNITY PLAN AMENDMENT
- 1b. 2019Z-158PR-001**
- 3. 2019SP-015-001**  
538 ROSEDALE AVE SP
- 5. 2019SP-047-001**  
KNIPFER CORNER SP
- 6. 2019SP-055-001**  
218 MAPLEWOOD TRACE
- 9. 2019S-080-001**  
RESUB MAXIM HOLDINGS, LLC PROPERTY
- 10a. 2019CP-014-002**  
DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN AMENDMENT
- 10b. 2020Z-019PR-001**
- 16. 2019SP-072-001**  
TRINITY 24 SP
- 18. 2020SP-003-001**  
EAGLE POINT
- 25. 2020Z-001PR-001**
- 34. 2020Z-016PR-001**

Mr. Haynes moved and Mr. Gobbell seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

## **F: CONSENT AGENDA ITEMS**

- 2. 2018SP-085-001**  
1313 53RD AVENUE NORTH SP
- 7. 2019SP-071-001**  
FINERY NORTH SP
- 8. 2019SP-073-001**  
429 HOUSTON STREET
- 14. 2018SP-023-001**  
MAXWELL STATION
- 15. 2019SP-018-002**  
640 MERRITT AVENUE SP (AMENDMENT)
- 17. 2020SP-002-001**  
WILLIAMS AVENUE COTTAGES
- 19. 2020SP-007-001**  
OLD HICKORY RETREAT COTTAGES
- 20a. 2020SP-006-001**  
LOFTS OF HERMITAGE
- 20b. 93P-023-003**  
GATEWAY OF HERMITAGE PUD (CANCELLATION)
- 21. 1-74P-012**  
HICKORY HOLLOW PUD (REVISION AND FINAL)
- 22. 188-84P-002**  
CENTURY SOUTH PUD (REVISION)
- 23. 2004P-029-001**  
NOLENSVILLE CENTER PUD (REVISION)
- 24. 2019Z-160PR-001**
- 26. 2020Z-005PR-001**
- 27. 2020Z-007PR-001**
- 28a. 2020Z-008PR-001**
- 28b. 61-77P-004**  
GIFFORD COMMERCIAL PUD (CANCELLATION)
- 29a. 2020Z-009PR-001**
- 29b. 88P-029-001**  
JOELTON COMMERCIAL PUD (CANCELLATION)
- 30. 2020Z-010PR-001**

- 31. 2020Z-012PR-001
- 32. 2020Z-014PR-001
- 33. 2020Z-015PR-001
- 35. 2020Z-017PR-001
- 36. 2020Z-018PR-001
- 37. 2020Z-025PR-001
- 38. 2020Z-026PR-001
- 39. Order Granting Subdivision Approval of 2018S-204-001 (Hunters Run)
- 40. Contract Renewal for Anita McCaig, Peter Bird, Joni Williams, Miranda Clements.
- 41. New Employment Contract for Van Simone Holder.
- 45. Accept the Director's Report

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

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

## **G: ITEMS TO BE CONSIDERED**

- 1a. **2019CP-014-001**  
**DONELSON - HERMITAGE - OLD HICKORY COMMUNITY**  
**PLAN AMENDMENT**

Council District 11 (Larry Hagar)  
 Staff Reviewer: Marty Sewell

A request to amend the Donelson - Hermitage - Old Hickory Community Plan from D IN-District Industrial Policy to T3 NM Suburban Neighborhood Maintenance Policy on property located at Swinging Bridge Road (unnumbered), at the southern corner of Swinging Bridge Road and Hickerson Street, zoned CS (9.97 acres), requested by CESO, Inc., applicant; Charron & Williams, LLC, owner. (See associated case #2019Z-158PR-001)

**Staff Recommendation: Defer to the February 13, 2020, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019CP-014-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**1b. 2019Z-158PR-001**  
Council District 11 (Larry Hagar)  
Staff Reviewer: Patrick Napier

A request to rezone from CS to R10 zoning for property located at Swinging Bridge Road (unnumbered), at the corner of Swinging Bridge Road and Hickerson Street (9.97 acres), requested by CESO, Inc., applicant; Charron & Williams, LLC, owner. (See associated case 2019CP-014-001).

**Staff Recommendation: Defer to the February 13, 2020, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019Z-158PR-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**2. 2018SP-085-001**  
**1313 53RD AVENUE NORTH SP**  
Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Abbie Rickoff

A request to rezone from R6 to SP-R zoning for property located at 1313 53rd Avenue North, at the corner of 53rd Avenue North and Louisiana Avenue, (0.3 acres), to permit four multi-family residential units, requested by Dale & Associates, applicant; Christopher McAlhany, owner.

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

**APPLICANT REQUEST**

**Preliminary SP to permit four multi-family residential units.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan- Residential (SP-R) zoning for property located at 1313 53rd Ave N, at the corner of 53rd Avenue N and Louisiana Ave, to permit four multi-family residential units (0.3 acres).

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 2 lots, including 2 duplex lots, for a total of 4 units, based on acreage only. However, application of the Subdivision Regulations may result in fewer units at this site. The Codes Department provides a final determination on duplex eligibility.*

**Proposed Zoning**

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

**SITE CONTEXT AND PLAN DETAILS**

The 0.30-acre site is located at the southeast corner of Louisiana Avenue and 53<sup>rd</sup> Avenue North, southwest of Centennial Boulevard. The parcel is L-shaped, with frontage on Louisiana Avenue (north), 53<sup>rd</sup> Avenue North (west), and Alley #1208, which forms the southern property line. The site contains an existing residential structure and detached garage located along the alley, which are included in the proposal. The area includes a mixture of single and two-family residential uses located west of Centennial Boulevard, and commercial, office, and industrial uses located along both sides of the corridor. The 5212 Tennessee Avenue SP, a residential SP with 4 residential units, is located opposite the site on the south side of Alley #1208.

Site Plan

The plan includes four multi-family units housed in two separate structures. Units 1 and 2 are proposed in one "manor home" that fronts Louisiana Avenue. The manor home includes one pedestrian entrance that connects from the front of the structure to Louisiana Avenue. Units 3 and

4 are proposed in the second structure, located behind the manor home and oriented towards 53<sup>rd</sup> Avenue North. Proposed Unit 4 will be located in front of Unit 3, which is the existing residential structure that will be retained. Units 3 and 4 have separate pedestrian entrances that connect to 53<sup>rd</sup> Avenue North.

Vehicular access is provided from 53<sup>rd</sup> Avenue North to a surface parking area located behind the manor home. Access is also provided directly from Alley #1208, which will include parallel parking along the north side and access to the existing detached garage, located behind Unit 3. Vehicular access to Units 3 and 4 is limited to the alley only. No individual access to Louisiana Avenue is proposed.

The units include street setbacks consistent with surrounding homes and with the area's urban residential development pattern. A 5-foot sidewalk and 4-foot planting strip is proposed along Louisiana Avenue and 53<sup>rd</sup> Avenue North, consistent with the local street standards. Open space is provided around the periphery of the site, including a row of landscaping located between the surface parking lot and the adjacent property to the east.

The plan limits the overall maximum building height for Units 3 and 4 to 35 feet, measured to the highest point of the roof. Conceptual architectural elevations have been incorporated into the SP for Units 1 and 2. The plan also includes architectural standards requiring raised foundations, minimum glazing requirements, minimum porch depths, and prohibited materials. The final SP will include architectural elevations that demonstrate compliance with the conceptual elevations and the proposed architectural standards.

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

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

#### **ANALYSIS**

Staff finds the plan to be consistent with the T4 Neighborhood Maintenance policy, which is intended to maintain the existing development pattern in an area while also recognizing that gradual change may occur over time. The plan proposes four units in two detached structures, consistent with the single and two-family development pattern in the area, at a level of intensity that is appropriate given the proximity of non-residential uses and mixed-use policy areas to the east. The site is in proximity to the T4 CM, Urban Mixed Use Corridor, policy area located approximately 300 feet to the east, where mixed residential and non-residential uses are encouraged. The plan encourages urban development patterns by limiting vehicular access to the side and rear, as opposed to individual access from the street.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Fire Code issues will be addressed in the permit phase. Any additional access or construction issues will be addressed prior to construction permitting.

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

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

- Approved as Preliminary SP only. However, prior to final SP, an updated capacity study must be submitted and capacity reserved for the additional lot, as well as an update to the site utility plan accounting for an additional metered water service line to proposed unit #4. The relocation of existing unit 3's metered water service line must be coordinated as part of the site utility plan review/approval and field inspection by MWS.

#### **PUBLIC WORKS RECOMMENDATION**

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

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.

- Prior to bldg. permit approval, coordinate proposed parking (unit #3) and improvements in alley. Note: No pervious pavers (brick included) shall be in alley ROW, MPW doesn't maintain pervious pavers, no parallel parking permitted in/adjacent to alley ROW, for waste disposal access.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide guest parking on site. Apply to T&P to restrict parking and short term loading and delivery on Louisiana Ave. or construct a bulb in area along frontage a minimum of 25 ft from corner.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.30	7.26 D	4 U	38	3	4

\*Based on two-family residential lot

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)	0.30	-	4 U	30	2	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-8	-1	-1

**METRO SCHOOL BOARD REPORT**

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

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

The proposed SP zoning is expected to generate one more student than the existing R6 zoning. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 4 multi-family residential units. Short term rental properties, owner-occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected copy, update the 53<sup>rd</sup> Avenue North street setbacks in the Development Summary: "5' measured from Ex. ROW for Unit 1, and 20' from Ex. ROW for Unit 4 (53<sup>rd</sup> Avenue North).
3. On the corrected copy, update the TDU schedule to reflect the correct site acreage and requirements of BL2018-1416.
4. No individual access to Louisiana Avenue shall be permitted.
5. Perimeter landscaping shall be included along the eastern property line, between the surface parking area and the adjacent parcel to the east.
6. With the submittal of the final site plan, provide architectural elevations that demonstrate compliance with the conceptual elevations and all architectural standards outlined on the Preliminary SP for review and approval.
7. Comply with all conditions and requirements of Metro reviewing agencies.



8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approved with conditions and disapproved without all conditions. Consent Agenda. (8-0)**  
**Resolution No. RS2020-01**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-085-001 is **approved with conditions and disapproved without all conditions. (8-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 4 multi-family residential units. Short term rental properties, owner-occupied and short term rental properties, not-owner occupied shall be prohibited.
2. On the corrected copy, update the 53<sup>rd</sup> Avenue North street setbacks in the Development Summary: "5' measured from Ex. ROW for Unit 1, and 20' from Ex. ROW for Unit 4 (53<sup>rd</sup> Avenue North).
3. On the corrected copy, update the TDU schedule to reflect the correct site acreage and requirements of BL2018-1416.
4. No individual access to Louisiana Avenue shall be permitted.
5. Perimeter landscaping shall be included along the eastern property line, between the surface parking area and the adjacent parcel to the east.
6. With the submittal of the final site plan, provide architectural elevations that demonstrate compliance with the conceptual elevations and all architectural standards outlined on the Preliminary SP for review and approval.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

12. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
14. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**3. 2019SP-015-001**  
**538 ROSEDALE AVE SP**  
 Council District 17 (Colby Sledge)  
 Staff Reviewer: Patrick Napier

A request to rezone from R6 to SP zoning on property located at 538 Rosedale Avenue, approximately 200 feet northwest of Waycross Drive and Rosedale Avenue, (0.73 acres), to permit a mixed use development, requested by Dale & Associates, applicant; H & L Enterprises LLC, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2019SP-015-001. (8-0)**

**4. 2019SP-045-001**  
**2500 W. HEIMAN STREET**  
 Council District 21 (Brandon Taylor)  
 Staff Reviewer: Joren Dunnavant

A request to rezone from RM40, IR and R6 to SP-R zoning for properties located at 2518, 2500, 2404 West Heiman Street and Heiman Street (unnumbered), located along the north side of Grace Street, (11.68 acres), to permit a maximum of 288 multi-family residential units, requested by Smith Gee Studio, applicant; FMBC Investments, LLC, owner.

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

**APPLICANT REQUEST**

**Zone change from RM40, IR, and R6 to SP-R zoning.**

Preliminary SP

A request to rezone from Multi-Family Residential (RM40), Industrial Restrictive (IR), and One and Two-Family Residential (R6) to Specific Plan – Residential (SP-R) zoning for properties located at 2518, 2500, 2404 West Heiman Street, and Heiman Street (unnumbered), located along the north side of Grace Street, (11.68 acres), to permit a maximum of 288 multi-family residential units.

**Existing Zoning**

Multi-Family Residential (RM40) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *RM40 would permit a maximum of 31 units based on 0.78 acres.*

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures. *2.83 acres of the site are zoned IR.*

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *Approximately 8.07 acres of the site are zoned R6, which would permit a maximum of 49 lots with 12 duplex lots for a total of 61 units based on acreage alone; application of the Subdivision Regulations may result in fewer units on this site.*

### **Proposed Zoning**

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

### **NORTH NASHVILLE COMMUNITY PLAN**

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

### **PLAN DETAILS**

The site is in North Nashville close to Tennessee State University (TSU), just north of Interstate 40. The development will be accessed by West Heiman street, which is a collector road. The site is comprised of four parcels totaling 11.68 acres. Three of the four parcels are currently vacant; one of the parcels located along the western boundary of the site contains an industrial building and parking. Surrounding land uses include TSU, multi-family residential, one and two-family residential, and vacant properties.

The plan proposes a multi-family residential development of 288 units. Three multi-family residential buildings are located along the southern edge of the site, adjacent and oriented to West Heiman Street. Six additional buildings are located behind, oriented to common amenities and open spaces. Maximum building height is limited to 3 stories in 40 feet. The plan includes a central park space with playground area, a clubhouse, pool, mail area, and bicycle parking. The proposed plan has internal sidewalks throughout and sidewalks with a grass strip are shown along West Heiman Street. A minimum 6-foot sidewalk and 6-foot planting strip are required along West Heiman Street to meet the standards of the Major and Collector Street Plan (MCSP).

Parking requirements will be satisfied per the UZO parking requirements. Landscaping will comply with all provisions of the Metro Code and the final site plan will reflect this with the submittal of a landscape plan. The plan includes standards for entrances, minimum glazing, prohibited materials, and raised foundations. Conceptual elevations and architectural character imagery are provided with the preliminary SP. Detailed elevations will be required with the final site plan submittal and must be consistent with the conceptual elevations, character imagery, and all architectural standards included in the plan.

### **ANALYSIS**

This site is located within a Transition and Infill area that is immediately adjacent to a Tier 3 Center identified in NashvilleNext. The T4-NE policy in this location allows for higher density residential building types placed in relation to Corridors and Centers that add value to the neighborhood. As this proposed project is at the edge of the T4-NE area and adjoining a maintenance policy area, it is important that the buildings form transitions in scale and massing with thoughtful attention as they relate to their surroundings. This plan proposes buildings that have articulated facades that address the street and a maximum height consistent with that permitted by the existing R6 zoning in the maintenance policy area to the south.

The proposed development provides a transition in massing and intensity between the multi-family and institutional developments on the northern side of West Heiman and the maintenance policy area of residential homes along the south of West Heiman.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER DEPARTMENT RECOMMENDATION**

#### **Approve with conditions**

- Add Preliminary Note to plans.

**WATER DEPARTMENT RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Private site utility plans must be submitted and approved prior to Final SP approval. The approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval (See Permit No's: T2019024581 and T2019024594).

**PUBLIC WORKS DEPARTMENT RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- Indicate call outs for ramps, sidewalks, grass strip, curb/gutter, etc.; per MPW standards and specs on final.
- Additional road comments may follow pending TIS (if ness.) review and detailed site plan.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

W Heiman Street at 26th Avenue N

- Install ADA compliant pedestrian crosswalks for the south and east legs of the intersection.
- Construct an ADA compliant pedestrian curb ramp in the northeast corner of the intersection.
- Provide connecting sidewalk on the north side of W Heiman Street from the pedestrian curb ramp at the northeast corner of the intersection to the proposed sidewalk along the project site frontage.

Dr. D. B. Todd Jr. Boulevard at W Heiman Street

The following road improvements are required if affected property owners are agreeable to removal of on street parking along their frontage on W. Heiman.

- Modify pavement markings along the eastbound approach to provide a shared through-right turn lane and a 100-foot left-turn lane. With 10-foot lanes, this improvement should be feasible within the existing pavement width and will require the restriction of on-street parking on both sides of W Heiman Street for approximately 100 feet.
- Modify pavement markings along the westbound approach to provide a shared through-right turn lane and a 100-foot left-turn lane. With 10-foot lanes, this improvement should be feasible within the existing pavement width and will require the restriction of on-street parking on both sides of W Heiman Street for approximately 100 feet.

Jefferson Street at I-40 WB On-Ramp / 26th Avenue N

- Construct a traffic signal with protected-permitted eastbound and westbound left-turn phasing or phasing per metro traffic signal engineer. Traffic signal construction may require TDOT approval.
- Preliminary capacity analysis indicates a traffic signal control is needed to mitigate delay at this intersection under Existing 2019, Background 2021, and Future 2021 traffic conditions.

W Heiman Street at Driveway 1

- Construct Driveway 1 with two (2) lanes for vehicular movement: one (1) lane for vehicle ingress and one (1) for vehicle egress.
- Provide STOP control along the southbound approach of Driveway 1.
- Provide adequate intersection sight distance in accordance with the criteria provided in A Policy on Geometric Design of Highways and Streets.
- Install signs and pavement markings in accordance with the standards provided in the Manual on Uniform Traffic Control Devices (MUTCD)

W Heiman Street at Driveway 2

- Construct Driveway 2 with two (2) lanes for vehicular movement: one (1) lane for vehicle ingress and one (1) for vehicle egress.

- Provide STOP control along the southbound approach of Driveway 1.
- Provide adequate intersection sight distance in accordance with the criteria provided in A Policy on Geometric Design of Highways and Streets.
- Install signs and pavement markings in accordance with the standards provided in the Manual on Uniform Traffic Control Devices (MUTCD).

Other Improvements

- Restripe pavement markings at the railroad crossing on W Heiman Street east of the proposed development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.78	40 D	31 U	194	16	21

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.83	0.6 F	73,964 S.F.	163	35	37

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	8.07	7.26 D	72 U	769	56	75

\*Based on two-family residential lots

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)	11.68	40 D	288 U	1683	105	123

Traffic changes between maximum: **RM40, IR, R6 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+530	-2	-10

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RM40 district: 3 Elementary 2 Middle 2 High  
 Projected student generation existing R6 district: 6 Elementary 6 Middle 6 High  
 Projected student generation existing IR district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed SP-R district: 32 Elementary 23 Middle 20 High

The proposed SP-R zoning will generate 50 more students than the existing RM40, R6 and IR zoning district. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 288 multi-family residential units. Short term rental property – owner-occupied and short term rental property –not owner-occupied are prohibited.
2. On the corrected copy, revise Standard SP Note #2 to read as follows: 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 RM40-A zoning district as of the date of the applicable request or application.
3. Maximum height shall be measured per the standards of the Metro Zoning Code.
4. Final elevations consistent with the conceptual elevations, character imagery, and architectural standards of the plan shall be included with the final site plan submittal.
5. A landscaping plan consistent with all landscaping and tree density requirements of Chapter 17.24 of the Metro Zoning Code shall be submitted with the final site plan.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
11. 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.

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

The applicant spoke in favor of the application and noted that 100% of the units will be affordable housing.

Scott Morton, 1005 N 14<sup>th</sup> St, spoke in favor of the application as it will provide a variety of housing choices and true affordability. It also creates thoughtful transition.

Karl Meyer, 2407 Herman St, spoke in opposition to the application; an additional exit is needed.

Janet Parham, 1908 Herman St, spoke in opposition to the application due to traffic and safety concerns.

Andree Johnson, 2612 W Herman St, spoke in opposition, not to the development, but to the ingress/egress.

The applicant noted that a traffic study was completed then reviewed and approved by all Metro departments. They agreed that an additional entrance was needed but adding it as a condition would render them unable to secure financing. Will work in good faith to make it happen with TSU and MDHA.

Councilmember Taylor spoke in favor of the application and noted that more conversation around adding an additional entrance would be helpful, though not necessarily adding it as a condition.

**Chairman Adkins closed the Public Hearing.**

Ms. Farr spoke in favor of the application as it seems the developer is taking on a lot of improvements to make this project work. The density makes sense; this is a good use for this part of the community.

Mr. Tibbs spoke in favor of the application.

Councilmember Murphy spoke in favor of the application.

Ms. Johnson spoke in favor of the application but asked the councilmember and development to continue engagement with MDHA and TSU to secure future connectivity and design.

Mr. Gobbell spoke in favor of the application; good project, good design.

Dr. Sims expressed concerns with safety; would really like to see another access added.

Mr. Haynes spoke in favor of the application and requested to add a condition that the greenway be built to Metro Greenway specifications.

**Mr. Haynes moved and Ms. Farr seconded the motion to approve with conditions and disapprove without all conditions including a condition that the greenway be built to Metro Greenway specifications. (8-0)**

**Resolution No. RS2020-02**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Sp-045-001 is approved with conditions and disapproved without all conditions including a condition that the greenway be built to Metro Greenway specifications. (8-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 288 multi-family residential units. Short term rental property – owner-occupied and short term rental property –not owner-occupied are prohibited.
2. On the corrected copy, revise Standard SP Note #2 to read as follows: 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 RM40-A zoning district as of the date of the applicable request or application.
3. Maximum height shall be measured per the standards of the Metro Zoning Code.
4. Final elevations consistent with the conceptual elevations, character imagery, and architectural standards of the plan shall be included with the final site plan submittal.
5. A landscaping plan consistent with all landscaping and tree density requirements of Chapter 17.24 of the Metro Zoning Code shall be submitted with the final site plan.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
11. 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.

5. **2019SP-047-001**  
**KNIPFER CORNER SP**  
Council District 01 (Jonathan Hall)  
Staff Reviewer: Jason Swaggart

A request to rezone from RS40 to SP - MU zoning for properties located at 7330, 7340, 7350, 7360 and 7368 White Creek Pike, approximately 1860 feet northeast of Eatons Creek Road (8.82 acres), to permit a mixed use development, requested by Dale and Associates, applicant; Dorothy Knipfer, Carl Knipfer, and Lisa Arrington, owners.

**Staff Recommendation: Defer to the February 13, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-047-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

6. **2019SP-055-001**  
**218 MAPLEWOOD TRACE**  
Council District 08 (Nancy VanReece)  
Staff Reviewer: Amelia Lewis

A request to rezone from RS10 to SP zoning for property located at 218 Maplewood Trace, approximately 450 feet east of Hillside Road (3.54 acres), to permit 48 multi-family residential units, requested by Duane Cuthbertson, applicant; Todd Realty LLC, owner.

**Staff Recommendation: Defer to the February 27, 2020, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-055-001 to the February 27, 2020, Planning Commission meeting. (8-0)**

7. **2019SP-071-001**  
**FINERY NORTH SP**  
Council District 17 (Colby Sledge)  
Staff Reviewer: Patrick Napier

A request to rezone from IWD to SP zoning for properties located at 476 Gray Street, 1229 and 1231 Martin Street and Gray Street (unnumbered), at the northwest corner of Gray Street and Martin Street (1.41 acres), to permit a mixed use development, requested by Hastings Architecture, applicant; 2-Wood Driver LLC, owner.

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

**APPLICANT REQUEST**

**Rezone from IWD to SP to permit a mixed use development.**

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan (SP-MU) zoning for properties located at 476 Gray Street, 1229 and 1231 Martin Street and Gray Street (unnumbered), at the northwest corner of Gray Street and Martin Street (1.41 acres), to permit a mixed use development.

**Existing Zoning**

Industrial Warehousing/Distribution (IWD) is intended to provide opportunities for wholesaling, warehousing and bulk distribution uses.

**Proposed Zoning**

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the



specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

### **SOUTH NASHVILLE COMMUNITY PLAN**

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

### Wedgewood Houston Chestnut Hill Supplemental Policy

The Wedgewood-Houston Chestnut Hill (WHCH) Planning Study is a supplement to and part of the South Nashville Community Plan of NashvilleNext. It addresses land use, transportation, and community design at the neighborhood scale. It consists of 15 subdistricts. Each district is unique in terms of the land use mix, building form and scale desired within each subdistrict. These three variables – use, form, and scale – comprise the context for each subdistrict and express the vision for development in each. The subject site is in Subdistrict One – North Wedgewood-Houston. The character of Subdistrict One includes a wide variety of commercial and small-scale light industrial uses. Adaptive reuse is encouraged, but new development is also supported. New development should reflect and respond to the surrounding industrial buildings.

### **PLAN DETAILS**

The project site is approximately 1.41 acres and is located at 476 Gray Street, 1229 and 1231 Martin Street and Gray Street (unnumbered), at the northwest corner of Gray Street and Martin Street. The site is partially vacant and contains some vacant structures. The western portion of the site contains some dense vegetation. The surrounding properties contain a diverse mixture of zoning use. The uses range from light industrial and artisan manufacturing to multifamily and single-family residential.

The plan is a regulatory Specific Plan and does not include a detailed site plan. The regulating document permits all uses of the MUL-A zoning district with some exceptions and contains bulk standards pertaining to build-to zones, building form, and maximum allowed heights. The maximum height proposed within the regulating document is 90 feet with a maximum of 6 stories along the western portion of the Gray Street frontage. The regulating document proposes a maximum of 5 stories along the eastern portion of the Gray Street frontage and wrapping the corner to the frontage along Martin Street. A cross section which illustrates the placement of the structures relative to the contours of the site provides detail for the maximum heights.

Prohibited uses include short term rental, owner and non-owner occupied, alternative financial services and automobile sales, service, and repair. A maximum FAR of 2.5 is proposed. Additional requirements for access and open space are included in the regulating document.

### **ANALYSIS**

This property is within the Wedgewood Houston Chestnut Hill (WHCH) Supplemental Policy. Beginning in April 2018, the Metropolitan Planning Department staff engaged residents, property owners, business owners, and other stakeholders in Wedgewood-Houston and Chestnut Hill. This planning study developed during that engagement process will guide future growth for these neighborhoods.

This site is located within the North Wedgewood-Houston Character Area, designated as character area 1. This character area contains a wide variety of commercial and small-scale light industrial uses. With its studios, art galleries and art walks and emerging retail and restaurants, this area is of broader community and countywide interest. Adaptive reuse is encouraged within this character area; when adaptive reuse is not possible, new construction should reflect and respond to the surrounding industrial buildings. Increased height beyond that identified in Table 2 may be appropriate when:

- Providing active uses and enhanced streetscaping
- Combined with adaptive reuse of other parts of the site
- Accompanied by urban industrial uses
- Located in lower lying areas

Heights beyond what is identified in the maximum heights for character area 1 are proposed. In this instance, the site sits at one of the lowest points in the neighborhood topographically and they are providing active uses along the street.

Any redevelopment of the site would be required to meet all the standards of MUL-A and the specific criteria established within the regulating document. The regulatory plan provides design standards ensuring future development would be pedestrian oriented and would include significant public open space consistent with the goals of the T4 CM and Wedgewood-Houston and Chestnut Hill Supplemental Policy.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

#### **WATER SERVICES RECOMMENDATION**

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

- Approved as a Preliminary SP only. Please submit an availability study before the submission of the Final SP. If this study requires public water and/or public sewer extensions, than public water and/or sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees (as detailed on the results of this study) must also be paid prior to Final Site Plan/SP approval.

#### **STORMWATER RECOMMENDATION**

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

- Must comply with regulations set at the time of final submittal.

#### **PUBLIC WORKS RECOMMENDATION**

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

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- Sidewalks shall be in accordance with MCSP and be located within the public ROW.
- Any public infrastructure built in ROW shall be built to MPW standards and specifications.

- Additional comments may follow pending TIS submittal and review.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

The applicant submitted a rezoning traffic assessment and assumed a maximum build-out of 113 multi-family residential units, 30,000 square feet of retail, and 30,000 square feet of restaurant. The applicant analyzed the intersection of Chestnut Street at Hagan Street / Alley 187, Hagan Street at Gray Street, Hamilton Avenue at Hagan Street, Chestnut Street at Martin Street, Martin Street at Gray Street, and Hamilton Avenue at Martin Street. The following traffic improvements are warranted should the site redevelop at the maximum build-out:

- Construct a traffic signal at the intersection of Chestnut Street at Hagan Street when warranted.
- Restripe the northbound approach at the intersection of Chestnut Street at Martin Street to provide a separate left-turn and right-turn lane.

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to all uses permitted the MUL-A zoning district except the following uses shall be prohibited: Short term rental property – owner-occupied; Short term rental property – not owner-occupied; Alternative financial services; Automobile repair; Automobile sales new; Automobile sales uses; and Automobile service.
2. An 8 foot wide sidewalk and a 4 foot wide furnishing zone at the rear of the sidewalk is required for the entire frontage of Martin Street.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. No vehicle access or vehicle queuing is permitted within the build-to-zone. Please update the notes in the plan as necessary.
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.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approved with conditions and disapproved without all conditions. Consent Agenda. (8-0)**

**Resolution No. RS2020-03**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019SP-071-001 is **approved with conditions and disapproved without all conditions. (8-0)**

**CONDITIONS**

1. Permitted land uses shall be limited to all uses permitted the MUL-A zoning district except the following uses shall be prohibited: Short term rental property – owner-occupied; Short term rental property – not owner-occupied; Alternative financial services; Automobile repair; Automobile sales new; Automobile sales uses; and Automobile service.
2. An 8 foot wide sidewalk and a 4 foot wide furnishing zone at the rear of the sidewalk is required for the entire frontage of Martin Street.
3. Comply with all conditions and requirements of Metro reviewing agencies.

4. No vehicle access or vehicle queuing is permitted within the build-to-zone. Please update the notes in the plan as necessary.
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.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**8. 2019SP-073-001  
429 HOUSTON STREET**

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

A request to rezone from CS to SP zoning for properties located at 429 Houston Street, 426 and 430 Humphreys Street, at the southeast corner of Houston Street and Brown Street (1.4 acres), to permit a mixed used development, requested by Civil Site Design Group, 429 Houston Street LLC, owner.

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

**APPLICANT REQUEST**

**Rezone from CS to SP-MU to permit a mixed-use development.**

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 429 Houston Street, 426 and 430 Humphreys Street, at the southeast corner of Houston Street and Brown Street (1.4 acres), to permit a mixed used development.

**Existing Zoning**

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

**Proposed Zoning**

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

**SOUTH NASHVILLE COMMUNITY PLAN**

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

Wedgewood Houston Chestnut Hill Supplemental Policy

The Wedgewood-Houston Chestnut Hill (WHCH) Planning Study is a supplement to and part of the South Nashville Community Plan of NashvilleNext. It addresses land use, transportation, and

community design at the neighborhood scale. It consists of 15 subdistricts. Each district is unique in terms of the land use mix, building form and scale desired within each subdistrict.

These three variables – use, form, and scale – comprise the context for each subdistrict and express the vision for development in each. The subject site is in Subdistrict One – North Wedgewood-Houston. The character of Subdistrict One includes a wide variety of commercial and small-scale light industrial uses. Adaptive reuse is encouraged, but new development is also supported. New development should reflect and respond to the surrounding industrial buildings.

#### **PLAN DETAILS**

The approximately one-acre site consists of three properties with one located on the south side of Houston Street and the other two properties located on the north side of Humphreys Street. The property on Houston Street and the two on Humphreys Street are separated by an alley. The two properties on Humphreys Street are vacant, and the property on Houston Street contains an approximately 24,000 square foot building which contains Jackalope Brewery and Tap Room.

##### Site Plan

The intent of the proposed SP is to provide flexibility with the utilization of an existing building and for any future redevelopment of the site. The site plan identifies the existing building on Houston Street as well as small building additions. The plan identifies a new two-story parking garage along Humphreys Street. The bulk standards of MUL-A apply to the SP. The SP also specifies that structured parking shall be exempt from floor area calculations. The SP permits all uses permitted by MUL-A with the exception of alternative financial services, automobile convenience and owner occupied and not-owner-occupied short-term rental properties. The SP also permits microbrewery.

The SP calls for an eight-foot-wide sidewalk and four-foot-wide planting strip along Brown Street and a portion of Houston Street. A minimum five-foot-wide sidewalk and four-foot-wide planting strip are shown along Humphreys Street. The SP permits the existing sidewalk to remain along a portion of Houston Street where there are existing loading docks. The SP requires that the existing sidewalk along Houston Street be upgraded with any change in use.

#### **ANALYSIS**

As proposed the SP is consistent with the T4 MU policy that applies to the site. The policy supports mixed-use development with an urban form. While the existing site does not meet all the design criteria found in the T4 MU policy language, the SP is intended to provide flexibility so that the existing use in the building may continue to operate and that minor improvements can be made within the confines of the SP. Any redevelopment of the site would be required to meet all the standards of MUL-A which is consistent with the T4 MU policy. The proposed SP is also consistent with the WHCH Study. A primary goal of the WHCH Study is to maintain and reuse existing buildings in order to keep the existing character. The proposed SP is intended to provide the flexibility to utilize the existing building. As proposed staff is recommending approval of the SP as it is consistent with the T4 MU policy and the guidance of the WHCH Study.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet, where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.

- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

**STORMWATER RECOMMENDATION**  
**Approve**

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

- Approved as a preliminary SP only. Prior to Final SP approval, confirmation of: approved site utility plans, an approved variance/letter of responsibility for a shared/private sewer service, and capacity reserved (capacity fees paid) for water and sanitary sewer based on the final SP unit count.

**PUBLIC WORKS RECOMMENDATION**  
**Approve with conditions**

- Final construction plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, a recorded copy of ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Indicate alley widening/improvement as MPW section ST-263, show detail in plans.
- Call out ADA compliant ramp on corner of Brown/Houston.
- Comply w/ traffic comments. Additional comments may follow after TIS review/approval.

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

Transportation study was analyzed with the following land use assumptions: Jackalope Brewing Company (to remain), 10,500 sf of office, 4,300 sf of event space, 15,000 sf of restaurant. The following conditions apply:

- Development is permitted to have one parking garage driveway along Humphreys Street and one parking garage driveway along Alley 189.
- Development shall install private security lighting along entire building to illuminate Alley 189 for pedestrians.
- A parking management and wayfinding plan shall be submitted with Final SP submittal.
- Alley 189 and the driveway aprons shall be widened per Metro Public Works guidance.
- Vehicular access may be reduced and/or removed along Houston Street.

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)	1.4	0.6 F	36,590 SF	2323	117	251

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)	0.70	1.0 F	39 U	124	32	34

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
Retail (814)	0.35	1.0 F	15,246 SF	968	49	105

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
Restaurant (931)	0.35	1.0 F	15,246 SF	1279	12	119

Traffic changes between maximum: **CS and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+48	-24	+7

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-MU district: 4 Elementary 3 Middle 2 High

The proposed SP-MU zoning district would generate nine more students than what is typically generated under the existing CS zoning district. Students would attend Fall-Hamilton Elementary, Cameron Middle School, and Glenclyff High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to microbrewery and all uses permitted by MUL-A except for the following uses being prohibited: alternative financial services, automobile convenience, short term rental property – owner-occupied, and short-term rental property – not owner-occupied.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. 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.

**Approved with conditions and disapproved without all conditions. Consent Agenda. (8-0)**  
**Resolution No. RS2020-04**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019SP-073-001 is **approved with conditions and disapproved without all conditions. (8-0)**

**CONDITIONS**

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

**9. 2019S-080-001**  
**RESUB MAXIM HOLDINGS, LLC PROPERTY**

Council District 30 (Sandra Sepulveda)  
Staff Reviewer: Jason Swaggart

A request for final plat approval to create three lots on property located at 4341 Old Goins Road, approximately 150 feet west of Taylor Road, zoned R6 (0.59 acres), requested by DBS & Associates Engineering, applicant; Maxim Holdings, LLC., owner.

**Staff Recommendation: Defer to the February 13, 2020, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019S-080-001 to the February 13, 2020, Planning Commission meeting. (8-0)**



**10a. 2019CP-014-002**

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

Council District 14 (Kevin Rhoten)

Staff Reviewer: Anita McCaig

A request to amend the Donelson-Hermitage-Old Hickory Community Plan from T3 Suburban Neighborhood Maintenance policy to T3 Suburban Residential Corridor and Transition policies on various properties located along Lebanon Pike, from Disspayne Drive to Downeymeade Drive, zoned AR2a, RS10 and RS15 and partially located within a Planned Unit Development Overlay District (49.32 acres), requested by Stratos Development, LLC; various property owners.

**Staff Recommendation: Defer to the February 13, 2020, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019CP-014-002 to the February 13, 2020, Planning Commission meeting. (8-0)**

**10b. 2020Z-019PR-001**

Council District 14 (Kevin Rhoten)

Staff Reviewer: Logan Elliott

A request to rezone from RS10 to RM9-A zoning for property located at 3048 Lebanon Pike, approximately 575 feet south of Danyacrest Drive (7.23 acres), requested by Stratos Development LLC, applicant; Charlie R. Smith and Marlene J. Smith Revocable Trust, owner.

**Staff Recommendation: Defer to the February 13, 2020, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2020Z-019PR-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**11. 2020Z-001TX-001**

BL2019-78/Sledge

Staff Reviewer: Lisa Milligan

A request for an Ordinance to amend Section 17.16.070 of the Metropolitan Code to impose a minimum distance requirement for new Short Term Rental Properties – Not Owner-Occupied from churches, schools, daycares, and parks.

**Staff Recommendation: Approve with a substitute.**

**APPLICANT REQUEST**

Amend Section 17.16.070 of the Zoning Code pertaining to short term rental properties, not owner-occupied.

**PROPOSED AMENDMENTS TO TITLE 17**

The proposed bill would amend the Zoning Code as follows (new text shown underlined; deleted text shown with ~~strikethrough~~):

Amend Section 17.16.070 as follows by adding the following new subsection U.1.d:

d. Minimum distance requirements

i. No new STRP permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. Distances shall be measured in a straight line from the closest point of the applicant's dwelling unit for which a STRP is sought to the closest point of the building of the religious institution; from the closest point of the applicant's unit to the closest boundary of a park; from the closest point of the applicant's unit to the closest point of the building of a school or

licensed day care center, or to the closest boundary of the playground of the school or day care center, whichever is closest to the applicant's unit.

ii. Notwithstanding subsection U.1.d.i of this section, a STRP permit applicant may be exempt from the minimum distance requirements set forth herein upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving 21 affirmative votes approving the exemption of the STRP unit from said minimum distance requirements. The department of codes administration shall notify the councilmember for the district in which the applicant unit is located in writing within five business days from the date the application is filed requesting the waiver of distance requirements. The public hearing required by this subsection shall be conducted by the council at a regular meeting of the council. Public notification of the hearing shall be conducted pursuant to the public notification requirements for amendments to the official zoning map in accordance with Article XV of Chapter 17.40 of the metropolitan code, provided that notice by mail shall be sent to all property owners within 600 feet of the unit seeking the exemption from the minimum distance requirements not later than 14 days prior to the scheduled public hearing on the resolution. Further, a public notice sign meeting the general requirements of Section 17.40.730 of the metropolitan code shall be posted on the property of the applicant seeking the exemption from the minimum distance requirements at least 14 days prior to the scheduled public hearing. The costs for the public notification requirements shall be paid by the applicant. The applicant shall coordinate the scheduling of the public hearing with the metropolitan clerk's office prior to the filing of the resolution for purposes of including the date and time of the public hearing in the public notice to be mailed

### **HISTORY**

In January of 2018, the Metro Council adopted BL2017-608, which established a countywide framework for the regulation of short term rental properties. BL2017-608 created two separate uses in the zoning code: Short term rental property (STRP) – owner-occupied and short term rental property (STRP) – not owner-occupied. The ordinance also established operational and regulatory criteria for the operation of short term rental properties, both owner and not owner-occupied.

With the adoption, the Council specified which zoning districts would permit each type of short term rental property. Short term rental property – owner-occupied is classified as a Residential use by the Zoning Code and is permitted as an accessory use to the principal use of a structure as an owner-occupied dwelling unit. Short term rental property – not owner-occupied is classified as a Commercial use as is permitted as use permitted with conditions in multi-family, mixed use, commercial, office, and shopping center districts, as well as within the DTC. With the adoption of BL2017-608, not-owner occupied were prohibited within most residential districts, with the exception of multi-family districts.

Following adoption of BL2017-608, the State of Tennessee adopted the Short Term Rental Unit Act (The Act). The Act established parameters under which municipalities must operate in regulating short term rental properties. Additionally, The Act established that any properties permitted to operate as a short term rental prior to the adoption of municipal regulations that would otherwise restrict the use, may continue to operate so long as ownership remains constant.

In August 2019, the Metro Council continued to refine the regulations pertaining to short term rental properties through the adoption of BL2019-1633 which removed not-owner occupied short term rental property from the permitted use list within the RM (multi-family) zoning districts. BL2019-1633 further added operational criteria and brought the regulations into compliance with the state adopted Short Term Rental Act.

### **ANALYSIS**

Metro Nashville has long debated the impact of and appropriate method of regulation in regards to short term rental properties. The regulations have evolved as the industry has changed from primarily a home-sharing model to a model that includes many properties where the principal use of a structure is as a short term rental property, as opposed to a full-time residence. There is debate among stakeholders as to the effect of short term rentals, particularly not owner-occupied, on surrounding neighbors.

The proposal would add distance requirements to short term rental properties-not owner-occupied, similar to the distance requirement set up for the issuance of a beer permit. The proposal would not allow new permits for not owner-occupied units if they are less than 100 feet from a religious institution, school or its playground, park, or a licensed daycare or its playground. An exemption

process is established for the issuance of permits closer than 100 feet with a public hearing at and approval by the Metro Council.

Staff recommends that the Planning Commission approve the amendment with a substitute to further clarify measurement of the distance. The measurement of distance currently varies by use and is indicated as building to building or building to playground. This requires individual field inspections to measure. Staff recommends a substitute specifying that measurement of the distance is lot line to line. This will allow for utilization of the city GIS to measure, allowing for easier implementation of the requirement.

#### **Zoning Administrator Recommendation**

No exception taken with the bill as proposed to be substituted.

#### **Fiscal Impact Recommendation**

The Metro Codes Department will issue permits consistent with the current process and enforce the standards on a complaint driven basis as is their current enforcement practice. The Codes Department anticipates the proposed amendment to be revenue neutral.

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### **Substitute Bill BL2019-78**

An Ordinance to amend Section 17.16.070 of the Metropolitan Code to impose a minimum distance requirement for new Short Term Rental Properties – Not Owner-Occupied from churches, schools, daycares, and parks (Proposal No. 2020Z-001TX-001).

WHEREAS, Section 7.08.090 of the Metropolitan Code prohibits the issuance of a retail beer permit for any establishment located within 100 feet of a church, school, daycare, or park unless the Council approves a waiver from the minimum distance requirements upon the adoption of a resolution with 21 affirmative votes after holding a public hearing; and

WHEREAS, the purpose of the distance requirements in Section 7.08.090 is to address the negative secondary effect associated with the sale and consumption of beer near churches, schools, daycares, and parks; and

WHEREAS, the Metropolitan Council has heard concerns from the public on numerous occasions (See the January 3, 2017 public hearing regarding Ordinance No. BL2016-492, and the May 2, 2017 public hearing regarding Ordinance No. BL2017-608), about the negative secondary effects associated with the operation of non-owner-occupied short term rental properties in Nashville and Davidson County, including public intoxication, lewdness, and excessive noise; and

WHEREAS, it is in the best interest of the residents of Metropolitan Nashville and Davidson County that a minimum distance requirement be imposed for new non-owner-occupied short term rental properties.

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

Section 1. That Section 17.16.070 of the Metropolitan Code, the Zoning Ordinance for the Metropolitan Government of Nashville and Davidson County, is hereby amended by adding the following provisions as subsection U.1.d:

- “d. Minimum distance requirements
- i. No new STRP permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. Distances shall be measured in a straight line from the closest point of the ~~applicant's dwelling unit parcel line of the property~~ for which a STRP is sought to the closest point of the ~~building of the religious institution; from the closest point of the applicant's unit to the closest boundary of a park; from the closest point of the applicant's unit to the closest point of the building of a school or licensed day care center, or to the closest boundary of the playground of the school or day care center, whichever is closest to the applicant's unit~~ parcel line of the property on which the religious institution, school or its playground, park, or licensed daycare center or its playground is located.

- ii. Notwithstanding subsection U.1.d.i of this section, a STRP permit applicant may be exempt from the minimum distance requirements set forth herein upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving 21 affirmative votes approving the exemption of the STRP unit from said minimum distance requirements. The department of codes administration shall notify the councilmember for the district in which the applicant unit is located in writing within five business days from the date the application is filed requesting the waiver of distance requirements. The public hearing required by this subsection shall be conducted by the council at a regular meeting of the council. Public notification of the hearing shall be conducted pursuant to the public notification requirements for amendments to the official zoning map in accordance with Article XV of Chapter 17.40 of the metropolitan code, provided that notice by mail shall be sent to all property owners within 600 feet of the unit seeking the exemption from the minimum distance requirements not later than 14 days prior to the scheduled public hearing on the resolution. Further, a public notice sign meeting the general requirements of Section 17.40.730 of the metropolitan code shall be posted on the property of the applicant seeking the exemption from the minimum distance requirements at least 14 days prior to the scheduled public hearing. The costs for the public notification requirements shall be paid by the applicant. The applicant shall coordinate the scheduling of the public hearing with the metropolitan clerk's office prior to the filing of the resolution for purposes of including the date and time of the public hearing in the public notice to be mailed."

Section 2. This Ordinance shall take effect from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsor(s) Colby Sledge

Ms. Milligan presented the staff recommendation of approval with a substitute.

Omid Yamini, 1204 N 2<sup>nd</sup> St, spoke in favor of the application.

Pat Williams, 4301 Elkins Ave, spoke in favor of the application.

Logan Key, 1411 Fatherland St, spoke in favor of the application.

John Summers, 5000 Wyoming Ave, spoke in favor of the application.

Dale Hire, 4225 Cecil Ct, spoke in opposition to the application.

Matt Davis, 5110 Michigan Ave, spoke in opposition to the application.

Mark McGinley, 1140 Brookmeade Dr, spoke in opposition to the application.

Katherine Breland, 3000 23<sup>rd</sup> Ave S, spoke in opposition to the application.

Mark Musser, 203 Prince Ave, spoke in opposition to the application.

Leslie Egglesten, 501 Union St, spoke in opposition to the application.

Mark Wallace, 340 Wandering Circle, spoke in opposition to the application.

Darrin Cunningham, 1015 12<sup>th</sup> Ave S, spoke in opposition to the application.

Kristy Hairston, 4540 Trousdale Ave, spoke in opposition to the application.

Grant Hammond, 342 Harrison St, spoke in opposition to the application.

Darbi Bolton, 1707 Tammany Dr, spoke in opposition to the application.

Michael Head, 3428 Stokesmont Rd, spoke in opposition to the application.

Ilya Toshinskiy, 1420 Willowbrooke Cir, spoke in opposition to the application.

Ken Oakes, 1412 Knox Valley Dr, spoke in opposition to the application.

Stephanie Spoolstra, 916 N 5<sup>th</sup> St, spoke in opposition to the application.

**Chairman Adkins closed the Public Hearing.**

Mr. Haynes spoke in favor – it's very well thought out.

Dr. Sims requested more data and suggested a deferral.

Mr. Gobbell expressed concerns with this applying to all zoning and spoke in favor of a deferral.

Ms. Johnson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation as it is very well thought out and creative.

Mr. Tibbs expressed concerns with schools and daycares and keeping kids out of danger.

Ms. Farr requested to see more data showing if this is truly an issue for those units that are next to a school or church. She also expressed concerns with continuing to narrow the areas where short term rentals are allowed.

Mr. Haynes moved and Councilmember Murphy seconded the motion to approve staff recommendation. (4-4) Mr. Gobbell, Dr. Sims, Ms. Farr, and Chairman Adkins voted against. Motion failed.

**Dr. Sims moved and Ms. Farr seconded the motion to defer to the February 13, 2020 Planning Commission meeting with a request for data on the scope of the problem, ramifications on how many eligible properties would be affected, where STR's are currently allowed, locations of sensitive uses and current infractions with their relationship to those distances and focus on future eligible properties. (7-1) Mr. Tibbs voted against.**

**Resolution No. RS2020-05**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-001TX-001 is deferred to the February 13, 2020 Planning Commission meeting with a request for data on the scope of the problem, ramifications on how many eligible properties would be affected, where STR's are currently allowed, locations of sensitive uses and current infractions with their relationship to those distances and focus on the future eligible properties. (7-1)**

**12. 2020Z-002TX-001**

BL2019-79/O'Connell

Staff Reviewer: Lisa Milligan

A request for an Ordinance to amend Section 17.16.250 of the Metropolitan Code regarding advertisement and occupancy of a Short Term Rental Property – Owner-Occupied.

**Staff Recommendation: Approve with a substitute.**

**APPLICANT REQUEST**

Amend Section 17.16.250 related to owner-occupied short term rental properties.

**PROPOSED AMENDMENTS TO TITLE 17**

The proposed bill would amend the Zoning Code as follows (new text shown underlined; deleted text shown with ~~strike through~~):

Amend Section 17.16.250 by amending subsection E.1.b as follows:

- b. Any advertising or description of a STRP on any internet website must: (a) prominently display the permit number for the STRP unit; or (b) include an image of the permit, or a link to an image

of the permit, in which the permit number is legible. Further, other than for a two-family residential unit under common ownership with a two-family unit on the same lot permitted in accordance with subsection E.1.f of this section, advertisements for an owner-occupied STRP shall not advertise availability of all of the bedrooms within the unit for STRP use.

Amend Section 17.16.250 by amending subsection E.1.d as follows:

- d. To qualify for an STRP—Owner-occupied permit, the owner of the property shall permanently reside in the STRP or, for conforming uses in single-family and one and two-family zoning districts, the owner shall permanently reside in a residential unit on the same lot. The owner of the property: (1) must be a natural person or persons; (2) may not be a limited liability entity, including without limitation a corporation or limited liability company; and (3) may not be an unincorporated entity, including without limitation a partnership, joint venture, or trust. Further, the owner shall reside onsite at all times the property is being used as an STRP. The owner shall not be permitted to be temporarily absent from the dwelling unit for longer than 15 consecutive hours within any 24 hour period while the property is being used as an owner-occupied STRP.

### **HISTORY**

In January of 2018, the Metro Council adopted BL2017-608, which established a countywide framework for the regulation of short term rental properties. BL2017-608 created two separate uses in the zoning code: Short term rental property (STRP) – owner-occupied and short term rental property (STRP) – not owner-occupied. The ordinance also established operational and regulatory criteria for the operation of short term rental properties, both owner and not owner-occupied.

With the adoption, the Council specified which zoning districts would permit each type of short term rental property. Short term rental property – owner-occupied is classified as a Residential use by the Zoning Code and is permitted as an accessory use to the principal use of a structure as an owner-occupied dwelling unit. Short term rental property – not owner-occupied is classified as a Commercial use as is permitted as use permitted with conditions in multi-family, mixed use, commercial, office, and shopping center districts, as well as within the DTC. With the adoption of BL2017-608, not-owner occupied were not allowed within most residential districts, with the exception of multi-family districts.

Following adoption of BL2017-608, the State of Tennessee adopted the Short Term Rental Unit Act (The Act). The Act established parameters under which municipalities must operate in regulating short term rental properties. Additionally, The Act established that any properties permitted to operate as a short term rental prior to the adoption of municipal regulations that would otherwise restrict the use, may continue to operate so long as ownership remains constant.

In August 2019, the Metro Council continued to refine the regulations pertaining to short term rental properties through the adoption of BL2019-1633 which removed not-owner occupied short term rental property from the permitted use list within the RM (multi-family) zoning districts. BL2019-1633 further added operational criteria and brought the regulations into compliance with the state adopted Short Term Rental Act.

### **ANALYSIS**

Metro Nashville has long debated the impact of and appropriate method of regulation in regards to short term rental properties. The regulations have evolved as the industry has changed from primarily a home-sharing model to a model that includes many properties where the principal use of a structure is as a short term rental property, as opposed to a full-time residence. In many instances, owner-occupied permitted units are being rented as whole-home rentals with no owner on site during occupancy by guests. Because owner-occupied units are permitted within residential zoning districts, this whole home rental can come with unintended effects on surrounding properties.

The proposed amendment would prohibit the leasing of all bedrooms within an owner-occupied unit. Additionally, the amendment prohibits an owner from being away from the home for more than 15 consecutive hours while guests are present.

In reviewing the amendment with the Department of Codes Administration, both departments have concerns in regards to enforcement of the homeowner absence prohibition. Staff is recommending a substitute which would remove this regulation and that would further refine the leasing requirements. Host Compliance, the monitoring system used by Metro, has the ability to return

data on if a unit is being advertised as a whole home rental. By prohibiting whole home rentals, it simplifies the enforcement. Staff recommends approval with a substitute.

**Zoning Administrator Recommendation**

No exception taken.

**Fiscal Impact Recommendation**

The Metro Codes Department will issue permits consistent with the current process and enforce the standards on a complaint driven basis as is their current enforcement practice. Host Compliance has the ability to track whole home advertisements under their existing services provided to Metro Government. The Codes Department anticipates the proposed amendment to be revenue neutral.

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**Substitute Bill BL2019-79**

An Ordinance to amend Section 17.16.250 of the Metropolitan Code regarding advertisement and occupancy of a Short Term Rental Property – Owner-Occupied (Proposal No. 2020Z-002TX-001).

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

Section 1. That Section 17.16.250 of the Metropolitan Code, the Zoning Ordinance for the Metropolitan Government of Nashville and Davidson County, is hereby amended by adding the following provision at the end of subsection E.1.b:

“Further, other than for a two-family residential unit under common ownership with a two-family unit on the same lot permitted in accordance with subsection E.1.f of this section, advertisements for an owner-occupied STRP shall not advertise availability of entire/whole home ~~all of the bedrooms within the unit~~ for STRP use.”

~~Section 2. That Section 17.16.250 of the Metropolitan Code, the Zoning Ordinance for the Metropolitan Government of Nashville and Davidson County, is hereby amended by adding the following provision at the end of subsection E.1.d:~~

~~“Further, the owner shall reside onsite at all times the property is being used as an STRP. The owner shall not be permitted to be temporarily absent from the dwelling unit for longer than 15 consecutive hours within any 24 hour period while the property is being used as an owner-occupied STRP.”~~

Section ~~3~~2. This Ordinance shall take effect from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsor(s) Freddie O'Connell

Ms. Milligan presented the staff recommendation of approval with a substitute.

Omid Yamini, 1204 N 2<sup>nd</sup> St, spoke in favor of the application.

Pat Williams, 4301 Elkins Ave, spoke in favor of the application.

Logan Key, 1411 Fatherland St, spoke in favor of the application.

Court Blankenship, 319 S 11<sup>th</sup> St, spoke in favor of the application.

John Summers, 5000 Wyoming Ave, spoke in favor of the application.

Councilmember Parker spoke in favor of the application.

Elizabeth Burnett, 4202 Aberdeen Rd, spoke in opposition to the application.

Susan Berridge, 1014 Horseshoe Dr, spoke in opposition to the application.

Kristen Kosch, 396 36<sup>th</sup> Ave N, spoke in opposition to the application.

Brittney Cyr, 912 Strauss Ave, spoke in opposition to the application.

Jason Jenkins, 1403 Russell St, spoke in opposition to the application.

Debra Volley, 2445 Eastland Ave, spoke in opposition to the application.

Gabe Wicks, 919 Montrose Ave, spoke in opposition to the application.

Tom Keese, 1101A North 8<sup>th</sup> St, spoke in opposition to the application.

Grant Hammond, 342 Harrison St, spoke in opposition to the application.

Penny Foreman spoke in opposition to the application.

Andrea Brown, 1423 Benjamin St, spoke in opposition to the application.

Darrin Cunningham, 1015 12<sup>th</sup> Ave S, spoke in opposition to the application.

Paul Martin, 1011 15<sup>th</sup> Ave S, spoke in opposition to the application.

Tiffany Curtis, 1102A North 8<sup>th</sup> St, spoke in opposition to the application.

Alice Ronzino, 1027 McClurkin Ave, spoke in opposition to the application.

**Chairman Adkins closed the Public Hearing.**

Mr. Tibbs suggested a deferral to ensure the terminology/language is correct.

Councilmember Murphy stated this might be more of a council issue than a commission issue and she'd like to see the councilmember tweak the language a little.

Ms. Johnson spoke in favor of a deferral as the proposal as written has unintended consequences.

Mr. Gobbell spoke in favor of a deferral.

Dr. Sims stated that while the intent is good, the technicalities need to be worked on.

Mr. Hayes stated that the bill needs more work and spoke in favor of a deferral.

Mr. Farr spoke in favor of a deferral.

**Mr. Haynes moved and Ms. Johnson seconded the motion to defer to the February 13, 2020 Planning Commission meeting. (8-0)**

**Resolution No. RS2020-06**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-002TX-001 is deferred to the February 13, 2020 Planning Commission meeting. (8-0)**



**13. 2020Z-003TX-001**

BL2019-111/Parker

Staff Reviewer: Lisa Milligan

A request for an ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, to modify Title 17 relative to the creation of certain new zoning districts which prohibit STRP uses.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

Amend Title 17 to create NS zoning districts.

**PROPOSED AMENDMENTS TO TITLE 17**

The proposed bill would amend the Zoning Code by creating new NS (No STRP) zoning districts. A duplicate of all existing zoning districts would be created. The newly created districts would have the same bulk and massing standards as the existing districts and would permit the same uses, with two exceptions. Owner occupied and not-owner occupied short term rental properties would not be permitted in the newly created NS districts.

**HISTORY**

In January of 2018, the Metro Council adopted BL2017-608, which established a countywide framework for the regulation of short term rental properties. BL2017-608 created two separate uses in the zoning code: Short term rental property (STRP) – owner-occupied and short term rental property (STRP) – not owner-occupied. The ordinance also established operational and regulatory criteria for the operation of short term rental properties, both owner and not owner-occupied.

With the adoption, the Council specified which zoning districts would permit each type of short term rental property. Short term rental property – owner-occupied is classified as a Residential use by the Zoning Code and is permitted as an accessory use to the principal use of a structure as an owner-occupied dwelling unit. Short term rental property – not owner-occupied is classified as a Commercial use as is permitted as use permitted with conditions in multi-family, mixed use, commercial, office, and shopping center districts, as well as within the DTC. With the adoption of BL2017-608, not-owner occupied were not allowed within most residential districts, with the exception of multi-family districts.

Following adoption of BL2017-608, the State of Tennessee adopted the Short Term Rental Unit Act (The Act). The Act established parameters under which municipalities must operate in regulating short term rental properties. Additionally, The Act established that any properties permitted to operate as a short term rental prior to the adoption of municipal regulations that would otherwise restrict the use, may continue to operate so long as ownership remains constant.

In August 2019, the Metro Council continued to refine the regulations pertaining to short term rental properties through the adoption of BL2019-1633 which removed not-owner occupied short term rental property from the permitted use list within the RM (multi-family) zoning districts. BL2019-1633 further added operational criteria and brought the regulations into compliance with the state adopted Short Term Rental Act.

**ANALYSIS**

Metro Nashville has long debated the impact of and appropriate method of regulation in regards to short term rental properties. The regulations have evolved as the industry has changed from primarily a home-sharing model to a model that includes many properties where the principal use of a structure is as a short term rental property, as opposed to a full-time residence.

The proposed text amendment would create new zoning districts that do not permit either owner or not owner-occupied short term rental properties. This proposal does not change the uses permitted within existing zoning districts, but instead creates a new set of districts as an option for rezoning. Staff recommends approval.

**ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken.

**FISCAL IMPACT RECOMMENDATION**

The Metro Codes Department will issue permits for these districts consistent with the current process for issuing permits under existing zoning districts. The Codes Department anticipates the proposed amendment to be revenue neutral.

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**Bill BL2019-111**

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, to create certain new zoning districts which prohibit STRP uses and to make minor corrections, all of which is more particularly described herein (Proposal No. 2020Z-003TX-001).

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

Section 1. That Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, is hereby amended as shown in Exhibit A.

Section 2. That this Ordinance shall take effect immediately after its passage and that such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsor(s): Sean Parker, Kyonzté Toombs, Colby Sledge

**EXHIBIT A**

## Chapter 17.08: Zoning District and Land Uses

### 17.08.010 - Zoning districts established.

1. **Modify** Subsection B.3 as follows:
  3. Multi-Family Districts:
    - a. RM2 (2 units an acre).
    - b. RM2-NS (2 units an acre).
    - ~~bc.~~ RM4 (4 units an acre).
    - d. RM4-NS (4 units an acre).
    - ~~ee.~~ RM6 (6 units an acre).
    - f. RM6-NS (6 units an acre).
    - ~~dg.~~ RM9 (9 units an acre).
    - ~~eh.~~ RM9-A (9 units an acre).
    - i. RM9-NS (9 units an acre).
    - j. RM9-A-NS (9 units an acre).
    - ~~fk.~~ RM15 (15 units an acre).
    - ~~gl.~~ RM15-A (15 units an acre).
    - m. RM15-NS (15 units an acre).
    - n. RM15-A-NS (15 units an acre).
    - ~~ho.~~ RM20 (20 units an acre).
    - ~~ip.~~ RM20-A (20 units an acre).
    - q. RM20-NS (20 units an acre).
    - r. RM20-A-NS (20 units an acre).
    - ~~js.~~ RM40 (40 units an acre).
    - ~~kt.~~ RM40-A (40 units an acre).
    - u. RM40-NS (40 units an acre).
    - v. RM40-A-NS (40 units an acre).
    - ~~hw.~~ RM60 (60 units an acre).
    - ~~xx.~~ RM60-A (60 units an acre).
    - y. RM60-NS (60 units an acre).
    - z. RM60-A-NS (60 units an acre).
    - ~~aaa.~~ RM80-A (80 units an acre).
    - bb. RM80-A-NS (80 units an acre).
    - ~~ecc.~~ RM100-A (100 units an acre).
    - dd. RM100-A-NS (100 units an acre).
2. **Modify** Subsections D, E, F, and H as follows:
  - D. Mixed-Use Districts:
    1. MUN Mixed-Use Neighborhood.
    2. MUN-A Mixed-Use Neighborhood Alternative.
    3. MUN-NS Mixed-Use Neighborhood No STRP.
    4. MUN-A-NS Mixed-Use Neighborhood Alternative No STRP.
    - ~~35.~~ MUL Mixed-Use Limited.
    - ~~46.~~ MUL-A Mixed-Use Limited Alternative.
    7. MUL-NS Mixed-Use Limited No STRP.
    8. MUL-A-NS Mixed-Use Limited Alternative No STRP.
    - ~~59.~~ MUG Mixed-Use General.
    - ~~610.~~ MUG-A Mixed-Use General Alternative
    11. MUG-NS Mixed-Use General No STRP.
    12. MUG-A-NS Mixed-Use General Alternative No STRP.
    - ~~713.~~ MUI Mixed-Use Intensive
    - ~~814.~~ MUI-A Mixed-Use Intensive Alternative
    15. MUI-NS Mixed-Use Intensive No STRP.
    16. MUI-A-NS Mixed-Use Intensive Alternative No STRP.
  - E. Office Districts:
    1. OR20 Office/Residential (20 units an acre).
    2. OR20-A Office/Residential Alternative (20 units an acre).
    3. OR20-NS Office/Residential No STRP (20 units an acre).
    4. OR20-A-NS Office/Residential Alternative No STRP (20 units an acre).
    - ~~35.~~ OR40 Office/Residential (40 units an acre).
    - ~~46.~~ OR40-A Office-Residential Alternative (40 units an acre).
    7. OR40-NS Office/Residential No STRP (40 units an acre).
    8. OR40-A-NS Office/Residential Alternative No STRP (40 units an acre).
    - ~~59.~~ ON Office Neighborhood.
    - ~~610.~~ OL Office Limited.
    - ~~711.~~ OG Office General.
    12. OG-NS Office General No STRP.
    - ~~813.~~ ORI Office/Residential Intensive.
    - ~~914.~~ ORI-A Office/Residential Intensive Alternative.

- 15. ORI-NS Office/Residential Intensive No STRP.
- 16. ORI-A-NS Office/Residential Intensive Alternative No STRP.
- F. Commercial Districts:
  - 1. CN Commercial Neighborhood.
  - 2. CN-A Commercial Neighborhood Alternative.
  - 3. CN-NS Commercial Neighborhood No STRP.
  - 4. CN-A-NS Commercial Neighborhood Alternative No STRP.
  - ~~35.~~ CL Commercial Limited.
  - 46. CL-A Commercial Limited Alternative.
  - 7. CL-NS Commercial Limited No STRP.
  - 8. CL-A-NS Commercial Limited Alternative No STRP.
  - ~~59.~~ CS Commercial Service.
  - ~~610.~~ CS-A Commercial Service Alternative.
  - 11. CS-NS Commercial Service No STRP.
  - 12. CS-A-NS Commercial Service Alternative No STRP.
  - ~~713.~~ CA Commercial Attraction.
  - 14. CA-NS Commercial Attraction No STRP.
  - ~~815.~~ CF Commercial Core Frame.
  - 16. CF-NS Commercial Core Frame No STRP.
- H. Shopping Center Districts:
  - 1. SCN Shopping Center Neighborhood.
  - 2. SCN-NS Shopping Center Neighborhood No STRP.
  - ~~23.~~ SCC Shopping Center Community.
  - 4. SCC-NS Shopping Center Community No STRP.
  - ~~35.~~ SCR Shopping Center Regional.
  - 6. SCR-NS Shopping Center Regional No STRP.

Section 17.08.020 – Zoning districts described.

3. **Modify** Subsection B.3 as follows:

B.3. Multifamily (RM) Districts. The RM districts are designed for a range of low to very high intensity residential development characterized by multi-family structures. The lower density districts are appropriate for tracts of land encumbered by severe environmental constraints. Districts at the higher end of the density range for each density category of the general plan are intended to be placed on higher classifications of streets and in closer proximity to mass transit corridors, retail services, or employment opportunities. High density districts also may be appropriate in certain nonresidential policy areas where residential development would implement the general plan. Owners are encouraged to plan and develop multifamily complexes capitalizing on the more flexible design opportunities of Article V of Chapter 17.40.

a. RM2, RM2-NS, and RM4, and RM4-NS Districts. These districts are designed primarily for low intensity multi-family structures of one, two or three stories, and are appropriate for implementing the residential low-medium density policies of the general plan. These districts also may be employed within selected areas of natural conservation policy that are environmentally suitable and have urban services. The RM4 district may be used in areas policed for medium density residential development. RM2-NS and RM4-NS are designed to allow the same standards and uses of the RM2 and RM4 districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

b. RM6, RM6-NS, RM9, RM9-NS, and RM9-A, and RM9-A-NS Districts. Designed primarily for low to medium intensity multifamily development of two-story or three-story structures, these districts are appropriate for areas designated in the general plan to have low to moderate intensity residential development to meet the goals of preservation of open space or environmental features while creating opportunities walkable communities with housing choice and the ability to support transit. The RM9 or RM9-A district also may be appropriate for areas policed for lower intensity office and mixed-use development, or along mixed-use corridors. Generally, these districts should have good access to either arterial or collector streets. RM9-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. RM6-NS, RM9-NS, and RM9-A-NS are designed to allow the same standards and uses of the RM6, RM9, and RM9-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

c. RM15, RM15-NS, RM15-A, RM15-A-NS, RM20, RM20-NS, and RM20-A, and RM20-A-NS Districts. Designed for moderately high intensity multifamily structures, these districts are appropriate for areas designated in the general plan to have more intense residential development to meet the policy goals of encouraging transit and walkable communities, preserving open space and environmental features and providing a mix of housing types. These districts may also be used in areas envisioned to evolve from solely commercial to more mixed-use development along primary corridors and in mixed-use centers. These districts should have good access to arterial streets and public transportation service. RM15-A and RM20-A are designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and as an alternative to a zoning district that requires a site plan. RM15-NS, RM15-A-NS, RM20-NS, and RM20-A-NS are designed to allow the same standards and uses of the RM15, RM15-A, RM20, and RM20-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

d. RM40, RM40-NS, RM40-A, RM40-A-NS, RM60, RM60-NS, and RM60-A, and RM60-A-NS Districts. These districts are designed for high intensity multifamily development, typically characterized by mid- and high-rise structures and structured parking. These districts are appropriate for areas designated in the general plan to have residential development at moderate to high intensities, and along to primary corridors to meet the policy goals of creating transit-oriented communities and diversity of housing choice. These districts may also be appropriate as a transition between more intense mixed-use centers and surrounding neighborhoods. These districts should have good access to arterial streets and public transportation service. RM40-A and RM60-A are designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and as an alternative to a zoning district that requires a site plan. RM40-NS, RM40-A-NS, RM60-NS, and RM60-A-NS are designed to allow the same standards and uses of the RM40, RM40-A, RM60, and RM60-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

e. RM80-A, RM80-A-NS, and RM100-A, and RM100-A-NS Districts. These districts are designed for high intensity residential structures, typically characterized by mid- and high-rise structures and structured parking. These districts are appropriate for implementing strictly residential policies of the general plan in areas characterized by the highest levels of accessibility, mass transit opportunities and essential support services. RM80-A and RM100-A are designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and as an alternative to a zoning district that requires a site plan. RM80-A-NS, and RM100-A-NS are designed to allow the same standards and uses of the RM80-A and RM100-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

4. **Modify** Subsections D, E, F, and H as follows:

D. Mixed-Use Districts. The purpose of all mixed-use districts is to provide for and encourage a mix of compatible land uses that provide opportunities to live, work and shop within compact areas. Included among the common goals for these districts is the efficient use of land capitalizing on a high level of services, reduced reliance on the automobile with enhanced usage of mass transit, strong pedestrian relationships, and creative opportunities

for the economical preservation and adaptive reuse of existing structures, most notably those which contribute to the historic resources of the community. A mixture of residential, office, personal service and retail shopping opportunities is encouraged within all mixed-use districts with individual components complimenting and reinforcing other uses within the district. Owners are encouraged to plan and develop mixed-use projects capitalizing on the more flexible design opportunities offered by Article V of Chapter 17.40.

To effectively implement the mixed use policies of the general plan, a variety of mixed-use districts are provided that offer a range of permitted uses and intensities of development. The lowest intensity districts encourage development at intensities commensurate with nearby residential areas and local shopping services. The higher intensity mixed-use districts, being more permissive in the allowable intensity of development and the range of nonresidential uses, are intended to be located in areas characterized by excellent mass transit opportunities and high levels of support services.

1. ~~MUN, Mixed-Use Neighborhood District, MUN-NS, Mixed-Use Neighborhood District No STRP, and MUN-A, Mixed-Use Neighborhood District Alternative, and Mixed-Use Neighborhood District Alternative No STRP.~~ Designed to implement the lower intensity mixed-use policies of the general plan, this district also may be used as an alternative to commercial zoning along prominent streets, or to promote the preservation and adaptive reuse of existing buildings that contribute to the historical or architectural character of an area. Bulk standards are designed to maintain a residential-scale of development. At a minimum, these districts should have good access to collector streets and public transportation service. MUN-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUN-NS, and MUN-A-NS are designed to allow the same standards and uses of the MUN and MUN-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

2. ~~MUL, Mixed-Use Limited District, MUL-NS, Mixed Use Limited District No STRP, and MUL-A, Mixed-Use Limited District Alternative, and MUL-A-NS, Mixed-Use Limited District Alternative No STRP.~~ The MUL and MUL-A districts are intended to implement the moderate intensity mixed-use policies of the general plan. These districts also may be used in areas policed for concentrations of mixed commercial uses and for existing areas of commercial arterial development that are located in the vicinity of major intersections. The bulk standards permitted by this district, along with the range of allowable uses, are designed to promote the preservation and adaptive reuse of larger structures that contribute to the historical or architectural character of an area. These districts should be applied to areas that have good access to collector or arterial streets and public transportation service. MUL-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUL-NS, and MUL-A-NS are designed to allow the same standards and uses of the MUL and MUL-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

3. ~~MUG, Mixed-Use General District, MUG-NS, Mixed-Use General District No STRP, and MUG-A, Mixed-Use General District Alternative, MUG-A-NS, Mixed-Use General District Alternative No STRP.~~ The MUG and MUG-A districts are intended to implement the moderately high intensity mixed-use policies of the general plan, being appropriate near major concentrations of employment, commercial or institutional uses. These districts also may be used near the central business district, within regional activity centers, or in areas otherwise policed for concentrations of mixed commercial development with high levels of accessibility, including public transit service. The bulk regulations are designed to encourage consolidation of land and large scale development on or near arterial streets. MUG-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUG-NS, and MUG-A-NS are designed to allow the same standards and uses of the MUG and MUG-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

4. ~~MUI, Mixed-Use Intensive District, Mixed-Use Intensive District No STRP, and MUI-A, Mixed-Use Intensive District Alternative, Mixed-Use Intensive District Alternative No STRP.~~ The MUI and MUI-A districts permit a mixture of high intensity residential, office and compatible commercial uses in areas characterized by the highest levels of accessibility, mass transit opportunities and essential support services. The bulk standards for this district permit large scale buildings, and include incentives to locate off-street parking within structures. It is intended that this district be applied to areas near downtown in a manner consistent with the general plan and other adopted redevelopment plans, to selected segments of major traffic arteries extending from the downtown core area, or for selected portions of activity centers designated by the general plan. MUI-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUI-NS, and MUI-A-NS are designed to allow the same standards and uses of the MUI and MUI-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

E. Office Districts. These districts are intended for office development at various scales and levels of intensity, ranging from low intensity structures providing neighborhood services immediately adjacent to residential areas to structures of moderately high bulk located along major street corridors. When conventional methods of buffering would be ineffective, low intensity office districts may be used as a land use transition separating a residential area from more intrusive commercial (or industrial) zoning, provided there is a clear market demand for additional office use opportunities.

1. ~~OR20, Office/Residential District, OR20-NS, Office/Residential District No STRP, and OR20-A, Office/Residential District Alternative, OR20-A-NS, Office/Residential District Alternative No STRP.~~ The OR20 and

OR20-A districts are designed for a mixture of compatible office and multifamily residential use at medium-high density levels of intensity. These districts are encouraged to locate in areas with good vehicular accessibility, preferably along collector or arterial streets, with access to public transportation services. OR20-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. OR20-NS, and OR20-A-NS are designed to allow the same standards and uses of the OR20 and OR20-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

2. OR40, Office/Residential District, OR40-NS, Office/Residential District No STRP, and OR40-A, Office/Residential District Alternative, and OR40-A-NS, Office/Residential District Alternative No STRP. The OR40 and OR40-A districts are designed for a mixture of office and multi-family uses at high density levels of intensity. These districts are encouraged to locate in areas characterized by high levels of accessibility, preferably along arterial streets, with access to public transportation services. OR40-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. OR40-NS, and OR40-A-NS are designed to allow the same standards and uses of the OR40 and OR40-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

3. ON, Office Neighborhood District. The ON district is designed for low intensity office development, the ON district is appropriate for implementing the general plan's transitional office policies where the application of physical buffers would be ineffective or not feasible. Since this district often abuts residential areas, permitted uses and the associated bulk standards are limited accordingly.

4. OL, Office Limited District. The OL district is designed for moderate intensity office development, being appropriate for areas where concentration of office and /or mixed commercial areas are intended. If warranted, this district may be employed as a land use transition between higher density residential areas and noncompatible commercial or industrial uses.

5. OG, Office General District and OG-NS, Office General District No STRP. The OG district is designed for moderately high intensity office development and may be appropriate for use within regional activity centers, or areas policed for concentrations of office and commercial uses. The OG district should be served by an arterial street with mass transportation service. OG-NS is designed to allow the same standards and uses of the OG with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

6. ORI, Office/Residential Intensive District, ORI-NS, Office/Residential Intensive District No STRP, and ORI-A, Office Residential Intensive District Alternative, ORI-A-NS, Office/Residential Intensive District Alternative No STRP. The ORI district is designed to provide adequate and suitable space in appropriate locations for high intensity office uses mutually compatible with high-density residential uses. A selective list of retail trade, business service and personal care service uses are permitted if the principal purpose is to serve the recurring needs of the occupants or employees of other permitted uses in these districts. These districts are appropriately located between districts characterized by less intense residential and office development and areas of more intensive commercial uses, or they are extensions along major traffic arteries from areas used for more intensive commercial purposes. ORI-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. ORI-NS and ORI-A-NS are designed to allow the same standards and uses of the ORI and ORI-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

F. Commercial Districts. Commercial districts are designed for establishments engaged in a variety of consumer sales and service uses, professional and business services, and recreational uses. Freestanding structures are common within these commercial districts, with most businesses desiring to be oriented toward major streets and thoroughfares.

1. CN, Commercial Neighborhood District, CN-NS, Commercial Neighborhood District No STRP, and CN-A, Commercial Neighborhood District Alternative, CN-A-NS, Commercial Neighborhood District Alternative No STRP. The CN and CN-A districts will implement the local convenience and neighborhood retail policies of the general plan. These districts are designed to provide for the recurring shopping and personal service needs of nearby residential areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by neighborhood residents. The bulk and buffering standards are intended to insure good compatibility between the commercial uses and adjacent residential properties. CN-NS and CN-A-NS are designed to allow the same standards and uses of the CN and CN-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

2. CL, Commercial Limited District, CL-NS, Commercial Limited District No STRP, and CL-A, Commercial Limited District Alternative, CL-A-NS, Commercial Limited District Alternative No STRP. The CL and CL-A districts are designed to provide for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices. The uses in this district serve a moderately wide market area, and therefore ease of automobile access is requisite. CL-NS and CL-A-NS are designed to allow the same standards and uses of the CL and CL-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

3. CS, Commercial Service District, CS-NS, Commercial Service District No STRP, and CS-A, Commercial Service District Alternative, CS-A-NS, Commercial Service District Alternative No STRP. The CS and CS-A districts are intended to provide opportunities for a diverse range of commercial uses that include retail trade and consumer



services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services.

Business establishments in the CS and CS-A districts often serve a wide market area, and ease of automobile access is requisite. However, it is not intended that this district permit uses which generate truck traffic other than the stocking of products. Because of the diverse nature of uses found in these districts, bulk and buffering standards are designed to protect neighboring areas. CS-NS and CS-A-NS are designed to allow the same standards and uses of the CS and CS-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

4. CA, Commercial Attraction District and CA-NS, Commercial Attraction District No STRP. The CA district provides a diverse range of amusement and recreational uses in association with overnight accommodations and a variety of retail and support services typically affiliated with the tourist industry. Bulk and parking standards are designed to reflect the high traffic generation rates commonly associated with uses found in this district. The CA district may be appropriate for selected areas policed for a regional activity center, or for concentrations of mixed commercial development. This district also may have limited application within super community scale retail concentrations, and in the vicinity of major intersections within existing arterial commercial areas. CA-NS is designed to allow the same standards and uses of the CA district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

5. CF, Core Frame District and CF, Core Frame District, No STRP. The CF district is intended to implement the general plan's central business district land use policies for support services. The district is designed primarily for a diverse variety of business service functions along with retail trade and consumer service establishments and large parking structures that require locations in proximity to the central business district. CF-NS is designed to allow the same standards and uses of the CF district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

H. Shopping Center Districts. Shopping center districts provide retail shopping opportunities within developments that are encouraged to function as planned centers. Designed to implement specific retail and mixed use policies of the general plan, the range of uses and scale are established in accordance with defined market objectives and locational criteria. Property owners are encouraged to plan and develop shopping centers capitalizing on the more flexible design opportunities offered by Article V of Chapter 17.40.

1. SCN, Shopping Center Neighborhood District and SCN-NS, Shopping Center Neighborhood District No Short Term Rental. The SCN district will implement the neighborhood retail policies of the general plan, being designed to provide sufficient space in planned development for local retail and service trades catering specifically to the recurring shopping needs of nearby residences. The range of permitted uses and restrictive bulk standards are reflective of the limited market base served by this district and its close proximity to residential areas. Guided by locational policies of the general plan, appropriate locations for this district will be at selected intersections of collector or arterial streets that are centrally located within the intended market area. SCN-NS is designed to allow the same standards and uses of the CA district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

2. SCC, Shopping Center Community District and SCC-NS, Shopping Center Community District No STRP. The SCC district will implement the community and super community retail policies of the general plan. The SCC district is designed for retail and service trades catering to a community-scale market of approximately thirty-five thousand to one hundred thousand people with the range of permitted uses and bulk standards reflective of a community-scale market base. The SCC district is to be applied in a compact manner at major street intersections, centrally located within the intended market area, with preference given to arterial intersections in which both streets have at least four travel lanes. SCC-NS is designed to allow the same standards and uses of the SCC district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

3. SCR, Shopping Center Regional District and SCR-NS, Shopping Center Regional District No STRP. The SCR district will implement the super community and regional activity center policies of the general plan. This district is designed for retail and service trades catering to a regional market area, with bulk standards and a broad range of permitted uses supporting the development of shopping malls with large specialized retail anchors. Accessibility to and circulation within SCR districts is of particular importance due to the anticipated intensity of development and the relatively high rates of traffic generated by certain uses within a center. Preferred locations are at intersections of six-lane streets or at the interchange of a freeway and a four-lane (or greater) arterial street. This district should be served by a variety of public transit services. SCR-NS is designed to allow the same standards and uses of the SCR district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

Section 17.08.030 - District land use tables.

5. **Modify** the district land use tables as follows:

	Residential		Mixed Use				Office		Commercial				Shopping Center				
Key: P-Permitted PC-Permitted w/ conditions* SE-Special exception* A-Accessory* O-Overlay * Refer to Chapter 17.16 for standards	RM2 through RM20- A-NS	RM40 through RM100- A-NS	MUN <sub>1</sub> <u>MUN-NS<sub>1</sub></u> and MUN- A <sub>1</sub> and MUN-A-NS	MUL <sub>1</sub> <u>MUL-NS<sub>1</sub></u> and MUL-A <sub>1</sub> and MUL-A- NS	MUG <sub>1</sub> <u>MUG-NS<sub>1</sub></u> and MUG- A <sub>1</sub> and MUG-A- NS	MUI <sub>1</sub> <u>MUI- NS<sub>1</sub></u> and MUI- A <sub>1</sub> and MUI- A-NS	OG and OG- NS	OR20 through OR40-A- NS	ORL <u>ORI-NS<sub>1</sub></u> and ORI-A <sub>1</sub> and ORI-A- NS	CN <sub>1</sub> <u>CN- NS<sub>1</sub></u> and CN-A <sub>1</sub> and CN-A- NS	CL <sub>1</sub> <u>CL-NS<sub>1</sub></u> and CL-A <sub>1</sub> and CL-A- NS	CS <sub>1</sub> <u>CS-NS<sub>1</sub></u> and CS-A <sub>1</sub> and CS-A- NS	CA and CA-NS	CF and CF-NS	SCN and SCN-NS	SCC and SCC- NS	SCR and SCR-NS
Short term rental property (STRP)— Owner occupied	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>	A <sup>^</sup>
Short term rental property (STRP)—Not owner occupied	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>	PC <sup>^</sup>

6. **Insert** the following note below the table:

^ Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses shall be prohibited from NS Districts

**Chapter 17.12: District Bulk Regulations**

Table 17.12.020A SINGLE-FAMILY AND TWO-FAMILY DWELLINGS

7. **Modify** the zoning districts as follows:

Zoning District
RS3.75, RS3.75-A, <del>OR40</del>
RM2, <del>RM2-NS</del>
RM4, <del>RM4-NS</del>
RM6, <del>RM6-NS</del>
RM9, RM9-A, <del>RM9-NS, RM9-A-NS</del>
RM15, RM15-A, <del>RM15-NS, RM15-A-NS</del>
RM20, RM20-A, <del>RM20-NS, RM20-A-NS, OR20, OR20-A, OR20-NS, OR20-A-NS</del>
RM40, RM40-A, <del>RM40-NS, RM40-A-NS, RM60, RM60-A, RM60-NS, RM60-A-NS, †, MUN, MUN-A, MUN-NS, MUN-A-NS, MUL, MUL-A, MUL-NS, MUL-A-NS, MUG, MUG-A, MUG-NS, MUG-A-NS, MUI, MUI-A, MUI-NS, MUI-A-NS, ON, OR40, OR40-A, OR40-NS, OR40-A-NS, ORI, ORI-A, ORI-NS, ORI-A-NS</del>

8. **Modify** Note 3 as follows:

**Note 3:** Single-family and two-family dwellings in the RM9-A, RM9-A-NS, RM15-A, RM15-A-NS, RM20-A, RM20-A-NS, RM40-A, RM40-A-NS, OR20-A, OR20-A-NS, OR40-A, OR40-A-NS, ORI-A, ORI-A-NS, MUN-A, MUN-A-NS, MUL-A, MUL-A-NS, MUG-A, MUG-A-NS, and MUI-A, and MUI-A-NS shall use the build-to zone standards listed in Table 17.12.020D.

Table 17.12.020B - MULTIFAMILY, MOBILE HOMES AND NONRESIDENTIAL USES

9. **Modify** the zoning districts as follows:

Zoning Districts
<u>RM2, RM2-NS</u>
<u>RM4, RM4-NS</u>
<u>RM6, RM6-NS</u>
<u>RM9, RM9-NS</u>
<u>RM15, RM15-NS</u>
<u>RM20, RM20-NS, OR20, OR20-NS</u>
<u>RM40, RM40-NS, OR40, OR40-NS</u>
<u>RM60, RM60-NS</u>

10. **Modify** Note 2 as follows:

**Note 2:** No maximum FAR applies to multifamily developments in the RM15, RM15-NS, RM20, RM20-NS, RM40, RM40-NS, RM60, RM60-NS, OR20, OR20-NS, or OR40, OR40-NS districts.

Table 17.12.020B.1 MINIMUM LOT SIZE AND SETBACKS FOR ATTACHED HOUSING

11. **Modify** the zoning districts as follows:

Zoning District
<u>RM2, RM2-NS, RM4, RM4-NS, RM6, RM6-NS, RM9, RM9-NS, RM9-A, RM9-A-NS</u>
<u>RM15, RM15-NS, RM15-A, RM15-A-NS</u>
<u>RM20, RM20-NS, RM20-A, RM20-A-NS, OR20, OR20-NS, OR20-A, OR20-A-NS, OR40, OR40-NS, OR40-A, OR40-A-NS, ORI, ORI-NS, ORI-A, ORI-A-NS, MUN, MUN-NS, MUN-A, MUN-A-NS, MUL, MUL-NS, MUL-A, MUL-A-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, MUI, MUI-NS, MUI-A, MUI-A-NS, RM40, RM40-NS, RM40-A, RM40-A-NS, RM60, RM60-NS, RM60-A, RM60-A-NS, RM80-A, RM80-A-NS, RM100-A, RM100-A-NS</u>

Table 17.12.020C MIXED-USE AND NONRESIDENTIAL DISTRICTS

12. **Modify** the zoning districts as follows:

Zoning District
<u>MUN, MUN-NS</u>
<u>MUL, MUL-NS</u>
<u>MUG, MUG-NS</u>
<u>MUI, MUI-NS</u>
<u>OG, OG-NS</u>
<u>ORI, ORI-NS</u>
<u>CN, CN-NS</u>
<u>CL, CL-NS</u>
<u>CS, CS-NS</u>
<u>CA, CA-NS</u>
<u>CF, CF-NS</u>
<u>SCN, SCN-NS</u>
<u>SCC, SCC-NS</u>
<u>SCR, SCR-NS</u>

13. **Modify** Notes 1 & 2 as follows:

**Note 1:** ~~Within the urban zoning overlay district, the maximum floor area ratio for the I district shall be 1.50.~~  
[Reserved.]

**Note 2:** Floor area bonuses are available (1) for the MUI and MUI-NS districts, and (2) within the urban zoning overlay district, for all mixed-use districts (See Section 17.12.060).

Table 17.12.020D MULTI-FAMILY, MIXED USE AND NONRESIDENTIAL ALTERNATIVE ZONING DISTRICTS

14. **Modify** the zoning districts as follows:

Zoning District
<u>MUN-A, MUN-A-NS</u>
<u>MUL-A, MUL-A-NS</u>
<u>MUG-A, MUG-A-NS</u>
<u>MUI-A, MUI-A-NS</u>
<u>RM9-A, RM9-A-NS</u>
<u>RM15-A, RM15-A-NS</u>
<u>RM20-A, RM20-A-NS, OR20-A, OR20-A-NS</u>
<u>RM40-A, RM40-A-NS, OR40-A, OR40-A-NS</u>
<u>RM60-A, RM60-A-NS</u>
<u>RM80-A, RM80-A-NS</u>
<u>RM100-A, RM100-A-NS</u>
<u>ORI-A, ORI-A-NS</u>
<u>CN-A, CN-A-NS</u>
<u>CL-A, CL-A-NS</u>
<u>CS-A, CS-A-NS</u>

15. **Modify** Note 1 as follows:

**Note 1:** The area of any parcel dedicated as right-of-way as part of a related development process may be used to calculate FAR or density for the applicable property. No maximum FAR applies to multi-family developments in the RM9-A and RM9-A-NS thru RM40-A and RM40-A-NS and OR20-A, OR20-A-NS, OR40-A, OR40-A-NS, and ORI-A, ORI-A-NS districts.

Table 17.12.030A STREET SETBACKS FOR SINGLE AND TWO-FAMILY STRUCTURES

16 **Modify** the zoning districts as follows:

Zoning Districts
RS30, R30, RS20, R20, RS15, R15, RM2, <u>RM2-NS</u>
RS10, R10, R8, R8-A, RS7.5, RS7.5-A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, MHP, <u>RM4 and RM4-NS</u> through <u>RM60 and RM60-NS</u> , <u>MUN, MUN-NS, MUL, MUL-NS, MUG, MUG-NS, MUI, MUI-NS, ON, OR20, OR20-NS, OR40, OR40-NS, and ORI, and ORI-NS</u>
<u>RM9-A and RM9-A-NS</u> through <u>RM100-A and RM100-A-NS</u> , <u>MUN-A, MUN-A-NS, MUL-A, MUL-A-NS, MUG-A, MUG-A-NS, MUI-A, MUI-A-NS, OR20-A, OR20-A-NS, OR40-A, OR40-A-NS, and ORI-A, ORI-A-NS</u>

Table 17.12.030B STREET SETBACKS FOR MULTI-FAMILY AND NON-RESIDENTIAL DISTRICTS; AND NON-RESIDENTIAL USES IN AG, AR2A, R/R-A AND RS/RS-A DISTRICTS

17. **Modify** the table as follows:

	AG—RM15 and RM15- NS	RM20, RM20- NS, RM40, RM40- NS	ON, OL, OG, OG- NS OR20, OR20-NS, OR40, OR40-NS	RM60, RM60- NS, MUN, MUN-NS, MUL, MUL-NS, MUG, MUG-NS, ORI, ORI-NS	CN, CN-NS, CN-A, CN- A-NS, SCN, SCN-NS, SCC, SCC-NS, SCR, SCR-NS	CL, CL-NS, CL-A, CL-A-NS, CS, CS- NS, CS-A, CS-A-NS, CA, CA-NS	CF, CF- NS, MUI, MUI- NS	DTC
Setback	40	30	20	10	20	15	0	See chapter 17.37

Section 17.12.035 - Street setbacks within the urban zoning overlay district.

18. **Modify** Subsections A and B as follows:

- A. This section establishes street setbacks within the mixed use, office, industrial, RM20, RM20-NS, RM40, RM40-NS, RM60, RM60-NS, or commercial zone districts for any property located within the urban zoning overlay district regardless of the minimum street setback requirements described in Tables 17.12.030A and 17.12.030B whenever one or more of the conditions listed below applies (1—4). However, in all districts, a principal or accessory structure may be located closer to the street or property line than as permitted by this section or by Tables 17.12.020B, 17.12.020C, and 17.12.030B based on the review and approval of a Special Exception by the Board of Zoning Appeals as provided in [subsection] 17.12.035.D below. The standards of this subsection shall not apply within the alternative zoning districts.
1. The setback of a principal building, fronting the same street, that is located on an abutting lot or a lot separated by an intervening public street or alley does not meet the minimum requirements of Tables 17.12.030A or 17.12.030B;
  2. In the case of a corner lot, the setback of a principal building located on any other corner lot at the same street intersection does not meet the minimum requirements of Tables 17.12.030A or 17.12.030B;
  3. In the case of a corner lot, there is no principal building located on any other corner lot at the same street intersection;
  4. Two-thirds or more of the principal buildings located along the same or opposite block face do not meet the minimum requirements of Tables 17.12.030A or 17.12.030B; or
  5. The owner of one or more contiguous lots that collectively include at least one corner lot and at least fifty percent or more of the street frontage along either block face furnishes the zoning administrator a written request to use the contextual street setback requirements.
- B. The determination of the appropriate street setbacks within mixed use, office, industrial, RM20, RM20-NS, RM40, RM40-NS, RM60, RM60-NS, or commercial zone districts located within the urban zoning overlay district shall be made by following the criteria as outlined in subsection C of this section. For the purposes of this section, lots that are sixty feet wide or greater shall have the front façade of the building extend across at least twenty-five percent of the lot frontage or be at least twenty-five feet in width, whichever is greater. Lots that are less than sixty feet wide shall have the building extend across the full width of the lot in mixed use and commercial districts unless a driveway is required to access required parking, except that one or two family dwellings may have side yards a minimum of three feet in width. If a driveway is needed for service to accessory parking, an opening of up to twenty-six feet wide shall be permitted. Parking shall be permitted only at the sides and rears of buildings, and at the fronts of the buildings to the extent shown in Figure 17.12.035. A primary entrance to the building shall be located at the front setback line. The front façade may have projections and recesses to accommodate columns, entrances, covered patios, and similar features. The standards of this subsection shall not apply within the alternative zoning districts.

Section 17.12.040 – Other setbacks.

19. **Modify** Subsection E.25 as follows:

25. Vehicular parking areas and associated driveways, except within landscape buffer yards or within the required street setback of the MUN, MUN-NS, MUL, MUL-NS, OR20, OR20-NS.

Section 17.12.070 - Special floor area ratio (FAR) provisions.

20. **Modify** the section as follows:

- A. Plazas/Arcade Bonus. For properties located within the MUI, MUI-NS, and ~~MUI-A, MUI-A-NS~~ district, a floor area development bonus is offered in return for the design and construction of pedestrian plazas and/or arcades that are accessible to the general public. Two categories of bonuses are offered to the property owner:

1. Design Plan Plaza/Arcade Bonus. A property owner electing to construct a pedestrian plaza or arcade in strict accordance with the design standards established by an Urban Design Overlay district shall derive the following increase in building floor area based on each square foot of plaza or arcade area provided.

District	Bonus Floor Area (in sq. ft.)
<u>MUI, MUI-NS, and MUI-A, MUI-A-NS</u>	Plaza: 6.0
	Arcade: 3.0

2. Standard Plaza/Arcade Bonus. Properties not specifically designated by an urban design overlay district as qualifying for plaza and/or arcade bonuses under the provisions of subdivision (1) of this subsection, also may elect to provide a plaza and/or arcade in return for a floor area development bonus.

- a. For qualifying plazas and arcades, the provision of one square foot of plaza or arcade area shall yield the following increase in developable floor area:

District	Bonus Floor Area (in sq. ft.)
<u>MUI, MUI-NS, and MUI-A, and MUI-A-NS</u>	Plaza: 3.0
	Arcade: 3.0

- b. Design Criteria. To qualify for a standard plaza/arcade floor area bonus, the following design criteria shall be satisfied:

- i. Plazas.

(A) The plaza shall provide a minimum depth of ten feet from the adjacent street and a minimum area of five hundred square feet.

(B) The floor of the building located at plaza level shall provide individual establishments such as restaurants or retail sales that open directly to the plaza. Up to fifty percent of the plaza area may be utilized as a sidewalk cafe.

(C) When feasible, pedestrian linkages shall be provided to plazas located on adjacent lots.

- ii. Arcades.

(A) The arcade shall provide a minimum height of twenty-five feet and a minimum area of five hundred square feet.

(B) The arcade shall be located within five feet of the average level of the street. The floor of the building located at arcade level shall provide individual establishments such as restaurants or retail sales that open directly to the arcade.

- B. Residential Bonus in Mixed Use, ORI, ORI-NS, and ORI-A, ORI-A-NS, and CF, CF-NS Districts.

1. For property located either (a) in the MUI, MUI-NS, and MUI-A, ad MUI-A-NS district, or (b) within the urban zoning overlay district in any mixed-use, ORI, ORI-NS, and ORI-A, ORI-A-NS, or CF, or CF-NS district, in any building where at least twenty-five percent of the floor area (exclusive of parking) is designed and constructed for residential occupancy, the floor area designed and constructed for residential use shall not be counted in determining the floor area ratio of the building. This uncounted floor area benefit shall not be combined with any other bonus allowed under this section or Section 17.36.090.

2. In any development that uses the uncounted floor area benefit in subsection (B)(1) of this section to construct ten or more residential units, the following number of residential units shall be restricted for use as affordable housing for a period of at least seven years:

$$\text{Affordable housing units} = 25\% \times (\text{total residential units} - 10)$$

This provision shall be enforced pursuant to the affordable housing provisions in Section 17.36.090(b)(3).

C. Exemption in the MUI, MUI-NS, and MUI-A, MUI-A-NS District. In the MUI, MUI-NS, and MUI-A, and MUI-A-NS district, leasable space that is located at street level with a minimum depth of twenty feet, which is occupied by uses that have individual access to the street such as, but not limited to, either a bar, restaurant or retail use, shall be excluded as floor area for the purpose of calculating floor area ratio. A minimum of fifty percent of each storefront shall be glazed window area. Also excluded as floor area:

1. Below grade parking; and

2. Above grade parking decks of flat plate type construction that provide no less than twelve feet floor to ceiling clearance and have architectural cladding.

D. Parking Exemptions. In all districts the floor area used for the provision of off-street parking spaces or loading berths (and the driveways and maneuvering aisles for those spaces and berths) shall not be counted as floor area for the purpose of calculating floor area ratio when such spaces or berths are used to satisfy the parking demands for the principal use(s) on the parcel.

E. Street Level Parking Decks in the MUG, MUG-NS, ORI, ORI-NS, and MUI, and MUI-NS Districts. Regardless of whether other special floor area ratio (FAR) provisions in this section are utilized, parking decks located at street level shall have no less than seventy-five percent of the lineal street frontage devoted to office or nonparking commercial uses at a minimum depth of twenty feet. A minimum of fifty percent of that wall area shall be glazed. That floor area shall be excluded from the calculation of floor area ratio.

F. Parking Garage Liner Buildings. Within the CF, CF-NS, ORI, ORI-NS, and ORI-A, ORI-A-NS, and all mixed-use districts, parking garages fronting a public street or public space may be masked by a liner building that is a minimum of twenty feet deep. The floor area of any liner building shall be excluded from the calculation of the floor area ratio, provided the following requirements are satisfied:

1. The first twenty feet of depth of the liner building shall be occupied by office, residential, or other non-parking commercial uses.
2. For non-residential uses on the first floor, a minimum of forty percent of the front facade of the first floor shall be clear or lightly tinted windows and doors. The first floor transparent glazing area calculation shall be measured from the finished grade at the setback to the finished floor elevation of the second floor, or to a height of sixteen feet, whichever is less. Upper floors, regardless of use, shall have a minimum of twenty-five percent of glazing to be eligible for square footage calculation exemption.
3. For residential uses on the first floor, a minimum of twenty percent of the front facade of the first floor shall be openings. Openings shall be clear or lightly tinted windows or main entrance doors. The first floor opening area calculation shall be measured from the finished floor elevation of the first floor to the finished floor elevation of the second floor, or to a height of twelve feet, whichever is less. Upper residential floors shall have a minimum of twenty-five percent glazing to be eligible for square footage calculation exemption. Residential uses on the first floor shall have a minimum finished floor elevation one and one half feet above the finished grade at the setback. The provisions of this subsection shall be enforced pursuant to the final site plan review procedures in Section 17.40.170.

## **Chapter 17.16 - LAND USE DEVELOPMENT STANDARDS**

### Article II. - Uses Permitted With Conditions (PC)

#### Section 17.16.050 - Office uses.

21. **Modify** Subsection A as follows:

A. Financial Institution. Financial institutions in the MUN, MUN-NS, MUN-A, MUN-A-NS, ON, CN, CN-NS, ~~and CN-A,~~ and CN-A-NS zoning districts shall be limited to two thousand five hundred square feet of gross floor area per establishment.

22. **Modify** Subsection D.2 as follows:

D.2. Alternative financial services establishments in the MUN, MUN-NS, MUN-A, MUN-A-NS, ON, ~~and~~ CN, and CN-NS zoning districts shall be limited to two thousand five hundred square feet of gross floor area per establishment.



Section 17.16.070 - Commercial uses.

23. **Modify** Subsections I, K, M, N, P, R, S, and V as follows:

- I. Boat Storage.
  1. In the CL and CL-NS zoning districts, screening in the form of a Landscape Buffer Yard Standard B shall be applied along all residential zone districts and districts permitting residential uses. A twenty-five foot vegetation buffer shall be provided between any storage building and the closest residential property line. The maintenance standards set forth in Section 17.24.080 shall be applicable to all required landscaping.
  2. In the CL and CL-NS zoning districts, no building on the property may exceed eighteen feet in height.
  3. In the CL and CL-NS zoning districts, a boat storage use must be located within two miles of a public boat launching ramp. Such boat launching ramp shall provide access to a lake maintained by the U.S. Army Corps of Engineers. The parcel of land upon which the boat storage facility is located must be within a planned unit development (PUD) overlay district explicitly allowing boat storage as a permitted use.
  4. In the CS and CS-NS zoning districts, a boat storage use is not permitted within the Urban Zoning Overlay (UZO).
  5. In the CS and CS-NS zoning districts, a boat storage use must be located on a lot that does not exceed four acres in size.
  6. In the CS and CS-NS zoning districts, no more than one hundred boat slips shall be permitted.
- K. Custom Assembly.
  1. In the MUN, MUN-NS, CN, CN-NS, and CN-A, CN-A-NS, CA, CA-NS, and SCN, SCN-NS zone districts, these activities shall be limited to two thousand five hundred square feet of gross floor area, and conducted only in completely enclosed buildings. No outdoor storage of materials or finished products shall be permitted.
  2. In the MUL, MUL-NS, CL, CL-NS, and CL-A, and CL-A-NS zone districts, custom assembly shall be limited to five thousand square feet of gross floor area per establishment.
  3. In all zone districts, structures used for custom assembly activities shall not have any openings facing any residential zone district other than those required for emergency egress.
- M. Home Improvement Sales. Each establishment shall be limited to five thousand square feet of gross floor area. In the MUN, MUN-NS, and SCN, and SCN-NS zone districts, each establishment shall be limited to ten thousand square feet of gross floor area, maximum.
- N. Nano Brewery.
  1. No outdoor storage shall be permitted.
  2. All beer production activities shall be within completely enclosed structures.
  3. Loading Docks: Loading docks shall not be oriented toward the street. Where the site abuts an R and R-A, RS and RS-A, RM, RM-NS, MUN, MUN-NS, MUN-A, MUN-A-NS, or OR, or OR-NS zoning district, the building wall facing such lot shall not have any loading docks oriented towards these districts. Where these districts abut all sides, the loading dock shall be screened by a solid wall or opaque fence with a minimum height of six feet, in addition to any required landscape buffer yard. Chain link fencing, barbed wire and razor wire is prohibited along such districts permitting residential use.
  4. Service Doors: Any service doors facing a public street or a zoning district permitting residential use shall be screened by a solid wall or opaque fence with a minimum height of six feet, in addition to any required landscape buffer yard. Chain link fencing, barbed wire and razor wire is prohibited along such public street or district permitting residential use.
  5. Waste/By-Products. All by-products or waste from the production of the beer shall be disposed of off-site.
- P. Pawnshop.
  1. In the MUN, MUN-NS, ORI, ORI-NS, CN, CN-NS, and CN-A, and CN-A-NS zone districts, each establishment shall be limited to five thousand square feet of gross floor area, maximum.
  2. In the IWD, IR and IG zone districts, each establishment shall be limited to two thousand five hundred square feet of gross floor area, maximum.
  3. No pawnshop establishment shall be located less than one thousand three hundred twenty linear feet from the property line of another property upon which another pawnshop establishment is located.
- R. Restaurant, Fast-Food/Restaurant, Full-Service/Restaurant, Take-Out.
  1. Each establishment shall be limited to five thousand square feet of gross floor area, maximum.
  2. In the MUN and MUN-NS districts, a restaurant, take-out, must be located within a permanent, enclosed structure.
- S. Retail.
  1. In the MUN, MUN-NS, ORI, ORI-NS, CN, CN-NS, and CN-A, and CN-A-NS zone districts, each establishment shall be limited to five thousand square feet of gross floor area, maximum.
  2. In the MUL, MUL-NS, and SCN, and SCN-NS districts, each grocery store shall be limited to fifty thousand square feet, maximum. All other retail uses shall be no larger than twenty thousand square feet.
  3. In the SCC and SCC-NS districts, each grocery store shall be limited to one hundred thousand square feet, maximum. All other retail uses shall be no larger than forty thousand square feet.
  4. In the IWD, IR and IG zone districts, each establishment shall be limited to two thousand five hundred square feet of gross floor area, maximum, unless the retail is accessory to a Manufacturing, Artisan use and a portion of the products are created or assembled on site.
- V. Vehicular Rental/Leasing. This use shall be allowed as provided in the DTC zoning district. In the CF, CF-NS, and SCR, and SCR-NS districts the use shall be limited to renting and/or leasing passenger automobiles, sport utility vehicles, pick-up-trucks (¾ ton or less), and small cargo work vans and passenger vans (gross vehicle weight rating

of not more than ten thousand pounds), including incidental parking and servicing of these vehicles for rental or lease. No motorcycle, recreational vehicles, boats, recreational equipment, moving vans or moving trucks shall be rented or leased from the property. In addition, no "Automobile Repair" or "Scrap Operation" activities may occur on-site and no inoperable vehicles shall be stored on the property.

Section 17.16.080 - Communication uses.

24. **Modify** Subsection C.4.e.(v) as follows:

- C. 4. e. (v) Notification. Prior to the issuance of a zoning permit, and immediately after receiving an application for a new tower, the zoning administrator shall notify the district councilmember that an application for a new tower has been submitted. Such notification shall only be required when a tower is proposed within a residential district, a district permitting residential uses (excluding the MUI, MUI-NS, MUI-A, MUI-A-NS, ORI, ORI-NS, ORI-A, ORI-A-NS, CF, CF-NS, DTC, ~~and SCR, and SCR-NS~~ districts), or within one thousand feet of the zoning boundary line of a residential district or a district permitting residential uses. Such notification shall also be required when a telecommunications facility is within a Historic Overlay District or right-of-way abutting a Historic Overlay District. Within thirty days from the date on which the tower application was filed, the district councilmember may hold a community meeting on the proposed tower. If a meeting is held, the applicant shall attend and provide information about the tower's safety, technical necessity, visual aspects, and alternative tower sites and designs considered.

Section 17.16.090 - Industrial uses.

25. **Modify** Subsection H.5 as follows:

- H.5.Historic Eligibility. Only a nonresidential structure in the MUL, MUL-NS, MUL-A, MUL-A-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, MUI, MUI-NS, ~~and MUI-A, and MUI-A-NS~~ districts can be used for a warehouse and distributive business/wholesale use. The historical commission must have determined the structure is worthy of conservation, was constructed more than fifty years ago, and is being preserved with no additions, deletions or alterations which modify the building's square footage or significantly alters the building's exterior appearance (i.e. blocking out windows with brick or other material).

Section 17.16.120 - Recreation and entertainment uses.

26. **Modify** Subsection D.12 as follows:

- D.12. The conditions set forth herein shall not apply to any event on public property meeting the definition of small outdoor music event, nor shall they apply to such events on property that is not zoned CS, CS-NS, ~~and CS-A, CS-A-NS~~, CF, CF-NS, ~~and CA, CA-NS~~.

Article III. - Uses Permitted by Special Exception (SE)

Section 17.16.190 - Transportation special exceptions.

27. **Modify** Subsections E.2 and E.6 as follows:

- E.2. Accessory to a Hospital. In the OG, OG-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, CS, CS-NS, ~~and CS-A, and CS-A-NS~~ districts, a helistop shall be permitted only as an accessory use to a hospital.
- E.6. Refueling facilities may be provided at a helistop located within the CF, CF-NS, IWD, IR and IG districts when operated by the Metropolitan Nashville Airport Authority.

**Chapter 17.20 - PARKING, LOADING AND ACCESS**

Article II. - Parking and Loading Requirements

Section 17.20.040 - Adjustments to required parking.

28. **Modify** Subsections B, C, and D as follows:

- B. No parking shall be required for existing structures in the CF, CF-NS, MUI, MUI-NS, ~~or MUI-A, or MUI-A-NS~~ districts which were constructed prior to December 24, 1974.
- C. For uses located within the CF, CF-NS, MUI, MUI-NS, ~~or MUI-A, or MUI-A-NS~~ districts within the I-40/I-65/I-265 loop south of the CSX railroad, and north of, or having frontage on, Gateway Boulevard, and which are located within a council-approved redevelopment district, the off-street parking requirement shall be one-quarter the requirement set forth in Table 17.20.030.
- D. For uses located within the CF, CF-NS, MUI, MUI-NS, ~~or MUI-A, or MUI-A-NS~~ districts within the I-40/I-65/I-265 loop, south of properties fronting on Gateway Boulevard, and which are located within a Council approved redevelopment district, the off-street parking requirement shall be one-half the requirement set forth in Table 17.20.030.

Section 17.20.080 - Off-site parking.

29. **Modify** Subsection A as follows:

- A. Qualifying Districts. Land uses on lots which contain existing buildings on the effective date of the ordinance codified in this chapter located within any of the commercial, industrial, office, ORI, ORI-NS, ORI-A, ORI-A-NS, Institutional, mixed-use or shopping center districts or within a planned unit development (PUD) or urban design overlay district, may qualify for locating required parking on a separate lot. Land uses on lots which develop after the effective date of the ordinance codified in this chapter located within the mixed-use districts may also qualify for locating required parking on a separate lot. Any lot utilized to satisfy the parking requirements of an off-site land use must be zoned for automotive parking uses in the zoning district land use table of Section 17.08.030 and be connected to the principal use by a continuous sidewalk system. In a planned unit development, institutional overlay, or shopping center district both lots must be part of the same master development plan or a unified plat of subdivision as authorized by Chapter 17.40, Article V.

30. **Modify** Subsection B.3 as follows:

- B.3. Properties in the MUI, MUI-NS, MUI-A, MUI-A-NS, CF, CF-NS, and SCR, SCR-NS districts, and all religious institutions subject to Section 17.16.170(E)(2), shall be exempt from the above maximum separation provisions.

Article III. - Access Management

Section 17.20.180 - Visibility.

31. **Modify** Subsection A as follows:

- A. At street intersections nothing shall be erected that will obstruct vision at any point above the center line grades of the intersecting streets within the triangular area formed by the right-of-way lines and a straight line joining the right-of-way lines at points which are thirty-five feet distant from the intersection of the right-of-way lines and measured along such right-of-way lines. Development within the urban zoning overlay district and in the ~~CC~~, DTC, CF, CF-NS, and MUI, and MUI-NS districts shall be exempt from this provision. (See Figure 17.20.180)

**Chapter 17.24 - LANDSCAPING, BUFFERING AND TREE REPLACEMENT**

Article I. - General Provisions

Section 17.24.140 - Applicability.

32. **Modify** Subsections A and B as follows:

- A. Perimeter Parking Area Landscaping Required. The perimeter parking area landscaping requirements of this article shall apply to all off-street parking facilities adjacent to a public street or to a property line which:

1. Have five or more parking spaces; or
2. Are larger than one thousand seven hundred fifty square feet in area.

Within the urban zoning overlay district, parking areas within the ~~CC~~, and CF and CF-NS zoning districts shall be exempt from the side property line planting requirements of this article. Perimeter parking area landscaping may be waived along interior property lines for property located within an approved planned unit development (PUD) district or within a unified plat of subdivision if the planning commission finds that any potential negative impacts of the parking area will be mitigated through other means.

- B. Interior Parking Area Landscaping Required. The interior parking area landscaping requirements of this article shall apply to all off-street parking facilities which:

1. Have ten or more parking spaces; or
2. Are over three thousand five hundred square feet in area.

Principal use parking areas located in the ~~CC~~, and CF and CF-NS districts on properties with less than one hundred feet of public street frontage or with less than twelve thousand square feet in total area shall be exempt from the interior planting requirements of this title.

Section 17.24.150 - Perimeter screening requirements.

33. **Modify** Subsection C as follows:

- C. Landscape Materials. A minimum of one tree shall be preserved or planted for each fifty feet of parking area perimeter, or portion thereof; for principal use parking areas located with the DTC, and CF, and CF-NS zoning districts, street trees shall be installed at a rate of one tree per thirty feet of street frontage. Trees planted to meet this requirement shall measure a minimum of two inches in caliper, and six feet in height, as applicable for the type of material specified. The remaining area within the perimeter landscape strip which fronts on a street right-of-way shall be planted with one continuous row of evergreen shrubs which shall be expected to mature at a height not greater than two and one-half feet, except as modified for berms or walls. The remainder of the area within all perimeter strips not occupied by trees or shrubs shall be covered by organic or mineral mulches, other shrubs, groundcover plants or grassed lawns. The use of concrete, asphalt or other impervious surfaces shall be prohibited.

Section 17.24.160 - Interior planting requirements.

34. **Modify** Subsection A.1 as follows:

- A.1. Trees shall be required at the minimum of one canopy tree for every fifteen parking spaces. All vehicular use areas located within the same block which serve one or more businesses or uses of land or share unified ingress and egress shall be considered as a single vehicular use area for the purpose of computing the required rate of trees, notwithstanding ownership. Required trees shall be at least six feet in height and two inch caliper. (See Figure 17.24.160) For principal use parking areas located in the CF and CF-NS districts not otherwise exempt from the interior planting requirements, street frontage trees planted to satisfy the requirements of Section 17.24.150 shall count towards the interior planting requirements of this section.

Article IV. - Landscape Buffer Yard Requirements

Table 17.24.230 TABLE OF LANDSCAPE BUFFER YARD REQUIREMENTS

35. **Modify** the table as follows:

		ZONING DISTRICT PROVIDING BUFFER YARD						
		<b>1</b> AG, AR2a, RS80, R80, RS40, R40, RS30, R30, RS20, R20, RS15, R15, RS10, R10, RM2, <del>RM2-NS</del> RM4, <del>RM4-NS</del>	<b>2</b> R8, R8-A, RS7.5, RS7.5-A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, RM6, <del>RM6-NS</del> RM9, <del>RM9-NS</del> , <del>RM9-A</del> , <del>RM9-A-NS</del>	<b>3</b> RM15, <del>RM15-NS</del> , <del>RM15-A</del> , <del>RM15-A-NS</del> , RM20, <del>RM20-NS</del> , <del>RM20-A</del> , <del>RM20-A-NS</del> , RM40, <del>RM40-NS</del> , <del>RM40-A</del> , <del>RM40-A-NS</del> , RM60, <del>RM60-NS</del> , <del>RM60-A</del> , <del>RM60-A-NS</del> , RM80-A, <del>RM80-A-NS</del> , RM100-A, <del>RM100-A-NS</del> , MHP	<b>4</b> ON, CN, <del>CN-NS</del> , <del>CN-A</del> , <del>CN-A-NS</del> , MUN, <del>MUN-NS</del> , <del>MUN-A</del> , <del>MUN-A-NS</del> , SCN, <del>SCN-NS</del> OL, OR20, <del>OR20-NS</del> , <del>OR20-A</del> , <del>OR20-A-NS</del> , OR40, <del>OR40-NS</del> , <del>OR40-A</del> , <del>OR40-A-NS</del>	<b>5</b> CL, <del>CL-NS</del> , <del>CL-A</del> , <del>CL-A-NS</del> , CS, <del>CS-NS</del> , <del>CS-A</del> , <del>CS-A-NS</del> , MUL, <del>MUL-NS</del> , <del>MUL-A</del> , <del>MUL-A-NS</del> SCC, <del>SCC-NS</del>	<b>6</b> CA, <del>CA-NS</del> , CF, <del>CF-NS</del> , SCR, <del>SCR-NS</del> , MUG, <del>MUG-NS</del> , MUG-A, <del>MUG-A-NS</del> , MUI, <del>MUI-NS</del> , MUI-A, <del>MUI-A-NS</del> , ORI, <del>ORI-NS</del> , <del>ORI-A</del> , <del>ORI-A-NS</del> , OG, <del>OG-NS</del>	<b>7</b> IWD, IR, IG
A B U T T I N G Z O N I N G D I S T R I C T	<b>1</b> AG, AR2a, RS80, R80, RS40, R40, RS30, R30, RS20, R20, RS15, R15, RS10, R10, RM2, <del>RM2-NS</del> RM4, <del>RM4-NS</del>	—	B	C	C	C	D	D
	<b>2</b> R8, R8-A, RS7.5, RS7.5-A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, RM6, <del>RM6-NS</del> RM9, <del>RM9-NS</del> , <del>RM9-A</del> , <del>RM9-A-NS</del>	—	—	B	C	C	D	D
	<b>3</b> RM15, <del>RM15-NS</del> , <del>RM15-A</del> , <del>RM15-A-NS</del> , RM20, <del>RM20-NS</del> , <del>RM20-A</del> , <del>RM20-A-NS</del> , RM40, <del>RM40-NS</del> , <del>RM40-A</del> , <del>RM40-A-NS</del> , RM60, <del>RM60-NS</del> , <del>RM60-A</del> , <del>RM60-A-NS</del> , RM80-A, <del>RM80-A-NS</del> , RM100-A, <del>RM100-A-NS</del> , MHP	—	—	—	B	B	C	D
	<b>4</b> ON, CN, <del>CN-NS</del> , <del>CN-A</del> , <del>CN-A-NS</del> , MUN, <del>MUN-NS</del> , <del>MUN-A</del> , <del>MUN-A-NS</del> , SCN, <del>SCN-NS</del> OL, OR20, <del>OR20-NS</del> , <del>OR20-A</del> , <del>OR20-A-NS</del> , OR40, <del>OR40-NS</del> , <del>OR40-A</del> , <del>OR40-A-NS</del>	—	—	—	—	A	B	C
<b>5</b> CL, <del>CL-NS</del> , <del>CL-A</del> , <del>CL-A-NS</del> , CS, <del>CS-NS</del> , <del>CS-A</del> , <del>CS-A-NS</del> , MUL, <del>MUL-NS</del> , <del>MUL-A</del> , <del>MUL-A-NS</del> SCC, <del>SCC-NS</del>	—	—	—	—	—	A	B	
<b>6</b> CA, <del>CA-NS</del> , CF, <del>CF-NS</del> , SCR, <del>SCR-NS</del> , MUG, <del>MUG-NS</del> , MUG-A, <del>MUG-A-NS</del> , MUI, <del>MUI-NS</del> , MUI-A, <del>MUI-A-NS</del> , ORI, <del>ORI-NS</del> , <del>ORI-A</del> , <del>ORI-A-NS</del> , OG, <del>OG-NS</del>	—	—	—	—	—	—	B	
<b>7</b> IWD, IR, IG	—	—	—	—	—	—	—	

**Chapter 17.28 - ENVIRONMENTAL AND OPERATIONAL PERFORMANCE STANDARDS**

Article I. - Environmental Performance Standards

Section 17.28.030 - Hillside development standards.

36. **Modify** Subsection A.3 as follows:

A.3. All Other Development in Residential Districts. For any multifamily or nonresidential form of development occurring within a residential district (the RM40, RM40-NS, RM40-A, RM40-A-NS, RM60, RM60-NS, RM60-A, RM60-A-NS, RM80-A, RM80-A-NS, ~~and~~ RM100-A, and RM100-A-NS districts excepted), manipulation of the natural slopes by grading shall result in an effective impervious surface ratio (ISR) for those portions disturbed as shown in Table 17.28.030A.

37. **Modify** Subsection B.1 as follows:

B.1. In all nonresidential zoning districts except CF, CF-NS, MUI, MUI-NS, ~~and~~ MUI-A, and MUI-A-NS, manipulation of the natural slopes by grading shall result in effective impervious surface ratio (ISR) adjustments for those portions disturbed as shown in Table 17.28.030B.

Article II. - Operational Performance Standards

Table 17.28.102 STORAGE CAPACITY OF FLAMMABLE AND COMBUSTIBLE LIQUIDS, LIQUID GASES, AND GASES

38. **Modify** the zoning districts as follows:

ZONING DISTRICTS
<u>CS</u> , <u>CS-NS</u> , <u>CS-A</u> , <u>CS-A-NS</u> , <u>CF</u> , <u>CF-NS</u>

**Chapter 17.32 - SIGN REGULATIONS**

Section 17.32.050 – Prohibited signs.

39. **Modify** Subsection G.2 as follows:

G.2. Signs with any copy, graphics, or digital displays that change messages by electronic or mechanical means, other than tri-face billboards, shall not be permitted in the CA, CA-NS, CS, CS-NS, CF, CF-NS, ~~CG~~, SCR, SCR-NS, IWD, IR and IG districts unless the following distance requirements are satisfied, based upon the overall height of the sign:

- a. Signs four feet or less in height shall not be less than one hundred feet from any agriculturally or residentially-zoned property.
- b. Each additional foot in height, or portion thereof, above four feet shall be setback an additional twenty-five feet from any agriculturally or residentially-zoned property. For example, a sign between five and six feet in height shall not be less than one hundred fifty feet from any agriculturally or residentially-zoned property.

40. **Modify** Subsection H as follows:

- H.1. Video, continuous scrolling messages, and animation signs, except in the commercial attraction (CA and CA-NS) districts.
2. LED message boards and digital display signs in the AG, AR2a, R, R-A, RS, RS-A, RM, RM-NS, RM-A, RM-A-NS, MUN, MUN-NS, MUN-A, MUN-A-NS, MUL, MUL-NS, MUL-A, MUL-A-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, MUI, MUI-NS, MUI-A, MUI-A-NS, MHP, ON, OL, OG, OG-NS, OR20, OR20-NS, OR20-A, OR20-A-NS, OR40, OR40-NS, OR40-A, OR40-A-NS, ORI, ORI-NS, ORI-A, ORI-A-NS, CN, CN-NS, CN-A, CN-A-NS, CL, CL-NS, CL-A, CL-A-NS, CS- A, CS-A-NS, SCC, SCC-NS, and SCN, and SCN-NS districts, provided that this prohibition shall not apply to signs existing as of January 1, 2014, that are located on property zoned MUI-A or MUI-A-NS along an arterial street within the urban zoning overlay district and have a surface area in excess of 1,200 square feet.

Section 17.32.070 - Permanent on-premises signs.

41. **Modify** Subsection D.3 as follows:

D.3. On-premises building signs shall not extend above the roof line of the structure. On-premises wall signs shall not extend above the top of the wall or parapet more than twenty-five percent of the height of such sign, to a maximum of eighteen inches for a solid panel sign, or fifty percent of the height of the letter for individual mounted letters. The above restrictions shall not apply to the commercial amusement (CA and CA-NS) districts provided that the sign(s) is not readily visible from a public street external to the development or residentially zoned property abutting the subject property.

Section 17.32.100 - Informational signs for large sites.

42. **Modify** Subsection E as follows:

- E. Permissible Number, Size and Height. The following standards shall apply to all such signs except for those utilized in the commercial attraction (CA and CA-NS) districts when not readily visible from a public street external to the development or residentially zoned property abutting the subject property:
1. Developments with improved land area of five acres or more shall be permitted two informational signs per five acres of improved area. Any fractional values shall be discarded.
  2. The maximum size of any one informational sign shall be thirty-two square feet.
  3. The maximum height of any informational ground sign above grade shall be ten feet.
  4. Copy height shall be limited to a maximum of six inches.
  5. Copy may include one logo per face provided that the logo does not exceed twenty percent of the total sign area.

Section 17.32.110 - On-premises signs—I, MUN, MUN-A, MUL, MUL-A, ON, OL, OG, OR20, OR20-A, OR40, OR40-A, CN, CN-A, CL-A, CS-A and SCN districts.

43. **Modify** the header of Section 17.32.110 as follows:

17.32.110 - On-premises signs—I, MUN, MUN-NS, MUN-A, MUN-A-NS, MUL, MUL-NS, MUL-A, MUL-A-NS, ON, OL, OG, OG-NS, OR20, OR20-NS, OR20-A, OR20-A-NS, OR40, OR40-NS, OR40-A, OR40-A-NS, CN, CN-NS, CN-A, CN-A-NS, CL-A, CL-A-NS, CS-A, CS-A-NS, and SCN, SCN-NS districts.

Section 17.32.120 - On-premises signs—ORI, ORI-A, MUG, MUG-A, MUI, and MUI-A districts.

44. **Modify** the header of Section 17.32.120 as follows:

17.32.120 - On-premises signs—ORI, ORI-NS, ORI-A, ORI-A-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, MUI, MUI-NS, and MUI-A-NS districts.

Section 17.32.130 - On-premises signs—CL, CS, CA, CF, SCC, SCR, IWD, IR and IG districts.

45. **Modify** the header of Section 17.32.130 as follows:

17.32.130 - On-premises signs—CL, CL-NS, CS, CS-NS, CA, CA-NS, CF, CF-NS, SCC, SCC-NS, SCR, SCR-NS, IWD, IR and IG districts.

Table 17.32.130D

46. **Modify** Note 2 as follows:

Note 2: The CL and CL-NS districts any lot within one thousand feet of a controlled access highway interchange may have one additional on-premises ground sign of not more than two hundred eighty-eight square feet with a maximum height of fifty feet provided:

- a. The additional on-premises ground sign is oriented to the controlled access highway and adheres to all other provisions of this title; and
- b. The other on-premises ground sign is oriented to the street of principal access, is spaced at least one hundred feet from any other ground sign on the lot, and is restricted to the maximum height permitted in the CS and CS districts; and
- c. Further, that up to forty square feet of the ground sign oriented to the street of principal access may be transferred to this sign area when noted on the signage plan; and
- d. This additional on-premises sign is available only at interchanges when a highway logo sign is not present.

Section 17.32.145 - Landmark signs.

47. **Modify** Subsection E.2 as follows:

E.2. A designated landmark sign shall not be relocated to a R, R-A, RS, RS-A, RM, RM-NS, ~~or~~ RM-A, or RM-A-NS zoned property.

48. **Modify** Subsection E.3 as follows:

E.3. A designated landmark sign shall not be relocated within one hundred fifty feet of a primary structure on R, R-A, RS, RS-A, RM, RM-NS, ~~or~~ RM-A, or RM-A-NS zoned property.

Section 17.32.150 - Billboards.

49. **Modify** Subsection A as follows:

A. Districts Permitting Billboards. Billboards shall be permitted in the CL, CL-NS, CS, CS-NS IWD, CF, CF-NS, IR, and IG districts subject to the provisions of this chapter and this title. However, billboards are prohibited on any property within a planned unit development (PUD) overlay district, regardless of the underlying zoning district, unless expressly permitted as part of an approved development plan by the metropolitan council; and in the CS and CS-NS districts for uses classified as Automobile repair, Automobile sales, used; Car wash and Vehicular sales and services limited. Type I billboards are prohibited in the CL and CL-NS districts. Type II billboards in the CL and CL-NS districts shall be limited to those areas of a lot which are within three hundred feet of the right-of-way of a controlled access highway, and all billboards shall be oriented towards that highway.

## **Chapter 17.36 – OVERLAY DISTRICTS**

Section 17.36.540 – Variations to Conventional Standards

50. **Modify** Subsection A as follows:

- A. Properties in the corridor design overlay district are subject to the following variations regarding signage:
  1. All standards of 17.32 Signage Regulations shall apply according to the zoning district of the property, except Table 17.32.130D.
  2. In place of Table 17.32.130D, Table 17.32.120 shall apply. Any references to Table 17.32.130D shall be substituted with Table 17.32.120.
  3. All notes from Table 17.32.130D shall apply to properties in CL, CL-NS, CS, CS-NS, CA, CA-NS, CF, CF-NS, SCC, SCC-NS, SCR, SCR-NS, IWD, IR and IG districts.
  4. Any uses permitted with conditions are allowed one half (1/2) the maximum sign area allowed in 17.16.070. All other standards of 17.16.070 shall apply to uses permitted with conditions.

## **Chapter 17.40 - ADMINISTRATION AND PROCEDURES**



Article X. - Tree Protection and Replacement Procedures

Section 17.40.480 - Off-site plantings.

51. **Modify** the section as follows:

In the event that the urban forester determines that: (a) the site is located in the ~~CC~~, MUI, MUI-NS, or ~~CF~~, CF-NS district, or in any other district that may not provide for adequate required yard space to accommodate the total number of required replacement trees; or (b) the unique soil types, topography and/or unusual nature of the site would not assure growth of trees, the applicant may contribute to the tree bank an amount of money equal to the costs of providing the required density, according to a schedule promulgated by the urban forester and approved by resolution of the council.

The tree bank shall be a fund set up to receive monies from owners or developers who, for various reasons, remain unable to successfully plant and maintain trees on the site under development, with such monies to be used for the planting and maintaining of public trees. This article shall not apply to sites containing surface parking lots in the ~~CC~~, CF, CF-NS, or MUI, MUI-NS districts.

Section 17.40.670 - Nonconforming lot area.

52. **Modify** Subsection A as follows:

A. Single Family Structures in Residential and Agricultural Districts. Within the R and R-A, RS and RS-A, RM, RM-NS, RM-A, RM-A-NS, AR2a and AG districts, a single-family structure may be constructed on a legally created lot that contains less than the minimum lot area required by Tables 17.12.020A, 17.12.020B, 17.12.020C or 17.12.020D, provided the lot contains a minimum area of three thousand seven hundred fifty square feet and existed prior to the effective date of the ordinance codified in this title. Single Family Structures in R and R-A, RS and RS-A, RM, RM-NS, RM-A, RM-A-NS districts shall comply with the bulk standards of the district within the same classification of zoning district (R/R-A and RS/RS-A, RM, RM-NS, RM-A, or RM-A-NS) in which the lot area would be conforming. If the application of these bulk standards results in a change in the minimum side setback, then the height of the single family structure shall be limited to 35 feet, including foundation height. Lots less than 5,000 square feet shall build to the 3' side setback for at least 25% of the depth of the structure beginning at the street setback.

Section 17.40.690 - Nonconforming signs.

53. **Modify** Subsection B as follows:

B. An existing on-premises sign may remain exempt from full compliance with the provisions of this title provided the sign does not obstruct a "visibility area" as defined by Chapter 17.20, Article III of this code, is maintained in good condition at all times, and is not abandoned. If qualifying for exemption in all other respects, a sign obstructing a visibility area may be raised in its current location to conform with the requirements of Chapter 17.20, Article III and remain exempt. An existing sign obstructing a visibility area in a CS, CS-NS, CS-A, and CS-A-NS or CL, CL-NS, CL-A and CL-A-NS district is exempted if, without structural modification, the bottom edge of that sign has a minimum vertical ground clearance of eight feet or the front edge of the sign is at least ten feet from the front property line.

Ms. Milligan presented the staff recommendation of approval.

Councilmember Parker spoke in favor of the application.

Omid Yamini, 1204 N 2<sup>nd</sup> St, spoke in favor of the application.

Logan Key, 1411 Fatherland St, spoke in favor of the application.

Pat Williams, 4301 Elkins Ave, spoke in favor of the application.

John Summers, 5000 Wyoming Ave, spoke in favor of the application.

Grant Hammond, 342 Harrison St, spoke in opposition to the application.

Pete Prosser, 623 Oakley Dr, spoke in opposition to the application.

Taylor Tieche, 599 Hidden Acres Dr, spoke in opposition to the application.

Darrin Cunningham, 1015 12<sup>th</sup> Ave S, spoke in opposition to the application.

Mark Wallace, 340 Wandering Cir, spoke in opposition to the application.

Camille Wallen, 724 Madison, spoke in opposition to the application.

Brian Merrell, 1320 Pillow St, spoke in opposition to the application.

Kelly Bradberry, 1412 Sumner Ave, spoke in opposition to the application.

Councilmember Parker spoke in favor and asked for approval.

**Chairman Adkins closed the Public Hearing.**

Dr. Sims spoke in favor and noted the intent of this is both needed and timely.

Ms. Johnson spoke in favor of staff recommendation.

Councilmember Murphy spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

**Mr. Haynes moved and Ms. Farr seconded the motion to approve. (8-0)**

**Resolution No. RS2020-07**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-003TX-001 is **approved. (8-0)**

**14. 2018SP-023-001**

**MAXWELL STATION**

Council District 30 (Sandra Sepulveda)

Staff Reviewer: Abbie Rickoff

A request to rezone from R6 to SP-MR zoning on property located at 4306 Goins Road, at the northwest corner of Goins Road and Taylor Road (6.06 acres), to permit 121 multi-family residential units, requested by Clint Elliott Survey, applicant; Insight Property Solutions, LLC, owner.

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

**APPLICANT REQUEST**

**Preliminary SP to permit 121 multi-family residential units.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Mixed Residential (SP-MR) zoning on property located at 4306 Goins Road, at the northwest corner of Goins Road and Taylor Road, to permit 121 multi-family residential units (6.06 acres).

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 43 lots, including 10 duplex lots, for a total of 53 units, based on acreage only. Application of the Subdivision Regulations may result in fewer units at this site. The Codes Department provides a final determination on duplex eligibility.*

**Proposed Zoning**

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

**SITE CONTEXT AND PLAN DETAILS**

The site comprises 6.06 acres and is located east of Nolensville Pike, south of Flora Maxwell Road, at the intersection of Goins and Taylor Roads. The property contains heavy vegetation and an existing residential unit. The site is adjacent to an office use (SunTrust bank) located to the west along Nolensville Pike, and residential uses to the north, along Flora Maxwell Road. The area includes non-residential uses along the Nolensville Pike corridor, and mixed vacant and residential properties along Taylor Road, Goins Road, and Old Goins Road

Site Plan

The plan includes 121 multi-family residential units, including 6 detached units, 54 attached townhomes, and 61 stacked flats. The 6 detached units will front Taylor Road. The 54 townhome units are housed in 8 buildings that

front Goins Road and several internal courtyards located behind the street-fronting units. The stacked flats are housed in 2 separate buildings that are located near the western property line, closest to Nolensville Pike.

Vehicular access is provided from Goins Road to an internal driveway network that services the site. Ingress/egress to the site is provided in two locations; the first is located between the stacked flats buildings and townhome units, and the second between the townhomes and the detached units. The drive aisles provide rear access to the garages which are provided on all of the townhomes and detached units, and to the surface parking areas located behind the stacked flats and along the northern boundary, behind the townhomes. Public sidewalks and a planting strip will be constructed along the north side of Goins Road, wrapping Taylor Road to the north, consistent with Metro's local street standards.

Units are set back from Goins Road approximately 20 feet from the existing right-of-way. Along Taylor Road, units are set back between 25 feet at the northern corner and widening to 80 feet at the Taylor Road/Goins Road intersection. Landscaping is incorporated throughout the development, including a larger open space located in front of the detached units along Taylor Road, and several linear courtyards located between the townhome buildings. The linear courtyards are accessible from the internal sidewalk network and the Goins Road public sidewalks. Pedestrian access to the units is provided from the courtyards to the interior units, and from the public sidewalks to the street-fronting units. Shared pedestrian entries are proposed along Goins Road to the stacked flat units. Areas for stormwater management are primarily located near the northern portion of the site.

The plan proposes a maximum building height of 2 stories in 35 feet for the house courts, 3 stories in 35 feet for the townhomes, and 3 and 4 stories for the stacked flats buildings, with the tallest heights located closest to Nolensville Pike. The plan also includes architectural standards requiring raised foundations, minimum glazing requirements, minimum porch depths, and prohibited materials. The final SP will include architectural elevations that demonstrate compliance with the conceptual elevations and the proposed architectural standards.

### **SOUTHEAST COMMUNITY PLAN**

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

T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

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

CO policy at this site recognizes a stream and stream buffer areas located towards the northern portion of the site.

### **ANALYSIS**

Staff finds the plan to be consistent with the T3 NE policy, which is intended to provide for diversity in housing stock while also enhancing connectivity options. The site is located on the western edge of a T3 NE policy area, adjacent to properties located in the T4 CC (Urban Community Center) policy area along Nolensville Pike, where additional intensity would be appropriate. The site is also located adjacent to properties within an area identified by NashvilleNext as a Tier 1 Center. Areas identified as centers contain pedestrian-friendly areas with frequent transit services that contain a dense mixture of land uses. Nolensville Pike is identified as an arterial-boulevard on the Major and Collector Street Plan, and a high-capacity transit corridor identified by NashvilleNext, with existing MTA transit service.

The plan includes a mixture of detached units, attached units, and stacked flats that transition from lower-level intensity, along Taylor Road, to mid-level intensity closest to Nolensville Pike. The detached units along Taylor Road include deeper setbacks, with contextually appropriate spacing and overall heights that transition to the existing development pattern on the east side of Taylor Road. The townhome units are located mid-site, along Goins Road, providing for a transition between the detached units and the stacked flats, located adjacent to the office use along Nolensville Pike. Right-of-way will be dedicated along Goins Road for roadway improvements that will enhance pedestrian and vehicular access along the street and to the surrounding area. The plan limits individual vehicular access to the rear of the site, significantly reducing the number of potential curb cuts and conflict points along Goins Road and Taylor Road, and enhancing the streetscape with open space.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Revised plans reviewed 1/2/20. 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**

- As all previous issues have been addressed with the latest SP revision (stamped-received 2/13/19), approval is recommended as a Preliminary SP only. The applicant must submit for, and receive approval of, a variance for the proposed shared private sewer system, prior to Final SP approval. This variance package must contain a Letter Of Responsibility, and must match the Final Site Plan/SP plans. If public manholes and/or public fire hydrants must be installed, than the applicant must submit public construction plans for review and approval, prior to Final SP approval. Final SP plans must also match these approved public construction plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, a recorded copy of ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Comply with MPW traffic on access alignment and TIS. Sight distance profile received 12-30-19. Additional comments may follow pending TIS review/approval.
- Prior to bldg. permit approval, submit recorded copy of the HOA/ Master Deed that establishes private hauler.
- Show location for postal service in compliance with USPS Policy. Vehicles should be out of roadway when accessing kiosks and mailbox clusters.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Comply with TIS recommendations as listed on SP plan.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	6.06	7.26 D	54 U	590	48	62

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	6.06	-	121 U	857	64	85

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+67 U	+267	+16	+23

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R6 district: 10 Elementary 9 Middle 9 High

Projected student generation proposed SP-MR district: 27 Elementary 18 Middle 13 High

The proposed SP zoning is expected to generate 30 additional students than what would be generated under the existing R6 zoning. Students would attend Haywood Elementary School, McMurray Middle School, and Overton High School.

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted uses shall be limited to a maximum of 121 multi-family residential units. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. No individual access to Goins Road or Taylor Road shall be permitted.
3. A landscape plan with planting details shall be included with the final site plan.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
5. Comply with all conditions and requirements of Metro reviewing agencies.
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. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
11. 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.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

### Approved with conditions and disapproved without all conditions. Consent Agenda. (8-0)

#### Resolution No. RS2020-08

"BE IT RESOLVED by The Metropolitan Planning Commission that 2018SP-023-001 is **approved with conditions and disapproved without all conditions. (8-0)**

### CONDITIONS

1. Permitted uses shall be limited to a maximum of 121 multi-family residential units. Short Term Rental Property (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. No individual access to Goins Road or Taylor Road shall be permitted.
3. A landscape plan with planting details shall be included with the final site plan.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
5. Comply with all conditions and requirements of Metro reviewing agencies.
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. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
11. 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.

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

**15. 2019SP-018-002  
640 MERRITT AVENUE SP (AMENDMENT)**

Council District 17 (Colby Sledge)

Staff Reviewer: Abbie Rickoff

A request to amend a Specific Plan for properties located at 640 and 714 Merritt Avenue, approximately 700 feet east of Fort Negley Boulevard, to add 0.15 acres of property located at Merritt Avenue (unnumbered), currently zoned IR, for a total of 3.09 acres to be zoned SP, to permit a mixed use development, requested by Fulmer Engineering, applicant; WEHO QOZ 1, LLC, owner.

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

**APPLICANT REQUEST**

**Amend a Specific Plan SP to permit a mixed use development.**

Preliminary SP

A request to amend a Specific Plan (SP) for properties located at 640 and 714 Merritt Avenue, approximately 700 feet east of Fort Negley Boulevard, to add 0.15 acres of property located at Merritt Avenue (unnumbered), currently zoned Industrial Restrictive (IR), for a total of 3.09 acres to be zoned SP, to permit a mixed use development.

**Existing Zoning**

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

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

**Proposed Zoning**

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

**HISTORY**

Metro Council approved the 640 Merritt Avenue Preliminary SP on May 22, 2019 (2019SP-018-001; BL2019-1578). The approved Preliminary SP included a mixed use development on 2 parcels, with permitted uses limited to a maximum of 300 multi-family residential units and 25,000 square feet of non-residential uses, including existing non-residential square footage. The current application proposes to amend the SP to add an additional property to the development, for a total of approximately 3.09 acres to be zoned SP, and to increase the total number of multi-family residential units to a maximum of 315 units. As this proposal includes additional land area to be added to the SP, and an increase to the maximum number of residential units, an amendment to the Preliminary SP is required.

**SITE CONTEXT**

The site includes 3 parcels located on 3.09 acres. The properties currently contain industrial and vacant uses and are located on either side of Merritt Avenue, on the west side of Hagan Street, and directly east of an existing CSX rail line. The two larger parcels were included in the approved preliminary SP. The parcel proposed to be added to the SP (parcel 204) is approximately 0.15 acres and is located along Hagan Street, wrapping the corner of Hagan Street and Merritt Avenue. The added parcel is identified with a red dashed line on the District Plan and Supplemental Concept Plan, below.

The surrounding development pattern includes industrial and non-residential uses concentrated along the rail corridor and to the northeast, with less intense residential, office, and commercial uses located east of rail corridor. The site is also in proximity to community and institutional land uses, including Fort Negley and the Adventure Science Center to the northwest. The Hamilton Avenue Townhomes SP, a specific plan permitting 37 multi-family units, was approved for the adjacent property south of the site, at the corner of Hamilton Avenue and Hagan Street. Property directly west of the SP site, on the opposite side of the rail line, was recently rezoned from IR to MUG-A, Mixed Use General-Alternative.

**PLAN DETAILS**

Approved Preliminary SP

The approved preliminary SP (2019SP-018-001) is a regulatory SP that permits a mixed use development with 300 multi-family residential units and 25,000 square feet of non-residential uses. The permitted non-residential uses

include those permitted within the MUN-A zoning district as well as live/work, general office, artisan manufacturing, micro-brewery, liquor sales, tasting room, and artisan distillery. Prohibited uses include (STRP) owner-occupied and not owner-occupied, Auto-oriented uses, including Automobile Convenience, Automobile Parking, Automobile Repair, Automobile Sales – New, Automobile Sales – Used, Automobile Service, Car Wash, Vehicular Rental/Leasing, Vehicular Sales and Service – Limited, and Wrecker Service.

The SP includes a District Plan, which divides the site into two districts, and a Supplemental Concept Plan that is intended to serve as a guide for the subdistrict standards in the District Plan. The District Plan establishes development standards for each subdistrict including limitations on the location of nonresidential uses, build-to zones, maximum height, and architectural requirements.

#### Specific Plan (Amendment)

The proposed SP amendment is a regulatory SP for a mixed use development that includes a maximum of 315 multi-family residential units and a maximum of 25,000 square feet of non-residential uses. The proposed amendment will add an adjacent property on Hagan Street, currently zoned IR, to the SP, increasing the overall SP acreage and permitting 15 additional multi-family residential units. No changes to the non-residential permitted uses, prohibited uses, or square footages are proposed.

The proposed SP amendment includes updates to the District Plan to incorporate the additional property and divide the site into 3 districts, where the previous SP included only 2 subdistricts. District 1 will expand to include the added Hagan Street parcel, and District 3 will be located between Districts 1 and 2 along Merritt Avenue. Non-residential uses are only permitted within the commercial zones as indicated within Districts 1, 2, and 3. Proposed District 3 will permit a height of 5 stories in 70 feet. No changes to the maximum heights of Districts 1 and 2 are proposed, and all architectural standards are generally consistent with the approved preliminary SP. Access is provided from Merritt Avenue, a portion of which is proposed to be abandoned within the site, to an existing alley right-of-way which will be improved with enhanced pedestrian features. Private drives with public access easements will also service the site. Open space areas are generally consistent with the approved preliminary SP.

The Supplemental Concept Plan has been updated to include the added parcel, and schematic plans with additional site details have also been included, intended to serve as a guide for the subdistrict standards in the District Plan. The general layout is consistent with the approved preliminary SP.

### **SOUTH NASHVILLE COMMUNITY PLAN**

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

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

#### Wedgewood-Houston & Chestnut Hill Planning Study

The Wedgewood Houston Chestnut Hill Planning Study was adopted on Thursday, October 24, 2019. The study includes updates to community planning, land use, and street plans in the Wedgewood Houston and Chestnut Hill Neighborhoods.

### **ANALYSIS**

The proposed SP amendment is consistent with the goals of the approved preliminary SP and the T4 MU policy at this location, which is intended to provide moderate density residential and non-residential development in areas that are envisioned to become primarily mixed use. The addition of parcel (204) allows the site to have public street frontage along Hagan Street, filling in the Merritt Avenue/Hagan Street corner and activating the streetscape with sidewalk improvements that will connect to the proposed sidewalk network at the adjacent Hamilton Avenue Townhomes SP. The amended SP enhances the pedestrian realm with infill development that also transitions in height from the railroad track down to Hagan Street, providing for contextually appropriate height while also providing for the intensity expected within a Tier 1 Center.

### **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.
- Fire department access roads shall comply with the current adopted fire code. Buildings greater than 30' in height shall meet aerial apparatus access requirements. Any building/unit that is unable to meet the aerial apparatus access

requirements shall be limited to a maximum of 30' in height. Required fire flow shall be determined using IFC Appendix B and any local amendment, based on gross square footage of each structure.

**STORMWATER RECOMMENDATION**  
**Approve**

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

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

**PUBLIC WORKS RECOMMENDATION**  
**Approved with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, a recorded copy of ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Any proposed concrete paver roads and/or bulb-ins, in the public ROW, will require a maintenance agreement with MPW.
- Show truck turning exhibit for living alley.
- With final, submit paving details for alley, Hagan and Merritt.
- In general, show/label waste/recycle locations for BOH operations.

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

- TIS is required prior to final SP plan approval. At a minimum, identify short term delivery and loading zones on site and not in public ROW.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	2.89	-	300 U	2228	136	158

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	-	-	25,000 SF	1587	80	171

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.15	0.6	3,920 SF	249	13	27

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)	3.31	-	315 U	2341	142	164

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
Retail (814)	-	-	25,000 SF	1587	80	171



Traffic changes between maximum: **SP, IR and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-136	-7	-21

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing SP-MU & IR district: 27 Elementary 24 Middle 12 High**  
**Projected student generation proposed SP-MU district: 28 Elementary 25 Middle 13 High**

The proposed SP zoning may generate 3 more students than the existing SP and IR zoning districts. Students would attend Fall-Hamilton Elementary School, Cameron College Prep Middle School, and Glenclyff High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum 315 multi-family residential units and 25,000 square feet of non-residential uses, including existing non-residential square footage. All non-residential uses as specified on the plan are limited to the designated commercial zones. Short Term Rental Property (STRP) – Owner-Occupied and Short Term Rental Property (STRP) – Not Owner-Occupied uses shall not be permitted. Auto-oriented uses, including Automobile Convenience, Automobile Parking, Automobile Repair, Automobile Sales – New, Automobile Sales – Used, Automobile Service, Car Wash, Vehicular Rental/Leasing, Vehicular Sales and Service – Limited, and Wrecker Service, shall not be permitted.
2. Prior to final site plan approval, mandatory referrals shall be submitted and approved for the abandonment of the portion of the Merritt Avenue right-of-way as identified on the plans. If the mandatory referral is not approved by Metro Council, then the site may require re-design.
3. Access will continue to be evaluated with the final site plan and is dependent on the outcome of the TIS, mandatory referral process, and coordination of public access to the private drive on the adjacent property to the south and public access through the adjacent property to the north. Changes to anticipated public access may require limitations on permitted intensity at the final site plan stage.
4. All private drives, access, and open spaces shall include public access easements, which shall be included on the final site plan. Prior to final site plan approval, provide easement documentation.
5. The Hagan Street and Merritt Avenue rights-of-way shall comply with Metro’s standard local street section requirements. Public sidewalks shall connect to the internal pedestrian network for continuous connectivity throughout the site.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits

**Approved with conditions and disapproved without all conditions. Consent Agenda. (8-0)**  
**Resolution No. RS2020-09**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019SP-018-002 is **approved with conditions and disapproved without all conditions. (8-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum 315 multi-family residential units and 25,000 square feet of non-residential uses, including existing non-residential square footage. All non-residential uses as specified on the plan are limited to the designated commercial zones. Short Term Rental Property (STRP) – Owner-Occupied and Short Term Rental Property (STRP) – Not Owner-Occupied uses shall not be permitted. Auto-oriented uses, including Automobile Convenience, Automobile Parking, Automobile Repair, Automobile Sales – New, Automobile Sales – Used, Automobile Service, Car Wash, Vehicular Rental/Leasing, Vehicular Sales and Service – Limited, and Wrecker Service, shall not be permitted.
2. Prior to final site plan approval, mandatory referrals shall be submitted and approved for the abandonment of the portion of the Merritt Avenue right-of-way as identified on the plans. If the mandatory referral is not approved by Metro Council, then the site may require re-design.
3. Access will continue to be evaluated with the final site plan and is dependent on the outcome of the TIS, mandatory referral process, and coordination of public access to the private drive on the adjacent property to the south and public access through the adjacent property to the north. Changes to anticipated public access may require limitations on permitted intensity at the final site plan stage.
4. All private drives, access, and open spaces shall include public access easements, which shall be included on the final site plan. Prior to final site plan approval, provide easement documentation.
5. The Hagan Street and Merritt Avenue rights-of-way shall comply with Metro’s standard local street section requirements. Public sidewalks shall connect to the internal pedestrian network for continuous connectivity throughout the site.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
12. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
13. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.  
The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits

**16. 2019SP-072-001**

**TRINITY 24 SP**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Amelia Lewis

A request to rezone from RS7.5 and RS20 to SP for properties located at 869 West Trinity Lane, Walker Lane (unnumbered), Day Street (unnumbered), Overall Street (unnumbered), and West Trinity Lane (unnumbered), approximately 370 feet east of Old Buena Vista Road (25.43 acres), to permit 438 multi-family residential units, requested by Dale and Associates, applicant; TTF Investments, owner.

**Staff Recommendation: Defer to the February 13, 2020, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2019SP-072-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**17. 2020SP-002-001**  
**WILLIAMS AVENUE COTTAGES**  
Council District 08 (Nancy VanReece)  
Staff Reviewer: Abbie Rickoff

A request to rezone from R10 to SP zoning for property located at 319 Williams Avenue, approximately 165 feet east of Heritage View Boulevard (2.58 acres), to permit 28 detached multi-family residential units, requested by Dale and Associates, applicant; John Cooley et al, and I.C.E. Flint, TR, owners.

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

**APPLICANT REQUEST**

**Preliminary SP to permit 28 detached multi-family residential units.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R10) to Specific Plan-Residential (SP-R) zoning for property located at 319 Williams Avenue, approximately 165 feet east of Heritage View Boulevard, to permit 28 detached multi-family residential units (2.58 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 11 lots with 2 duplex lots for a total of 13 units. The Codes Department provides a final determination on duplex eligibility.*

**Proposed Zoning**

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

**SITE CONTEXT AND PLAN DETAILS**

The 2.58-acre site is located on the south side of Williams Avenue, approximately 650 west of an existing CSX rail line, west of Gallatin Pike. The parcel currently contains a single-family residential use. A stream bisects the northern corner of the site. The area contains primarily residential land uses, including single-family, two-family, and multi-family residential development, with scattered industrial, institutional, and office uses located west of the rail line. East of the rail line, the area includes primarily commercial uses that span either side of Gallatin Pike. Stratton Elementary School and Madison Middle School are located immediately south of the site along Old Hickory Boulevard.

Site Plan

The plan proposes 28 detached multi-family units accessed from an internal drive. Units are set back a minimum of 100 feet from Williams Avenue, away from the stream and stream buffer areas.

The units are located in two rows and front a linear courtyard, which runs north/south down the middle of the site. Pedestrian access to all of the units is provided from the central open space.

Vehicular access is provided from Williams Avenue at the northwestern corner to a one-way drive which loops around the perimeter of the site and connecting through the center, providing rear access to the garages which are included on all units. The entry drive is located away from the stream and stream buffers which clip the northeastern corner of the site. Additional parking spaces are provided around the periphery of the site and near the front of the site where the mailbox kiosk is located.

A 5 foot sidewalk and 4 foot planting strip is proposed along Williams Avenue, per the local street standard. An internal sidewalk network, which connects to the public sidewalk on Williams Avenue, extends along the entry drive through the linear courtyard towards the southern property line, providing pedestrian access throughout the site.

Open space is provided in the central open space and around the periphery of the site, where a standard "B" landscape buffer is proposed. Areas for stormwater management are identified south of the stream buffer areas along the entry drive.

The plan proposes a maximum building height of 3 stories in 35 feet, measured to the highest point of the roof. The plan also includes architectural standards requiring raised foundations, minimum glazing requirements, minimum porch depths, and prohibited materials. The final SP will include architectural elevations that demonstrate compliance with the conceptual elevations and the proposed architectural standards.

## **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.

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

### **ANALYSIS**

Staff finds the plan to be consistent with the T4 Neighborhood Evolving policy at this location. The plan adds diversity of housing along Williams Avenue, which currently contains a mixture of single-family, two-family, and multi-family properties. The site is on the eastern edge of a T4 NE policy area, adjacent to an Urban Mixed Use Neighborhood (T4 MU) policy area where additional intensity may be supported, and the development footprint is located away from the CO policy areas where the stream and buffer areas are identified.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

Revised plan reviewed 12/31/19. Limited building detail provided. Height limited to 30 feet or less unless aerial apparatus access is provided. All developments and buildings must meet fire flow requirements of IFC Appendix B prior to construction. See general comments below:

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

- Conditionally Approved: show stream buffer from top of bank.

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private sanitary sewer construction plans must be submitted and approved prior to Final SP approval. The approved construction plans must match the Final SP plans. the required capacity fees must also be paid prior to Final SP approval. (Permit Nos. T2019038324.
- Water provided to this site by the Madison Suburban Utility District.

### **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 lines in driveway ramping over sidewalk.
- Private hauler will be curbside pick up per note on SP.
- Show on plans location of mailbox area for this development.
- See traffic engineer comments

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Identify one way signage and stop signs per MUTCD prior to final SP approval.

**MADISON SUBURBAN UTILITY DISTRICT**

**Approve with conditions**

- Pending approval of project construction plans..

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)	2.58	4.356 D	13 U	160	15	15

\*Based on two-family lots

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)	2.58	-	28 U	205	13	16

Traffic changes between maximum: **R10 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+6 U	+3	+4	+8

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R10 district: 1 Elementary 1 Middle 1 High

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

The proposed SP zoning is expected to generate 4 additional students than what would be generated under the existing R10 zoning. Students would attend Stratton Elementary School, Madison Middle School, and Hunters Lane High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 28 detached multi-family residential units. Short Term Rental Properties (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. On the corrected copy, add a crosswalk connecting the sidewalks on either side of the drive aisle, north of Unit 1.
3. On the corrected copy, remove the Alternate Layout note in the Development Summary.
4. Units 1 and 28 shall have façade treatments that address both the central open space and Williams Avenue.
5. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

9. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
12. 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.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approved with conditions and disapproved without all conditions. Consent Agenda. (8-0)**

**Resolution No. RS2020-10**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-002-001 is **approved with conditions and disapproved without all conditions. (8-0)**

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 28 detached multi-family residential units. Short Term Rental Properties (STRP) owner-occupied and not owner-occupied shall be prohibited.
2. On the corrected copy, add a crosswalk connecting the sidewalks on either side of the drive aisle, north of Unit 1.
3. On the corrected copy, remove the Alternate Layout note in the Development Summary.
4. Units 1 and 28 shall have façade treatments that address both the central open space and Williams Avenue.
5. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the Preliminary SP for review and approval.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
12. 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.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**18. 2020SP-003-001**

**EAGLE POINT**

Council District 28 (Tanaka Vercher)

Staff Reviewer: Logan Elliott

A request to rezone from SP to SP zoning for property located at 2158 Una Antioch Pike, at the current terminus of Oak Barrel Drive (8.9 acres), to permit 51 multi-family residential units, requested by Dale and Associates, applicant; Fahim Eryan, owner.

**Staff Recommendation: Defer to the February 13, 2020, Planning Commission meeting.**

Councilmember Vercher requested a deferral to the March 26 Planning Commission meeting.

Councilmember Murphy moved and Ms. Johnson seconded the motion to reconsider the action on Item 18. (8-0)

**Councilmember Murphy moved and Mr. Haynes seconded the motion to defer to the March 26, 2020 Planning Commission meeting. (8-0)**

**Resolution No. RS2020-11**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-003-001 is deferred to the March 26, 2020 Planning Commission meeting. (8-0)**

**19. 2020SP-007-001**

**OLD HICKORY RETREAT COTTAGES**

Council District 11 (Larry Hagar)

Staff Reviewer: Logan Elliott

A request to rezone from RS7.5 to SP zoning for properties located at 101 and 103 Hamblen Avenue, 109 Park Circle and Park Circle (unnumbered), at the eastern corner of Park Circle and Hamblen Avenue (1.42 acres), to permit 16 multi-family residential units, requested by Dale and Associates, applicant; Jackson's Old Hickory Country Club, owner.

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

**APPLICANT REQUEST**

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

Specific Plan

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan Residential (SP-R) zoning for properties located at 101 and 103 Hamblen Avenue, 109 Park Circle and Park Circle (unnumbered), at the eastern corner of Park Circle and Hamblen Avenue (1.42 acres), to permit 16 multi-family residential units.

**Existing Zoning**

Residential Single-Family (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 8 units.*

**Proposed Zoning**

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

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

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

## **SITE CONTEXT AND PLAN DETAILS**

The site is approximately 1.42 acres and is at the north-east corner of the intersection of Park Circle and Hamblen Avenue. The site has frontage on Old Hickory Boulevard and is accessed via Park Circle and Hamblen Avenue. The site has several single-family structures, associated accessory structures, and surface vehicle parking. The area to the south and east is primarily residential single-family. To the north and west, across the Park Circle, is the New Life Church with the Old Hickory Country Club behind the church. The surrounding uses on Old Hickory Boulevard are a mixture of commercial and single-family with some multi-family residential and industrial.

The adjacent area to the north of the subject site that fronts on Park Circle is zoned Mixed-Use Neighborhood (MUN) and is within the T3 Mixed-Use Corridor land use policy. The area to the east, south, and west of the subject site is zoned Residential Single-Family (RS7.5) and is within the T3 Neighborhood Maintenance land use policy.

### Site Plan

The plan proposes 16 multi-family detached residential units. Two units are proposed to front on Park Circle via a shared drive. Five units are proposed to front on Hamblen Avenue and have rear loaded garages. Nine units are proposed to be interior to the site with rear loaded garages. Private drive lanes serve the rear loaded garages and additional parking spaces are dispersed throughout the site. A Standard B landscape buffer is being provided along the perimeter of the site adjacent to existing residential uses. The applicant is provided sidewalks and planting strips consistent with the Major and Collector Street Plan along both Park Circle and Hamblen Avenue. The frontage adjacent to Old Hickory Boulevard has a railroad running parallel to the property line and Old Hickory Boulevard and prevents any type of access or pedestrian infrastructure.

## **ANALYSIS**

The proposed Specific Plan is consistent with the T3 Neighborhood Evolving policy. The Neighborhood Evolving policy supports a higher intensity than the existing form and a potential rezoning to a district that allows for a greater variety of housing type is supported. The proposed plan provides for a higher intensity while serving as an appropriate transition from the adjacent Mixed-Use Corridor policy to adjacent residential policy. The majority of the parking is proposed to be interior to the site and the units will address the street with the building form. The plan will improve the pedestrian infrastructure of the area by providing sidewalks on Park Circle and Hamblen Avenue.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

- Limited building details provided. Provide unit height. > 30' must meet aerial fire apparatus access requirements. Provide fire apparatus turnarounds for any dead end exceeding 150'. From general comments:
- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

## **STORMWATER RECOMMENDATION**

### **Approve**

## **WATER SERVICES RECOMMENDATION**

### **Approve with conditions**



- Approved as a Preliminary SP only. Public and/or private water & sanitary sewer construction plans must be submitted and approved prior to Final SP approval.
- The approved construction plans must match the Final SP plans.
- The required capacity fees must also be paid prior to Final SP approval. (Permit Nos. T2019074467 & T2019074467).

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions. Following approval of final plans by MPW, a recorded copy of ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Prior to Final, Coordinate location for postal service in compliance with USPS Policy. Vehicles should be out of roadway when accessing kiosks and mailbox clusters.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide bulb in loading and parking along Hamblen Ave. Reinstall stop sign on Hamblen at Park Cir.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	1.42	5.808 D	8 U	76	6	8

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)	1.42	-	16 U	81	9	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 8 U	+5	+3	+4

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS7.5 district: **1 Elementary 1 Middle 0 High**  
 Projected student generation proposed SP-R district: **2 Elementary 1 Middle 1 High**

The proposed SP-R zoning is expected to generate 2 more students than the existing RS7.5 zoning. Students would attend Dupont Elementary School, Dupont Hadley Middle School, and McGavock High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to 16 multi-family residential units. Short term rental property, owner-occupied and short term rental property, not owner-occupied shall be prohibited.
2. With the corrected copy, remove Standard SP Note #10. The landscape plan shall comply with Metro Zoning Code.
3. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. A landscaping plan and elevations will be required with the Final SP.
6. Height shall be measured consistent with the requirements of the Metro Code.
7. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.

8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.

9. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

10. 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.

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

Councilmember Hagar requested that Item 19 be added back to the Consent Agenda.

**Councilmember Murphy moved and Ms. Johnson seconded the motion to approve with conditions and disapprove without all conditions. (8-0)**

**Resolution No. RS2020-12**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-007-001 is **approved with conditions and disapproved without all conditions. (8-0)**

**CONDITIONS**

1. Permitted uses shall be limited to 16 multi-family residential units. Short term rental property, owner-occupied and short term rental property, not owner-occupied shall be prohibited.
2. With the corrected copy, remove Standard SP Note #10. The landscape plan shall comply with Metro Zoning Code.
3. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. A landscaping plan and elevations will be required with the Final SP.
6. Height shall be measured consistent with the requirements of the Metro Code.
7. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.
9. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. 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.
11. 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. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**20a. 2020SP-006-001  
LOFTS OF HERMITAGE**

Council District 14 (Kevin Rhoten)

Staff Reviewer: Patrick Napier

A request to rezone from CS to SP zoning for property located at 4042 Shurgard Way, at the terminus of Shurgard Way and partially within a Planned Unit Development Overlay District (8.57 acres), to permit a residential development, requested by Dale and Associates, applicant; The Lux Development Group LLC, owner (see associated case #93P-023-003).

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

**APPLICANT REQUEST**

**Rezone from CS to SP to permit a mixed-use development.**

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan-Residential (SP-R) zoning for property located at 4042 Shurgard Way, at the terminus of Shurgard Way and partially within a Planned Unit Development Overlay District (8.57 acres), to permit a residential development.

**Existing Zoning**

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

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. The PUD was revised in 2016 to permit to permit 34,000 square feet of vehicular rental/leasing uses.

**Proposed Zoning**

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

***Proposed Regulatory SP Start***

**The Lofts of Hermitage Specific Plan (SP)**

Development Summary	
SP Name	The Lofts of Hermitage
SP Number	2020SP-006-001
Council District	14
Map & Parcel	Map 86 Parcel 774

Site Data Table	
Site Data	8.57 Acres
Existing Zoning	Comm PUD
Proposed Zoning	SP
Allowable Land Uses	All residential uses permitted by MUL-A

Specific Plan (SP) Standards

1. Uses within this SP shall be limited to all residential uses permitted by the MUL-A zoning district.
2. The maximum FAR shall be 0.8.
3. The maximum ISR shall be 0.90.
4. The residential portion of the development shall be gated and shall meet the standards of the Metro Fire Marshal.
5. Federal Compliance All development within the boundaries of this plan meets the requirements of the Americans with Disabilities Act and the Fair Housing Act. ADA: <http://www.ada.gov/> U.S. Justice Dept.
6. Landscaping and landscape buffers around the site frontage and perimeter shall comply with the Metro Landscape Requirements Chapter 17.24 of the Metro Zoning Code.
7. Architectural Standards:
  - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 20% glazing.
  - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers.
  - c. EIFS, vinyl siding and untreated wood shall be prohibited.
  - d. Porches, if provided, shall provide a minimum of six feet of depth.
  - e. A raised foundation of 18" - 36" is required for all residential structures.
8. Per Section 17.20.140 of the Zoning Ordinance, a Traffic Impact Study may be required as a result of the submittal of a Final SP. If required, a completed study shall be completed prior to review by the Planning Commission of the Final SP. The results of the Traffic Study may restrict the number of residential units and/or designate roadway improvements as required by the Traffic Study to mitigate impacts to the public streets.

***Proposed Regulatory SP end***

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

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

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

### **PLAN DETAILS**

This site contains a single parcel totaling approximately 8.57 acres. The site has frontage on Shurgard Way. The site is currently vacant and contains dense vegetation. The elevation of the site is relatively flat. The conservation policy identifies the presence of a stream in the northern portion of the site. The stream traverses the property in an east and west orientation. The surrounding area consists of a variety of commercial, office, and retail uses. There is also a variety of zoning districts in the immediate area including commercial and office.

#### Site Plan

The plan permits all residential uses allowed by the MUL-A zoning district, which includes single-family, two-family and multi-family residential. The bulk and building placement standards required by the MUL-A district, as limited by the SP, ensure mixed-use development that addresses the pedestrian realm and limits the amount of parking between the building and the street. These standards will also help enhance a pedestrian-friendly, urban streetscape, consistent with the goals of the policy. Elevations will be required with the submittal of the final SP site plan.

Vehicular access will be provided from Shurgard Way. The plan calls for a five foot sidewalk and four foot planting strip along Shurgard Way providing a connection to the existing sidewalk along Central Pike

### **ANALYSIS**

The requested regulatory SP is compatible with surrounding land uses and is consistent with policy which is intended to enhance and create suburban community centers that serve suburban communities. The regulating document provides an additional housing option in an area that is made up of mostly commercial uses on individual lots. Due to the site's location near busy arterial streets and intense commercial uses, additional density is appropriate. The plan enhances pedestrian movement by providing sidewalks consistent with the local street standard of Major and Collector Street Plan.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with Conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.

- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- Regulatory for “use” approval only. Any final site plan must match approved Stormwater Grading Permit plan.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private water and sanitary sewer construction plans must be submitted and approved prior to Final SP approval. The approved construction plans must match the Final Site Plan/SP plans. All Water and Sanitary Sewer related fees or assessments, including capacity must be confirmed paid prior to Final Site Plan/SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- Sidewalks shall be in accordance with MCSP and be located within the public ROW.
- Any public infrastructure built in ROW shall be built to MPW standards and specifications.
- Additional comments may follow pending TIS submittal and review.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic Impact study is required prior to final sp plan approval to determine if adequate roadway improvements can be provided at Shurgard Way and Central Pk due to nearby signalized intersections at I-40 ramps and Old Hickory Blvd. Coordinate with MPW Transportation Engineer to scope traffic study.

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)	8.57	0.6 F	223,985 SF	14217	713	1533

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)	13.86	-	298 U	2,086	149	179

Traffic changes between maximum: **CS and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-12131	-564	-1,354

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed **SP-MU** district: 21 Elementary 18 Middle 12 High

The proposed SP-MU zoning district would generate 51 more students than what is typically generated under the existing CS zoning district. Students would attend Tulip Grove Elementary, Dupont Tyler Middle School, and McGavock High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

- Permitted land uses shall be limited to all residential uses permitted by the MUL-A zoning district.

2. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association 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.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
5. 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.
6. Comply with all conditions and requirements of Stormwater, Water Services, and Public Works.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Approved with conditions and disapproved without all conditions. Consent Agenda. (8-0)**

**Resolution No. RS2020-13**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020SP-006-001 is **approved with conditions and disapproved without all conditions. (8-0)**

**CONDITIONS**

1. Permitted land uses shall be limited to all residential uses permitted by the MUL-A zoning district.
2. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association 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.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
5. 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.
6. Comply with all conditions and requirements of Stormwater, Water Services, and Public Works.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**20b. 93P-023-003**

**GATEWAY OF HERMITAGE PUD (CANCELLATION)**

Council District 14 (Kevin Rhoten)

Staff Reviewer: Patrick Napier

A request to cancel a portion of a Planned Unit Development Overlay District for property located at 4042 Shurgard Way, at the terminus of Shurgard Way, zoned CS and partially within a Planned Unit Development Overlay District (8.57 acres), requested by Dale and Associates, applicant; The Lux Development Group LLC, owner (see associated case #2020SP-006-001).

**Staff Recommendation: Approve if the associated zone change is approved and disapprove if the associated zone change is not approved.**

**APPLICANT REQUEST**

**Cancel a portion of a Planned Unit Development.**

Cancel Portion of PUD

A request to cancel a portion of a Planned Unit Development Overlay District (PUD) for property located at 4042 Shurgard Way, at the terminus of Shurgard Way, zoned Commercial Service (CS) (8.57 acres).

**Existing Zoning**

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

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

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

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

T3 Suburban Community Center (T3 CC) is intended to enhance and create suburban community centers that serve suburban communities generally within a 10 to 20 minute drive.

They are pedestrian friendly areas, generally located at prominent intersections that contain mixed use, commercial and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC areas are served by highly connected street networks, sidewalks and existing or planned mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

**ANALYSIS**

This PUD was originally approved in 1993 and now includes approximately 13.74 acres south of Central Pike and north of I-40. The 1993 Metro Council plan approved an 80,500 square foot storage facility. The PUD was amended and expanded to its current acreage in 1995 to permit 209,500 square feet of commercial and office uses; at this time, a 40,300 square foot hotel was approved to replace a 25,500 square foot office building with a truck rental and boat storage in addition to the existing storage warehouse facility. If the associated SP is approved, then staff recommends approval of this portion of the PUD overlay being canceled. The remaining portion of the PUD will remain active and function in its current form independent of this site.

**STAFF RECOMMENDATION**

Staff recommends approval if the associated SP zoning district is approved and disapproval if the associated SP zoning district is not approved.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-14**

"BE IT RESOLVED by The Metropolitan Planning Commission that 93P-023-003 is **approved. (8-0)**

**21. 1-74P-012  
HICKORY HOLLOW PUD (REVISION AND FINAL)**

Council District 32 (Joy Styles)

Staff Reviewer: Patrick Napier

A request to revise the preliminary plan and for final site plan approval for property located at 5300 Hickory Hollow Lane, at the eastern corner of Bell Road and Hickory Hollow Lane, zoned SCR and located within Commercial Planned Unit Development Overlay District and a Corridor Design Overlay District (1.67 acres), to permit 8,801 square feet of restaurant and retail space, requested by Civil Engineering Services Inc., applicant; Hickory Hollow Lane LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise a PUD and for final site plan approval to permit a restaurant and retail space.**

### Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for property located at 5300 Hickory Hollow Lane, at the eastern corner of Bell Road and Hickory Hollow Lane, zoned Shopping Center Regional (SCR) and located within Commercial Planned Unit Development (PUD) Overlay District and a Corridor Design Overlay District (CDO) (1.67 acres), to permit 8,801 square feet of restaurant and retail space.

### **Existing Zoning**

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

### Corridor Design Overlay (CDO)

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.

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

### History

This PUD was originally approved in 1974 and includes a large area (approximately 192 acres) on both sides of Bell Road north of Interstate 24. The 1974 Metro Council plan was approved for 1,529,581 square feet of various commercial and office uses and 432 residential units. This PUD was amended in 1989 to permit 1,115,189 square feet of commercial and office uses.

### **PLAN DETAILS**

The site is located along 5300 Hickory Hollow Lane, at the eastern corner of Bell Road and Hickory Hollow Lane. The site contains an existing restaurant and is currently zoned SCR with a PUD overlay. The site is surrounded by commercial uses in all directions.

### Site Plan

The plan revises the PUD to allow the construction of a restaurant and retail space within a single structure. The proposed expansion will contain a total of 8,764 square feet. The existing structure contains 8,037 square feet which represents an overall increase of 727 square feet. The proposed structure will have a maximum height of 35 feet consistent with the height of the existing structure. The access for this site is provided by an existing connection to private drive. The private drive serves as an internal access for the adjacent property to the south of this site. Sidewalks which meet the requirements of the Major and Collector Street Plan will be constructed along the entire frontage of Bell Road. Sidewalks meeting the standard for a local street including an alternative design due to the presence of water service infrastructure will be provided along Hickory Hollow Lane. A sidewalk waiver was reviewed and approved by Metro Public Works in concert with the Transportation Planning department

The site plan indicates 59 parking spaces will be provided when the existing structure is expanded; this exceeds the requirements of the Metro Zoning Code.

### **ANALYSIS**

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

- G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.
1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
  2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
    - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
    - b. The boundary of the planned unit development overlay district is not expanded;



- c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
- d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
- e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
- f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
- g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
- h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

The proposed revision increases the allowable square footage by 727 square feet, which does not exceed the 10 percent threshold established by section 17.40.120.G. This revision does not deviate significantly from the Council approved plan and the proposed site plan is consistent with the overall concept of the PUD. Staff recommends approval with conditions.

#### **FIRE MARSHAL RECOMMENDATION**

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

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

#### **STORMWATER RECOMMENDATION**

**Approve with conditions**

- Prior to approval of the building permit grading permit must be issued. Grading permit is being reviewed under SWGR 2019066981.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- Following approval of final plans by MPW, a recorded copy of ROW dedications will need to be submitted to MPW for Bldg. permit approval.
- Prior to bldg. permit approval, All proposed sidewalks are to be in public ROW. Coordination between MPW on ADA compliance for proposed sidewalks and ramps along Hickory Hollow Lane/Bell Rd. was approved, dated 12-16-19, revised plans see permit #2019029331.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require re-approval by the Planning Commission and/or Metro Council.

**Approved with conditions. Consent Agenda. (8-0)**

**Resolution No. RS2020-15**

"BE IT RESOLVED by The Metropolitan Planning Commission that 1-74P-012 is **approved with conditions. (8-0)**

**CONDITIONS**

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require re-approval by the Planning Commission and/or Metro Council.

**22. 188-84P-002  
CENTURY SOUTH PUD (REVISION)**

Council District 33 (Antoinette Lee)  
Staff Reviewer: Patrick Napier

A request to revise the preliminary plan for a portion of the Century South Residential Planned Unit Development Overlay District for properties located at Cane Ridge Road and Old Franklin Road (unnumbered), approximately 350 southeast of Old Franklin Road (75.7 acres), zoned R20, to permit up to 550 multi-family residential units, requested by Dale and Associates, applicant, Cane Ridge Apartments LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

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

Revise Preliminary PUD

A request to revise the preliminary plan for a portion of the Century South Residential Planned Unit Development Overlay District (PUD) for properties located at Cane Ridge Road and Old Franklin Road (unnumbered), approximately 350 feet southeast of Old Franklin Road (75.7 acres), zoned One and Two-Family Residential (R20), to permit up to 550 multi-family residential units.

### **Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 85 lots with 21 duplex lots for a total of 106 units. The existing PUD Overlay governs the number of permitted units.*

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

### **REQUEST DETAILS**

This is a request to revise a portion of the preliminary PUD plan for the Century South PUD. Metro Council originally approved the PUD in 1984. The PUD was amended in 2003 to permit 95,000 square feet of car dealership along with 871,000 of retail, restaurant, motel and convenience uses and a maximum of 1,974 residential units.

The PUD covers various properties along the western and eastern side of I-24. The request pertains to the portion of the PUD within parcels 041 and 078. The applicant is requesting to revise the layout to permit 550 multi-family residential units. The 550 multi-family units are a portion of the previously approved 1,974 multi-family residential units.

The PUD was revised in February of 2019 this revision created the two sections of the plan as shown in this revision however the locations of the structures were placed in a slightly different configuration. This revision shifts units from the stacked multi-family portion of the site to the town home section of the site. No increase in the number of dwelling units is proposed with this revision.

### **PLAN DETAILS**

The proposed plan splits the 550 multi-family residential units into two sections. One section will contain 432 multi-family residential units in stacked flat buildings. The second section will contain 118 multi-family units in townhome buildings.

The plan proposes to build a new road with access from Old Franklin Road to the north, which is consistent with the previously approved PUD. Each section of multi-family residential units will have two access points to the new road. Parking locations are shown on the plan. All proposed parking shall meet the requirements of the Zoning Code at the final site plan. A sidewalk and planting strip will be provided along the newly constructed road per Public Works standards with the final site plan application.

### **ANALYSIS**

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

F. Changes to a Planned Unit Development District.

1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:
  - a. Land area being added or removed from the planned unit development district shall be approved by the council according to the provisions of Article III of this chapter (Amendments);
  - b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance shall be authorized by council ordinance;
  - c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
  - d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or

- e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.
- f. Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of Section 17.40.120.H.4.a.

This request can be considered a minor modification because there is no proposed change in land use or development type beyond that permitted by approved Planned Unit Development Overlay district. The revised layout is consistent with the Council approved PUD; therefore, staff recommends approval.

**FIRE MARSHAL RECOMMENDATION**

**Approved with conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES**

**Approve with conditions**

- Approved as a Preliminary PUD only. Public Water and Sewer construction plans must be submitted and approved prior to Final PUD approval. These approved construction plans must match the Final Site Plan/SP plans.
- The required capacity fees and DAPARC must also be paid prior to Final Site Plan/PUD approval.(See capacity fee Permit #'s T2019058604 and T2019058611).

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- New public road is to be constructed in compliance with the approved TIS and contain a 3 lane cross section, curb and gutter (both sides) grass strip and sidewalk on side.
- Include a turn around at the terminus of the new public street.
- Add note to the plans that the roads are to comply with MPW Subdivision Street Design Standards and Specifications manual.
- Add note to the plans that the roads are to comply with MPW Subdivision Street Design Standards and Specifications manual.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate sight distance at driveway intersections with new public road.

In accordance with TIS dated Jan 2019 findings, with phase 1 development of PUD consisting of approximately 550 apartments, developer shall construct the following roadway improvements:

#### Intersection of Old Franklin Road and the New Public Road

- Provide a westbound left turn lane on Old Franklin Road at the New Public Road with a storage length of 75 feet plus taper. Developer shall demonstrate that LTL can be constructed prior to Final PUD plan approval.
- Provide separate left and right turn lanes for the northbound approach of the New Public Road to Old Franklin Road. Developer shall construct a minimum of 150ft of storage for each exiting lane.
- Ensure adequate intersection sight distance will be available for motorists turning from the New Public Road onto Old Franklin Road with appropriate placement of any monumental signage, landscaping, etc. Prior to final PUD approval, a sight distance exhibit using the posted speed limit shall be submitted and approved prior to PUD plan approval.
- Developer shall dedicate ROW along access of Old Franklin Rd for a future right turn lane at pud access with a minimum of 100 ft of storage.
- Developer of phase 1 PUD shall submit additional traffic analysis to determine appropriate intersection traffic control on Old franklin Rd at new public road.

#### Old Franklin Road

- Any speed limit reduction on Old Franklin Rd shall be directed to MPW operations and approved by T&P commission.

#### New Public Road

- At this time, the cross-section of the New Public Road should include a 3 lane x-section or at a minimum a 2 lane road with adequate turn lane storage at access drives to apartments to accommodate the traffic generated by the proposed PUD development. Adequate ROW shall be dedicated to allow transition to 5 lane cross section for the commercial area of PUD.
- Additional traffic analysis shall be submitted to determine LTL storage at apartment drives.
- At a minimum, Sidewalk should be constructed on the west side of the New Public Road, extending the full length to Old Franklin Road.
- The New Public Road should dedicate adequate right-of-way to allow for future widening to a three-lane cross-section and transition, in order to accommodate additional traffic when property to the south is developed and the New Public Road is extended as a 5 lane section to Old Hickory Boulevard.
- The southern terminus of the New Public Road should include a temporary turnaround and shall be built so that the adjacent property can tie in and complete the roadway construction.
- The New Public Road will require an access easement for the TDOT right-of-way in order to intersect with Old Franklin Road. TDOT shall review final road plans for phase 1 development and approve access easement and WB left turn lane on Old Franklin RD at access road prior to final PUD approval.
- Developer shall attain TDOT access and striping approval of overpass prior to final PUD plan approval and submit verification of TDOT approval to MPW. If TDOT does not allow striping modification to Old Franklin overpass, proposed Access road location will not be approved.

#### Apartment Project Site's Driveways

- All driveways for the project site along the New Public Road should include minimum throat storage lengths of 50 feet and should be a minimum of 24 feet wide to ensure minimal vehicular conflicts at site accesses.

#### Southern Section of PUD development

- Developer of the commercial southern section of PUD shall construct new 5 lane access road between Old Hickory Blvd and access road constructed by Apartment developer.  
At a minimum, developer of south portion of commercial PUD shall comply with conditions in BL2003-1488 as described in Section 3 below. Additional traffic analysis may be required at development.  
Section 3. Be it further enacted, that the following conditions be completed or bonded prior to the recording of a final plat.
  1. Signalization of the site access intersection on Old Hickory Boulevard.
  2. Widening of Old Hickory Boulevard, south of Interstate 24
  3. Provision of dual left-turn lanes from Old Hickory Boulevard onto westbound Interstate 24.
  4. Extension of the site access roadway to Old Franklin Road.
  5. Provision of dual left-turn lanes from Firestone Parkway onto southbound Old Hickory Boulevard.
  6. Installation of an all-way STOP on Old Franklin Road at the site access intersection. Developer of PUD shall submit traffic analysis to determine appropriate intersection traffic control.
  7. Provision of dual left-turn lanes from the Interstate 24 off-ramp onto southbound Old Hickory Boulevard

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. Parking requirements shall meet the Metro Zoning Code requirements at final site plan.
2. Comply with applicable conditions of Council Bill BL2003-1488.

3. With the submittal of the final site plan, provide written approval from the Tennessee Department Of Transportation (TDOT) for proposed access road within State right-of-way.
4. Comply with all conditions of Public Works and Traffic and Parking.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.

**Councilmember Murphy moved and Ms. Johnson seconded the motion to approve with conditions. (8-0)**

**Resolution No. RS2020-16**

“BE IT RESOLVED by The Metropolitan Planning Commission that 188-84P-002 is **approved with conditions. (8-0)**  
**CONDITIONS**

1. Parking requirements shall meet the Metro Zoning Code requirements at final site plan.
2. Comply with applicable conditions of Council Bill BL2003-1488.
3. With the submittal of the final site plan, provide written approval from the Tennessee Department Of Transportation (TDOT) for proposed access road within State right-of-way.
4. Comply with all conditions of Public Works and Traffic and Parking.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.

**23. 2004P-029-001  
 NOLENSVILLE CENTER PUD (REVISION)**

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

A request to revise a portion of a Planned Unit Development Overlay and final site plan approval on property located at Hester Avenue (unnumbered), approximately 240 feet south of Glenrose Avenue, zoned CS (0.2 acres), to permit a 1,100 square foot office, requested by Shaun Shirzad Etemadi, applicant and owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise preliminary plan and for final site plan approval to permit an office.**

PUD Revision

A request to revise a portion of a Planned Unit Development Overlay and for final site plan approval on property located at Hester Avenue (unnumbered), approximately 240 feet south of Glenrose Avenue, zoned Commercial Services (CS) (0.2 acres) to permit a 1,100 square foot office.

**Existing Zoning**

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

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

**PLAN DETAILS**

The approximately 9,000 square foot property is located on the east side of Nolensville Road between Nolensville Road and Hester Avenue. The neighboring property to the south is a McDonalds which abuts I-440. The abutting properties to the north include a fuel station and automobile repair shop. The property is not located directly on Nolensville Road, but is situated behind a property that is located along Nolensville Road. The property on Nolensville Road includes automobile services and sales. The PUD was originally approved in 2004. The PUD recognized the existing use and provides operational standards. The plan included an existing building that is approximately 1,100 square foot building. The subject site is currently vacant, but has been used for parking in the past.

Site Plan

The plan is to permit a small office building. The proposed office building is approximately 1,100 square feet in size, the same size as the building currently existing on the site.

It is to be located at the back of the site. Access is provided from Nolensville Road by an access easement thought the adjacent property. No access is proposed to Hester Avenue. As proposed the plan maintains all conditions and requirements that were adopted with the original PUD. The original requirements pertain to use, storage, signage and access.

#### **ANALYSIS**

Section 17.40.120.F permits the Planning Commission to approve modifications to a master development plan under certain conditions. When a modification is minor then the modification does not require concurrence from Metro Council. The Zoning Code grants the Commission to approve modifications when:

- The PUD boundary is not expanding by adding more land or the PUD boundary is not decreasing by removing land from the PUD.
- The modification does not conflict with any special performance criteria, design standards or other requirements approved by Council.
- There is no change in land use from what is permitted by the underlying base zoning district.
- The modification does not increase the total number of residential units above the number last authorized by Council, or more than the last modification approved by the Planning Commission for PUDs approved after September 1, 2006.
- When the modification does not require a change in the base zoning district.
- When the PUD does not meet the criteria for inactivity.

As proposed staff finds that the request is consistent with and meets all of the criteria of Section 17.40.120.F.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

##### **Approve**

#### **PUBLIC WORKS RECOMMENDATION**

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

- Prior to any work within the right-of-way a permit must be obtained from the Department of Public Works. Detailed sidewalk plans will be required conforming with the sidewalk standards.

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

##### **Approve**

#### **WATER SERVICES RECOMMENDATION**

##### **Approve**

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. A change in use from office to another use that is permitted by the CS zoning district and not specifically prohibited by BL2005-748 shall not require the PUD to be revised.
2. This approval does not include signs. Any sign(s) will be reviewed with the sign permit, and will be required to meet the Murfreesboro Design Overlay sign standards.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
5. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

**Approved with conditions. Consent Agenda. (8-0)**

**Resolution No. RS2020-17**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-029-001 is **approved with conditions. (8-0)**

**CONDITIONS**

1. A change in use from office to another use that is permitted by the CS zoning district and not specifically prohibited by BL2005-748 shall not require the PUD to be revised.
2. This approval does not include signs. Any sign(s) will be reviewed with the sign permit, and will be required to meet the Murfreesboro Design Overlay sign standards.
3. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
5. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

**24. 2019Z-160PR-001**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Amelia Lewis

A request to rezone from CS to MUL-A zoning for properties located at 5301, 5305, 5307, 5309 and 5311 California Avenue, and 5215 Centennial Boulevard, at the southeast corner of California Avenue and 54th Ave North (1.11 acres), requested by The Establishment Group Music City, applicant; Guardian Electric Corp., owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Commercial Service (CS) to Mixed Use Limited-Alternative (MUL-A) zoning for properties located at 5301, 5305, 5307, 5309 and 5311 California Avenue, and 5215 Centennial Boulevard at the southeast corner of California Avenue and 54th Ave North (1.11 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use 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.

**WEST NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The site is located at the southeast corner of 54<sup>th</sup> Avenue North and California Avenue. The parcels form a complete block bounded by California Avenue to the north, Centennial Boulevard to the east, 54<sup>th</sup> Avenue North to the west, and Alley #1210 to the south. Centennial Boulevard is classified as an arterial street by the Major and Collector Street Plan. The site has been developed with two single-story industrial buildings. The properties along the Centennial Boulevard are primarily commercial and industrial and are zoned CS and Industrial (IR). The properties to the west and south of the site are one and two-family residences zoned One and Two-Family Residential (R6).

The intent of the T4 CM policy is to create mixed use and higher intensity corridors. The guidance within the policy states that a site’s location in relations to centers and corridors as well as adjacent policy areas should be considered when evaluating proposed zoning changes.



The site has several characteristics that make it a candidate for increased intensity as called for by the policy. These characteristics include a cluster of parcels within an entire block face, frontage along a corridor, ample street frontage, and existing alley access.

The adjacent policy area to the west, across 54<sup>th</sup> Avenue North, and to the south, across Alley #1210, is T4 Urban Neighborhood Maintenance (T4 NM). The T4 NM policy is intended to maintain and enhance urban residential neighborhoods. MUL-A zoning would permit a variety of uses, including residential to complement the adjacent residential policy.

The proposed MUL-A zoning district is consistent with the T4 CM policy at this location. The proposed MUL-A zoning would permit this site to develop with a wide range of uses suitable to the site including mixed-use and commercial near the corridor and at a scale appropriate to the surrounding context of the existing residential neighborhood.

**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: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.11	0.6 F	29,010 SF	1842	93	199

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	0.55	1.0 F	23 U	169	11	13

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.28	1.0 F	11,979 SF	761	39	82

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)	0.28	1.0 F	11,979 SF	1005	9	94

Traffic changes between maximum: CS and MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+93	-34	-10

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed MUL-A district: 3 Elementary 2 Middle 1 High

The proposed MUL-A zoning is expected to generate six additional students beyond the existing CS zoning. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-18**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2019Z-160PR-001 is **approved. (8-0)**”

**25. 2020Z-001PR-001**

Council District 19 (Freddie O’Connell)

Staff Reviewer: Logan Elliott

A request to rezone from CS and MUL to MUG-A zoning for properties located at 1700, 1702, 1704, and 1716 Rosa L. Parks Boulevard, at the northeast corner of Rosa L. Parks Boulevard and Garfield Street (2.59 acres), requested by Design Constructors Inc., applicant; NRM Properties LLC, owner.

**Staff Recommendation: Defer to the February 13, 2020, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 20120Z-001PR-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**26. 2020Z-005PR-001**

Council District 05 (Sean Parker)

Staff Reviewer: Joren Dunnavant

A request to rezone from RS5 to R6-A zoning for property located at 710 Oneida Avenue, approximately 200 feet east of Jones Avenue (0.29 acres), requested by Taylormade Contracting, applicant; Phillip Taylor and Turnkey Builders LLC, owners.

**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 710 Oneida Avenue, approximately 200 feet east of Jones Avenue (0.29 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 2 single-family lots, based on acreage alone. Application of the Subdivision Regulations may result in fewer lots in this location.*

**Proposed Zoning**

One and Two-Family Residential – Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6 would permit a maximum of with 2 duplex lots for a total of 4 units. Final determinations regarding duplex eligibility are made by the Metro Codes Department.*

**EAST NASHVILLE COMMUNITY PLAN**

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

Highland Heights Study Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy which was approved and adopted by the Planning Commission on June 14, 2018. The Highland Heights Study was completed after an extensive community engagement process which resulted in updates to the community character policies for the area. The community character policy for this site, changed from T4 NE to T4 NM with adoption of the Highland Heights plan.

The Highland Heights Study also established a supplementary Building Regulating Plan and Mobility Plan for the area. This site is within the R3 subdistrict of the Building Regulating Plan, which is intended to maintain existing moderate-density, predominantly single-family residential development pattern while allowing for slightly higher intensities at intersections of significant streets. The R3 subdistrict supports both single-family and two-family residential uses.

The Mobility Plan component of the Highland Heights Study identifies Oneida Avenue as a local street. When a property redevelops, sidewalk infrastructure may be required per the requirements of the Metro Code.

**ANALYSIS**

The proposal is for property located in East Nashville on Oneida Avenue. The surrounding land use is single-family residential. The requested R6-A zoning is consistent with the goal of the T4 NM policy area is to maintain urban neighborhoods as characterized by their moderate to high-density residential development pattern, and with the R3 subdistrict of the Highland Heights study which supports R6-A zoning. There are several properties behind this property that have been rezoned to R6. Because this property is in an urban transect that calls for moderate to high density residential development, and adheres to the Highland Heights Study Supplemental Policy, staff recommends approval.

**FIRE RECOMMENDATION**

**Approve with conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. full and complete review of building plans is required prior to approval for construction and may require changes to the site.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.29	8.712 D	2 U	19	2	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (220)	0.29	7.26 D	4 U	30	2	3

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+11	0	+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 will generate no more students than the existing RS5 zoning district. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-19**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-005PR-001 is **approved. (8-0)**”

**27. 2020Z-007PR-001**

Council District 01 (Jonathan Hall)  
 Staff Reviewer: Jason Swaggart

A request to rezone from SP and R40 to MUN-A zoning for properties located at 6404 Eatons Creek Road, 3580, 3612, 3616 and 3622 Old Clarksville Pike, Eatons Creek Road (unnumbered), and Old Clarksville Pike (unnumbered), approximately 215 feet west of Joelton Community Center Road (53.22 acres), requested by Metro Councilmember Jonathan Hall, applicant; various owners.

**Staff Recommendation: Approve.**

**The Metropolitan Planning Commission deferred 2020Z-007PR-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**28a. 2020Z-008PR-001**

Council District 01 (Jonathan Hall)  
 Staff Reviewer: Jason Swaggart

A request to rezone from CS and RM20 to MUN-A zoning for properties located at 201, 204, 205, 210, 220, 221, 225, and 231 Gifford Place, at the southeast corner of Interstate 24 and Whites Creek Pike and within a Planned Unit Development Overlay District (22.12 acres), requested by Metro Councilmember Jonathan Hall, applicant; The Gifford Partnership, owner (see associated case #61-77P-004).

**Staff Recommendation: Approve.**

**The Metropolitan Planning Commission deferred 2020Z-008PR-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**28b. 61-77P-004**  
**GIFFORD COMMERCIAL PUD (CANCELLATION)**

Council District 01 (Jonathan Hall)  
Staff Reviewer: Jason Swaggart

A request to cancel a Planned Unit Development Overlay District for properties located at 201, 204, 205, 210, 220, 221, 225, and 231 Gifford Place, at the southeast corner of Interstate 24 and Whites Creek Pike, zoned CS and RM20 (22.12 acres), requested by Metro Councilmember Jonathan Hall, applicant; The Gifford Partnership, owner (see associated case #2020Z-008PR-001).

**Staff Recommendation: Approve subject to the approval of the associated zone change and disapprove if the associated zone change is not approved.**

**The Metropolitan Planning Commission deferred 61-77P-004 to the February 13, 2020, Planning Commission meeting. (8-0)**

**29a. 2020Z-009PR-001**

Council District 01 (Jonathan Hall)  
Staff Reviewer: Jason Swaggart

A request to rezone from SCC to MUN-A zoning for a portion of property located at 3565 Old Clarksville Pike, approximately 580 feet east of Eatons Creek Road and within a Commercial Planned Unit Development Overlay District (25.95 acres), requested by Metro Councilmember Jonathan Hall, applicant; Joe Smith, owner (see associated case #88P-029-001).

**Staff Recommendation: Approve.**

**The Metropolitan Planning Commission deferred 2020Z-009PR-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**29b. 88P-029-001**  
**JOELTON COMMERCIAL PUD (CANCELLATION)**

Council District 01 (Jonathan Hall)  
Staff Reviewer: Jason Swaggart

A request to cancel a Commercial Planned Unit Development Overlay District for a portion of property located at 3565 Old Clarksville Pike, approximately 580 feet east of Eatons Creek Road, zoned SCC (25.95 acres), requested by Metro Councilmember Jonathan Hall, applicant; Joe Smith, owner (see associated case #2020Z-009PR-001).

**Staff Recommendation: Approve subject to the approval of the associated zone change and disapprove if the associated zone change is not approved.**

**The Metropolitan Planning Commission deferred 88P-029-001 to the February 13, 2020, Planning Commission meeting. (8-0)**

**30. 2020Z-010PR-001**

Council District 07 (Emily Benedict)  
Staff Reviewer: Joren Dunnavant

A request to rezone from RS10 to R10 zoning for property located at 1314 Cardinal Avenue, approximately 175 feet west of Addine Street (0.23 acres), requested by James Aguire, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS10 to R10.**

Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) zoning for property located at 1314 Cardinal Avenue, approximately 175 feet west of Addine Street (0.23 acres).

### **Existing Zoning**

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

### **Proposed 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 1 duplex lots for a total of 2 units. Final determinations regarding duplex eligibility are made by the Metro Codes Department.*

### **EAST NASHVILLE COMMUNITY PLAN**

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

### **ANALYSIS**

The proposal is for property located in East Nashville on Cardinal Avenue. The surrounding land use is single-family residential, one and two-family residential, and institutional. There is a school behind the site and a duplex lot next door. The property has frontage on both Cardinal Avenue and Greenland Avenue.

The goal of the T4 NM policy area is to maintain urban neighborhoods as characterized by their moderate to high-density residential development pattern with regularly spaced buildings with shallow setbacks and minimal spacing in between. The properties along Cardinal Avenue are narrow and deep with double road frontage. A duplex lot could better serve the goals of the policy to create moderate to high lot coverage with buildings that are oriented toward the street. Because this property is irregular in shape, has double frontage, and is adjacent to an existing two-family property, staff recommends approval of the proposed R10 zone change.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. full and complete review of building plans is required prior to approval for construction and may require changes to the site.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.22	4.356 D	1 U	10	1	1

Maximum Uses in Proposed 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* (220)	0.22	4.356 D	2 U	15	1	2

\*Based on two-family lots

Traffic changes between maximum: **RS10 and R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+5	0	+1

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS10 district: 0 Elementary 0 Middle 0 High

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

The proposed R10 zoning will generate no more students than the existing RS10 zoning district. Students would attend Dan Mills Elementary School, Litton Middle School, and Stratford High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

Councilmember Benedict spoke in favor of the application.

**Ms. Farr moved and Councilmember Murphy seconded the motion to approve. (8-0)**

**Resolution No. RS2020-20**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-010PR-001 is **approved. (8-0)**

**31. 2020Z-012PR-001**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Abbie Rickoff

A request to rezone from IWD to MUG zoning for properties located at 200 Cumberland Bend and Cumberland Bend (unnumbered), approximately 730 feet east of Great Circle Road (7.13 acres), requested by Kimley-Horn, applicant; 200 Cumberland Bend, LLC, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from IWD to MUG.**

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use General (MUG) zoning for properties located at 200 Cumberland Bend and Cumberland Bend (unnumbered), approximately 730 feet east of Great Circle Road (7.13 acres).

**Existing Zoning**

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

## **Proposed Zoning**

Mixed Use General (MUG) is intended to implement the moderate high intensity mixed-use policies of the general plan including residential, commercial, and office uses. It is an appropriate use near major concentrations of employment, commercial, or industrial uses.

## **NORTH NASHVILLE COMMUNITY PLAN**

D Employment Center (D EC) is intended to enhance and create concentrations of employment that are often in a campus-like setting. A mixture of office and commercial uses are present, but are not necessarily vertically mixed. Light industrial uses may also be present in appropriate locations with careful attention paid to building form, site design and operational performance standards to ensure compatibility with other uses in and adjacent to the D EC area. Secondary and supportive uses such as convenience retail, restaurants, and services for the employees and medium to high density residential are also present.

## **ANALYSIS**

The site includes two parcels located on 7.13 acres, located along Cumberland Bend, near the eastern terminus of Great Circle Road. The Cumberland River Greenway is located directly east, between the site and the river. Access to the site is currently provided from Cumberland Bend and from Great Circle Road. The eastern parcel contains an industrial building and associated parking, and the western parcel contains a surface parking lot. Surrounding land uses include mixed office, industrial, and multi-family residential development.

This rezoning request is consistent with the D EC policy, which is intended to provide concentrations of office, commercial development, and light industrial uses in areas of intense economic activity featuring large numbers of jobs. The proposed zoning allows for a mixture of uses compatible with land uses of adjacent properties in D EC policy. The site is also located in an area identified by NashvilleNext as a Tier 2 Center. Areas identified as centers contain pedestrian-friendly areas with frequent transit services that contain a dense mixture of land uses. The site is adjacent to the Cumberland River Greenway and is also located in proximity to an existing MTA bus stop at the corner of Great Circle Road and Vantage Way.

The MUG zoning district is consistent with the policy for the area and is appropriate given the surrounding land uses and land use policy. Permitted uses under the MUG zoning district include residential, retail, office, and light industrial uses, which are consistent with the intent of the policy. While the D EC policy is intended to enhance and create concentrations of employment, a balance of nonresidential uses and residential uses is appropriate, and careful consideration should be given to future rezoning requests in this area that would permit residential uses.

## **FIRE MARSHAL RECOMMENDATION**

### **Approved with conditions**

FM general comments:

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Approve with conditions**



Applicant submitted a traffic memo to compare the current zoning to the proposed development (305 multi-family units) - no analysis was conducted.

- Proposed development is located along one public roadway (Great Circle Road) and three private access roadways.
- Proposed development patrons will likely utilize Vantage Way, French Landing Drive, and Rosa L. Parks Boulevard.
- The proposed development is anticipated to increase the trip generation by 1,250 daily trips (315%), 100 AM peak hour trips (85%), and 80 PM peak hour trips (150%) from the current zoning.
- A detailed transportation study will be submitted prior to receiving building permits.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	7.13	0.8 F	248,466 SF	439	56	58

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	3.57	3.0 F	466 U	3483	206	233

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.56	3.0 F	203,860 SF	12939	649	1395

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (931)	1.56	3.0 F	203,860 SF	17092	149	1591

Traffic changes between maximum: **IWD and MUG**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+33075	+948	+3161

**SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-21**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-012PR-001 is **approved. (8-0)**

## 32. 2020Z-014PR-001

Council District 21 (Brandon Taylor)

Staff Reviewer: Joren Dunnavant

A request to rezone from CS to RS3.75 zoning for property located at 1004 44th Avenue North, approximately 50 feet north of Albion Street (0.10 acres), requested by Dale and Associates, applicant; Regal Homes, owner.

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Zone change from CS to RS3.75.**

#### Zone Change

A request to rezone from Commercial Service (CS) to Single-Family Residential (RS3.75) zoning for property located at 1004 44<sup>th</sup> Avenue North, approximately 50 feet north of Albion Street (0.10 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

Single-Family Residential (RS3.75) requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. *RS3.75 would permit a maximum of 1 single-family lot.*

### **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 proposal is for property located in North Nashville. The surrounding land use is single-family residential, one and two-family residential, and commercial. The goal of the T4 NM policy area is to maintain urban neighborhoods as characterized by their moderate to high-density residential development pattern. With multi-family residential to the west, and single-family residential to the north, an RS3.75 zoning aides the transition from the existing commercial to the south, to the maintenance policy area of single-family residential to the north. Because this rezoning brings the property into compliance with the policy to be primarily residential in use and lends itself to a natural transition of use and intensity, staff recommends approval.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet, where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.

- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.10	0.6 F	2,613 SF	166	9	18

Maximum Uses in Proposed Zoning District: **RS3.75**

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)	0.10	11.616 D	1 U	10	1	1

Traffic changes between maximum: **CS and RS3.75**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-156	-8	-17

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RS3.75 district: 0 Elementary 0 Middle 0 High

The proposed RS3.75 zoning will generate no more students than the existing CS zoning district. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-22**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-014PR-001 is **approved. (8-0)**”

**33. 2020Z-015PR-001**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Joren Dunnavant

A request to rezone from R40 to R6 zoning for property located at 1201 Watts Terrace, at the southeast corner of Watts Terrace and Watts Lane (0.81 acres), requested by Dale and Associates, applicant; 1 Public Homes LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Zone change from R40 to R6.**

Zone Change

A request to rezone from One and Two-Family Residential (R40) to One and Two-Family Residential (R6) zoning for property located at 1201 Watts Terrace, at the southeast corner of Watts Terrace and Watts Lane Avenue (0.81 acres).

**Existing Zoning**

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40*

would permit a maximum of one lot based on current configuration. Determinations regarding duplex eligibility are made by the Metro Codes Department.

### **Proposed Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. R6 would permit a maximum of 6 lots with 1 duplex lot for a total of 7 units.

### **WEST NASHVILLE COMMUNITY PLAN**

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

### **ANALYSIS**

The proposal is for property located in West Nashville on Watts Terrace. The surrounding land use is single-family residential and one and two-family residential.

The goal of the T3 NE policy is to create and enhance neighborhoods with a greater housing choice, and density that is moderate with smaller lots and a more diverse mix of housing types. An R6 zoning will provide a transitional zone between the R40 zoning to the east and south of the property and the RM15-A to the west of the property while supporting the goals of the policy area to create moderate density residential development. Therefore, staff recommends approval with conditions.

### **FIRE RECOMMENDATION**

#### **Approve with conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. full and complete review of building plans is required prior to approval for construction and may require changes to the site.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Approve with conditions**

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

Maximum Uses in Existing Zoning District: **R40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (220)	0.81	1.089 D	2 U	15	1	2

\*Based on two-family lots

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* (220)	0.81	7.26 D	10 U	74	5	6

\*Based on two-family lots

Traffic changes between maximum: **R40 and R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+8 U	+59	+4	+4

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R40 district: 0 Elementary 0 Middle 0 High

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

The proposed R6 zoning will generate two more students than the existing R40 zoning district. Students would attend Charlotte Park Elementary School, H.G. Hill Middle School, and Hillwood High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Dedicate half of the ROW for minimum pavement width of road improvements required along Watts Lane prior to issuance of building permit.

Ms. Johnson moved and Ms. Farr seconded the motion to consider Item 33 before Items 11, 12, and 13. (8-0)

The developer requested a two-meeting deferral.

**Ms. Johnson moved and Ms. Farr seconded the motion to defer to the February 27, 2020 Planning Commission meeting. (8-0)**

**Resolution No. RS2020-23**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2020Z-015PR-001 is **deferred to the February 27, 2020 Planning Commission meeting.. (8-0)**

**34. 2020Z-016PR-001**

Council District 05 (Sean Parker)

Staff Reviewer: Abbie Rickoff

A request to rezone from R6-A and SP to RM20-A zoning for properties located at 865 and 869 Joseph Avenue, at the southeast corner of Joseph Avenue and Cleveland Street (0.4 acres), requested by Capital Invest, LLC, applicant; Capital Invest, LLC and Bradys Infinite Solutions, LLC, owners.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2020Z-016PR-001. (8-0)**

### 35. 2020Z-017PR-001

Council District 04 (Robert Swope)

Staff Reviewer: Patrick Napier

A request to rezone from R10 to OL zoning for a portion of property located at 5423 Edmondson Pike, approximately 625 feet south of Brent Glen Place (2.5 acres), requested by Thomas and Hutton, applicant; Brian Hayes, owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

##### **Rezone from R10 to OL.**

##### Zone Change

A request to rezone from One and Two-Family Residential (R10) to Office Limited (OL) zoning for a portion of property located at 5423 Edmondson Pike, approximately 625 feet south of Brent Glen Place (2.5 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 14 lots with 3 duplex lots for a total of 17 units, based upon acreage alone. Application of the subdivision regulations may result in fewer lots and units.*

##### **Proposed Zoning**

Office Limited (OL) is intended for moderate intensity office uses.

#### **SOUTHEAST COMMUNITY PLAN**

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

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

#### **ANALYSIS**

The site consists of a single parcel located 5423 Edmondson Pike, approximately 625 feet south of Brent Glen Place. The site contains a total of 2.5 acres. There is an existing residential structure on the site. The site has frontage directly on the Edmondson Pike. Edmondson Pike is designated as Arterial Street within the Major Collector Street Plan. Surrounding properties along Edmondson Pike include single, multi-family, and civic uses. The Conservation policy identifies the presence of a stream and associated flood plain towards the rear of the site.

The intent of the Transition policy is to provide transitions in scale, intensity, and use at locations between high-intensity and low-intensity policy categories or development. The predominant uses in TR areas are small-scale offices and moderate to high density residential in various building types.

The bulk standards required by the OL zone district ensure small scale office use will provide an effective transition from the intensity of Edmondson Pike. The allowed uses will provide an appropriate intensity for future uses should the site redeveloped. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

If the site is redeveloped under the proposed OL zone district the construction of sidewalks which meet the requirements of the Major and Collector Street Plan will be required. The requirements for the frontage of this site include an 8 foot sidewalk and a 6 foot planting strip.

The requested rezoning to OL is compatible with surrounding land uses and is consistent with policy, therefore staff recommends approval

#### **FIRE MARSHAL RECOMMENDATION**

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

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.

- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the Transition policy.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-24**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-017PR-001 is **approved. (8-0)**

**36. 2020Z-018PR-001**

Council District 05 (Sean Parker)  
Staff Reviewer: Joren Dunnavant

A request to rezone from RS5 to R6-A zoning for property located at 316 Edith Avenue, approximately 540 feet east of Meridian Street (0.18 acres), requested by Capital Investments LLC, applicant and owner.

**Staff Recommendation: Approve with conditions.**

**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 316 Edith Avenue, approximately 540 feet east of Meridian Street (0.18 acres).

**Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 unit.*

**Proposed Zoning**

One and Two-Family Residential – Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6 would permit a maximum of duplex lot for a total of 2 units.*

**EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density

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

#### Highland Heights Study Supplemental Policy

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

This site is within the R4 Subdistrict of the Building Regulating Plan, which is intended to create and enhance neighborhoods with greater housing choice and improved connectivity, consistent with the goals of the general T4 NE policy. The R4 Subdistrict supports a range of residential uses, including two-family and multi-family residential, at varying intensities depending on the location and context and presence of infrastructure.

The Mobility Plan component of the Highland Heights Study identifies Edith Avenue as a local street. When a property redevelops, sidewalk infrastructure may be required per the requirements of the Metro Code.

#### **ANALYSIS**

The proposal is for property located in East Nashville on Edith Avenue. The surrounding land use is single-family residential and one and two-family residential. The goal of the T4 NE policy area is to create and enhance neighborhoods with greater housing choices and increased connectivity. T4 NE policy areas will have higher densities and smaller lot sizes, with a broader range of housing types. The policy area south of the property is maintenance and there is a multi-family SP to the north, across the street from Edith Avenue. The property is deep and narrow and has an existing rear alley located in substandard right-of-way. The proposed R6-A zoning will meet the goals of the T4 NE policy to create opportunities for more variety in housing choice while aiding the transition between the maintenance policy to the south and the more intense multi-family development to the north. Staff is recommending a condition requiring dedication of one-half the additional alley right-of-way necessary to meet Public Works standards.

#### **FIRE RECOMMENDATION**

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

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. full and complete review of building plans is required prior to approval for construction and may require changes to the site.

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

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

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



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.18	8.712 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* (220)	0.18	7.26 D	2 U	15	1	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
-	-	-	+1 U	+5	0	+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 will generate no more students than the existing RS5 zoning district. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Prior to building permit, the applicant shall dedicate one-half of the additional alley right-of-way necessary to meet Public Works standards.

**Approved with conditions. Consent Agenda. (8-0)**

**Resolution No. RS2010-25**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-018PR-001 is **approved with conditions.** (8-0)

**CONDITIONS**

1. Prior to building permit, the applicant shall dedicate one-half of the additional alley right-of-way necessary to meet Public Works standards.

**37. 2020Z-025PR-001**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Patrick Napier

A request to rezone from IR to MUL-A zoning for property located at 4900 Centennial Boulevard, approximately 300 feet east of 51st Avenue North (3.66 acres), requested by Silo Capital LLC, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use Limited-A (MUL-A) zoning for property located at 4900 Centennial Boulevard, approximately 300 feet east of 51st Avenue North (3.66 acres).

**Existing Zoning**

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

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

**WEST NASHVILLE COMMUNITY PLAN**

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

**ANALYSIS**

The requested rezoning to MUL-A is consistent with the policy for the area and is an appropriate zoning given the surrounding land uses and land use policy. The parcel is located along the north side of Centennial Boulevard which is designated in the Major and Collector Street Plan as an urban, mixed-use collector-avenue. The bulk and building placement standards required by the MUL-A zone district ensure mixed-use development that addresses the pedestrian realm and limits the amount of parking between the building and the street. These standards will also help enhance a pedestrian-friendly, urban streetscape, consistent with the goals of the policy. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

**FIRE MARSHAL RECOMMENDATION**

**Approve with Conditions**

- Fire apparatus access roads shall be provided and maintained in accordance with the adopted fire code and standards.
- Except as approved by the fire code official; fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Where a fire hydrant is located on a fire apparatus access road the minimum width in the vicinity of the hydrant shall be 26 feet.
- Buildings over 30 feet in height shall meet fire department aerial apparatus access requirements.
- Dead end fire apparatus access roads in excess of 150 feet shall be provided with an approved fire apparatus turnaround.
- All points of the building shall be within 500 feet of a fire hydrant when measured via approved fire apparatus access route.
- Fire department connections for standpipe/sprinkler system shall be within 100 feet of the fire hydrant via approved access route.
- Multi-family residential developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.
- Developments of one- or two-family dwelling units where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Buildings exceeding 30 feet in height or 62,000 square feet in area (124,000 fully sprinklered) shall be provided with two separate and approved fire apparatus access roads.
- The maximum grade for fire apparatus access roads shall not exceed 10% without approval from the fire code official.
- Gates across fire apparatus access roads shall comply with adopted code and standards.
- Approval of a preliminary or final site plan is not an approval for building construction. Full and complete review of building plans is required prior to approval for construction and may require changes to the site.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	3.66	0.6 F	95,657 SF	197	37	40

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	1.84	1.0 F	80 U	564	39	49

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.91	1.0 F	39,639 SF	2516	127	272

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)	0.91	1.0 F	39,639 SF	3324	29	310

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+6207	+158	+591

**METRO SCHOOL BOARD REPORT**

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

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the T4 Urban Mixed Use Neighborhood policy.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-26**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-025PR-001 is **approved. (8-0)**"

**38. 2020Z-026PR-001**

Council District 33 (Antoinette Lee)

Staff Reviewer: Amelia Lewis

A request to rezone from AR2a to RM9 zoning for property located at 5995 Mt. View Road, approximately 420 feet southwest of Arrogate Drive and within the Hamilton Hills Urban Design Overlay District (9.65 acres), requested by Dale and Associates, applicant; Fahim Eryan, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from AR2a to RM9.**

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Multi-Family Residential (RM9) zoning for property located at 5995 Mt. View Road, approximately 420 feet southwest of Arrogate Drive and within the Hamilton Hills Urban Design Overlay District (9.65 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 four lots with one duplex lot for a total of five units. This calculation is based upon acreage alone. Application of the subdivision regulations may result in fewer lots for this site.*

**Proposed Zoning**

Multi-Family Residential (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre. *RM9 would permit a maximum of 86 units.*

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

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.

**HAMILTON HILLS URBAN DESIGN OVERLAY (UDO)**

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code. *The site is located within the Hamilton Hills Urban Design Overlay (UDO).*

**ANALYSIS**

The site is located on the north side of Mt. View Road, north of the intersection of Mt. View Road and Murfreesboro Pike. The 9.65 acre site is currently undeveloped. There is an existing church and cemetery with frontage along Mt. View Road, which the proposed site wraps around on the north, east, and west sides of the property.

The properties to the west of the site are zoned Multi-Family Residential (RM9 and RM20) and also within the Hamilton Hills UDO. The properties to the south across Murfreesboro Pike are zoned AR2a and Single-Family Residential (RS40) and a portion of these properties are within the Murfreesboro Pike UDO. The properties to the north and east of the site are zoned Single-Family Residential (RS10) and have been developed with existing single-family structures.

The Hamilton Hills UDO covers approximately 104 acres and envisions a mix of uses and various housing styles from single-family cottage development to stacked flats development. This particular portion of the UDO calls for a mix of detached houses, cottage houses, and townhouses. The proposed zoning district of RM-9 would permit the types of units and intensities specified by the plan.

The proposed rezoning aligns with the intentions of the T3CM policy to enhance suburban mixed-use corridors by encouraging a greater mix of higher density residential and mixed-use development along the corridor by permitting a higher level of density than currently permitted. The existing UDO plan identifies public street connections to meet the policy goals to create highly connected street networks, sidewalks, and existing or planned mass transit. The layout of the site identifying required street connections and unit types will be determined upon application of a Final Site Plan.

**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: **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)	9.65	0.5 D	8 U	76	6	8

\*Based on two-family lots

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

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)	9.65	9	86 U	610	42	52

Traffic changes between maximum: **AR2a and RM9**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+78 U	+534	+36	+44

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed RM9 district: **12** Elementary **8** Middle **7** High

The proposed RM9 zoning is expected to generate 24 additional students beyond the existing AR2a zoning. Students would attend Thomas A. Edison Elementary School, J.F. Kennedy Middle School, and Antioch High School.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approved. Consent Agenda. (8-0)**

**Resolution No. RS2020-27**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2020Z-026PR-001 is **approved. (8-0)**

## H: OTHER BUSINESS

39. Order Granting Subdivision Approval of 2018S-204-001 (Hunters Run)

**Resolution No. RS2020-28**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Order Granting Subdivision Approval of 2018S-204-001 (Hunters Run) is **approved. (8-0)**

40. Contract Renewal for Anita McCaig, Peter Bird, Joni Williams, Miranda Clements.

**Resolution No. RS2020-29**

"BE IT RESOLVED by The Metropolitan Planning Commission that Employee contract renewal for Anita McCaig, Peter Bird, Joni Williams and Miranda Clements is **approved. (8-0)**

41. New Employment Contract for Van Simone Holder.

**Resolution No. RS2020-30**

"BE IT RESOLVED by The Metropolitan Planning Commission that New Employee contract for Van Simone Holder is **approved. (8-0)**

42. Historic Zoning Commission Report

43. Board of Parks and Recreation Report

44. Executive Committee Report

45. Accept the Director's Report

**Resolution No. RS2020-31**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report is **approved. (8-0)**

46. Legislative Update

## I: MPC CALENDAR OF UPCOMING EVENTS

**February 13, 2020**

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Board of Education Administration Building

**February 27, 2020**

MPC Meeting

4 pm, 2601 Bransford Avenue, Metro Board of Education Administration Building

**March 12, 2020**

MPC Meeting

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

**March 26, 2020**

MPC Meeting

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

## J: ADJOURNMENT

The meeting adjourned at 9:20 p.m.

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Chairman

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Secretary